

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At a meeting of the **Strategic Planning Committee** held virtually on **Tuesday 4 August 2020** at **4.00 pm**.

PRESENT

Councillor CW Horncastle
(Chair in the Chair)

MEMBERS

Bowman L	Renner-Thompson G
Dodd R	Robinson M
Flux B	Stewart G
Foster J	Swithenbank ICF
Lang J	Thorne T
Reid J	Webb G

OFFICERS

Bellis J	Senior Planning Officer
Bulman M	Solicitor
Cartmel V	Principal Planning Officer
Dixon L	Democratic Services Apprentice
Lathan D	Senior Environmental Health Officer
Little L	Senior Democratic Services Officer
Marron H	Senior Planning Officer
Murfin R	Director of Planning
Patrick M	Principal Highways Development Management Officer
Robbie K	Senior Planning Officer
Sinnamon E	Planning Manager
Turnbull N	Democratic Services Officer
Williams M	Team Leader - ICT Practitioner

99. PROCEDURE TO BE FOLLOWED AT A VIRTUAL STRATEGIC PLANNING COMMITTEE

The Chair outlined the procedure which would be followed at the virtual meeting and of the changes to the public speaking protocol. He also advised Members that if their connection was lost during consideration of an application and it was not possible for a short recap to be provided then the Member would not be allowed to vote on the application.

Ch.'s Initials.....

100. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Armstrong, Hepple and Gibson.

101. DECLARATION OF INTEREST

Councillor Renner-Thompson advised that he had a personal and pecuniary interest in application 18/04533/FUL as his father and uncle were members of the co-operative and that the co-operative also supplied grain to his employers. Councillor Renner-Thompson also advised that he had a personal and pecuniary interest in application 20/00994/FUL as he was the applicant. He would leave the meeting whilst both applications were being considered.

102. 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.

RESOLVED that the information be noted.

The Chair advised that applications 19/00500/FUL and 19/0501/LBC would be introduced and discussed as one item but a separate proposal and vote would be taken on each individual application.

103. 19/00500/FUL

Conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access and drainage.

Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland NE66 1UN

Members had no questions in relation to the site visit videos which had been circulated in advance of the meeting.

J Bellis, Senior Planning Officer introduced the applications to the Committee with the aid of a visual presentation. Updates were provided as follows:-

- The recommendation should be amended to include an opportunity to secure the open space within the site in the S106 agreement as at present this was only secured through the approved plans of the proposal.
- A further condition be imposed to secure the long term tree management within the site to ensure that the trees within the site, which are valuable to the community, are retained long term.

- Further clarification was provided on the very special circumstances outlined in paragraph 7.14 of the report. Bullet point 1 “Development of the scheme to allow the long term usage of the former Dukes school Buildings” was a key factor and could be considered as a very special circumstance to allow development on its own. Along with bullet point 5 which allowed for an opportunity for the land which was currently in private ownership to become informal open space in perpetuity, in Officers’ view this met the aspiration of the Alnwick and Denwick Neighbourhood Plan (ADNP) and together these points mitigate the harm of the loss of the local green space allocated within the Plan. An area of open space equivalent to that in the Neighbourhood Plan was intended to be retained as open space in this proposal to achieve a thoughtful master plan of the site which respected the architectural and historical character of the listed building and its setting. Other points in 7.14 were as a consequence of the development and cumulatively together with the high level design consideration would make positive long term use of the site within the urban fabric of Alnwick.

The Director of Planning provided further information on the very special circumstances in relation to this application, advising that this was a major application and a very significant one for Alnwick. The application site was in an extremely sustainable location and would offer lots of benefits however Members must carefully consider some particular issues. Alnwick had a Neighbourhood Plan and the County Council was extremely supportive of the Neighbourhood Planning process and would wish to attach weight to it.

