

NORTHUMBERLAND COUNTY COUNCIL

CASTLE MORPETH LOCAL AREA COUNCIL

At a meeting of the **Castle Morpeth Local Area Council** held in the Council Chamber, County Hall, Morpeth, NE61 2EF on Monday, 10 February 2020 at 4.00pm

PRESENT

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

COUNCILLORS

Armstrong, E.
Bawn, D.L
Beynon, J.A
Foster, J.D.
Jones, V.

Ledger, D.
Sanderson, H.G.H.
Towns, D.J
Wearmouth, R.

OFFICERS IN ATTENDANCE

Bird, M.
Hadden, D.
Harvey, C.
Laughton, R.
McKenzie, R.
Murphy, J.
Patrick, M.

Sinnamon, E.
Soulsby, R.
Thompson, M

Senior Democratic Services Officer
Lawyer
Planning Officer
Planning Officer
Senior Programmes Officer
Principal Planning Officer
Principal Highways Development
Management Officer
Senior Planning Manager
Planning Officer
Planning Officer

ALSO IN ATTENDANCE

Press (1), Public (82)

120. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dickinson, Dodd and Jackson.

121. MINUTES

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Council held on Monday, 13 January 2020 as circulated, be confirmed as a true record and signed by the Chair.

122. DISCLOSURE OF MEMBERS' INTERESTS

Councillors Bawn and Wearmouth declared a personal and prejudicial interest in planning application 19/04195/FUL in relation to their membership of Morpeth Town Council.

Councillor Ledger declared a prejudicial interest in planning application 19/03768/FUL; he would speak in the local member slot then leave the meeting for the remainder of the consideration of the application.

123. LOCAL TRANSPORT PLAN

The report set out the details of the draft Local Transport Plan (LTP) programme for 2020-21 for consideration and comment by the Local Area Council prior to final approval of the programme.

A member expressed concern about road safety on the A196 Stobhill to Guidepost, which was well used by cyclists. He asked if the speed limit could be reduced to 40mph and the footpath extended to improve safety. He also asked if consideration could be given to exploring a refuge near Johnson Villas as access was blind from one side. The Cabinet member for Local Services and Environment referred to the revised 50mph speed limit introduced around a year previously which was still being monitored. The cycleway proposed was one of the top schemes put forward.

Another member referred to ongoing road safety danger and previous accidents at Half Moon Street, Stakeford, and asked that this be looked into further and remedial action taken as soon as possible. Members were advised that this would be further discussed at a public meeting due to take place on 12 February, and the Cabinet member offered reassurance that significant funding was being allocated to address the issue of concern.

A member expressed his concern about proposals for right of way footpath reference 405/004 at Ellington being rejected, despite residents supporting it. Members were advised that this issue and possible funding had been investigated, and would hopefully progress in the next financial year.

RESOLVED that the report be noted, and members' comments be considered during the finalisation of the plan for 2020/21.

DEVELOPMENT CONTROL

124. 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.

125. 19/01406/FUL

Change of use from Farmland to "D2 Assembly & Leisure" for the purposes of providing Junior Football facilities and associated access and parking (as amended 25.10.2019)

Land South Of Slemon Park Sports Field, Heddon-On-The-Wall, Northumberland

Planning Officer Richard Laughton introduced the application by firstly updating members about an amendment to condition 12 to add in reference to materials, so it would now read: *"the development shall not be brought into use until further details of the toilet block in the form of elevations and floor plans and materials have been submitted to and approved in writing by the Local Planning Authority. The toilet block shall be installed in accordance with the approved plans thereafter"*.

Furthermore, a matchday traffic survey had now been received, the number of parking spaces to be provided on site had been increased to 60 spaces and further comments had also been received from Heddon-on-the-Wall Parish Council. Mr Laughton continued introducing the application with the aid of a slides presentation.

