

## NORTHUMBERLAND COUNTY COUNCIL

### NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At a meeting of the **North Northumberland Local Area Council** held at St. James's Church Centre (upstairs hall), Pottergate, Alnwick, Northumberland, NE66 1JW on Thursday, 17 October 2019 at 3.00pm.

#### PRESENT

Councillor G Castle  
(Chair, in the chair, items 72- 74)

Councillor T. Thorne  
(Planning Vice-chair, in the Chair, items 75 - 81)

#### MEMBERS

S Bridgett  
T Clark  
G Hill  
R Moore

C Seymour  
W Pattison  
J Watson

#### OFFICERS

J Bellis  
M Bird  
V Cartmell  
P Chaudhry  
G Fairs  
N Masson  
E Sinnamon

Senior Planning Officer  
Senior Democratic Services Officer  
Principal Planning Officer  
Trainee Solicitor  
Highways Development Manager  
Principal Solicitor  
Senior Planning Manager

Also in attendance: press: 1, public: 9

*(Councillor Castle in the chair.)*

#### 72. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lawrie, Murray, Renner-Thompson and Roughead.

#### 73. MINUTES

**RESOLVED** that the minutes of the meeting of the meeting of North Northumberland Local Area Council held on Thursday, 19 September 2019, as circulated, be confirmed as a true record and signed by the Chair.

## 74. DECLARATION OF MEMBERS' INTERESTS

Councillor Castle declared that he would leave the meeting during the consideration of applications 19/01737/VARYCO and 19/01724/ADE as he was a county council appointed director of Alnwick Playhouse's board.

*(Councillor Thorne in the chair.)*

## 75. 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.)

**RESOLVED** that the report be noted.

## 76. 18/02190/FUL

**Proposed detailed planning permission for the development of 68 dwellings (C3) with associated access, infrastructure and landscaping (Amended Description 22.01.2019)**

**Land North East Of Guyzance Avenue, Togston Road, North Broomhill, Northumberland**

Senior Planning Officer James Bellis introduced the application by firstly providing a number of updates:

- the application had been subject to a site visit on 14 October 2019
- paragraph 7.31 of the report should instead read '**not** set in the open countryside'
- paragraph 7.43 of the report was an erroneous sentence and should be deleted
- in addition to the education contribution of £261,000, healthcare contribution of £46,200 and coastal mitigation contribution of £40,800, the affordable housing contribution had been amended to eight discount market value properties (previously six) and four social rent properties (previously six)
- if the application was to be approved by members it was requested that the revised amendments to the legal agreement for affordable housing would be added, with minor amendment of details of the timings and other minor changes to the conditions to be delegated to the Director of Planning.

Mr Bellis then continued introducing the application with the aid of a slides presentation.

Joe Clay then spoke in objection to the application, of which his key points were:

- the site was excluded from the settlement boundary in the emerging Northumberland Local Plan
- the application represented an overdevelopment of a small village with few amenities; a 45% increase in properties exceeded what was acceptable

- it would not meet policy requirements for preserving the character of the area avoiding overbearing visual impact; adjacent houses would be impacted by these new 9.5m storey properties. The proposed mitigation measures were inadequate
- Northumberland had already achieved a 12 year supply of housing, so the presumption in favour of sustainable development should not apply. The application was surplus to required numbers; local residents should be put first
- it would lead to an unnecessary destruction of existing carbon absorbing features within the site. The increase in pollution from up to 130 new cars of new residents would add to environmental problems.

County councillor Terry Clark then spoke in the local member slot, of which his key points were:

- North Broomhill was currently sustainable but had limited services and its infrastructure would not cope with this proposed level of housing. Nearby areas were already saturated with new housing in Hadston, Hawksley, Acklington and thousands in Amble. Services were stretched, especially NHS services, and roads were extremely busy and congested
- the application would impact on the character of the local area
- neither Natural England nor the Coal Authority viewed the application well
- the application would impact on ecology and wildlife habitats, in particular newts, birds, bats and others
- local overdevelopment was leading to green spaces disappearing between merging towns.

