

NORTHUMBERLAND COUNTY COUNCIL

CRAMLINGTON, BEDLINGTON AND SEATON VALLEY LOCAL AREA COUNCIL

At a meeting of the **Cramlington, Bedlington and Seaton Valley Local Area Council** held in Netherton Social Club, Netherton Lane, Bedlington, Northumberland, NE22 6DP on Wednesday, 18 October 2017 at 5.00 p.m.

PRESENT

Councillor C Dunbar (Chair in the Chair)

MEMBERS

B Crosby
B M Flux
M Robinson

M D Swinburn
I C F Swithenbank

OFFICERS

P Bracken
M Ketley
K Norris
A Rawlinson

Solicitor, Regulation
Head of Planning Services
Democratic Services Officer
Senior Planning Officer

ALSO PRESENT

Press: 0
Public: 7

45. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Daley, Dungworth, Hepple, Pidcock, Richards and Wallace.

46. MINUTES

RESOLVED that the minutes of the meeting of the Cramlington, Bedlington and Seaton Valley Local Area Council held on Wednesday, 20 September 2017, as circulated, be confirmed as a true record and signed by the Chair.

Chair's initials

Cramlington, Bedlington and Seaton Valley Local Area Council - 18 October 2017

47. DETERMINATION OF PLANNING APPLICATIONS

The report requested members to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications. The procedure at planning committees was appended for information.

RESOLVED that the information be noted.

48. 17/01721/COU - Resubmission: Change of use from Class A1 (Retail) to Class A 5 (Hot Food Takeaway) - including installation of extraction and ventilation equipment, Unit 1, 31 Avenue Road, Seaton Delaval, Whitley Bay, Northumberland, NE25 0DT.

Ann Rawlinson, Senior Planning Officer, introduced the above application and reported that Condition 4 regarding odour would be replaced due to the removal by DEFRA of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems". The new condition would require the same level of odour control as the previous condition.

She read out the new Condition 4 as follows:

Prior to the installation of the extraction system, or the system being brought into use the applicant shall provide full details of the odour treatment system to be installed into the development which shall provide a high level of odour control. High level odour control must include one of the following: 1. Fine filtration or ESP (Electrostatic precipitator) followed by carbon filtration (carbon filters rated with a 0.2-0.4 second residence time). 2. Fine filtration or ESP followed by UV ozone system to achieve the same level of control as 1, or equivalent. The details shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme implemented in full.

Reason: To ensure a commensurate level of protection against odour having regard to Part 11 of the national Planning Policy Framework

She then summarised the report with the aid of a slide presentation.

Mr D Troughton, objector, spoke against the application and his comments included the following points:

- He lived near to the proposed new outlet and was speaking on behalf of himself and other residents who lived close by.
- They objected to the opening of a new takeaway, they did not want another one as they were served well by the outlets already there.

- There were 14 outlets around Seaton Delaval which supplied takeaway food.
- Not long ago, on the front page of the Evening Chronicle newspaper, there was an article about the number of takeaways in Seaton Delaval.
- Residents were happy with what was already there and did not feel that extra competition would be good for the existing takeaway outlets.
- Residents had major concerns about the increase in traffic.
- Hartley Street and Park Road were already congested with cars parked on both sides of the road which raised concerns for the safety of residents and shoppers.
- He had noticed that in the officer's slide presentation, there were photographs of cars parked on double yellow lines.
- There would be more litter.
- Some of the houses in Hartley Street were over 100 years old and he was unsure if the drains had ever been modified. Would they cope with the extra overload?
- He had lived in Hartley Street for 30 years and some of his neighbours had been there longer. He reiterated that they were happy with what they had and did not want another takeaway.

