

# NORTHUMBERLAND

Northumberland County Council

## Strategic Planning Committee 5 September 2017

### ADDENDUM REPORT

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**Application No:** 16/04731/OUT

**Proposal:** Outline planning application for the construction of up to 500 new dwellings with associated infrastructure and landscaping with all matters reserved except access to and from the site.

**Site Address:** Land South West of Glebe Farm, Choppington Road, Bedlington, Northumberland

**Applicant:** Mr. Tony Rutherford (c/o GSC Grays)

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#### 1. Introduction

- 1.1 This application was previously considered by Strategic Planning Committee on the 6 June 2017. Members resolved that they were minded to grant planning permission subject to resolution of outstanding transportation matters raised by Highways England, ecology mitigation matters, completion of a Section 106 Agreement concerning various infrastructure matters and conditions.
- 1.2 The application currently remains undetermined as discussions are ongoing with Highways England regarding resolution of outstanding transportation matters and with the applicant regarding the details of the Section 106 Agreement including ecology mitigation matters.
- 1.3 Members will be aware that at the County Council meeting on the 5 July 2017 it was resolved that the Council's emerging Core Strategy, which had been submitted for independent examination to the Secretary of State for Communities & Local Government on the 7 April 2017, should be withdrawn and that officers should undertake a full review of the housing and employment numbers and strategic land use allocations required during the Plan period to sustain county-wide and regional economic growth.
- 1.4 The officer report considered by Strategic Planning Committee on the 6 June 2017 made extensive reference to the now withdrawn Core Strategy and certain related evidence base documents and therefore these may have had a material bearing on the decision of Members that they were minded to grant planning permission.

1.5 As such it is considered that this application should be referred back to Strategic Planning Committee so that it may be re-considered by Members in light of the current planning policy situation. In this regard, as the Core Strategy and related evidence base documents have now been withdrawn the only planning policies which are a material consideration in deciding this application comprise local planning policy as contained within the Development Plan which is the Wansbeck District Local Plan 2007. Other planning policy that is also a material consideration comprises national policy in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) and other local planning policy documents comprising the Wansbeck Provision for Sport and Play SPD, the Wansbeck Design Guide and the Wansbeck Residential Development Design Guidance.

1.6 This approach is in accordance with paragraph 15 of the officer report to the County Council meeting on the 5 July which stated that:

*There are also a number of major development proposals that currently have a "minded to approve" resolution from Strategic Planning Committee that have not yet had a final decision issued and it is possible that some of these applications would require re-consideration by Committee where weight was given to the emerging policy position in the officer recommendation and Members decision.*

1.7 This short addendum report seeks to advise Members on the implications of the withdrawal of the Core Strategy and related evidence base documents so far as their decision making on this planning application is concerned. Some commentary is also provided by way of update in respect of certain matters where further discussion has taken place between officers, consultees and the applicant since the June Strategic Planning Committee meeting. Finally, in light of the above, a further recommendation is made to Members regarding their determination of the application. A copy of the officer report presented to Members at the June Committee is appended to this addendum report for information.

## **2. Implications of Core Strategy withdrawal**

2.1 In terms of the acceptability in principle of housing development on the application site, the site lies outside of the settlement boundary for Bedlington as defined on the Wansbeck District Local Plan Proposals Map. Policy GP1 of the Plan seeks to resist development in the countryside beyond settlement limits unless certain criteria are satisfied. Furthermore, Policy H3 states that new housing development on greenfield sites not allocated for housing in the Plan will not be permitted. The proposals are not compliant with these Development Plan Policies.

2.2 However, these Policies are not consistent with more up-to-date national planning policy in the NPPF, which does not specifically seek to preclude development on land outside of settlement boundaries or development on greenfield sites that have not been allocated for housing in a Development Plan. Rather, the NPPF seeks to promote sustainable development with paragraph 7 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions

to sustainable development – an economic element, a social element and an environmental element.

- 2.3 Paragraph 14 of the NPPF then establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
- 2.4 Paragraph 47 of the NPPF requires the Local Planning Authorities to boost significantly the supply of housing with paragraph 49 then advising that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 2.5 The Wansbeck Local Plan is silent on new housing requirements, and following the withdrawal of the Northumberland Core Strategy the Council is unable to present an up to date housing requirement informed by an objective assessment of need. However, officers consider that at the present time a significant supply of housing land can be demonstrated across the County as a whole with much of this supply benefitting from planning permission. In this regard, as of the 31 March 2017 there were extant planning permissions for approximately 12,400 dwellings. Furthermore, housing completions have accelerated in recent years. 1,531 new housing completions were achieved during 2016-17 with an average of 1,323 dwelling completions per annum over the last 3 years. Due to the level of supply, officers are confident that the strong delivery that has been achieved recently will continue.
- 2.6 Therefore in the context of paragraph 49 of the NPPF, the tilted balance in paragraph 14 is not engaged on the grounds of housing land supply. However, given the Wansbeck District Local Plan is silent on housing requirements NPPF paragraph 14 presumption in favour of sustainable development nevertheless applies.
- 2.7 In the officer report to the June Strategic Planning Committee it was accepted that the proposals did in principle constitute sustainable development for the purposes of the NPPF and that in this regard the application site was a suitable location for new development of the scale proposed given the location of the site immediately adjacent to Bedlington and its good accessibility to services and employment by a choice of means of transport.
- 2.8 The officer report to that Committee also gave detailed consideration to the matters of impact on the character and appearance of the area, residential amenity impact, land contamination/stability, transportation matters, drainage/flooding, ecology, archaeology and loss of agricultural land and it was determined that the proposals in these respects were compliant with the Wansbeck District Local Plan, other local planning policies adopted by the