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

Nicola Reed then spoke in support of the application, of which her key points were:

- the principle of the development was considered acceptable. The application had been assessed against the emerging Northumberland Local Plan and considered to include a sustainable level of properties
- the site had been identified for development in the Council's land viability assessment and was bound by a woodland tree belt and existing housing and allotments, nor would it impact on the settlement boundary
- consideration had been given to biodiversity impacts; discussions had taken place with the County Ecologist about securing benefits including the creation of wetland areas plus arrangements for their future maintenance
- following concerns raised by local residents, including about the capacity of local GP practices, the scheme should be approved with its contributions to education and healthcare
- following points raised at the recent site visit, information had been forwarded to the Public Protection department, who confirmed they had no objections. The application met all national and local planning policy requirements.

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

- having exceeded the required housing supply in the county was not considered to be a valid material planning reason to refuse the application; the figures were considered to be a minimum rather than a maximum figure. Some schemes within the trajectory might not come forward anyway. It was not appropriate to preclude any new applications that came forward on this basis

- the judgement about the site not being in the open countryside was a subjective assessment. The character of the settlement was assessed, and it was considered that a significant number of trees and dense landscape buffer surrounded the site from the south and east, and it was officers' view that the site would not stretch into open countryside. Officers considered that the proposal would not affect the character of the development and it would bring the village to a natural close
- some, but limited, weight could be given to the emerging Northumberland Local Plan, which indicated the direction of travel, but was not a reason to refuse an application
- the affordable housing was calculated within the required definition of a percentage of the market value. This process was handled by officers and it was not appropriate to debate the principle of the affordable housing rate at this meeting. The selling cost would be 80% of the price that the developer was charging for their other equivalent properties in the local area for the Discount Market Value element of the Affordable Housing Contribution.
- the four social houses for rent were on the west side of the site, and the discounted market value properties were more scattered through the site.
- the arrangements for delivering the affordable housing during the development would be covered in the legal agreement rather than conditions. The developer could be asked to deliver them early in the construction process, but it depended on the triggers included in the legal agreement. The Affordable Housing Officer was not in attendance at this meeting and it was not appropriate to negotiate legal agreements at this stage in the process, but members could suggest a steer over the heads of terms if they wished.
- in relation to a query about local tree species, it was noted that the Trees and Woodlands Officer had not commented on the application but the County Ecologist had and also worked with the developer to address any such concerns
- the site was 2.66 hectares in size
- all S106 agreements were calculated on a formula to make applications acceptable, barring any concerns about viability.

Councillor Castle then moved that the application be granted subject to the revised condition for affordable housing, plus the proposed education, health and coastal mitigation contributions. He referred to his initial concerns about the position in relation to the emerging Northumberland Local Plan and the number of properties above the housing supply being already met, but clarification about both had been received and members were bound by planning law rather than residents' views, and he could not see how the application was invalid in planning law. This motion was seconded by Councillor Moore.

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

- affordable housing, as defined as 80% of the market price, was still not affordable for many residents in many areas
- concern was expressed in relation to the strength of the conditions in relation to the triggers for any enforcement action
- the high financial contributions required indicated that the application would not be sustainable otherwise
- there was little evidence of local housing need and there was a case for the application being considered to represent overdevelopment

- the application would impact the character of the settlement, which currently helped benefit the environment
- planning law reasons were required to refuse applications
- it was not appropriate to say it should be refused for being an overgrown area, as that could apply to almost any application
- it was one of the most secluded of the application sites visited recently
- the site would be well secluded
- the emerging Northumberland Local Plan and exceeding the housing supply were not reasons to refuse
- strong planning reasons were required to refuse such applications, and a member said he had not heard any for this one. Another member disagreed that no planning reasons for refusal had been given as she considered that the application would have an adverse impact on the character of the village and it represented overdevelopment. It was agreed that all members were aware of planning policy and entitled to have their own say about how they interpreted it in relation to the consideration of applications.

