

## **NORTHUMBERLAND COUNTY COUNCIL**

### **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL**

At a meeting of the **North Northumberland Local Area Council** held at Jubilee Social and Community Centre, Highcliffe, Spittal, Berwick-upon-Tweed, TD15 2JL Thursday, 22 November 2018 at 2.00pm

#### **PRESENT**

Councillor G. Castle  
(Chair, in the Chair, items 102 - 104 and 122 -130)

Councillor T. Thorne  
(Planning Vice-chair, in the Chair, items 105 - 121)

#### **MEMBERS**

G. Hill  
R. Lawrie (part)  
A. Murray (part)  
W. Pattison

G. Roughead  
C. Seymour  
J. Watson (part)

#### **ALSO PRESENT**

R. Dodd (part)

#### **OFFICERS IN ATTENDANCE**

A. Bell  
J. Bellis  
M. Bird  
J. Blenkinsopp  
D. Brookes  
G. Bucknall  
M. Bulman  
G. Fairs  
D. Feige

D. Hadden  
J. Hitching  
B. Hodgson

P. Jones  
T. Kirsop  
D. Lathan  
T. Lowe

Definitive Map Officer  
Senior Planning Officer  
Senior Democratic Services Officer  
Lawyer (observing)  
Infrastructure Records Manager  
Highways Delivery Area Manager  
Lawyer  
Highways Development Manager  
Principal Ecologist and AONB  
Officer  
Lawyer (observing)  
Senior Sustainable Drainage Officer  
Neighbourhood Services Area  
Manager  
Service Director, Local Services  
Community Regeneration Manager  
Senior Environmental Health Officer  
Senior Planning Officer

H. Marron  
C. McDonagh  
J. Sharp  
E. Sinnamon

Principal Planning Officer  
Planning Officer  
Planning Officer  
Interim Head of Planning Services

25 members of the public and one member of the press were in attendance at the 2.00pm part of the meeting. Four members of the public were in attendance at the 7.00pm part of the meeting.

**(Councillor Castle in the Chair)**

#### **102. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bridgett, Clark, Moore and Renner-Thompson.

#### **103. MINUTES**

**RESOLVED** that the minutes of the meeting of North Northumberland Local Area Council held on Thursday, 18 October 2018, as circulated, be confirmed as a true record and signed by the Chair.

#### **104. DECLARATIONS OF MEMBERS' INTERESTS**

- Councillor Hill declared that she had met with both parties involving application 18/02684/VARYCO but had not expressed a position on it, so was not prejudiced in her role in determining the application
- Councillor Roughead declared that he had chaired Berwick Town Council when it had considered applications 18/02684/VARYCO and 18/01164/OUT, but he had not participated in either debate, so he had a personal but not prejudicial interest
- Councillor Murray declared a personal, not prejudicial interest regarding application 18/02478/CCD that he was a governor of Glendale Middle School
- Councillor Watson declared regarding application 18/01036/FUL that he chaired the Northumberland Coast Area of Outstanding Natural Beauty (AONB) Partnership, but received legal advice that this was not a prejudicial interest and he was able to participate in the discussion.

**(Councillor Thorne in the Chair)**

#### **105. DETERMINATION OF PLANNING APPLICATIONS**

The report explained how the Local Area Council was asked to decide the planning applications attached to the agenda using the powers delegated to it. (Report and applications enclosed with official minutes as Appendix A.)

Ch.'s Initials.....

**RESOLVED** that the report be noted.

**106. NATIONAL PLANNING POLICY FRAMEWORK**

Members received a copy of the revised National Planning Policy Framework (NPPF) that was updated in July 2018. (Copy enclosed with the official minutes in Appendix A.)

**RESOLVED** that the information be noted.

**107. 18/00828/OUT**

**Outline Permission: 30 dwellings - Amended 29/03/18  
Land North And West Of Hillcrest, East Ord, Northumberland**

The Chair firstly explained that he had agreed for this application to be brought forward on the agenda as the speaker had another meeting commitment in Newcastle afterwards.

Chris McDonagh, Planning Officer, introduced the application firstly by providing an update: further highways information was no longer being sought; this was a reference in the original report that did not apply now. Mr McDonagh continued introducing the application with the aid of a slides presentation.

Tim Ferguson then spoke in support of the application, of which his key points were:

- since the application was agreed in April 2018, the applicant had addressed the archaeology and drainage requirements. Both had now been agreed
- work had also taken place with the County Council regarding the Section 106 (s106) agreement, which had also now been signed off
- the application provided the required provision of affordable housing on site
- the introduction of the revised National Planning Policy Framework (NPPF) did not change either the recommendation or the proposal. The application adhered to the NPPF's sustainable principles requirements; the site was close to local facilities
- an excellent house builder was lined up and ready to deliver the scheme very soon.

Members then asked questions, to which officers responded that views were sought from consultees regarding where financial contributions needed to be spent. The Education service advised at whether education contributions were needed at either First/Middle/High School levels and the Council's health team advised on where funding needed to be allocated for health requirements. Details of education responses were included in page 260 of the report. The S106 funding was not put in a generic Northumberland pot. Concerns had been expressed about whether the funding actually benefited local residents; however on some occasions the funding would be spent on a service outside of the locality which was however accessed by local residents. A S106 monitoring officer ensured that S106 requirements complied with the necessary regulations.

Councillor Watson then moved that the application be granted in accordance with the officer's recommendation. This was seconded by Councillors Lawrie/Pattison.

Key points from members were:

- the importance of ensuring that all S106 funding complied with the necessary regulations
- careful consideration should always be given to whether any share of education contributions could be spent on schools in the local area
- Ord did not have schools within the parish area; children attended schools in Berwick.