The report, in some detail, went through objections and certain issues with the question “was this scheme in conformity with the Neighbourhood Plan for Alnwick?” The ADNP was drawn up with an ideology in mind with what the residents would want to achieve on this site. This was a highly valued site in the centre of Alnwick and the trees, open space, setting and quality of the building were all at the forefront of residents minds when the Plan was prepared. However Members should consider that whilst the site was well used by residents, it was currently not formally publicly accessible and the owner could restrict such access if they so wished. The ADNP set out a desire to retain this for public access and this application did that just not in the same way that the ADNP anticipated. To ensure a good quality design, and to balance issues such as the setting of the Listed Building and to provide a functional open space that worked and was in perpetuity, a number of compromises had to be considered. Attention was drawn to page page 25 of the report which outlined the very special circumstances and the Committee was advised that weight should be placed on this. The scheme for the site was in general conformity with the ADNP but there were elements of conflicts. The allocation of open space was a key issue in planning and within the ADNP and as such the Local Planning Authority (LPA) needed to ensure that if this was to be changed then it should be considered as if building was to take place within the Green Belt with the same checks and challenges used. Paragraph 7.14 set out the very special circumstances and attention was drawn to bullet point 1 which secured the long term proper use of the former school buildings and retained their quality with the final bullet point stating that whilst the open space being provided was not in the same location as anticipated, it was still open space which would be accessible. Members needed to consider the variation and if the

concept of the ADNP was realised but just achieved in a different way. Officers considered that it met the aspirations of the community but just in a different way. Members were asked to consider during the debate and presentations how the application related to the ADNP and, if it did not quite fit, then whether there were very special circumstances which justified the scheme. Officers felt that by securing the public open space through the S106 agreement this would ensure the space would be kept in perpetuity for public access and the additional condition would allow that trees on the site were protected to the fullest ability of the LPA.

A written statement from the Dukes School Neighbourhood Residents Association in objection to application 19/00500/FUL was read out by N Turnbull, Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

A written statement from the Dukes School Neighbourhood Residents Association in objection to application 19/00502/LBC was read out by L Little, Senior Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

A written statement from Alnwick Town Council asking the Committee to reject the application 19/00500/FUL was read out by N Turnbull, Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

A written statement from G Munden, on behalf of the application in support of the application 19/00500/FUL was read out by L Little, Senior Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

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

- The ADNP anticipated that development would take place on the site, however it had a different interpretation of where the open space would be within the site to that which was proposed as part of this application. This proposal would allow access to the open space in perpetuity rather than just allowing the site to be viewed. The proposed development was supported by the Conservation Officer and would achieve the aspirations of the ADNP but in a slightly different way. Members must consider whether it achieves the outcomes of the ADNP.
- Public Open Space must be publicly accessible, if it was just a piece of land which was a landscaped strip and retained undeveloped then it was not public open space. There was currently no public open space on the site as it was private land.
- The retirement block was of a new design and was a contemporary approach to providing that type of accommodation. Evaluation carried out on the separation distances and massing in relation to the Listed Building had deemed it acceptable. It was confirmed that there was an end user for the proposed

retirement block, however details of this had not been provided, however it was for independent retirement living and not a care home.

- It was not known how many trees would be lost in order to achieve the access to the site, however there would be additional trees planted on the site.
- The application had been looked at in terms of acceptability of the development in relation to the listed building and not on the financial viability of the site.
- Various formats had been looked at during the pre-application stage, including the new buildings being in the centre of the site, however it had been considered that the positioning of the new buildings on the site would be better from a heritage perspective if they were sited at the southern edge in order to reduce the harm on the Listed Building as much as possible. It was now considered the proposals would have less than substantial harm on the Listed Building.
- Highways had not raised any objection in relation to the provision of car parking spaces. Assessment would have taken place regarding the provision of electric vehicle charging points would have been required at the residential elements at the new housing and the conversion of the school with no points requested. If Members wished to request electric vehicle charge points for the retirement living then that could be considered.
- At a Plan making stage there would not be a detailed scheme to be considered and it must be looked at what could be achieved during negotiations for development on a particular site. There were a number of ways to deliver all the objectives such as correct setting of the Listed Building, open space and good quality design which could not be anticipated at the plan stage. In relation to the rejection of the request to remove the green space at this location by the Examiner during the development of the Neighbourhood Plan, it was right that this was done as there was no scheme and the starting point was that you had public open space. Members could always go against adopted local plan policies as circumstances could change with time, but it must be shown that they had fully considered why this was being done. A variety of options had been looked at and it was thought that this was the best design and would achieve the public open space on the site. The Local Plan is the presumption of what you require and it would be at the negotiating stage of an application to discuss arguments as to why it would be acceptable to move away from the Local Plan.
- The proposal would be for a managed parkland style of public open space which would provide a good setting for the Listed Building. If Members were minded to include provision for a children's play area then it could be that the most appropriate place for such provision, either within the town or on this site, could be discussed with the Neighbourhood Planners with funds being provided by Northumberland Estates.
- The provision of the off site sports pitch would be provided, at the suggestion of Sports England, adjacent to the current pitches at Greensfield. Car parking would be provided as part of the new provision, however the existing changing facilities would be used. It was clarified that this would be a new pitch and not an upgrade of the existing.