On being put to the vote, four votes were received in favour of the motion to approve the application, and four votes were cast against it. The Vice-chair (Planning) was thus required to make a casting vote, and voted in favour of the motion to approve. The motion was therefore carried by a vote of five in favour to four against, and it was thus:

**RESOLVED** that the application be GRANTED subject to conditions recommended by the planning officer and an S106 agreement for:

1. education contribution (£261,000);
2. healthcare contribution (£46,200);
3. affordable housing contribution (eight discount market value properties and four affordable rent properties) (equivalent to 17% of the site); and
4. coastal mitigation contribution (£40,800)

(Councillor Clark then returned to the meeting.)

#### **77. 19/03043/VARYCO**

##### **Retrospective variation of condition 12 (materials) pursuant to planning permission 16/04246/FUL**

##### **Land West Of Masons Arms, Stamford Cottages, Stamford, NE66 3RX**

Principal Planning Officer Vivienne Cartmell introduced the application with the aid of a slides presentation, and explained how the application sought to vary condition 12 of the agreed permission, to approve the use of concrete tiles instead of Spanish Slate.

Stephen Baggott then spoke in objection to the application, of which his key points were:

- the local architectural style was stone buildings with slate roofs; the developer had recognised the general tradition in local buildings as the original application proposals had reflected other local buildings
- when applying for a choice of materials, the developer had said they would be Spanish Slate, however during the development they had substituted Spanish Slate for cheaper concrete tiling, and thus gone against the local architectural style, local people's wishes and the Local Planning Authority's agreement
- the new tiles were detrimental to visual amenity.

Councillor Colin Parker then spoke on behalf of Rennington Parish Council, of which his key points were:

- Rennington Parish Council strongly objected to the retrospective permission requested; condition 12 had correctly required Spanish Slate to retain, as per policy S16 of the local Core Strategy, that the materials and design were in keeping with local design and character
- as the Local Planning Authority had agreed the original condition 12, adequate enforcement should take place once conditions were disregarded. The developer had ignored the condition and this would set a precedent
- Rennington Parish Council wanted to maintain the character of the settlement, and the Local Area Council should consider their objections and enforce the existing conditions.

Russell Edwards then spoke in support of the application, of which his key points were:

- many other properties on the B1340 had concrete tiles on their roofs. The site was tucked away and unseen from the road
- it was not a cost saving measure, but a mix up in the discharge of the variation of conditions, and this application sought to rectify the situation with a new condition
- the properties were high quality bungalows and the high quality roofs constructed complimented them.

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

- the original application had been submitted in 2016 and the conditions agreed in 2017 were for slate roofs
- the nearby Masons Arms and The Ford buildings had slate roofs; the site was not in a conservation area
- officers would prefer slate to concrete tiles but didn't recommend refusing this application as they didn't feel it would win at appeal
- officers would have still recommended approval of this proposal even if it wasn't retrospective
- officers imposed a condition on the previous application requesting details of the materials to be submitted. In discharging the condition the applicant submitted slate which was approved. The applicant however subsequently used concrete tiles instead, so they were submitting this retrospective application to agree the use of concrete.

Councillor Pattison then moved that the application be refused as it was out of character with the local area and had not met the test of the required quality of materials. This was seconded by Councillor Watson.

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

- members were being asked to downgrade an application, which was grounds to refuse it
- concern was expressed about the reference made to the site being 'tucked away'; if the style across the local area was to have slate, then this application should also reflect that
- it was concerning that members were having to consider determining something which should have been correctly delivered in the first place

- whilst the applicant had said that the current situation had followed a genuine mistake, and the concrete tile might be similar to the slate and the application might be lost at appeal, this Local Area Council was right to be seen to stick by the conditions that it approved on applications.

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

**RESOLVED** that the application be REFUSED as it was out of character with the local area and had not met the test of the required quality of materials.

(Councillor Castle then left the meeting in advance of applications 19/01737/VARYCO and 19/01724/ADE being considered.)

