

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 2 April 2019** at **4.00 pm**.

PRESENT

Councillor CW Horncastle

MEMBERS

| | |
|-----------|-------------------|
| Flux B | Renner-Thompson G |
| Gibson RM | Robinson M |
| Gobin JJ | Stewart GM |
| Lang J | Swithenbank ICF |
| Moore R | Thorne TN |

OFFICERS

| | |
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| Bellis J | Senior Planning Officer |
| Blyth K | Principal Planning Officer |
| Bulman M | Solicitor |
| Hitching J | Senior Sustainable Drainage Officer |
| Little L | Democratic Services Officer |
| Sinnamon E | Senior Planning Manager |
| Soulsby R | Planning Officer |
| Thompson C | Principal Highways Development Management Officer |

ALSO PRESENT

Councillor J Watson
Press/ public: 15

85. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Ledger, J Reid and M Richards.

86. MINUTES

RESOLVED that the Minutes of the Strategic Planning Committee held on Tuesday 5 March 2019, as circulated, be agreed as a true record and signed by the Chair.

87. 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.

88. 18/03156/FUL

**Morrisons foodstore, petrol filling station and kiosk, two retail terraces comprising of four A1 retail units, drive thru coffee shop restaurant, car parking and associated works (amended description 07.03.2019)
Former Site Of Longbenton Foods, Coquet Enterprise Park, Amble, NE65 0PE**

Two late representations were circulated to the Committee with time allowed for Members to read the information. The late representations would also be uploaded to the Planning Portal. The Senior Planning Officer introduced the application to the Committee with the aid of a powerpoint presentation and advised that the recommendation at paragraph 9 should read "That this application be approved subject to the following:....."

A Burke addressed the Committee speaking on behalf T Regan who had objected to the application. She advised that she was the owner of 42 Queens Street, a card and gift shop in the town. Her comments included the following:-

- The Retail Impact Study was totally flawed. It provided statistics in relation to Broomhill Co-op which had closed 14 years ago. The Co-op referenced in the desktop study was in fact in West Yorkshire.
- No statistics had been provided in relation to Heron Food Stores which was the busiest shop on Queen's Street.
- It had been stated that due to the proliferation of ladies clothes shops, (she did not consider 2 a proliferation) these would be protected and there would be none on the proposed development. She questioned other businesses such as petrol stations, gift shops, cafes etc which would not be protected.
- No impact study had been undertaken on the provision of 300 car parking spaces.
- A petition of 6,000 names had been submitted 6 years ago regarding a parking scheme for the town and this was still outstanding.
- The application should be withdrawn until a new Retail Impact Study had taken place.

Councillor J Watson addressed the Committee speaking on behalf of Amble Town Council. His comments included the following:-

- With 2,000 additional homes being approved, Amble would double its population. Work was still being done on the superstructure for the town and it was hoped it would be an improvement on the present.
- He shared some concerns regarding the impact on existing businesses in the town, however he did not think this would be serious enough to impact on the application.
- Amble needed a supermarket as the current situation could not cope with the increased capacity required with the number of new residents.
- The town needed the jobs the supermarket would create and it would encourage people to shop locally, providing a larger facility and competitive prices.
- The provision would enhance existing shopping opportunities and the town had waited years for this. Everybody wanted a supermarket and the size of the expanding town required this to meet demand. He urged the Committee to approve the application.

J Smith, Development Manager for the Region spoke on behalf of Morrisons in support of the application. His comments included the following:-

- The report set out a compelling case for the approval of the application.
- Amble was a growing town with a limited shopping offer. Research and public consultation had shown that residents currently went out of town to shop at supermarkets at Alnwick, Ashington and Morpeth and this was an opportunity to meet local needs in Amble.
- The development would be a neighbourhood format store and would be the right size and scale for the population and was half the size of the previous Tesco proposal.
- The new retail opportunities would complement the existing shops and the independent report had concluded they were acceptable. Pedestrian and cycle links would be improved and the store was a close distance for residents to access with the provision of car parking and petrol station.
- Overall there was the opportunity to create 136 jobs for local people if the development was approved. In general 75% of staff employed within the Morrisons stores came from a three mile radius.
- If the application was approved, development would commence in the near future with the store to open as soon as possible.

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

- The detail in the Retail Impact Assessment had been assessed by an independent retail consultant on behalf of the Local Planning Authority.
- The application for retail development was assessed against policies, with the site being interpreted as an employment site for retail development through S9 of the Alnwick Core Strategy. A Retail Impact Assessment had been undertaken to understand the need for such a development. Discussions had been held with the applicant in respect of the provision of directional signage on the site to the town centre, however the applicant had not been keen to provide this and whilst this was difficult to insist upon in policy terms, Councillors could

request a condition be imposed on any permission granted for this to be provided.

Councillor Thorne moved acceptance of the recommendation to approve the application in line with the report with the addition of a condition requesting provision of directional signage to the town centre on the site and an advertising totem regarding town businesses with authority delegated to the Director of Planning to determine the wording of those conditions, which was seconded by Councillor Gibson.