The motion to was then put to the vote and agreed unanimously, so it was thus:

**RESOLVED** that the Head of Service be authorised to GRANT permission subject to the conditions in the report and resolution of the Local Lead Flood Authority (LLFA) and County Archaeologist's objections and a s106 agreement to secure the following contributions:

- coastal mitigation of £600 per dwelling (18,000 total)
- affordable housing contribution of 15% to be provided on site
- education contribution of the £39,600
- health contribution of £17,400.

**108. 17/00500/OUT**

**Change of use to residential (C3 use) by erecting approximately 9 no. dwellings (Amended description 02.11.2018)**

**Land South West Of The Old Tweed Mill, Springwood, Swarland, Northumberland**

James Bellis, Senior Planning Officer, introduced the application by firstly providing an update. Newton on the Moor with Swarland Parish Council had maintained their opposition on the grounds of drainage, and wanted Northumbrian Water to be reconsulted. Under the new draft Local Plan, two of the houses now had to be affordable. Neighbouring residents had commented on the revised application with regards to the amount of notice given and the location of the meeting. Mr Bellis then continued introducing the application with the aid of a slides presentation.

Daniel Gregg then spoke in objection to the application on behalf of some local residents, of which his key points were:

- his clients did not object in principle to the development, but wished to stress that adequate drainage requirements were needed. The previous proposal had been withdrawn in 2016, and the old attenuation levels/assessment could not be relied on
- it was essential that for any planning permission given, the drainage pipe was upsized or rerouted
- members needed to hear about the flood risk; the Sustainable Urban Drainage Officer was in attendance and should be asked to answer questions on this issue.

It was clarified that the applicant had withdrawn from the public speaking slot.

Members then asked questions, to which the key details of officers' responses were:

- the scheme was acceptable in principle without the flood risk being increased elsewhere. Currently, surface water flowed overland from the west and collected in a ditch. An outlet pipe from the ditch was present, which was four

inches in diameter; this pipe then went into a larger pipe that went into Mere Burn. During periods of high rainfall, the water backed up as the access into the pipe was narrow, resulting in the golf course and residents' gardens flooding. However as part of this application, part of the mitigation works would increase the size of the pipe and thus increase the amount of water that could get in, and it would not increase the flood risk downstream. Some flooding could still possibly occur but would be restricted, at least within the same areas as existing, but volumes reduced. An area of compensatory storage would be provided within the development site. This area would store overland flows in large rainfall events, before discharging back to into the culverted watercourse

- any surface water from the development area would not go into Northumbrian Water's system, but via a culvert course and then into Mere Burn. It thus did not increase the pressure on Northumbrian Water's system, so they were not objecting
- SuDS basins have been proposed within the site to attenuate surface water generate from any new hardstanding areas, but their capacities should not be taken up with water flows from elsewhere. The areas identified for SuDS were outside that for the area delineated for compensatory storage and overland flows
- the application would provide an overall improvement in drainage, and the new housing had a separate system that would not increase pressure on the local sewerage network.
- once the development was completed, it would result in one additional vehicle journey every eight or nine minutes. This overall impact was not a sufficient material impact on the network to justify refusing the application. The application included a condition for a construction traffic plan to be provided and implemented during the construction phase
- it was not possible to condition or oblige the applicant to engage with the Percy Woods owners, but the applicant could be asked to do so
- most dialogue about drainage was with the applicant and drainage engineer rather than the local parish council. Officers were confident that the scheme could be implemented without increasing the flood risk elsewhere; officers were fully aware of local flood risk issues in Swarland
- it had been hoped that the affordable housing contribution requirements could have been resolved before this meeting, but as the applicant needed to provide more information, the recommendation remained as 'minded to approve'. Officers considered in this case that an off-site commuted sum was more appropriate than affordable housing as a proportion of his development. If the applicant did not agree to this requirement, then the application would come back to the Local Area Council for further consideration.

Councillor Thorne then moved that the application be granted, subject to the additional requirements for affordable housing; he was impressed with the Senior Sustainable Urban Drainage Officer's work with the applicant and engineer. The development would not lead to flooding and would generally assist by reducing flooding in Swarland by controlling the amount of surface water. This was seconded by Councillor Seymour.

On there being no further debate, the motion was put to the vote and agreed by eight votes in support and one abstention, so it was thus:

**RESOLVED** that the application be minded to GRANT subject to the conditions in the report and delegation to officers to confirm the commuted sum for affordable housing in the S106 agreement in accordance with the affordable housing protocol.

**109. 18/02811/FUL**

**Proposals for the conversion of Allerburn House into 3 apartments, demolition of adhoc extensions to Allerburn House and the erection of 6 new build units Allerburn House, Denwick Lane, Alnwick, Northumberland, NE66 1YY**

Mr Bellis introduced the application with the aid of a slides presentation, including reference to how amendments had been made to the scheme since the last application had been reduced by the Local Area Council in April 2018. Councillor Moore had submitted a statement that would be read out during the relevant public speaking slot.

Katherine Huntley then spoke in objection to the application, of which her key points were:

- the principal objection was the demolition of the west wing of Allerburn House and creation of six three-storey townhouses. An almost identical application had been rejected by the Local Area Council on 19 April 2018
- at 223 square metres (sqm) the properties would be 20sqm bigger in total than the already approved properties
- 70% of Allerburn House would be demolished under these plans. The demolition of all the extensions was at odds with the Alnwick and Denwick Neighbourhood Plan, and would add substantially to landfill
- the six townhouses did not adhere to policy H4 of the Alnwick and Denwick Neighbourhood Plan; they were neither distinctive nor integrate with or bring anything special to Alnwick town centre. Their three-storey height was out of keeping with and invade the privacy of neighbouring two storey dwellings. The east end gable wall would bring a solid massing and create overshadowing. The front elevation was excessive and not aligned like the current one
- the application included no sustainable urban drainage facilities and the applicant had already undertaken 50% of the ground work.

