

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At a meeting of the **Strategic Planning Committee** held in the **Council Chamber, County Hall, Morpeth, NE61 2EF** on **Tuesday 8 January 2019** at **4.00 pm**.

PRESENT

Councillor CW Horncastle
(in the Chair)

MEMBERS

Castle G
Flux B
Gibson RM
Gobin JJ
Lang J
Ledger D
Pidcock B

Reid J
Robinson M
Stewart GM
Swithenbank ICF
Thorne TN
Wearmouth R

OFFICERS

Bulman M
Churchill F
Fairs G
Feige D
Horsman G
Little L
Marron H
Murphy J
Sinnamon E
Thompson C

Wood T

Solicitor
Head of Planning Services
Highways Development Manager
Principal Ecologist and AONB Officer
Senior Planning Officer
Democratic Services Officer
Principal Planning Officer
Principal Planning Officer
Senior Planning Manager
Principal Highways Development
Management Officer
Senior Planning Officer

ALSO PRESENT

Councillor J Watson
Press/ public: 23

62. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Renner-Thompson and Richards.

63. MINUTES

RESOLVED that the Minutes of the Strategic Planning Committee held on Tuesday 4 December 2018, as circulated, be agreed as a true record and signed by the Chair.

64. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Flux advised that he would be speaking as the Ward Councillor for application 16/04741/OUT and would therefore take no part in deciding the application. Councillor Wearmouth advised that he had a non-prejudicial interest in application 18/03387/VARYCO as the school was within his Ward.

During consideration of application 18/01529/OUT Councillor Watson requested S106 education contribution to also be used for secondary education and as he specifically mentioned James Calvert High School, Councillor Reid advised that he would declare a personal but non-prejudicial interest as his daughter worked at that school.

65. DETERMINATION OF PLANNING APPLICATIONS

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

RESOLVED that the information be noted.

66. 16/04741/OUT

Hybrid application: outline application for the development of up to 501 dwellings (Use Class C3), an area of land to accommodate a primary care facility (Use Class D1) and associated open space and wildlife mitigation area with all matters reserved except for access and full application for the development of a wildlife mitigation area at Land North West Of West Hartford Fire Station, West Hartford Business Park, West Hartford, Cramlington, Northumberland

The Planning Officer provided a comprehensive introduction to the report with the aid of a powerpoint presentation. The unresolved issues in respect of comments from the County's Ecologist and Public Protection were highlighted. He advised, in respect of the outstanding matter of loss of employment land, that in terms of employment land to be taken forward in the proposed new Local Plan, the proposals would result in a 10% reduction in employment land across the County as a whole. In terms of Cramlington, 59 hectares of land within the Cramlington area was allocated for employment purposes with this site being 32 hectares of this total. The application site was the largest site by far in Cramlington, offering an opportunity for large scale investment in the area. In this regard the application site was also considerably larger than Enterprise Zone sites elsewhere within the County. Recent employment land studies concluded that the site should be retained for large scale employment use and officers

also considered that there was demand for employment sites in SE Northumberland having regard to enquiries received by the Council's business support team and work undertaken regarding Enterprise Zone sites. The Council's Economic Strategy sought to create 10,000 additional jobs up to 2031 with an 'investment zone' in South East Northumberland, including Cramlington, a key focus for such employment creation and this strategy referred specifically to the site being brought forward for employment. It was considered that the viability assessment of the site was not sufficiently comprehensive. There was a reasonable prospect through Advance Northumberland and/or the North of Tyne Authority of employment development being progressed on the site in the future. Lack of uptake of the site for employment purposes since 1999 could have been due to a number of factors including the greater availability of large employment sites in Cramlington in the early 2000's, the effects of the 2008 financial crisis on take-up and marketing deficiencies.

In terms of the planning balance looking at the economic, social and environmental objectives of sustainable development, it was apparent that the proposals delivered some benefits including affordable housing. However, officers considered that these benefits did not outweigh the significant harm arising in terms of loss of employment land and insufficient detail concerning ecology mitigation.