Members acknowledged that Amble was a growing town and the development would meet the increasing demand and help to keep shoppers within in the town. Some concern was expressed regarding the Retail Impact Assessment, however it was felt that whilst the type of retail offer on Queens Street might change, the spending power would increase.

Following a vote on the proposal outlined above, it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report and with an additional condition regarding the provision of directional signage to the town centre on the site and an advertising totem regarding town businesses with authority delegated to the Director of Planning to determine the wording of those conditions

89. 14/03776/OUT

Development for up to 43 residential dwellings (Class C3), demolition, infrastructure, access, open space and landscaping (all matters reserved except for access) (revised site layout plan and responses to Ecology comments received)

Land north of Eilansgate, Hexham, Northumberland

A late representation was circulated to the Committee with time being allowed for Members to read the information. The late representation would also be uploaded to the Planning Portal. The Principal Planning Officer provided a detailed introduction of the report to the Committee with the aid of a slideshow presentation. Members were reminded that this application had previously been considered by this Committee in January 2016 when Members had been minded to approve the application, however the application had not progressed to determination for a number of reasons. The report and minutes of that meeting were attached as appendices to the report. She further advised that since the publication of the report the Hexham Neighbourhood Plan had been submitted and would therefore be given some weight in the consideration of the application.

H Ord, a resident in Hexham addressed the Committee speaking in objection to the application. Her comments included the following:-

- She asked that the Committee refuse the application. She advised that the application was for a large number of very large properties with very marginal

affordable housing which did not demonstrate very special circumstances to allow development in the Green Belt.

- The application was contrary to the Local Plan.
- In relation to the letters of support she asked Members to look at the addresses, as the majority lived outside the town and had some connection to the Clubs which would benefit from this application. Objections had been received from residents local to the area.
- The car park capacity study had been undertaken in January when there was very little action at the Cricket Club; on a weekday at 4.30 pm in the afternoon when most residents were at work and then at 1.30 pm on a Saturday when most residents were out and on 24 January which was not the height of the season.
- She was concerned that the Highways Agency had not supported the objection, stating that the existing on-street parking on Eilansgate did not contribute towards Hexham's parking capacity. If accepted this proposal would reduce the on-street capacity for parking. Residents had already rejected a proposal for residents permit parking.
- Additional parking restrictions and the reduction of spaces would increase the pressure in surrounding streets in an already congested area.
- She highlighted the speed of vehicles on Eilansgate and concerns regarding parental parking at school times.
- In respect of the financial information, she advised that both organisations were profitable and the Clubs would continue and thrive without this investment.

J Wallace addressed the Committee speaking in support of the application. His comments included the following:-

- The application had previously been considered in January 2016 when it had been recommended for and unanimously approved. The only difference between then and now was that the S106 agreement had now been completed.
- There were material inaccuracies in the report. The Affordable Housing Officer's report stating that 30% affordable housing was required in Hexham was not accurate and was contrary to information on the Council's own website.

At this point Mr Wallace was advised that he could not show the plan he had printed from the Council's Website as public speaking only allowed for an oral address only.

- The money from the development of the site would be used to improve the Clubs. The S106 agreement would give £1.52m investment for the Clubs and had been signed by the applicant.
- The only thing to have changed since the previous report was the withdrawal of the Core Strategy.
- Only 84 homes had been built in the five years 2011-2016. This application included twice the level of affordable housing being requested in the emerging local plan.
- The national guidance on trees had not changed since the last time the application had been considered and only three protected trees were to be removed and all had been classed as dead or dying.

C Fletcher a Committee Member of the Tynedale Athletics Association addressed the Committee also speaking in support of the application. Her comments included the following:-

- It was very frustrating that the application was again before the Committee after previously being unanimously approved three years ago and after the signing of the S106 agreement.
- It was difficult to answer questions from members on why the development had not commenced and hard to explain why the previously agreed application and signed S106 agreement was back before Committee. It was very confusing for residents.
- The Clubs marginal profit basis was misleading. Tynedale Athletics Association managed the members' money and could not incur debts.
- There were critical projects and maintenance which needed to be undertaken but they did not have the funds to do so.

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

- When the application had been considered previously Members had accepted in combination the very special circumstances which outweighed the harm to the Green Belt, i.e. the investment in the Clubs, the level of affordable housing to be provided and the proposal for the deletion of Green Belt in the now withdrawn Core Strategy. Within the new proposed Core Strategy, now at Regulation 19 Plan stage, the Green Belt land in question was no longer being deleted. The applicant had made representations regarding this but these were still being considered.
- At the time the application was previously considered affordable housing was being requested at 15%, with the applicant offering to provide 30%, which contributed to the very special circumstances demonstrated to outweigh the harm to the Green Belt. 30% Affordable housing was now being requested in Hexham with 17% to be provided in all other areas of the County, therefore no very special circumstances were now being demonstrated in respect of affordable housing. Additionally, previously the housing land supply required could not be demonstrated however this was no longer the case and therefore did not contribute to the very special circumstances.
- Whilst Officers had previously considered that the cumulative effect of all the benefits outweighed the harm to the Green Belt, investment in the Clubs was now the only reason which could be considered as very special circumstances, and therefore was not sufficient to outweigh the harm to the Green Belt.
- It was believed that land was in the ownership of the Golf Club and Athletics Association. Land between the existing houses and the development site was used for allotments and gardens.
- As there were no delineation of car parking bays on Eilansgate this did not contribute to the formal parking capacity of the town and therefore the loss of any car parking spaces could not be considered as a reason to refuse the application.