Councillor Moore had submitted his apologies for the meeting, but had asked for his written statement to be read out, which was as follows:

“As the local councillor representing the division in which this application sits, I strongly urge you to consider refusing this application. As you will recall, earlier this year we considered an application very similar in nature to the one which is before you today, which after due consideration, we chose to unanimously refuse.

“All members at that point were in agreement that the part demolishment of Allerburn House followed by the construction of the townhouses would have a severe detrimental impact on the Heritage Status of the building, and that massing coupled with the design of townhouses would have a detrimental impact on the character of the surrounding area, and neighbouring residents. So what has changed? - nothing.

“The developer has brought forward a further application which makes no attempt in addressing the concerns which we, as committee raised when we last considered an

application on this site. I have spent some time looking at the detail of what is before you today, and I only see tiny tweaks to the design and minor amendments - nothing at all in my mind which comes close to alleviate the concerns which we all raised previously, and therefore nothing which, in my mind warrants a change of opinion. I therefore urge all members to consider refusing this application on the same grounds as we did earlier in the year.”

Members then asked questions, to which the key details of officers’ responses were:

- the applicant considered that the proposal had been amended sufficiently since the application considered, which had also been recommended for approval back in April. Officers considered that the changes made were positive amendments to the scheme
- officers did not consider that the application contradicted the Alnwick and Denwick Neighbourhood Plan
- Allerburn House was a non-designated heritage asset but not a listed building. The nearest listed building was Alnwick Castle.

Councillor Castle then moved that the application be refused for its adverse impact on the location, density and height and the impact on the setting of the heritage asset. This was seconded by Councillor Thorne, who praised the original building and also its 1960s extensions; the proposed buildings were too close to the entrance to the site and the changes made too small and insignificant; the applicant was capable of providing a better scheme.

Members then debated the application, during which it was raised that the application only made minor tweaks compared to the last application: 12 inches off the ridge height and the removal of Juliet Balconies.

The motion to refuse the application was then put to the vote, agreed unanimously, so it was thus:

**RESOLVED** that the application be REFUSED for its adverse impact on the location, density and height and the setting of the heritage asset.

**110. 18/02478/CCD**

**Addition of new concrete ramp with up hand and steel handrails to entrance to swimming pool within school grounds  
Glendale Middle School, 15 Brewery Road, Wooler, Northumberland, NE71 6QG**

Jon Sharp, Planning Officer, introduced the application with the aid of a slides presentation.

In the absence of any public speakers in attendance, it was clarified that condition 2 included highways details that would be included in the approved plans condition.

Councillor Murray moved the recommendation to grant the application; he added that the local community considered the swimming pool a great asset. In addition to pupils and the some public using it, it would help people with disabilities to access it; currently they had to travel to either Alnwick or Berwick to use an accessible pool. This was seconded by Councillor Roughead.

The motion to was then put to the vote, agreed unanimously, so it was thus:

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

**111. 18/01164/OUT**

**Outline Permission with Access, Layout and Scale: Demolition of Reservoir, Conversion of Pumping Station for up to 6 Apartments and Erection of 4 Dwellings - Amended 16/07/18  
Former Water Works, Dock Road, Tweedmouth**

Members were advised that this application had been withdrawn from the agenda following legal advice being received; some technical issues needed to be resolved before the application was reconsidered.

**112. 18/02684/VARYCO**

**Variation of condition 2 (approved plans) in relation to planning application 17/02023/FUL  
Asda, Main Street, Tweedmouth, Berwick-Upon-Tweed, Northumberland TD15 2DS**

Mr Sharp introduced the application by firstly providing two updates. Paragraph 7.3 needed to be amended to refer to application 17/2003/FUL and the final sentence amended to read “had it **not** been installed in accordance with the previously approved plans”. Mr Sharp continued introducing the application with the aid of a slides presentation.

Ian Cordingly spoke in objection to the application, of which his key points were:

- although Asda’s acoustic consultant said the new air handling equipment met all requirements, local residents considered the installation to be very noisy, especially at night
- residents sought the assurance of the Environment Health and Planning Services departments that rigorous requirements were put in place to ensure that the sound was kept down to a maximum of 28 decibels
- most other local units were inside their host buildings, but this one was in the yard and unsightly. It also added little to the main building, which he considered austere.

Members then asked questions, to which the key details of officers’ responses were:

- the equipment had originally been put in the incorrect location and not included the required mitigation arrangements; this had been addressed and the noise levels should not be well below target levels. The level should be between 19 - 21 decibels internally; tones and their intermittency were taken into account. There was currently no planning consent controlling any of the other plant on site. If further concerns were raised, they could be addressed under statutory nuisance requirements
- Asda had placed an attenuator on the outlet; screening could also be used to dampen noise
- the noise was rated using the methodology to assess industrial and commercial noise impacting on residential premises
- if members wished, they could require a monitoring condition to be included, however a suggestion about requiring an acoustic barrier at the site could fall



foul of NPPF tests on planning conditions, and should instead be addressed through other noise nuisance processes. It would however be challenging for officers to measure the noise generated during winter months

- the applicant had accepted the proposed conditions and they would be monitored; this gave little reason to refuse the application
- the noise level would be assessed at the boundary of the nearest noise sensitive premises
- given some uncertainty regarding whether all the noise was actually coming from the equipment in question, members would be entitled to defer the application, investigate the matter further, then reconsider at a future meeting.

Councillor Hill then moved that the application be deferred to allow more time to investigate the noise from the unit and any other possible source of the noise. This was seconded by Councillor Castle.