Robert Young spoke in objection to the application, of which his key points were:

- he was objecting on behalf of at least 10 other local residents
- the site was dangerous due to overhead power cables belonging to Northern Powergrid - the flying of kites was prohibited there. It was also on the Newcastle Airport flightpath. If this issue had been raised with Northern Powergrid earlier, nine months of traffic surveys and other costs could have been avoided
- visibility to the south of the lane was obstructed by a crescent in the carriageway. As traffic had to leave in convoy along the single lane road, nobody could reverse. The B6528 was maintained by the Council, not Highways England
- there had been six incidents of people needing to be rescued from overturned vehicles near the site
- the report said that the U9096 had an impeccable safety record, but there had been an accident on 23 January 2020
- the club had expanded from six to 14 teams within two years. Most objections concerned the health and safety of the children and young people who used the club.

Councillor Paul Edwards spoke on behalf of Heddon-on-the-Wall Parish Council, of which his key points were:

- Heddon-on-the-Wall's concerns mostly concerned the safety of traffic queueing along the single track lane, plus the first passing point was only two to three cars' length away from the highway
- the electricity cabling needed to be addressed; Northern Powergrid's input was required before the site could be judged as safe.

Liam Duffy spoke in support of the application, of which his key points were:

- the club had grown very successfully. It had 150 junior members, FA Charter status, significant success in competitions and was supported by a number of volunteers
- there were no planning reasons to refuse the application. They had undertaken more traffic assessments as requested, and there had been no accidents at the location since 2009. The safety of their members was paramount. Stewards were provided when required at access points
- safety was their key concern; concerns about the overhead power lines had been addressed; they were low voltage
- the club just wanted good, safe facilities and more space; there were no other similar facilities nearby
- the application was supported by local businesses, Newcastle United FC, the Bradley Foundation and the local MP.

In response to a member's question, Mr Laughton advised that Northern Powergrid were not a statutory consultee. The concerns raised about power lines were not material planning considerations. Northern Powergrid had however provided advice.

Councillor Wearmouth then moved that the application be granted as per the officer recommendation and the revised condition 12. This was seconded by Councillor Towns.

Debate then followed of which the key points raised by members were:

- additional information had been requested when the application had previously been presented; the applicant had now provided what had been asked for; a member was satisfied that the concerns raised had now been resolved
- a member agreed with Heddon-on-the-Wall Parish Council's concerns about traffic backing up as it approached the junction with the A69 and was not sure that the site was safe.

On being put to the vote, the motion was supported by nine votes in support to one abstention, so it was:

RESOLVED that the application be GRANTED subject to the conditions in the report and the amended condition 12 as stated at the meeting.

126. 19/03768/FUL

**Change of use from residential (Class C3) to residential home for children and young people (Class C2) with minor external alterations (As amended 09.12.2019) (amended red line boundary received 16.10.2019 to include access)
East Farm Cottage, Guide Post, Choppington, Northumberland, NE62 5PS**

Mr Laughton introduced the application by firstly providing an update - paragraph 7.12 should have referred to paragraph 91 of the National Planning Policy Framework (NPPF), not paragraph 69. He continued introducing the application with the aid of a slides presentation, and referred to the deferral of the application in December to receive additional information from the applicant.

Keith Darling spoke in objection to the application, of which his key points were:

- 34 members of the public had raised significant concerns about the application. The police had attended 119 incidents
- the wall in question was in the ownership of a neighbour, who would not allow its demolition, despite this being needed in order to fulfill parking requirements
- the application referred to employment for five full time equivalent staff, however it was estimated that this might rise as high as nine. The proposed parking provision would be inadequate for this and the number of visitors. There was no parking for people with disabilities either
- it would not match the character of surrounding density barn conversion properties
- there were no restrictions proposed for the numbers of children at the premises. Weight should also be given to fear of crime considerations; other planning appeal decisions had been influenced by them. Planning decisions should be influenced by concerns about inclusivity, safety and accessibility.

County councillor Dave Ledger spoke in the local member slot. His concerns were about road safety: 14 foot wide tractors used the narrow road to access the neighbouring farm, and no effort had been made to contact him about any possible mitigation measures to address any dangers this posed to children.

(Councillor Ledger then left the meeting whilst the application was considered.)