Councillor Reid proposed refusal of the application 19/00500/FUL on the grounds that it was against the ADNP policies ENV2, ENV3 and D5; that Sports England had advised that they could not support the application and he did not consider that this had been resolved; and that Public Protection had maintained their objection as their concerns regarding ground gas protection had not been resolved. The proposal was seconded by Councillor Robinson.

Councillor Reid highlighted that the community had spent a lot of time and effort in the development of the ADNP believing that they would have a say on how their environment grew and matured and this proposal went against this. He was also very concerned regarding the Public Protection issue regarding gas protection in the Listed Building and the Senior Environmental Health Officer outlined these concerns. The Director of Planning advised that the building had been in use for a number of years and this issue could be addressed by a reserved matter within a condition. The application could still be refused if the reserved matter did not meet an appropriate standard.

Members understood that this was a controversial application on a prime site within Alnwick town centre and the concerns regarding the ADNP, however the application would secure the future of the Listed Building; provide good quality housing within in the town centre with very good access to shops and services; and would allow access to the public open space in perpetuity, which is what the ADNP had tried to achieve. It was considered that this application would allow the best outcome on the site.

A vote was taken on the proposal to refuse the application for the reasons outlined above as follows:- FOR - 2; AGAINST - 11; ABSTENSIONS - 0. The motion to refuse the application fell.

Councillor Thorne then proposed acceptance of the recommendation to approve the application as outlined in the report with a contribution for the provision of a children's play area in a location to be determined. Following advice from the Director of Planning Councillor Thorne agreed to also request that the provision of the public open space be secured through the S106 agreement.

The Solicitor clarified the wording of Councillor Thorne's proposal as follows:-

Propose acceptance of the Officer's recommendation to grant permission subject to the conditions and the S106 agreement as outlined in the report with the S106 agreement to include an additional obligation to provide the public open space in perpetuity and conditions to be added regarding a tree management strategy and the provision of a children's play area either on site or off site with delegated authority to be given to the Director of Planning to agree the wording of these conditions. The proposal was seconded by Councillor Stewart.

A vote was taken as follows:- FOR - 11; AGAINST - 2; ABSTENTIONS - 0.

RESOLVED that the application be **GRANTED** subject to the conditions and the S106 agreement as outlined in the report with the S106 agreement to include an additional obligation to provide the public open space in perpetuity and conditions to be added

regarding a tree management strategy and the provision of a children's play area either on site or off site with delegated authority to be given to the Director of Planning to agree the wording of these conditions.

104. 19/00501/LBC

Listed Building Consent for conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access and drainage. Former Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland

Councillor Reid proposed acceptance of the recommendation as outlined in the report which was seconded by Councillor Stewart.

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.

5.45 pm - The Chair advised that a 15 minute recess would be held at this point. Councillor G Renner-Thompson left the meeting. The meeting reconvened at 6.00 pm.

105. 18/04533/FUL

**Proposed anaerobic digestion plant, linked to existing grain storage and processing facility
Land At South Of North East Grains, Longhirst, Northumberland**

No questions were submitted in respect of the site visit videos which had been circulated in advance of the meeting.

K Robbie, Senior Planning Officer introduced the report to the Committee with the aid of a visual presentation. Updates were provided as follows:-

- A late representation had been submitted by Councillor D Towns which had been circulated to Members and would be uploaded to the planning portal.
- A 496 signature petition had been received in support of the application stating that "The proposed AD site will produce electricity, heat and gas which can be used on the current site. This renewable project will not only reduce the site's carbon footprint, it will benefit the 75 plus farm cooperative members, and the 250 plus jobs that directly and indirectly are supported by this important rural business. This is a highly sustainable proposal that supports the business in a green way, is beneficial for the land and reduces odour in the countryside. We urge the Planning Committee to support this sustainable and green proposal."