Members then debated the application, of which their key points concerned how noise was a big concern, particularly its possible impact on mental health if disturbing people at night, and it was concerning that when approaching the location, residents were suddenly confronted by the noise being generated. The motion to was then put to the vote, agreed unanimously, so it was thus:

**RESOLVED** that the application be DEFERRED to enable further investigation into the noise levels of the unit and source.

#### **113. 16/03510/FUL**

##### **Erection of 13 dwellings**

##### **Land North Of Horsley Place, Christon Bank, Northumberland**

Tony Lowe, Senior Planning Officer introduced the application with the aid of a slides presentation.

Councillor Terry Howells then spoke on behalf of Embleton Parish Council, of which her key points were:

- Embleton Parish Council welcomed the revisions to the application, especially as originally there had been no affordable housing provision within the 13 properties. They would have preferred if the two affordable houses were however for rent rather than to be sold at discount market value
- it was surprising that the discounted affordable houses had three bedrooms, as smaller starter homes would have suited more first time buyers. If granted, Planning Services should consider what types of affordable housing should actually be implemented on site
- it was surprising that Northumbrian Water had commenced little, particularly given there had been problems with sewage in Embleton
- if approved, it would be welcomed if a S106 requirement could be placed so all properties were for permanent occupancy, as per the developing Neighbourhood Plan's intention for all new housing built in the locality.

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

- as the application had originally been approved in November 2017, work on the pre-commencement highways condition had been undertaken up until March 2018. Legal work on preparing the S106 had then followed, but this had

been on hold since July 2018 pending the decision on the application at this meeting

- there had been changes to the NPPF but not to local policy. The changes to the NPPF had no impact on this application
- there had been no objections on ecology, highways or flooding. There would be no impact on either the Green Belt or local coastal area. The design of the application had previously been changed at the request of officers. There were no technical reasons to change the original decision
- the site was not within a designated area nor was there any policy requirement for the houses to be for permanent occupancy only. The local Neighbourhood Plan was in an early draft form, so it currently carried no weight in planning terms.

Members then asked questions, to which the key details of officers' responses were:

- the identified educational shortfall was for secondary school provision; the area was within the catchment of the Duchess School, Alnwick. The funding could only be used for infrastructure improvements when required
- condition 5 in the report was included to ensure that a footpath would be provided on the west side by 2 Horsley Place
- a boundary line of trees to mask the development had been requested previously; the applicant was amenable to this and would include it in the application's biodiversity plan
- the Council's Affordable Housing Officer spoke regularly to registered social housing providers about the types of categories of affordable housing to be included in developments, and he was satisfied that discounted market value housing was acceptable in this location.

Councillor Pattison then moved that the application be refused on the grounds of sustainability as the village had no employment nor a bus service. This was seconded by Councillor Roughead.

Members then debated the application, of which their key points were:

- it would be difficult to persuade a registered social housing providers to operate a very small affordable housing site like the two in this one. When there were a small number of affordable houses in a development, it was easier to require a commuted sum or sell them at discounted market value
- this was another application where education contributions was a key concern raised by a member. Ideally there should be small share provided for any schools in the local area. However this was not any grounds to vote against the application, as there was no legislation requiring the allocation of funding as suggested, although this should be looked at
- St Vincent's First School had not actually made a request for a financial contribution, but the Duchess's Community High School had. The First School had existing capacity, and if families moved into any of the proposed houses, they would use local services and if families moved in, funding was received for any new pupil
- it was noted that Embleton Parish Council was more welcoming of the application now that it included affordable housing.

Before being put to the vote, members were further advised that the new NPPF made no material change to the status of this application. Sustainability was defined

more widely than the grounds in the refusal motion, as it included social, economic and environmental aspects. Christon Bank had also been identified as a local service centre. The County Ecologist was also satisfied there was no environmental impact.

The motion to refuse was then put to the vote. It received two votes in support, five against, and two abstentions. The motion thus fell.

Councillor Castle then moved that the application be granted, with the conditions and S106 agreement. This was seconded by Councillor Watson. The motion was then put to the vote, and received five votes for, one against, and three abstentions. It was therefore:

**RESOLVED** that the application be minded to be GRANTED and authority be delegated to officers to determine the application subject to the conditions set out in the 2017 report and the completion of a legal agreement to s106 agreement of the Town and Country Planning Act 1990 (as amended).

*(The meeting then adjourned for a short break between 3.50pm - 4.00pm.)*

**114. 17/01670/FUL**

**Development of 22 dwellings including 4 three bedroomed affordable homes, new access and landscaping  
Land West Of Village Hall, Acklington Village, Acklington, Northumberland**

Mr Lowe introduced the application by firstly providing two updates. A further objection had been received from local resident which raised a number of concerns including: the need for housing; there was planning permission on the old garage site yet these properties had not been built; the lack of infrastructure in the village to support further properties; the development was outside of the village boundary; the road had open ends where the developer was clearly planning further development in the future; the affordable housing was just a token gesture; potential variations to any consent - from bungalows to houses; the impact of additional traffic; the location of the access, close to the traffic calmer; the detrimental impact on the village hall; and the high number of objections. (Copies of the email were circulated at the meeting and members took time to read through the information.)

Mr Lowe also advised members of an omission to the addendum report - a requirement from the February 2018 meeting was the provision of a speed awareness sign at the entrance to the village. This requirement had been agreed with the applicant and would be included in the legal agreement. Mr Lowe then continued introducing the application with the aid of a slides presentation.