Kenny Hiles spoke in support of the application, of which his key points were:

- comments made about perceived threats and antisocial behaviour were misleading and without supporting evidence. Objections about the allocation assessments were not valid planning reasons
- the Council was committed to reducing the number of looked after children from Northumberland placed in homes outside of the county; this application would contribute to helping such local children. The home would be subject to all statutory regulations, including monthly visits and reports to Ofsted
- Action For Children would ensure that a maximum of three children were housed at the site. They took their responsibilities very seriously, supporting the resident children to have the same rights as other children and reach their full potential
- the application proposed an appropriate design and would pose no significant impact on the street scene or local residents.

Members then asked questions; the key details of responses from officers were:

- paragraph 7.29 of the report explained how Action For Children had 45 homes providing services and a snapshot had been taken by contacting a third of those about antisocial behaviour, from which no incidents had been reported. It was however not up to Planning Services to interrogate such data as it concerned sensitive information about protected children

- regarding whether fear of crime could be considered subjectivity or objectivity, the planning judgement had to be relevant to the location. Fear had to relate to the change of use proposal, not the occupants. In some appeals the police had been consulted and expressed concerns but had not provided any evidence and the appeals were dismissed, no evidence had been provided in this instance, so it should not be used as a refusal reason when neither the police or community liaison officer had objected
- the ownership of the wall was a civil matter for the parties involved rather than a planning matter. The applicant would however have to provide the required parking provision promised before the development could proceed
- there was no evidence that the change of use would lead to any antisocial behaviour
- the application could be conditioned to restrict the number of looked after children housed there to three at any one time.

Councillor Bawn then moved that the application be granted as per the officer recommendation subject to the conditions in the report. This was seconded by Councillor Armstrong. Following clarification, both agreed to amend the motion to add a condition restricting the home to no more than three children/young people being resident at any one time.

Debate then followed of which the key points raised by members were:

- legal ownership of the wall was a separate legal matter. A land tribunal would be responsible for deciding it, not a planning committee
- one member considered it would be helpful to have some site specific information about antisocial behaviour, but another member said this would not be possible as if only three children were in residence, it would be easy to identify them
- it was an unsuitable location due to the dangerous road and agricultural machines accessing it, especially around harvest season
- feedback from around 15 homes selected by the applicant was not appropriate
- insufficient information had been provided in response to concerns about fear of crime
- the proposed amount of parking was undeliverable on the site
- there was no objection from the Highways Authority
- if the site was not safe for looked after children, it would not be safe for the current use either.

On being put to the vote, the motion to grant was supported by three votes in support to five votes against and one abstention. The motion thus fell.

Councillor Beynon then moved that the application be refused. This was seconded by Councillor Foster. Following procedural clarification, Councillor Beynon confirmed that the refusal reasons were: highways safety issues; fear of crime and antisocial behaviour; impact on the community; lack of parking facilities at the property; and impact on neighbouring amenity.

Although not a refusal reason, another member asked that it be recorded that the Local Area Council had requested the provision of additional information from the applicant. As that had not been provided, members were not in a position to approve this application.

On being put to the vote, the motion to refuse was supported by six votes in support to three against, so it was thus:

RESOLVED that the application be REFUSED on the grounds of highways safety issues; fear of crime and antisocial behaviour; impact on the community; lack of parking facilities at the property; and impact on neighbouring amenity.

(Councillor Ledger then returned to the meeting.)

127. 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

Callum Harvey, Planning Officer introduced the application by firstly circulating copies of a pack of three late objection letters received, which members read at the meeting, then continued introducing the application with the aid of a slides presentation.

Helen Chandler and Marie Hayter spoke in objection to the application, of which Ms Chandler's key points were

- planning application CM/91/D/4 protected the character of the barn conversions at the site. 16 objections had been received
- the application would cause overlooking, which individuals had the right not to suffer from
- guidelines stipulated that oil tanks should be located away from driveways
- the application would also require building control approval; it could not meet the requirements in the proposed location. The application could not achieve safety standards.

Ms Hayter's key points were:

- the oil tank would be 12 feet away from her bedroom window, which would look out directly at it
- the oil tank would be four inches away from the edge of the shared driveway, which had one way in and out, and was regularly accessed by large vehicles.