Mr L Bowman, Parish Councillor for Seaton Valley also spoke against the application and his comments included the following:

- He was Ward Member for Hartley Ward.
- As the previous speaker had pointed out there were already a lot of takeaway food outlets in Seaton Delaval and there were about 10 which served the community really well.
- All 18 objectors were complaining about another hot food takeaway.
- Residents needed more retail.
- He acknowledged the extra condition relating to extraction but stated that it would be blown by west winds and there were a number of flats on a higher level which would suffer from noise and smells.
- The report did not mention vibration. Extraction systems vibrated a lot and there were residential flats above the property.
- The report referred to the use of existing parking, however, that was in side streets which residents also used and it was almost impossible to find a parking space around the shops in Seaton Delaval.
- Cars were often parked on double yellow lines, even on the main road, as parking was so intense.
- He acknowledged that the hours of operation had been cut in line with other takeaways. Originally it had been stated that the premises could be open until 1:00 am so residents were questioning what it was going to sell.
- Who would clean the streets late at night? By the time the Council workers got there the next morning the streets would be dirty.
- What had happened to the Core Strategy? Why did the report refer to the Blyth Valley Local Plan?
- If members were unsure about the proposal they should carry out a site visit to see for themselves the problems faced by the beautiful, small village of Seaton Delaval.

Members' Questions

In response to members' questions the following information was provided:

- The A1 use of the premises was historic. If it was a corner shop the opening hours would be unrestricted, if the property was an off-licence it would be subject to licensing hours.
- The parking situation would not be demonstrably different as it was not considered the proposal would create any more vehicular traffic than its previous A1 retail use. It was acknowledged that Seaton Delaval was a congested area but officers could only compare the situation to the previous use.
- The application was a resubmission of a previous application. Officers had raised concerns that there was not sufficient details regarding extraction and ventilation, so the applicant had resubmitted the application to include that information.
- The previous week Defra had removed its guidance document on the control of odour and noise from commercial kitchen exhaust systems so officers could not refer to that. However, the proposed system would have a high level of odour control which had been used successfully in industry and catering.
- Some information regarding extraction had been submitted with the previous application but information regarding noise levels was missing which was the reason why the application was refused.
- The withdrawn Core Strategy applied to strategic applications not local policies so it would not have affected the proposal.
- It was confirmed that the Blyth Valley Local Plan required that no more than 50% of non-residential properties within the retail frontage be of a non retail use. No limit on hot food outlets was stated in the Policy.

Councillor Flux moved approval in line with officer recommendation which was seconded by Councillor Robinson.

Councillor Flux stated that the application complied with the Blyth Valley Local Plan and there were no planning reasons for refusal. He added that it was preferable for the building to be in use than for it to be standing empty. Councillor Robinson acknowledged that parking was a problem but reiterated that officers could only compare the situation to the previous A1 use. If the application was refused he believed the decision would be overturned at appeal.

A Member expressed sympathy for local residents and local members but said they were dealing with implementation rather than principle. The additional condition regarding extraction was vigorous, there were no planning reasons to refuse the application and he agreed that, if refused, an appeal would succeed. Upon being put to the vote the motion was unanimously agreed and it was:

RESOLVED that the application be **GRANTED** permission subject to the conditions, with reasons, set out in the report and the replacement of Condition 4 as stated previously.

49. 17/02815/CCD - Proposed new early years centre including associated hard and soft landscaping, Bedlington West End Nursery, Ridge Terrace, Bedlington.

Ann Rawlinson, Senior Planning Officer, introduced the above application and provided an update with regard to the Council's Public Sector Equality Duty. It was considered that the Council's Duty under the Equality Act had been met as the applicant was providing a ramp which would enable access for all, including disabled users. Therefore no further action in that respect was required.

She then summarised the report with the aid of a slide presentation.

Members' Questions

In response to questions, the following information was provided:

- The Senior Planning Officer could not confirm how many children had attended the previous nursery. It was proposed that the new nursery would be for up to 83 children.
- There would be no increase in the number of staff which would remain at 11.
- The application was accompanied by a Transport Statement which highlighted that there would be no increase in the number of children or staff so officers in the Highways Section believed that the numbers would remain the same as before.
- It was confirmed that the Highways Section required that the school travel plan be reviewed to take into account the proposed nursery and that the requirement would be imposed by a planning condition.
- It was also confirmed that there was a pedestrian crossing immediately outside of the school.

Councillor Robinson moved that the application be approved in line with officer recommendation which was seconded by Councillor Crosby.

Councillor Robinson stated that the facility would be a valuable community resource. He acknowledged that parking was atrocious but felt that it could not get any worse.

Upon being put to the vote the motion was unanimously agreed and it was:

RESOLVED that permission be **GRANTED** subject to the conditions, with reasons, set out in the report.

The meeting closed at 16:40 pm.

CHAIR _____

DATE _____