Tessa Sayers spoke in objection to the application, of which her key points were:

- she was speaking on behalf of 85 residents who had objected. No letters of support had been received. She said the application was not in keeping with either local or national policy
- it was economically unsustainable as it did not support growth or innovation, and there was no employment locally
- it was environmentally unsustainable as it was not effective to use a greenfield site, especially when a brownfield site was available nearby
- it could increase flooding and all residents had to drive to reach facilities

- Acklington School and pub had both closed, leaving only the village hall as the only community facility. This development would mean that the hall was encircled by housing and this could impact on its many users. It would undermine their last local community asset, which was important for community cohesion. The application was unnecessary, inappropriate and would harm Acklington.

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

- since originally approved, archaeological work had been undertaken which raised no objection from the County Archeologist. The Lead Local Flood Authority had not objected on any grounds of flood risk or surface water. The application was now stronger than before following their comments being received; all technical and ecological issues had now been addressed
- the S106 agreement was ready to be signed off
- it would have no impact on the local coast or the Green Belt
- housing supply and delivery issues were irrelevant; the housing design had also been changed at an earlier stage following comments received
- there had been no change to Local Plan policy since this application had first been considered. There were no material reasons to change the original decision.

Members then asked questions, to which the key details of officers' responses were:

- Acklington was judged to be a sustainable settlement; the application did not represent a breach of any settlement boundary, it accorded with the Local Development Plan and the village was defined as a local needs centre
- no planning policies existed to require any financial contribution to the village hall to support its sustainability, nor would it be appropriate to require it as a condition. The applicant could however be asked to provide a financial contribution as a goodwill gesture
- in officers' views the application met all NPPF policy and was sustainable. A similar planning application at Rock had been refused but the decision overturned on appeal; Rock did not have any shops, pubs or schools but its close proximity to other local villages with services was judged to make it sustainable. This application included similar principles regarding the use of services in surrounding villages.

Councillor Lawrie then moved that the application be granted subject to the conditions in the report and the s106 agreement. This was seconded by Councillor Castle, who added that there were no planning reasons to refuse the application; Acklington had limited facilities but was close to others locally and it was not appropriate to speculate whether this application would lead to more applications. It could lead to more children using nearby schools. It was likely that increasing the local population would result in an increase rather than a decrease in the number of people using the village hall.

A member had looked for grounds for how this application could possibly be refused but could not find any. It was considered sustainable under national planning rules; members had to consider applications through interpreting planning policy like magistrates had to decide court cases based on law. Acklington Parish Council had commented but not actually objected; the Village Hall Committee had not objected and the hall was already surrounded on two sides by housing anyway. The

development could affect the view from the hall but unlikely to stop it from being used. Comments about possible financial support from the applicant to the village hall could be followed up once the application had been determined.

The motion to was then put to the vote, and agreed by five votes in support, one against and three abstentions, so it was thus:

**RESOLVED** that the application be minded to be GRANTED subject to the completion of a legal agreement pursuant to s106 of the Town and Country Planning Act 1990 (as amended) to secure:

- the on site provision of four affordable homes at no more than 80% of market rent inclusive of any service charges, to be provided in perpetuity;
- an education contribution of £39,600 towards First School infrastructure
- an ecology contribution of £600 per dwelling; and
- a speed awareness sign at the entrance to the village.

**115. 18/01036/FUL**

**Re-submission of proposed two new residential properties on undeveloped land which is currently under construction (the primary occupancy now changed to C3 use dwelling, not holiday lets) on land East of 21 Bernicia Way, Beadnell (amended 20th June 2018)  
Land East of 21 Bernicia Way, Beadnell**

Mr McDonagh introduced the application by firstly providing two updates. A late representation had been received about securing offsite ecological gains. A Unilateral Undertaking had been confirmed to confirm both properties as required to be forget principal occupancy. Mr Lowe then continued introducing the application with the aid of a slides presentation.

Andrew Brown then spoke in objection to the application, of which his key points were:

- the previous application had been impacted by a very late change of mind from the Area of Outstanding Natural Beauty Partnership (AONB) Officer
- the holiday estate, restricted to 40 dwellings by the legal restrictive covenant, was now complete, fulfilling its promise as an attractive award winning design of innovative design and ecological balance within the AONB. This was now all at risk; the AONB had grudgingly approved the removal of the buffer zone, and the ecological balance would thus be lost forever. The AONB also stated that “introducing two residential units within the holiday park does seem a rather curious arrangement”
- the two permanent houses were unlikely to be sold over prices of over £300,000 given their isolated location stranded at the furthest extremity of a gates holiday village; holiday home open place design not desirable for permanent occupancy; annual maintenance fee of £1500 for estate management; no personalized garden permitted in open land landscape scheme; no garage, no shed for storage, no fencing, no hedging permitted; no household refuse collection service owing to light duty access road; and difficult with mortgage applications owing to the duality of the land and property contracts being situated in a flood risk area. The high voltage power line could also pose a severe leukaemia risk to children according to an international study

- it was incompatible with the NPPF on several grounds; the application to include two residential residence would be socially divisive and not fulfill paragraph 8a's requirements on social objective; would not meet paragraph 11a's requirements about meeting the development needs of the area; and paragraph 11b's reference to any adverse impacts not outweighing the benefits'
- Beadnell welcomed the move to confine new build housing to permanent occupancy homes, provided their location was appropriate, however this proposition was ill thought out, socially divisive and of no benefit either to the community or potential new permanent residents, so the application should be refused, thus preserving the essential buffer zone and Beadnell Holiday Park's innovative design and ecological balance within the AONB.

Councillor Alison Nation then spoke on behalf of Beadnell Parish Council, of which her key points were:

- Beadnell Parish Council's prepared speech no longer needed to be given, as they no longer needed to object to any mishandling of the case following the updates provided
- it was important to clarify if the properties would be protected from any future change of use and to maintain its current position for life
- it was too late at the previous meeting for the essential update from the AONB to be provided; in such cases there should be a delay to considering an application to enable all parties to be fully informed of all the facts
- Beadnell Parish Council had faith in the AONB team, but it was also important that the full facts about the ecological protection due to be provided should be heard from the AONB Officer at this meeting.