Jackie Stevenson spoke in support of the application, of which her key points were:

- 11 objections had been submitted from two properties
- the application proposed relocating the oil tank on land within her ownership
- it was on a former agricultural setting, similar to many other properties across the county
- she had to submit an application for full planning permission because her partner was a Northumberland County Council employee
- the level of scrutiny in relation to the application had been unreasonable and unwarranted, with reference to a number of examples.

Members then asked questions; the key details of responses from officers were:

- the proposal would also be subject to a separate building regulations application; this application just considered the planning permission for positioning the oil tank. The application could not be refused due to building regulation approval not yet being granted
- the applicant was entitled to submit the application with the details of the design to follow separately
- visual impact was a material planning factor, but often the exact details of the design were not submitted. Further technical information would be required from the applicant and was sought in the proposed conditions
- the application did not have to be presented to the Local Area Council just because the applicant's partner worked for the council; the delegation scheme only required this if the officer was at head of service level or above. However in the interests of transparency and number of objections received it was being presented for public consideration. All correspondence about the application had taken place directly with the applicant.

Councillor Wearmouth then moved that the application be granted in accordance with officer recommendation as set out in the report, which was seconded by Councillor Ledger.

A member considered that the key test for the proposal would be at the building regulations stage which would follow this planning application.

On being put the the vote, the motion to grant was supported by nine votes in support to one abstention, so it was:

RESOLVED that the application be GRANTED subject to the conditions in the report.

128. 19/03764/FUL

Demolition of stables and summerhouse and siting of a residential chalet (as amended 18.12.2019)

Land South Of West Duddo Farm Cottages, Stannington, Northumberland,

Mr Laughton introduced the application by firstly providing a number of updates: paragraph 1.1 of the report should refer to the proposal being to refuse rather than approve the application; paragraph 2.3 should refer to the volume increase being 23%, and paragraph 7.15 should refer to the Stannington Neighbourhood Plan, not the Morpeth Neighbourhood Plan. Mr Laughton then continued introducing the application with the aid of a slides presentation.

Councillor Karen Carins spoke on behalf of Stannington Parish Council, of which her key points were:

- Stannington Parish Council supported the application; it proposed affordable accommodation on a previously developed site
- the site was not isolated, but sustainable; it was close to the A1 and two train stations
- policy 5 of the Stannington Neighbourhood Plan supported development which sustained the local economy and opportunities to expand existing businesses

- the application would meet the needs of rural workers, adhering to paragraph 79 of the NPPF and would reuse a redundant building. It would enable applicants to look after their livestock, as supported by the provisions of NPPF paragraph 15.

Craig Ross spoke in support of the application, of which her/his key points were:

- West Duddo was a settlement, consisting of 13 properties. Nine letters of support had been received
- there were many nearby facilities - Stannington had a school, church, post office and public house. Morpeth was nearby to the north and Ponteland to the south. This application was comparable to others agreed
- the proposal would not impact on the openness of the Green Belt. It would turn two buildings into one; the loss of one building would benefit the Green Belt
- the site was neither physically nor functionally isolated, it had previously been developed, services were an accessible distance away, and it would satisfy the applicants' housing needs.

Members then asked questions; the key details of responses from officers were:

- clarification had already been given that the increase in volume was actually 23% and it had been assessed against the Stannington Neighbourhood Plan rather than the Morpeth Neighbourhood Plan
- the footprint of the development would be similar, but wider and also higher by 1.2m
- the summer house was considered to qualify as ancillary to the agricultural use of the stables
- it was not considered sustainable as residents would need a car to access any local services, and did not benefit from any public footpaths
- the grazing of alpacas was considered an agricultural use, but it was not considered a brownfield site. This application was not however considered a large enough agricultural use to give weight to livestock welfare considerations. There was neither a business on the site nor any established need for an agricultural dwelling to justify such an application
- such applications were sympathised with but could not be recommended for approval due to its position in the open countryside and Green Belt
- the applicants would be welcome to visit Planning Services for advice about other possible options for the site.

