

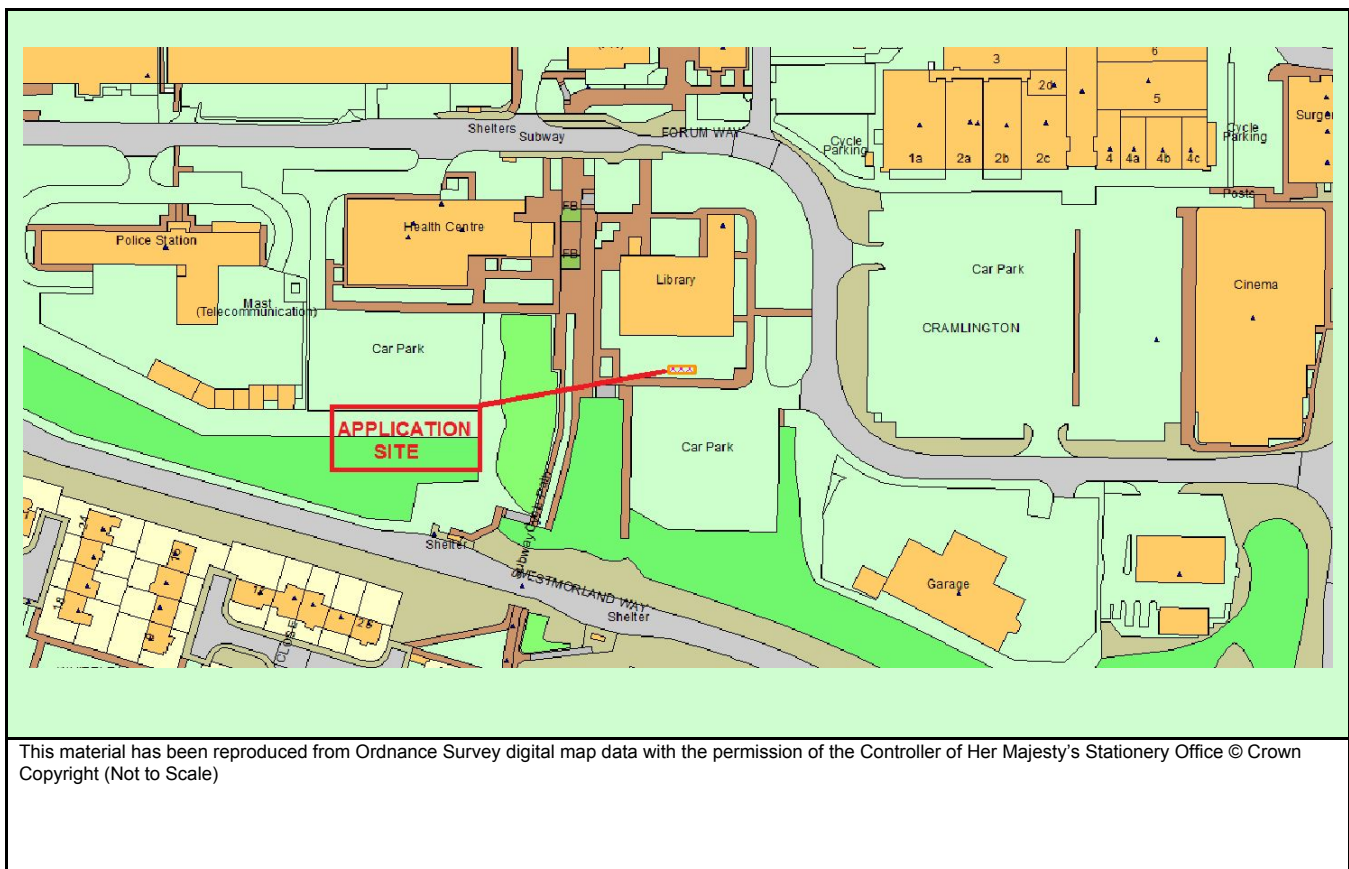


Northumberland County Council

Cramlington, Bedlington and Seaton Valley Local Area Council 20 November 2019

Application No:	19/03637/FUL		
Proposal:	Siting of sales cabin		
Site Address	Site of former Cramlington Library, Forum Way, Cramlington, Northumberland, NE23 6QD		
Applicant:	Mr Jamie Stainthorpe Advance Northumberland (Developments) Ltd, Wansbeck Workspace, Rotary Parkway, Ashington Northumberland NE63 8QZ	Agent:	None
Ward	Cramlington Village	Parish	Cramlington
Valid Date:	19 September 2019	Expiry Date:	14 November 2019
Case Officer Details:	Name: Mr Malcolm Thompson Job Title: Planning Officer Tel No: 01670 622641 Email: Malcolm.Thompson@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application is being reported to the Local Area Committee as the proposal has been submitted by Advance Northumberland (Developments) Ltd.

2. Description of the Proposals

2.1 The application seeks planning permission for the siting of a portable cabin upon previously developed land in Forum Way Cramlington and which previously accommodated a library building.

2.2 The proposed cabin is shown as measuring 6.01 metres in length and 2.44 metres in width. The cabin is shown as being single storey and as such, would appear to be approximately 2.4 metres in height.

2.3 The proposed cabin is required in connection with the residential redevelopment of a former school in Cramlington some 300 metres away to the south and east of the site and over the dual carriageway, Dudley Lane.

3. Planning History

Reference Number: 14/04059/OUT

Description: Outline permission for demolition of former library building and erection of Unit(s) for A1 Use Class and/or D2 Use Class, car parking, servicing, creation of accesses and landscaping.

Status: Approved

Reference Number: B/76/C/26

Description: Proposed external signs.

Status: Approved

Reference Number: B/70/134

Description: Health centre and library.

Status: Approved

4. Consultee Responses

Cramlington Town Council	No response received.
Highways	No objections - standard informatives offered.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	1
Number of Objections	1
Number of Support	0
Number of General Comments	0

Notices

General site notice, 23rd September 2019

No Press Notice Required.

Summary of Responses:

One objection has been received in which the need for more housing in Cramlington is queried.

No weight will be given to this comment as the application is not for housing.