- There would be no restriction on parking within the proposed new development. Whilst the traffic surveys had been useful these would not give a categorical reason for the application to be refused.
 - The previous application “minded to approve” had included the completion of a S106 agreement for affordable housing provision and money from the Capital Receipts to be split between the Golf Club and the Athletics Association. Further consideration would be required if the application were to be approved on how the distribution of the money could be monitored and enforced.
 - Members needed to consider whether the cash injection to the Clubs would be enough to outweigh the harm of development within the Green Belt and if so reasons would be required to justify this decision. The only reason to grant permission for development in the Green Belt would be that the capital receipts would go to the Clubs and a mechanism would be required to ensure that this could be monitored and enforced. Members would also need to be satisfied of the longevity of the Clubs and what the funds could be used for.
 - The majority of other S106 Agreements were governed by policies and procedures on why the money was being requested and what it could be used for. This was a different situation with the money going to the Clubs and not being collected and distributed by the Local Planning Authority. A Section 106 Agreement would be required to secure the affordable housing provision and further thought would have to be given as to how the Council could ensure that the clubs would receive the capital receipts.
- It was clarified that after the previous Committee decision the applicant had questioned the viability of the site in relation to providing 30% affordable housing. The applicant had eventually agreed to provide 30% affordable housing on the site and had signed the S106 Agreement however this had not been dated by the Local Authority, with Officers advice that the application be brought back to Committee for a further decision given the change in the Policy position.

Councillor Gobin proposed approval of the application in line with the Committee’s decision the first time advising that whilst the Officers and Administration had changed since that time along with the proposed Green Belt deletion, he considered that the provision of 30% much needed affordable housing and the guarantee of money for the two Clubs providing much needed sports facilities for young people was important.

Members were advised once again that the provision of 30% affordable housing was no longer very special circumstances and that the Green Belt site was no longer being proposed for deletion. The only reason that could be used for approving the application was the funding for the Clubs providing sports provision and then only if it met the tests of very special circumstances as outlined in the NPPF.

The Solicitor asked that Councillor Gobin consider his motion again advising that the Committee must:-

- determine the very special circumstances and reasons for these;
- go through the Green Belt test and assess the harm and the purpose in line with the NPPF;

- ensure that the very special circumstances outweighed the harm to the Green Belt
- agree the requirements of the S106 Agreement
- attach conditions to any permission granted

Councillor Gobin then revised his motion and proposed that the application be deferred for issues to be resolved which was seconded by Councillor Swithenbank who suggested that work be undertaken with officers to clarify a S106 Agreement and provide guarantees of what would happen to the money.

The Chair explained that the very special circumstances which warranted the previous “minded to approve” decision no longer existed and the application now proposed market housing on Green Belt land with no guarantee that the applicant would not come back and argue the viability of the site could not sustain 30% affordable housing. The difficulty in ensuring any capital receipts were paid to the Clubs was also highlighted. He considered that the application was out of date and should be revised and brought back in light of policy changes.

Other Members also reiterated that the previous grounds for very special circumstances for development in the Green Belt had changed and they supported the Officer’s recommendation for refusal, although they recognised that part of the proposed development was not on Green Belt.

A vote was taken on Councillor Gobin’s proposal to **defer** the application as follows:-
FOR - 3; AGAINST - 8 with the motion falling.

Councillor Flux proposed **refusal** of the application for the reasons outlined in the report which was seconded by Councillor Thorne. A vote was taken as follows:- **FOR - 8; AGAINST - 2; ABSTENTIONS - 1.**

RESOLVED that the application be **REFUSED** for the reasons as outlined in the report.

- 90. 18/04141/CCD**
Proposed classroom extension including sanitary accommodation to the north facing corridor.
Horton Grange Primary School, Cowpen Road, Blyth, Northumberland
NE24 4RE

The Planning Officer introduced the report to the Committee with the aid of a powerpoint presentation. Two additional conditions proposed by Public Protection in respect of Ground Gas Protection, which would be imposed if the application was approved, were circulated to Members and would be filed with the signed minutes and uploaded to the Council’s website.

Councillor Thorne proposed acceptance of the recommendation to approve the application as set out in the report with the additional conditions as advised above, which was seconded by Councillor Flux.

A vote was taken and it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report and additional conditions as circulated at the meeting.

91. PLANNING APPEALS

RESOLVED that the information be noted.

The meeting closed at 6.00 pm.

CHAIR _____

DATE _____