

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 3 March 2020** at **4.00 pm**.

PRESENT

Councillor CW Horncastle
(Chair in the Chair)

MEMBERS

Armstrong E	Ledger D
Bowman L	Reid J
Dodd R	Renner-Thompson G
Flux B	Robinson M
Gibson RM	Stewart G
Gobin JJ	Swithenbank ICF
Lang J	Thorne T

OFFICERS

Bulman M	Solicitor
Harvey C	Planning Officer
Little L	Democratic Services Officer
Millar-McMeeken E	Senior Planning Officer
Murphy J	Principal Planning Officer
Robbie K	Senior Planning Officer

ALSO PRESENT

Press/ Public: 10

70. CHAIR'S ANNOUNCEMENT

The Chair advised that Item 5 Application Number 19/04235/CCD had been withdrawn from this agenda due to an outstanding objection from the Environment Agency. Members were advised that following further information submitted to the Environment Agency it had been hoped that this objection would have been removed, however it had not been possible for their modelling team to provide a response in time for this Committee. The application would now be considered at the next meeting in April. A short discussion ensued with a request that the Environment Agency be advised of the Committee's disappointment regarding their tardy response. The Solicitor advised that as this item had been withdrawn from the agenda no further discussion should be

undertaken at this time and any comments should be made when the application was brought back to Committee.

There would also be a change to the running order of the agenda and Item 8, A1 Dualling North of Morpeth - Local Impact Reports would be heard first.

71. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor A Hepple.

72. MINUTES

RESOLVED that the Minutes of the Strategic Planning Committee held on Tuesday 4 February 2020, as circulated, be agreed as a true record and be signed by the Chair with the following amendment made:-

Penultimate bullet point on Page 5:

Replace - It was accepted that the development would have some adverse effect on highways safety,

With - It was accepted that the development would result in an increase in traffic.

73. DECLARATION OF INTERESTS

Councillors Reid and Robinson declared that they had interests in applications 19/04235/CCD and 16/04411/FUL as they were on the Board of Advance Northumberland and Councillor Ledger declared that he had an interest in application 16/04411/FUL as he had been on the Board of Arch when this application had first been considered.

74. 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.

75. A1 DUALLING NORTH OF MORPETH - LOCAL IMPACT REPORTS

K Robbie, Senior Planning Officer introduced the item to the Committee advising that the determining authority for the Development Consent Order (DCO) applications would be the Planning Inspectorate with Northumberland County Council being the Host Authority for the development. The DCO for the Morpeth to Felton section was due to be submitted imminently with the Alnwick to Ellingham section due to be submitted early April 2020. There was a statutory duty to conclude the examination

part of the DCO process within six months which was a tight timescale. The Local Authority was required to submit a Local Impact Report (LIR) to the Planning Inspectorate as part of the process.

Councillor Reid considered that some political input was required into the process and in proposing acceptance of the recommendations outlined in the report, requested an amendment in that ...delegated authority to be given to the Director of Planning in conjunction with the Chair of Strategic Planning... which was seconded by Councillor Flux.

Disappointment was expressed by Members of the Committee that whilst this was a welcome start it was only a small bit of the continuous dualling of the A1 to Scotland which had been promised. Discussion took place regarding the way in which funding for such projects was decided. A request was made that the Leader of the Council and the Cabinet Member for Environment and Local Services contact Highways England to ascertain their future intentions for the full dualling of the A1 to Scotland. It was recognised that the building of new roads had an impact on climate change, however improvements to this road were necessary for safety reasons and to ease congestion and it was hoped that these would progress.

A vote was taken on the proposal to accept the recommendation with the amendment as above and it was unanimously

RESOLVED that:

1. The general approach to matters to be included in the Local Impact Reports be endorsed; and
2. Delegated authority be provided to the Director of Planning in conjunction with the Chair of Strategic Planning for the submission of the reports to the Planning Inspectorate to coincide with the relevant deadlines in the process.