***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.***

Members then asked questions to which the key responses from officers were:

- the legal agreement required the applicant to provide a management plan for wetland scrapes for the lifetime of the development. This was required for the needs of wading birds; the scrapes were simple to create and manage and provided an ecological benefit. When the AONB originally objected, the applicant offered to compensate with more landscaping within the wider area, but the surrounding areas in question already had required levels of landscaping. The AONB then negotiated with the applicant and suggested a more suitable wetlands scrape, which led to their objection being withdrawn, which also provided net gains
- a condition was included to submit and implement a plan for the lifetime of the development. Previously, a condition existed for the scrapes to be created, but nothing had been included originally for their ongoing maintenance
- permanent residency requirements were protected in the legal agreement
- there was no policy in place to prevent an application being received that included this mix of permanent housing within a holiday development
- concerns expressed by the objector about electricity running under the site were not material planning considerations. A separate process existed for such concerns

- several other housing sites were already closer to the pond than this site was. These two properties were not considered to make any difference to the functioning of the site
- the S106 agreement would specify that the two houses were for permanent occupancy, which would be included in the Land Registry as their status in perpetuity. It would thus not be possible to try to change the status of the properties to holiday homes
- Beadnell Parish Council were in support of securing the new mitigation. The concerns of Beadnell Parish Council and residents were being taken into account, which had led to the process for securing the legal terms.

Councillor Watson then moved that the application be granted in accordance with the officer's recommendation as amended. This was seconded by Councillor Castle. The motion was then put to the vote, and agreed by six votes in support, one against and two abstentions, so it was thus:

**RESOLVED** that the application be minded to be GRANTED and authority delegated to officers to determine the application subject to the conditions set out in the report and the completion of a legal agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended).

#### **116. 17/04574/FUL**

**Proposed sites for 9 new houses and change of use of agricultural to 14 unit Camp/Caravan site - Amended 03/04/18  
Land Rear Of Blue Bell Hotel, West Street, Belford**

Chris McDonagh, Planning Officer introduced the application by firstly providing an update. The reference in paragraph 1.3 to the receipt of further information related to the original application, not this updated application. Mr McDonagh then continued with the aid of a slides presentation.

In the absence of any public speakers in attendance, members then asked questions to which the key details of officers' responses explained that there were no material changes to the application, it was being re-presented due to the introduction of the new NPPF, and there were no changes to the highways access; a road went through the middle of the site and the camping pods were at the bottom of the hill.

Councillor Castle then moved that the application be granted in accordance with the officer's recommendation. This was seconded by Councillor Pattison. The motion was then put to the vote, and agreed by five votes in favour, three against and one abstention, so it was thus:

**RESOLVED** that the application be minded to be GRANTED subject to the conditions set out in the report and a s106 Unilateral Undertaking to secure the following contributions:

- coastal mitigation contribution of £600 per dwelling (£54,000 in total) to be paid upon occupation of the first dwelling; and
- coastal mitigation contribution of £350 per unit of th camp/caravan provision (£4,900 in total) to be paid upon the site being brought into use.

#### **117. Planning Appeals**

Ch.'s Initials.....

Members received information on the progress of planning appeals. (Copy of report enclosed with the official minutes within Appendix A.)

**RESOLVED** that the minutes be noted.

*(The meeting then adjourned for a short break between 5.10pm - 5.20pm.  
Councillors Lawrie and Murray then exited the meeting.)*

## **RIGHTS OF WAY**

### **118. Alleged Byway Open to All Traffic No 13 Parish of Holy Island**

The Local Area Council was asked to consider all the relevant evidence gathered in support and rebuttal of the existence of public vehicular rights over the part of the U37 road, between St. Cuthbert's Square and a point just west of Lindisfarne Castle. The Infrastructure Records Manager provided a presentation and further information at the meeting.

Councillor Castle moved the officer recommendation, and welcomed the well presented and accessible format used in the committee reports. Councillor Watson seconded this, welcoming the level of detail and congratulated officers on the results shown from all the work undertaken. The motion was then put to the vote, supported unanimously, and it was:

**RESOLVED** that it be agreed that:

- (1) there is sufficient evidence that public vehicular rights have been reasonably alleged to exist over the route;
- (2) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the route; and
- (3) the route be included in a future Definitive Map Modification Order as a byway open to all traffic.

### **119. Alleged Byway Open to All Traffic No 14 & Restricted Byway No 15 Parish of Holy Island**

The Local Area Council was asked to consider all the relevant evidence gathered in support and rebuttal of the existence of public vehicular rights over a route between the junction of Church Lane and Fiddlers Green and Jenny's Well at the seashore. The Infrastructure Records Manager provided a presentation and further information at the meeting.

Councillor Watson moved the officer recommendation, which was seconded by Councillor Thorne. The motion was then put to the vote, supported unanimously, and it was:

**RESOLVED** that it be agreed that:

- (1) there is sufficient evidence that public vehicular rights have been reasonably alleged to exist over the route;



- (2) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the D-E part of the route;
- (3) the Natural Environment and Rural Communities Act 2006 would not appear to have extinguished the public's motorized vehicular rights over the E-F part of the route;
- (4) the D-E part of the route be included in a future Definitive Map Modification Order as a byway open to all traffic; and
- (5) the E-F part of the route be included in a future Definitive Map Modification Order as a restricted byway.

**120. Alleged Restricted Byway / Bridleway No 33 Parish of Kyloe**

The Local Area Council was asked to revisit an earlier decision by the Rights of Way Committee in relation to the spur of the U34 road / existing Footpath No. 22 to Blawearie, south-east of East Kyloe. The Infrastructure Records Manager provided a presentation and further information at the meeting.