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PWP0HNQS0K500>

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley Development Control Policies DPD - 2007

DC1 - General Development

DC27 - Design of New Developments

Blyth Valley Core Strategy - 2007

Policy SS1 - Regeneration and renaissance

ENV2 - Historic and Built Environment

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2019)

NPPG - National Planning Practice Guidance (2019, as updated)

6.3 Other relevant documents/policies

The NPPF states that from the day of its publication, weight can be given to policies contained in emerging plans dependent upon the stage of preparation of the plan, level of unresolved objections to policies within the plan and its degree of consistency with the NPPF. The emerging Northumberland Local Plan was submitted to the Planning Inspectorate in May 2019 for independent examination, supported by a schedule of Minor Modifications following a six week period of consultation earlier this year. The Authority are therefore affording appropriate weight to policies contained within the emerging plan which form a material consideration in determining planning applications alongside Development Plan Policies.

Northumberland Local Plan Publication Draft Plan (Regulation 19) (NLPPD)

Policy STP1 - Spatial Strategy

Policy STP 2 - Presumption in favour of sustainable development

Policy STP 3 - Sustainable development
QOP 1 - Design principles
QOP2 - Good Design and Amenity
TRA 2 - The effects of development on the transport network
TRA4 - Parking Provision in New Development

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

Principle of the development
Design issues and impact on amenity
Highways

Principle of the development

7.2 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 48 of the NPPF states that some weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Reg. 19) (NLP) was submitted to Government on 29th May 2019 for examination. As such, the policies contained within this document carry some weight in the determination of planning applications at this stage.

7.4 Policy STP1 of the emerging NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. The policy sets out a hierarchy of settlements within which development will be supported. Policy STP1 identifies Cramlington as a Main Town which will be the main focus for development within the county. Only some weight can be attributed to the emerging Local Plan at this stage. However, the proposal is considered to be in general accordance with this policy.