Councillors Ledger, Reid and Robinson left the Chamber whilst the following application was discussed.

76. 16/04411/FUL
Full planning application for 327 dwellings
Land at Willow Burn, Whinney Farm Cottages, Choppington

E Millar-McMeekin, Senior Planning Officer, introduced the addendum report to the Committee with the aid of a powerpoint presentation. A list of updated conditions was circulated to Members a copy of which would be filed with the signed minutes and uploaded to the Council's website. The application had previously been considered by the Committee on 15 March 2017 with an addendum report presented on 5 September 2017 when permission had been Granted subject to the resolution of outstanding matters. Following the receipt of additional information submitted by the applicant to address technical matters and the publication of the updated National Planning Policy Framework (NPPF) in 2018 it was decided that the application should be referred back for reconsideration by the Committee. Members were advised that S.106 contributions in relation to affordable housing, education and ecology could now be sought as part of

the application, however an independent assessment of the Economic Viability Assessment submitted by the applicant concluded that it was appropriate to adopt a nil planning policy provision from the outset. It was now recommended that a review mechanism be built into any permission granted to allow clawback any planning policy requirement in the event that sales values exceeded expectations.

A revised recommendation was outlined as follows:-

“That members are minded to GRANT permission subject to conditions and subject to the completion of a Section 106 Agreement securing a review clawback mechanism for Affordable Housing (56 units), Education (£2,241,000) and Ecology (£196,200) which will allow the Council the ability to test viability throughout the delivery of the scheme and seek planning policy contributions.”

R Murphy, Senior Land Manager at Ascent Homes addressed the Committee speaking in support of the application. His comments included the following:-

- Members would be familiar with this site as it had already been considered by this Committee in both March and September 2017. On each occasion Members passed a Minded to Grant resolution, subject to certain outstanding issues being addressed to the satisfaction of Officers.
- The outstanding technical issues had been addressed and the scheme had been subject to only very minor amendments with changes made to the residential properties with house types updated in line with our current specifications.
- The development would provide a high quality layout which incorporated a green corridor through the centre of the site, a large informal play area and SuDS ponds and swales to facilitate the use of sustainable drainage systems. In addition, the roundabout into the site would serve a dual purpose as it would also assist in reducing traffic speeds on the adjacent A1068.
- Work had been undertaken to address the comments raised by the various statutory consultees and as a result no Council consultees objected to the details currently submitted.
- When the scheme was considered previously in 2017, a Viability Appraisal was submitted which confirmed that the scheme could not support any S.106 contributions. This Appraisal was recently updated and submitted to the Council who subsequently had this independently assessed. This process confirmed that the scheme could still not support any S.106 contributions. Notwithstanding this, all options had been investigated in respect of providing affordable housing on this site. In November last year an external funding bid was submitted which, if successful, would allow the forward funding of the key infrastructure required to deliver the site and, crucially, provide for 27 affordable units. A decision on this bid was expected shortly, with initial soundings very favourable in relation to the chances of success. As a sign of commitment to this, 27 affordable units had been included within the current Phase 1 layout in order that they could be delivered in a timely manner once confirmation of the funding was received. In addition to this a review mechanism was proposed to be put in place that would allow the viability of the scheme to be assessed throughout the delivery of the scheme. As such, if sales values exceeded expectations then the scheme might be able to make financial contributions in the future.

- As the scheme had been before the Committee twice already, Officers had acknowledged that the location was suitable in principle for residential development and, in line with this, the site was included within the proposed revised settlement boundaries set down in the emerging Local Plan.
- This scheme would deliver a high quality development that was policy compliant and would assist in the regeneration of Choppington and Guide Post and requested that Members continued to support this scheme and approve the application.