#### 78. 19/01737/VARYCO

**Variation of condition 2 (approved plans) pursuant to planning permission 18/00682/CCD in order to update the window styles with coated aluminium, swap some windows and doors, omit the sliding door to front elevation, add security fence to front yard, add antennae to flat roof and ventilation/extract/exhaust ducts and re-render existing sections of exterior with render coloured in RAL 3009**

**Alnwick Playhouse And Arts Centre, Bondgate Without, Alnwick, Northumberland, NE66 1PQ**

Principal Planning Officer Vivienne Cartmell introduced the application by firstly providing an update. The following additional conditions imposed on planning application 18/00682/CCD were also recommended to be included on this application:

1 Section 247 'Stopping up order'

*No works to provide the level access or erect the low level stone wall shall commence until the highway necessary to implement the works have been 'Stopped Up' in accordance with Section 247 of the Town and Country Planning Act 1990.*

*Reason: To ensure public highway land is not obstructed and is released in order to facilitate the development.*

2 Construction Method Statement

*Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:*

- i. details of temporary traffic measures, temporary access, routes and vehicles;*
- ii. vehicle cleaning facilities;*
- iii. the parking of vehicles of site operatives and visitors;*
- iv. the loading and unloading of plants and materials;*
- v. the storage of plant materials used in constructing the development.*

Chair's Initials.....

*Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.*

Mrs Cartmell then continued introducing the application with the aid of a slides presentation.

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

- it was not a listed building but was in the local conservation area. There was however no Article 4 direction in place. There were other listed buildings nearby
- the building was built in 1925
- officers considered that the aluminium materials were more high performing and also enabled easier maintenance requirements
- Alnwick Civic Society had not replied to the consultation on the application, and Alnwick Town Council had no objection
- the Conservation Officer had raised issues but also considered that the application would give rise to less than substantial harm. Planning officers considered that the public benefits delivered by the application outweighed the concerns expressed by the Conservation Officer.

Councillor Moore then moved that the application be granted subject to the Section 247 Stopping Up Order and Construction Method Statement, as detailed by the Principal Planning Officer. He added that the development of the building was an exciting project and the proposals would enhance the building from the outside. This motion was seconded by Councillor Watson.

A member expressed concern about the change in material from wood to a less superior aluminium. It was then put to the vote, and the motion was agreed by six votes in favour to one abstention and one against, so it was:

**RESOLVED** that the application be GRANTED subject to the conditions in the report and the additional conditions requiring a Section 247 Stopping Up Order and Construction Method Statement, as presented.

**79. 19/01724/ADE**

**Advertisement consent for replacement of main signage above main entrance (same size, different font). Additional sign on main frontage (same as main entrance but slightly smaller). Additional 2no. banners to the existing 4no. banners (to be replaced) on main south and west elevation  
Alnwick Playhouse And Arts Centre, Bondgate Without, Alnwick,  
Northumberland, NE66 1PQ**

Mrs Cartmell introduced the application with the aid of a slides presentation.

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

- the points raised by the Highways Authority would be controlled by conditions
- Alnwick Town Council had expressed concern about the colour of the banners proposed, as per policy HD7 of the Alnwick and Denwick Neighbourhood Plan, and as a result they had changed colour, but this had not needed to be reconsulted on
- the banners would be attached to the first floor level of the building and thus inaccessible to members of the public.



Councillor Moore then moved that the application be granted. He added that the banners would help reemphasise the new facilities going in and looked good. This motion was seconded by Councillor Watson.

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

(Councillor Castle then returned to the meeting.)

**80. Planning Appeals**

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

The Vice-chair (Planning) welcomed the dismissal of the appeal for 10 houses at the West Road garage site, Rothbury Road, Longframlington, as the Local Area Council had refused it for strong planning reasons.

**RESOLVED** that the information be noted.

**81. DATE OF NEXT MEETING**

It was noted that the next meeting would be held on Thursday, 21 November 2019 at Northern View Limited, Spittal, Berwick-upon-Tweed.

**CHAIR** \_\_\_\_\_

**DATE** \_\_\_\_\_