7.5 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the policies of the Blyth Valley District LDF Core Strategy (2007) (BVCS), Blyth Valley District LDF Development Control Policies DPD (2007) (BVDCP) and the saved policies of the Blyth Valley District Local Plan (1999) (BVLP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.6 Policy DC1 of the BVDPD states that development proposals will be expected to be situated within settlement boundaries as shown on the Local Plan proposals map which is clearly the case in this particular instance.

7.7 The application site is located within proximity of Manor Walks Shopping Centre in Cramlington. Policy DC1 of the Blyth Valley DPD states that development proposals should be situated within settlement boundaries shown on the Local Plan proposals map. The NPPF adopts a presumption in favour of sustainable development and promotes competitive town centres that provide customer choice and a diverse retail offer. The application site is located within the settlement boundaries of Cramlington, in a sustainable location. The application is therefore considered acceptable in principle, in accordance with policy DC1 of the Blyth Valley DPD, policy STP3 of the emerging Northumberland Local Plan, and the NPPF.

Design issues and impact on amenity

7.8 Policy DC1 of the BVDCP states that development should have no adverse impact on the character and views of important landscape or on historic and geological features of the area. Policy DC27 of the same document recognises the importance of good design in regards to new development within the former district.

7.9 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.10 The proposed cabin would be positioned upon a cleared site that was previously occupied by a library building, the demolition of which and subsequent erection of Unit(s) for A1 Use Class and/or D2 Use Class, car parking, servicing, creation of accesses and landscaping was granted outline planning permission in March 2015. Although relatively small in size, the cabin would clearly be visible from outside the application site although the backdrop would act a screen.

7.11 Due to the scale and nature of the proposed cabin, it is considered that it would not impact upon the residential amenity of any surrounding occupiers, the nearest of which are some 100 metres away to the south and beyond the road surrounding the Manor Walks development. The proposal is therefore considered acceptable in terms of design and impact on amenity, in accordance with policies DC1 and DC27 of the Blyth Valley DPD, policy QOP1 of the emerging Northumberland Local Plan, and the NPPF.

Highway issues

7.12 Policy DC11 of the BVDCP seeks to ensure the provision of an appropriate level of car and cycle parking provision within new developments. Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

7.13 As mentioned above, the site is that of a former library building. It is immediately adjacent to a free car park, with additional parking opposite. The Highways Officer has been consulted on the proposal and in response offers that it would not raise any issues for highway safety, nor would it impact on parking provision within the site generally. The development is therefore considered acceptable in this respect in accordance with the provisions of policy DC11 of the BVDCP, the NPPF, and policy TRA2 of the emerging NLP.

Other matters

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The nature/scale of the proposed development is such that the resultant building would not appear overbearing within the immediate area or indeed the area generally. There would be no harm to the general living conditions of the neighbouring residents.

8.2 Having considered the application against the relevant local planning policies and the National Planning Policy Framework, it is considered the proposal represents an appropriate form of development within the area generally and therefore to withhold planning permission, albeit with appropriate conditions, would be unreasonable.

8.3 A specific condition is proposed requiring the applicant to notify the Local Planning Authority when the final plot of the redevelopment site is sold and also requiring the removal of the cabin thereafter i.e. when it is no longer required and so as not to hinder the potential redevelopment of the site.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Blyth Valley policy DC28.

03. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown in the following drawing numbers:

001 Rev. A dated 23.08.19 - Site Location Plan; and
Bundle ref: 9343529-007 dated 31.08.19 - Cabin Details.

Reason: To ensure the development is carried out in accordance with the approved plans.

04. Upon completion of the sale of the final unit upon the development site to which this cabin relates, the developer shall provide the Local Planning Authority of written confirmation of such and in doing so, ensure the removal of the cabin hereby

granted planning permission within a period of one month together with the subsequent reinstatement of the land upon which it is sited.

Reason: In the interests of visual amenity and in accordance with the NPPF.

Date of Report: 12th November 2019

Background Papers: Planning application file(s) 19/03637/FUL