In respect of the recommendation for refusal he advised of a slight change to the wording of the first sentence in reason 2 which should now read as follows:-

"Insufficient detail has been provided regarding bird strike risk matters in respect of the on-site wildlife mitigation area resulting in uncertainty regarding the delivery of appropriate mitigation for Great Crested Newts **and wetland birds** within the site."

Councillor B Flux, the Local Ward Member addressed the Committee. He commented that there were three large sites already being developed for housing within his Ward. This proposal for another 500 dwellings would have a huge detrimental effect on existing residents and he was pleased to see the recommendation for refusal. He advised that within all existing Plans and Policies, the emerging Cramlington Neighbourhood Plan and proposed Local Plan this land was saved for employment uses and there was sufficient land identified for housing within Cramlington. The objections from Cramlington Town Council were thoroughly detailed and he supported these. The A192 was a dangerous road and he asked that the Committee follow Officers' advice and refuse the application.

Marie Kiddell and Michael O'Brien addressed the Committee speaking on behalf of Homes England in support of the application. Their comments included the following:-

- Homes England was a Government Agency launched in 2018 to deliver the Government's housing and strategy policy. There was a need to deliver 300,000 homes per annum with a housing crisis in a number of areas of the Country as insufficient homes were being built.
- Following a review sufficient land for 160,000 dwellings had been identified for development and the rationale was to release the land to deliver the Government's policy. This land fit the criteria.

- Since 2015, The Homes and Community Agency had helped provide 740 homes within Northumberland with investment in sites such as St George's Hospital in Morpeth, creating sustainable places.
- This site would provide sustainable development and offer the best for Cramlington with the provisions of the S106 agreement and offers the opportunity to engage to deliver above the policy level.
- In respect of the use of the employment land, previous advice had stated that the land would not come forward for employment use now that advice had changed. No evidence had been put forward to support this change. The land had been available for development since 1999 and had now exceeded its shelf life.
- There were unknown costs associated with the site for remedial works and the financial appraisal had shown that the site was not viable, however Homes England could make it deliverable.
- In respect of the ecology it was stated that permission was required prior to a licence being granted to undertake studies for the appropriate mitigation to be provided.

The following information was noted in response to questions from Members:-

- The purchase of the land by One North East to attract a large investor and its subsequent transfer to the Homes and Community Agency following the demise of One North East was not a relevant material consideration of this application.
- The land in question was not used for any purpose at the current time and it was not known if the land was tended in any way.
- The land had been identified as an employment site since the development of the Blyth Valley District Local Plan in 1999 part of which was still the Development Plan for this area and therefore the land was still designated as employment land.
- There was no longer a holding objection from Highways England in respect of mitigation at Moor Farm Roundabout subject to the applicant agreeing to provide funds to mitigate impacts at that roundabout should the development be progressed as part of the S106 agreement.
- A scheme for any mitigation at Moor Farm Roundabout had not been agreed and was still subject to discussions and would also be subject to public consultation. Delivery of any scheme at Moor Farm was not dependent solely on the development of this site.
- The management of the ecological mitigation would be secured through the S106 agreement.
- There was no minimum number of dwellings to be provided within Cramlington but reference was made to the new Local Plan which was out for consultation at the current time which included 2,500 dwellings to be provided between 2016 - 2036 and the Cramlington Neighbourhood Plan, an early version of which had now been publicised, which identified sites for housing in Cramlington of over 3,000 dwellings and did not include this site. There were a number of large permissions for housing within Cramlington at the current time with 1850 properties under construction at the South West Sector; 192 at East Cramlington; and 480 North of Station Road. There was a further permission

for 715 properties at the South West Sector which were not under construction at the current time.

Councillor Reid moved the recommendation to refuse the application with the updated ecology reason which was seconded by Councillor Pidcock.

Whilst Members had sympathy with the Government's efforts to provide decent homes, it was stated that this land had been purchased for employment use and this should be defended in order to help to provide long term employment for former mining areas. The land should be kept available in order to respond to any potential investment opportunity in the future. Members supported the comments made by Cramlington Town Council and the local Ward Member. In respect of bird strike risk, the safety of passengers using Newcastle Airport was also of paramount importance.

