

NORTHUMBERLAND COUNTY COUNCIL

CASTLE MORPETH LOCAL AREA COUNCIL

At a meeting of the **Castle Morpeth Local Area Council** held in the Council Chamber on Monday, 9 December 2019.

PRESENT

Councillor L. Dunn
(Planning Vice-Chair, in the Chair)

COUNCILLORS

Armstrong, E.
Bawn, D.L
Beynon, J.A
Dickinson, S. (part)
Dodd, R.R.

Foster, J.D.
Ledger, D. (part)
Sanderson, H.G.H.
Towns, D.J
Wearmouth, R.

OFFICERS IN ATTENDANCE

Bennett, Mrs L.M.
Brookes, D.
Fairs, G.
Hadden, D.
Laughton, R.
Murphy, J.
Sinnamon, E.

Senior Democratic Services Officer
Infrastructure Records Manager
Highways Development Manager
Solicitor
Planning Officer
Principal Planning Officer
Senior Planning Manager

95. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor P.A. Jackson and V. Jones.

96. MINUTES

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Council held on Monday, 11 November 2019 as circulated, be confirmed as a true record and signed by the Chair.

97. DISCLOSURE OF MEMBERS' INTERESTS

Councillor D. Ledger declared that he was speaking on planning application 19/03768/FUL as the Division Councillor following which he would leave the Chamber and not take any part in the discussion or decision making.

Ch.'s Initials.....

DEVELOPMENT CONTROL

98. DETERMINATION OF PLANNING APPLICATIONS

The attached report explained how the Local Area Council was asked to decide the planning applications attached to this agenda using the powers delegated to it and included details of the public speaking arrangements. (Report attached to the signed minutes as **Appendix A**)

RESOLVED that the report be noted

99. 19/03768/FUL

Change of use from residential (Class C3) to residential home for children and young people (Class 2)

East Farm Cottage, Guide Post, Choppington, Northumberland, NE62 5PS

Richard Laughton, Planning Officer, introduced the application and provided a brief overview. Members were informed that the following minor alterations with plans had been submitted that morning:-

- Extend the existing wall near the entrance door and install a new timber gate.
- Paving slabs behind the wall to create a more formalised pathway to the car park.
- Add the following condition as condition 8
 - *“The facing bricks to be used in the construction of the nearby approved front wall shall match the corresponding materials of the existing building in respect of colour, size, shape and texture.”*
- The application description amended to *“Change of use from residential (Class C3) to residential home for children and young people (Class C2) with minor external alterations (as amended 9.12.19).”*
- The approved plans condition 2 to be updated with the recently submitted plans
 - Site Plan 300-02 Rev 04
 - General Arrangement as Proposed 300-01 Rev 04
 - External Alterations Proposed 300-03 Rev 04
- Paragraph 7.15 should read *“Policy H10 specifically refers to supporting proposed residential institutions provided that there is unlikely to be any disturbance to neighbours.”*
- Paragraph 7.20 should read *“Consequently, this was not a factor which would materially alter its basic character as a dwellinghouse.”*

Keith Darling addressed the meeting speaking in objection to the application. His key points included the following:-

- He was speaking on behalf of 34 residents. Whilst understanding the need for such a residential home, the objection was in regard to the specific location.
- He referred to several paragraphs in the NPPF to which he felt that either no weight or insufficient weight had been given to.

- This residential home and the houses already present were not an appropriate mix.
- The main concern of local residents was the fear of crime and this was a material planning consideration. The officer's report stated that there was no indication of an increase in crime.
- If Action for Children was looking for new developments, there must be more suitable locations.
- He hoped that Members would take into account the views of residents.

Lesley Sisterson addressed the meeting speaking in objection to the application. Her key points included the following:-

- She was the owner of East Farm and surrounding land and used the access road.
- This access was the only access available to the farm and residents.
- Parking at the site was inadequate.
- The access road was narrow and used by very wide farm machinery which would give rise to conflict.
- The front door to the property was directly adjacent to the access road. What would happen if a child just ran out?
- The application required a wall to be demolished to provide room for the required parking spaces. She was the owner of the wall and would not agree to its demolition.

Councillor D. Ledger addressed the meeting speaking as the Local Division Councillor. His key points included the following:-

- He was concerned about health and safety. Access was via a narrow private road and there was no on street parking on the nearby estate.
- Farm tractors with trailers of 10-14 feet wide used the access road and passed within 1.5 metres of the property. Properties on the opposite side of the road were 8-10 metres from the road.
- The Farmhouse had been sold and planning permission for two houses had recently been granted for the site.
- The farm was still a working farm and there was a well used public right of way through the site.
- At harvest time, the road would become very dangerous with farm traffic including combine harvesters.
- The car parking arrangements required the removal of a wall, however, the owner of the wall would not agree to its removal. In that case the car parking requirements could not be achieved.
- Access and egress from the A196 was already difficult and the road was regularly monitored for speed.
- Residents were already concerned about the increase in traffic movements with the increase in residents moving onto the estate.