Councillor Thone moved the officer recommendation, which was seconded by Councillor Castle. The motion was then put to the vote, supported unanimously, and it was:

**RESOLVED** that it be agreed that:

- (1) there is sufficient evidence that public bridleway rights (rather than vehicular ones) have been reasonably alleged to exist over the D-C and B-A parts of the route;
- (4) there is sufficient evidence to indicate that, on a balance of probability, public bridleway rights (rather than vehicular ones) have been shown to exist over the C-B part of the route; and
- (6) the route D-C-B-A be included in a future Definitive Map Modification Order as a public bridleway.

**121. Proposed Changes to the Public Rights of Way Network over Bewick Moor.**

The Local Area Council was asked to consider proposals to extinguish, downgrade and create a number of public rights of way in the vicinity of Bewick Moor, in the parishes of Bewick and Eglington. The Infrastructure Records Manager provided a presentation and further information at the meeting.

In response to questions, members were advised that the public was not believed to be currently using the Nursery Hill / Kennel Wood paths or objecting to this process. A number of more useful alternative routes were being provided so, overall, the public was benefiting. The Nurseryhill path, which was not a recorded public right of way, was considered unlikely to be a public bridleway; its closure was being proposed for completeness, to protect the landowner against possible future claims. Members' approval of the report would not, of itself, bring about these proposed changes - it would simply authorise officers to make the necessary public path orders. Any member of the public who was unhappy with any aspect of these proposals would have an opportunity to object to the orders when they were advertised.

Councillor Castle moved the officer recommendation, which was seconded by Councillor Watson. The motion was then put to the vote, with six votes in support and one abstention, and it was:

**RESOLVED** that

- (1) Alleged Public Bridleway No. 29 over the route J-X be extinguished (see Plan 1 in the report);
- (2) the 'possible' Public Bridleway over the route Q-kk-mm be extinguished (see Plan 3 in the report);
- (3) Public Bridleway No.31 over the route J-S be downgraded to public footpath status with minor realignment to western end (see Plans 1 & 2 in the report);
- (4) Public Bridleway No.16 over the route C-D be downgraded to public footpath status (see Plan 4 in the report);
- (5) a new public bridleway be created over the route S-gg-Z, along a new track over Harehope Hill (see Plan 2 in the report);
- (6) a new public bridleway be created over the route A-B (see Plan 4 in the report); and
- (7) a new public bridleway be created over the route R-hh-jj (see Plan 2 in the report).

*(Councillor Castle then back in the chair.)*

**122. URGENT BUSINESS (if any)**

**(a) Local Area Council Subcommittee**

The Chair raised an item, which qualified in his view as urgent business, to delegate some of its functions to a subcommittee and that the subcommittee should start meeting as soon as possible due to the Local Area Council's current substantial workload. This would also take pressure off the agenda for the Local Area Council's next meeting on 20 December, so a decision needed to be taken urgently to enable the necessary arrangements to be made.

The Chair explained that the issue had been discussed on 21 November at the Local Area Council Chairs' Briefing meeting. The proposed subcommittee would be established to specifically consider rights of way applications. The Local Area Council could then focus more on planning applications, especially as they had to be determined within set timescales whereas rights of way matters did not have such pressure. It was proposed to be chaired by Councillor Thorne, consist of six of the Local Area Council's 13 members and meet bimonthly. Membership of the sub-committee could alternate over time. Details including the meeting times, venues and political balance could be confirmed after this meeting.

It was clarified that the subcommittee would be specific to this Local Area Council. Three of the other Local Area Councils had not needed to discuss any rights of way matters since Local Area Councils became responsible for the business in May 2018, and Tynedale Local Area Council had considered just three or four of them.

Members supported the changes. Democratic Services would organise the next steps and also email all members of the Local Area Council to ask which members

might be interested in joining the subcommittee. Councillors Seymour and Watson both indicated that they would be interested.

**RESOLVED** that the Local Area Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way in the north Northumberland area be delegated to a subcommittee to consist of six members, be chaired by Councillor Thorne, meet bimonthly, and other meeting arrangements be confirmed in due course.

*(6.10pm: the meeting then adjourned and Councillor Watson exited the meeting. The remainder of the meeting then followed from 7.00pm.)*

## **OTHER LOCAL AREA COUNCIL BUSINESS**

### **123. PUBLIC QUESTION TIME**

This item was for replying to any questions received from members of the public, which could either be received in writing in advance of or asked at the meeting.

**Councillor Richard Baker, Ford Parish Council** expressed concern that faulty flashing traffic speedlights outside the local school had been reported back in August 2018. The reply received then stated that the batteries were faulty, but they had not yet been fixed. Mr Bucknall, Highways Delivery Area Manager, would follow this up.

**RESOLVED** that the issue be investigated and a response sent to the clerk of Ford Parish Council.

### **124. PETITIONS**

Members were advised that no new petitions had been received, nor any reports were required on petitions previously received nor updates available on petitions previously considered.

**RESOLVED** that the update be noted.

### **125. LOCAL SERVICES ISSUES**

Members received a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of members of the Local Area Council.

#### **Neighbourhood Services update:**

- extra grass cuts had been undertaken; all required sight lines had been achieved and the work had progressed well
- two new pavement sweepers had been received for cleansing requirements. Two new large sweepers had also been received. Additional staff had been deployed to assist with leaf fall to help with this work

- new vehicles were being received for waste services. There had been some recent changes to waste collection routes, mostly in the south east of the county to accommodate housing growth and garden waste service increases.
- there has been good success with Northumbria in bloom. Neighbourhood Services were now concentrating on winter grounds maintenance schedules.