A vote was taken and it was unanimously

RESOLVED that the application should be **REFUSED** for the following reasons:-

1. The proposed development would result in the loss of a high quality employment site, would significantly diminish the range of employment land available both locally and County wide for employment development and undermine regional and local strategies for economic development and regeneration which seek to promote employment development on the application site and within the locality of which it was a part. Furthermore it was considered that there was a reasonable prospect that the site could be brought forward for employment development within the plan period of the Blyth Valley Core Strategy and Blyth Valley Development Control Policies DPD or in the years following and detailed financial or market evidence has not been submitted which demonstrates to the satisfaction of the Council as Local Planning Authority that there was no reasonable prospect of the site being brought forward for employment use. As such the proposal was contrary to Policy W2 of the Blyth Valley District Local Plan, Policies SS1, REG2 and REG4 of the Blyth Valley Core Strategy, Policy DC6 of the Blyth Valley Development Control Policies DPD, Policies ECN3 and ECN10 of the Northumberland Local Plan - Regulation 18 Draft Plan and the NPPF.
2. Insufficient detail has been provided regarding bird strike risk matters in respect of the on-site wildlife mitigation area resulting in uncertainty regarding the delivery of appropriate mitigation for Great Crested Newts and wetland birds within the site. This was contrary to Policy ENV1 of the Blyth Valley Core Strategy, Policy DC16 of the Blyth Valley Development Control Policies DPD, Policy ENV2 of the Northumberland Local Plan - Regulation 18 Draft Plan, Policy CNP1 of the Pre-Submission Draft Cramlington Neighbourhood Plan and the NPPF. Furthermore, granting permission for this development would not be compatible with the Council's legal obligations under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 because the relevant tests for licensing the destruction of habitat used by a European protected species have not been met.

66. 18/03387/VARYCO

Variation of conditions 2 (approved plans) and 8 (landscaping) pursuant to planning application 18/00715/CCD, in order to remove 4 trees and replace them with 5 trees and to include an electricity substation on the site (revised description) at Former Fire And Rescue Workshop, Loansdean, Morpeth, Northumberland NE61 2AP

The Senior Planning Officer introduced the application to the Committee with the aid of a powerpoint presentation. Updates were provided as follows:-

- The Local Lead Flood Authority (LLFA) had now provided comments and stated that they had no objection to the application subject to two previous drainage conditions being attached. These were both attached.
- The County Ecologist had now provided comments which state “I note that the amended scheme proposes to remove additional trees, which is regrettable. None of the trees though are mature therefore the loss is not considered to be significant. The additional replacement planting is appropriate and in time this planting shall mitigate the loss of trees in the area. Furthermore the trees do not support features which could be used as a roosting location for bats. In addition they lack the structure to support nesting birds. I also note that the council's tree officer has no objections to the amended proposal. Given the above I have no objection to the proposal.”
- The Highway Authority had provided comments and had not raised any objection. They had requested a condition which in summary requested details of measures to prevent vehicular access to the substation to be submitted to and approved in writing by the Local Planning Authority. As such this highways condition should be added to the list of conditions at the end of the report.
- It is proposed to change the wording of condition 7 by replacing ‘prior to the commencement of development above damp proof course’ with ‘prior to occupation and use of the development’.
- Para 7.4 in the report stated the sub station would be surrounded by a wooden fence. This should be changed to read with a ‘2m high weldmesh fence’. This did not affect the recommendation as this type of fencing had been agreed around this part of the site under the previous application and as such was still considered to be acceptable. A wooden fence was proposed around the bin storage area to the right of the substation. Northern powergrid also confirmed to the applicant that they would not allow a wooden fence around the sub station due to security reasons and the size of the transformer.
- A further objection from a neighbour had been received which in summary stated the proposed substation would be an ugly plastic building surrounded by a metal fence which would detract from the appearance of the site. The number of new trees proposed was a poor substitute for a large number. One retained tree was in poor condition. The Pedestrian entrance for the nursery was a distance from the parking area and there was a requirement for a travel plan to deter parents stopping, dropping off or parking on or near the roundabout or in Merley Gate. In response to this objection with regard to the comments regarding distance to the nursery entrance from the parking area no changes were proposed to this from the already approved plan. Conditions 18 and 20

also requested a travel plan and a scheme for traffic management to be submitted.