Kenny Hiles (Agent) addressed the meeting speaking in support of the application. His key points included the following:-

- Action for Children was a large children's charity which aimed to increase its services to allow children to live in a family orientated, nurturing and safe environment.
- The objections had been considered but were not reasons for refusing the application.
- A number of the issues raised were not material planning considerations.
- Prior to seeking properties, the charity always identified a need in the local area
- The issues of the access road had been robustly addressed by the planning officer.
- All of the proposals for a residential home would be assessed and approved by Ofsted.

In response to questions from Members the following information was provided:-

- Legal advice had been received that anti-social behaviour/fear of crime was not a material planning consideration. They could be considered but it depended on how much weight was put on these matters.
- If the fear of crime was to be used as a reason for refusal then there must be sufficient evidence of it.
- The views of residents had been listened to and the police consulted. The police did not consider that the proposed change of use to a residential home would lead to increased crime.
- Ofsted would look at how the residential home was run and had considerable power to ensure that it was run properly. Northumberland County Council was only part of the process.
- If the wall was not demolished it would lead to problems in creating the proposed five parking spaces. Whether or not the wall could be demolished because of ownership issues would be a private matter and not a material planning consideration.
- If the five parking spaces could not be delivered then the applicants would have to come back to vary the application. If the application had to be varied, then it would be brought back in front of members in view of the level of interest in the application. The development could not go ahead until the car parking was provided as set out in a recommended condition.
- The number of car parking spaces was based on the maximum number of staff being present, such as at changeover of shifts. It may be that a different method of achieving the staff changeover would be found.
- Children's Services had been consulted and had not raised any issues. It depended on the management of the site.
- Fear of crime would not be a suitable reason for refusal without any evidence.
- There was no requirement to ask for evidence of anti-social behaviour around residential homes.
- It would be possible to defer a decision to allow further information to be gathered.

Councillor H.G.H. Sanderson then proposed that the application be deferred to allow further information to be gathered about similar sized residential homes, the potential impact of such developments on local residents, the deliverability of the parking spaces and indication of the likely numbers of daily visitors. This was seconded by Councillor R.R. Dodd.

Debate then followed and key points from members included:

- It was important to be satisfied on how deliverable the parking spaces were. This was a material planning consideration.
- The property would have more visitors than a normal residential household and it seemed that there was nowhere to park.
- All members were corporate parents to Northumberland's Looked After Children and it was their responsibility to take due diligence and care in considering this application.
- The need for the home was understood but it was important to be clear that it would work in this particular location.
- Safeguarding issues were paramount and there were concerns about the heavy machinery using the access road, the lack of parking for staff and visitors.

On being put to the vote, it was agreed by 7 votes for to 1 against with 0 abstentions, that it be

RESOLVED that the application be **DEFERRED** to allow information clarifying the following areas to be provided:

- Evidence from similar schemes elsewhere and any impact on the locality.
- Information on the deliverability of the required five parking spaces.
- Information on the likely visitor numbers to the property.

100. 19/01918/FUL

Relocation of an oil tank and alterations to existing openings (Amended description 28/10/2019, Amended Plans received 25/10/2019).

1 Fawdon House Farm, Longhirst, Morpeth, Northumberland, NE61 3LQ

This item was withdrawn prior to the meeting

101. PLANNING APPEALS UPDATE

Members received a report updating them on the progress of planning appeals. (Report attached to the signed minutes as **Appendix B**)

RESOLVED that the report be noted.

Councillor D Ledger rejoined the meeting at 5.05pm

RIGHTS OF WAY

102. PROPOSAL TO MAKE A PUBLIC PATH CREATION ORDER ON LAND COMPRISING THE FORMER MAIDENS HALL NORTH OPENCAST SITE TO CREATE PUBLIC BRIDLEWAYS AND A PUBLIC FOOTPATH

Ch.'s Initials.....

Castle Morpeth Local Area Council, 9 December 2019

David Brookes, Infrastructure Records Manager, presented an overview. Members were informed of a proposal to create over 3.5 miles of public bridleways and a public footpath on land which comprises the former Maidens Hall north opencast site and to recommend that Members agree to the Council making a Public Path Creation Order to legally create the public paths. A plan of the site was circulated to Members at the meeting. (Report and plan attached to the signed minutes as **Appendix C**).

RESOLVED unanimously that

- (1) the proposal to create over 3.5 miles of public bridleways and a public footpath over land that comprised the former Maidens Hall north opencast site be approved; and
- (2) a Public Path Creation Order should be made to legally create the public paths.

103. DATE OF NEXT MEETING

The next meeting will be held on Monday, 13 January 2020, at 4.00 p.m. in the Council Chamber, County Hall, Morpeth.

CHAIRMAN

DATE