#### **Technical Services update:**

This item included an update on Local Services' winter preparedness plans (copy enclosed with the official minutes of the meeting) of which the summary of the key points included:

- all drivers were ready and on rota
- a fleet of 28 front line gritters were on station
- 37,500 tons of salt were available, with all depots at capacity
- weather monitoring was between the Meteogroup, the forecaster, and using Vaisala management equipment software
- additional farmer and subcontract support had all been checked and in place
- cross boundary arrangements were in place with all adjoining local authorities to ensure continuity between operational boundaries
- key lessons learnt from the 'The Beast from The East', including collaboration with neighbouring local authorities and agencies; staff on rota also responding to flooding and other storm related issues supporting the existing out of hours rota in anything above and beyond the normal response levels, and the current receipt of severe weather warnings well in advance of events, from several sources
- the award of a contract to construct two new salt barn at Allendale and Blyth, for a 4000 tonne salt capacity
- area teams were replenishing all salt bins and heaps
- gritting actions were posted on the NCC website, Twitter and Facebook
- Members could help with advising residents to use the 0345 600 6400 telephone number for winter service requests or any emergencies to be logged. This would ensure that officers logged the call correctly and enabled it to be dealt with in the most efficient way possible.

Members raised a number of issues, of which the key points and responses from officers were:

- gully clearances were undertaken as part of leaf collection work. Areas were cleared on a red/amber/green priority categorisation process. Keeping channels clear prevented water from gathering in gulleys
- regarding concerns that the floodgate at Tweedmouth was not being deployed correctly, it was clarified that the flood gates were only meant to be deployed in response to the issue of a Flood Warning by the Environment Agency, and that council staff were on standby to attend and put the floodgates in place in response to such events. During a recent incident in October, no flood warnings or even alerts had been received. It was also clarified that the purpose of the floodgates was to protect properties from flooding rather than the pavement / parking areas. Consideration was being given to whether any alternative more permanent arrangements to address the flood risk in this location would be possible that removed the requirement for the use of the temporary barrier.

- the resurfacing of Northumberland Avenue in Berwick was due shortly; officers were asked to look at ensuring that the drain clearance work did not clash with the resurfacing
- Councillor Roughead would email Mr Hodgson details about an area that had been graffitied to get it cleaned up
- trees at the entrance to the north side crossing from the bridge at Alnwick Fords needed to be cleared to improve visibility; it was a single carriageway with a lot of heavy good traffic and vehicles coming to the neighbouring equestrian centre. Graham Bucknall agreed to investigate and action as appropriate.
- town and parish councils were responsible for litter bins; the County Council emptied them and any were removed if asked by the local town/parish council
- 32 gritters were all ready to be operated. Five further replacement vehicles were due for delivery this winter
- all vehicles were tracked; some new software was currently being introduced, although it was not intended for the routes of all vehicles to be viewable live online. Daily reports could be provided on which vehicles had undertaken which routes.

Members welcomed that winter services preparations were in place and it was:

**RESOLVED** that the information be noted and any Local Services actions be followed up.

## 126. NORTHUMBERLAND ECONOMIC STRATEGY

The Chair explained that he had agreed to defer this item from the agenda due to the substantial amount of business needing to be considered. A copy of the presentation had instead been emailed to all members of the Local Area Council, who were asked to email any queries/comments to Principal Policy Officer Rob Strettle. (Copy of presentation enclosed with the official minutes).

**RESOLVED** that the update be noted.

## INFORMATION ITEMS

### 127. MEMBERS' LOCAL IMPROVEMENT SCHEMES 2018/19

Members received a progress update on Members' Local Improvement Schemes during 2018/19 as at 1 November 2018. (Report enclosed with the official minutes as Appendix C.)

A member questioned why a north area fund had paid for a facility in Newbiggin-by-the-Sea, given the importance of auditing and transparency requirements. Some members in the same part of the county might split the cost of a local scheme but they should not pay for schemes in other areas. Members were advised that the Members' Local Improvement Scheme guidelines were currently under review.

**RESOLVED** that the information be noted.

**128. BERWICK REGENERATION COMMISSION**

This was a standing item on the agenda for verbal updates; members noted that Tony Kirsop was now the lead officer supporting the Berwick Review Commission. Current work included consideration of leisure services and the next subject would be the High Street. Members noted that a national pot of £675m to support High Streets was now available for a two stage bid process; applications had to be submitted by March 2019. A pot of £55m was also available for Heritage High Streets.

**RESOLVED** that the update be noted.

**129. LOCAL AREA COUNCIL WORK PROGRAMME**

Members received the latest version of agreed items for future Local Area Council meetings (any suggestions for new agenda items will require confirmation by the Business Chair after the meeting). (List enclosed with the official minutes as Appendix D.)

The Chair advised that it had been agreed that the Local Transport Plan 2019/20 item would be considered as the first discussion item at February’s Local Area Council meetings. It was also noted that following the petition considered about Prince Edward Road in Berwick, the resurfacing work requested was now a high priority for the LTP in 2019/20.

Members also noted that the Empowering Communities presentation would be considered by this Local Area Council on 24 January. The presentation had been received at November’s other four Local Area Councils, but had been put back for the north area as the Locality Coordinator for the north area was not yet in post.

**RESOLVED** that the information be noted.

**130. DATE OF NEXT MEETING**

It was noted that the next meeting would take place on Thursday, 20 December 2018 in St James’ Church Centre, Alnwick.

It was also noted that from now onwards this Local Area Council’s meeting start time would default to 3.00pm rather than 4.00pm. To date, meetings had been scheduled to begin at 4.00pm but usually changed to 3.00pm on a meeting by meeting basis as a result of the amount of planning business to be considered each month.

**CHAIR**.....

**DATE**.....

Ch.’s Initials.....