Councillor Armstrong then moved that the application be granted, which was seconded by Councillor Beynon. Councillor Armstrong considered that the application was sustainable as West Duddo had 13 properties, it would not have an impact on the Green Belt, and it was in keeping with paragraph 5 of the Stannington Neighbourhood Plan for supporting local businesses.

Debate then followed of which the key points raised by members were:

- a member could not support it as it was in the Green Belt and did not support a business nor agricultural workers
- granting this application could open the doors for applications for hundreds of other outbuildings being similarly converted
- there should not be any precedent in planning as each application was treated on its own merits

- there did not appear to be any detrimental impact on the Green Belt.

Further detailed clarification was then sought about the motion, during which members were advised that such applications should only be approved provided that members

demonstrated that they had fully considered the application against Greenbelt policy both in local and national planning policy. Members were advised that they were required to ensure that substantial weight was given to any harm in the Greenbelt and that 'very special circumstances' to justify development in the Green Belt had to be just that, very special and specific to the facts of the application. Further NPPF guidance on Greenbelt policy was read out at the meeting along with the definition of previously developed land. Following receipt of the advice, Councillor Armstrong amended her motion to approve the application on the basis that its very special circumstances consisted of support from local residents and Stannington Parish Council, and the family had been farming at the site for over eight years, plus for any necessary conditions to be delegated to the Director of Planning. Councillor Beynon seconded this revised motion.

On being put to the vote, the motion to grant was supported by three votes in support to six votes against and one abstention. The motion thus fell.

Councillor Dunn then moved that the application be refused as per the officer recommendation. This was seconded by Councillor Foster.

On being put the the vote, the motion to refuse was supported by six votes in support to three against and one abstention, so it was thus:

RESOLVED that the application be REFUSED for the reasons as set out in the report.

At this point, as the meeting was approaching three hours in length it was RESOLVED to suspend standing orders to allow the meeting to continue beyond three hours in duration.

(Councillors Bawn and Wearmouth then left the meeting whilst application 19/04195/FUL was considered.)

129. 19/04195/FUL

**Change of use from bowling pavilion to cafeteria, conversion and refurbishment, new terrace to the front of the building and extension to the rear. Addition of modular building for storage as supplemented by revised Design and Access Statement received 12/11/19
West Tennis Courts, Carlisle Park, Castle Bank, Morpeth, Northumberland**

Judith Murphy, Principal Planning Officer introduced the application with the aid of a slides presentation.

There were no public speakers for this application.

Councillor Ledger then moved that the application be granted in accordance with the officer recommendation subject to the conditions in the report, which was seconded by Councillor Foster.

A member praised the building, which he considered to be currently underutilised. It would be far away enough from other cafes to not be detrimental to their business. The proposal would attract more tourists and visitors and be a great asset to the town.

On being put the the vote, the motion was supported unanimously, so it was:

RESOLVED that the application be GRANTED subject to the conditions in the report.

(Councillors Bawn and Wearmouth then returned to the meeting.)

130. 19/04481/FUL

Erection of 1.8 metre high powder coated mid green Palladin style open mesh fence to perimeter of site. Required to deter people walking onto the grounds of the secure unit.

Kyloe House, Netherton Park, Stannington, Morpeth, Northumberland, NE61 6DE

Judith Murphy, Principal Planning Officer introduced the application with the aid of a slides presentation.

There were no public speakers for this application.

Councillor Bawn then moved that the application be granted in accordance with officer recommendation, which was seconded by Councillor Wearmouth.

Members welcomed the application; on being put the the vote, the motion was supported unanimously, so it was:

RESOLVED that the application be GRANTED subject to the conditions in the report.

131. PLANNING APPEALS UPDATE

Members noted the progress of planning appeals (report enclosed with the official minutes as Appendix C).

RESOLVED that the information be noted.

132. DATE OF NEXT MEETING

It was noted that the next meeting would be held on Monday, 9 March 2020 at 4.00pm in the Council Chamber, County Hall, Morpeth.

CHAIR

DATE

Ch.'s Initials.....

Castle Morpeth Local Area Council, 10 February 2020