former Wansbeck District Council and the NPPF subject to conditions and a Section 106 Agreement being completed regarding certain infrastructure matters.

- 2.9 In terms of affordable housing, it was acknowledged that Policy H7 of the Wansbeck District Local Plan required officers to negotiate for the provision of at least 30% of the total number of dwellings proposed to be affordable units. However, the Council's affordable housing team advised that in their opinion 15% affordable housing provision only would be justified having regard to the most recent evidence concerning affordable housing need and delivery across the county. Circumstances have not changed since the April Strategic Planning Committee and therefore officers consider that 15% affordable housing remains an appropriate level of provision notwithstanding withdrawal of the Core Strategy.
- 2.11 Finally, it was noted that Wansbeck District Local Plan Policy GP34 required 10% of predicted energy requirements to be provided on site from renewable sources. However, the NPPF adopts a more flexible approach with consideration to be given to energy efficiency improvements to building fabric as well as the local generation of energy from renewable sources and it is considered that the detail as to how such matters will be addressed by the proposed development would most appropriately be addressed by means a planning condition given that this application is for outline planning permission with details of access only being provided at this stage.

### **3. Outstanding matters**

- 3.1 Discussions are ongoing with Highways England to address concerns that they have regarding the impact of additional traffic from the development on the Moor Farm roundabout junction of the A19/A189. It is anticipated that such concerns will be addressed through Section 106 Agreement financial contributions towards a scheme to improve bus access through the Moor Farm roundabout and bus use incentive measures for future occupiers of the proposed development. However, detailed discussions to determine the detail of those contributions are not likely to be concluded ahead of the committee meeting and therefore any recommendation of approval would need to be subject to the concerns of Highways England being satisfactorily addressed.
- 3.2 With regard to Section 106 Agreement contributions overall, the levels of contribution sought for affordable housing (i.e. 15% provision comprising 75 units with 25 of these being Discount Market Value (DMV) dwellings and 50 affordable rented dwellings) and the £229,000 contribution for off-site sports provision remain unchanged from the April Strategic Planning Committee report.
- 3.3 In terms of education contributions, these have now reduced from £3,856,600 to £1,419,000 as a consequence of contributions for children with special educational needs now only being sought by the Council's education officer in respect of those children with the greatest needs (i.e. children having Statements or Education Health & Care Plans). There was also some confusion over catchment areas with contributions now being required for primary but not secondary school children.

- 3.4 Following further discussion with the Northumberland CCG regarding primary care provision in the locality, officers are now seeking a primary care contribution of £346,500.
- 3.5 Discussions are ongoing with the applicant to determine the details of ecology mitigation in respect of the potential impacts from the development on designated coastal areas.
- 3.7 Due to the above-mentioned timescales in respect of contributions to address the concerns of Highways England, it is unlikely that agreement will be reached between officers and the applicant on the overall package of Section 106 Agreement contributions until after the committee meeting and therefore any recommendation of approval would need to be subject to negotiation of a satisfactory package of infrastructure provision.
- 3.8 Finally, some further discussion has taken place between officers and the applicant regarding the detailed wording of planning conditions and this is reflected in the wording of the suggested conditions detailed below.

#### **4. Conclusion**

- 4.1 Bearing in mind all of the above it is considered that the proposed development accords with the Wansbeck District Local Plan or more up-to-date national planning policy in the NPPF and also with other local planning policy which is a material consideration subject to conditions and negotiation of a satisfactory package of Section 106 Agreement infrastructure contributions.
- 4.2 As such, notwithstanding withdrawal of the Council's Core Strategy and related evidence base documents it is considered that the proposed development should be supported.

#### **5. Recommendation**

That Members be minded to **GRANT** permission, subject to the resolution of outstanding transportation matters with Highways England and outstanding ecology mitigation matters and subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure 15% affordable housing provision through on-site provision; an education contribution; off-site sport contribution; transportation related contributions; provision of ecological mitigation and a primary healthcare contribution, and subject to the following conditions as outlined in the attached committee report.

#### **Author and Contact Details**

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Appendices:

Committee Report

**Date of Report:** 11.08.2017

**Background Papers:** Planning application file(s) 16/04731/OUT