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

- The lack of S.106 contributions could not be used as a Planning reason to refuse the application. The viability of the site had been tested to its limits and at the current time no contribution was required to be provided. To safeguard for the future, it was proposed that a S.106 Agreement should still be utilised to allow reviews to continue to be undertaken to ascertain if any contributions could be made. The Viability Appraisal set out the costs of developing the site compared with the expected revenue to be generated and had been independently assessed.
- The timing of reviews would be established through the S106 Agreement with the same external District Valuer involved in the process, but it was expected these would occur throughout the development of the site with a final review on completion.
- It was thought that the site had a history of mine workings which had resulted in the high costs involved in developing the site.
- In relation to the gas source in paragraph 7.69 of the original planning application, it was confirmed that Public Protection had been consulted and it was assumed this would have been taken into consideration and Condition 22 would address these issues.

Councillor Thorne proposed acceptance of the revised recommendation as outlined above, which was seconded by Councillor Stewart.

Members expressed disappointment that whilst it was hoped there would be 27 affordable housing units provided on the site, there would be no contribution for infrastructure. The efforts of Officers to secure the best package possible was acknowledged.

A vote was taken as follows:- FOR - 1; AGAINST - 0; ABSTENTIONS - 1.

RESOLVED that the Committee be minded to **GRANT** permission subject to conditions and subject to the completion of a Section 106 Agreement securing a review clawback mechanism for Affordable Housing (56 units), Education (£2,241,000) and Ecology (£196,200) which will allow the Council the ability to test viability throughout the delivery of the scheme and seek planning policy contributions.

Councillors Ledger, Reid and Robinson returned to the Chamber at this point.

77. 19/01736/FUL

**Full planning permission for engineering operations related to relocation of existing bunds, erection of warehouse and associated hard standing at Bates Terminal, Port of Blyth
Land East Of Morpeth Road Primary School , Bates Avenue, Blyth
NE24 5TQ**

C. Harvey, Planning Officer, introduced the application to the Committee with the aid of a powerpoint presentation. An update was provided as follows:-

- Revised plans received after the officer report was written showed that a new access from Crawford Street to the south of the site which would not be used by users of the proposed development. It was therefore proposed that condition 2 be changed to read as follows:

“The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1201/11/01/02 Rev B	Proposed Layout and Levels – received 02.03.2020
1201/11/01/03 Rev 0	Cross Section 1-1 – received 30.05.2019
1201/11/01/04 Rev 0	Cross Section 2-2 – received 30.05.2019
1201/11/01/05 Rev 0	Site Location Plan – received 30.05.2019
1201/11/01/06 Rev A	Proposed Shed – received 27.02.2020

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.”

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

- The site was within Flood Zone 2, which meant that whilst it was at risk of flooding this would not be a regular occurrence. Condition 17 required a Drainage Strategy to be approved prior to any works commencing on the site. This would ensure that any flood risk was not increased by the development.
- The application site was classified as white land which previously benefited from planning consent for new housing, however the proposed development would not impact on the emerging Northumberland Local Plan’s ability to meet housing need in Blyth as there were other sites which could meet the need to 2036.
- The existing bund provided a visual barrier between the existing properties to the south of the site and the previous colliery site.

- In relation to Condition 23, it was clarified that only one complaint to the Planning Enforcement team would be required to trigger an investigation into whether any statutory nuisance was being caused. Repeated complaints about noise would be investigated by Public Protection regardless of whether they were on the other land owned by the Port with permitted development rights.
- No finer detail had been provided on what would be stored in the warehouse and the applicant was not required to advise on this through the planning process. The Environment Agency would need to be consulted if the warehouse was used for the storage of hazardous products.
- Condition 15 requested a lighting strategy to be produced prior to the construction of the columns. Light would be directed away from existing housing and the school and cowling could be used to prevent excessive light spill if required.

Councillor Flux proposed acceptance of the recommendation to approve the application as outlined in the report with the amended condition 2 as highlighted above, which was seconded by Councillor Stewart. A vote was taken as follows:- FOR - 14; AGAINST - 0; ABSTENTION - 1.

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

78. PLANNING APPEALS

RESOLVED that the information be noted.

The meeting closed at 5.30 pm

CHAIR _____

DATE _____