- The Agent had confirmed that all changes to conditions were acceptable.

In response to questions from Members of the Committee it was clarified that details of the species of trees to be used to replace those removed would be agreed with the County Ecologist as part of Condition 7.

Councillor Stewart moved acceptance of the recommendation to approve the application as outlined in the report with conditions as updated above which was seconded by Councillor Gibson.

A Member commented that this was a County Council Development and the situation with the trees should not have been allowed to happen. Another Member commented that he was not happy with the siting of the substation. A vote was taken and it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and subject to the conditions as outlined in the report and amended above.

67. 18/01529/OUT

**Outline Permission with Access; 185 Dwellings - Amended 29/06/18
Land South East Of New Hall Farm, Amble**

The Principal Planning Officer introduced the addendum report to the Committee with the aid of a powerpoint presentation. She advised that the application had previously been considered by this Committee on 3 July 2018 when it had been resolved that the application be granted subject to conditions and the resolution of outstanding archaeology issues and agreement of a S106 legal agreement. The archaeology issues had been resolved and the S106 in the process of being prepared. The purpose of the addendum report was to update the Committee on any implications arising from the publication of the revised NPPF in July 2018. She clarified that the level of educational obligation of £495,000 had not changed since the previous report with £396,000 apportioned for primary education and £99,000 for SEND provision. A further 4 objections had been received. A further 5 letters of neutral comment had also been received since the original application which raised no issues over and above those already previously discussed or covered in the addendum report.

Councillor J Watson addressed the Committee speaking as the Local Ward Member. He advised that he had spoken against a number of applications for Amble which had resulted in 2000 new homes within the area. He accepted that nothing had changed within this application but advised that there was an opportunity to make better use of the S106 funding for the benefit of Amble. Whilst he was aware that there was a formula for calculating the level of educational funding that could be requested, he asked that a slight rewording of the S106 educational contribution could be made to allow some funds to be used for secondary education and in particular James Calvert Spence High School. He also made a request for part of the S106 coastal mitigation funding to be used to improve the footpath at the northern end of the site as had been requested by Amble Town Council as part of the previous application.

In response to questions from Members of the Committee the following information was provided:-

- By law funding for coastal mitigation could only be used to reduce the impact of recreational disturbance of coastal sites. There was very stringent criteria and it would need to be demonstrated that the footpath would reduce recreational pressure on the coastal sites.
- Following a request by Councillor Watson prior to the Committee meeting, the Education Department had looked again at the calculation and had reiterated that there was a need for funding for both Primary and SEND provision. There were no extra places required at the High School as there was sufficient capacity to meet any increased demand. It was further clarified that the SEND contribution would be available for both primary and secondary provision.

Councillor Flux proposed acceptance of the recommendation as outlined in the addendum report which was seconded by Councillor Pidcock. A vote was taken and it was unanimously

RESOLVED that the Committee **be minded to GRANT** permission and delegate authority to the Director of Planning to determine the application, subject to a Legal Agreement pursuant to S106 of the Town and Country Planning Act 1990 (as amended) to secure the following obligations:-

- Provision of 28 no. affordable dwellings to be provided on site;
- Coastal mitigation contribution of £600 per dwelling (£111,000 total);
- Education contribution of £495,000;
- Health contribution of £112,800;

and the conditions set out in the original Committee report and those modified and supplemented in the addendum report.

At this point it was clarified that training on S106 agreements for Members was being arranged. In response to a request for a library of books pertaining to planning legislation for Members to access it was suggested that the Library Service previously provided for Members could be reinstated.

68. PLANNING APPEALS

RESOLVED that the information be noted.

The meeting closed at 5.45 pm

CHAIR _____

DATE _____