- Two conditions requested from the Coal Authority had been omitted from the report and the two standard worded conditions should be added to any permission granted which requested intrusive surveys and their findings to be submitted and remedial works to be carried out.

The Director of Planning advised that the application was extremely strategically significant as the scheme was important to support the rural economy and would support 80 separate farming businesses within the County. It would provide sustainable waste management, generate energy and would also do return loading of the digestate which could be used as a fertiliser which would replace the use of artificial fertilisers and help with the nitrate balance within the rural communities. Whilst AD could be provided at individual farms, this was already a centralised facility and would provide economies of scale for these rural businesses.

Objections were focussed on a small Green Belt extension, potential highways impacts and potential impacts of the site i.e noise, odour. The highway movements, based on the worst case scenarios had been looked at and these were acceptable due to the return loading of vehicles i.e. grain into the site and digestate out in the same vehicles and the impact of the increase could be conditioned. AD in itself was not an agricultural development and was not an appropriate development in the Green Belt. However the next test would be to ask if the proposal was acceptable or was it of a clear strategic benefit and the report concluded that the proposal would be acceptable as a marginal expansion to an existing business within the Green Belt and whilst there would be some harm this would be outweighed by the benefits the proposal would bring.

A written submission from Mr and Mrs Howard in objection to the application was read out by V Cartmel, Principal Planning Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

A written submission from Longhirst Parish Council setting out their objections to the application was read out by N Turnbull, Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

A written submission from S Barker on behalf of the applicants in support of the application was read out by L Little, Senior Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

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

- Grain and slurry would be transported to the site individually, however the increase in vehicles delivering the slurry would be a marginal difference in the number of traffic movements and would not constitute a severe highway impact over the existing levels.
- It was accepted that the photograph of the entrance showed the road to be in a worn state but due to the small increased levels of traffic generated in relation to this application it would not impact on this above what was already using the

access. The Director of Planning suggested that if Members were minded to agree the application then he would suggest that Highways look at the entrance again. In some instances it was possible to ask for a damage cost to be included, however this would require evidence to demonstrate that the additional vehicles would damage the highway and this could not be guaranteed. In respect of the roads away from the access Members were reminded that these were roads were unrestricted and it would have to be demonstrated that damage was caused by the increase in HGV movements generated by this application rather than general highways usage. A condition could be added if Members were minded to agree the application which would require a scheme to be submitted to allow this information to be provided.

The Solicitor and Director of Planning reminded the Committee of the material considerations which must be taken into account when considering an inappropriate type of development within the Green Belt and the very special circumstances which must outweigh the inappropriateness of development. It was considered that the sustainable and economic benefits were very special circumstances and the development was at an existing farm related business within the Green Belt and was ancillary to the existing use.

Councillor Dodd proposed acceptance of the recommendation to approve the application as set out in the report with the additional conditions in the update above and an additional condition related to the damage limitation on the highway, paragraphs 8.1 to 8.4 highlighted the very special circumstances which were considered to outweigh the inappropriateness of development in the Green Belt. The proposal was seconded by Councillor Flux.

Some Councillors in debating the application expressed concern in respect of the increase in HGV movements and the effect this could have on the highway and the potential impact on residential amenity along with the development being in the Green Belt. Other Councillors expressed their support for the application stating it would be of significant benefit both economically and ensuring sustainability to the farming community who already used the grain store facilities. It would provide power to the existing facility thereby removing the need to draw this from the national grid and reduce the reliance on fossil fuels allowing a cleaner form of energy to be used. It would also allow the digestate to be returned to the farms to be used as fertiliser.

A vote was taken on the proposal to approve the application for the reasons and with the conditions in the report and as outlined above as follows: FOR - 9; AGAINST - 1; ABSTENSIONS - 2.

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

106. SUSPENSION OF STANDING ORDERS

Members were asked to agree that standing orders be suspended to continue the meeting beyond the 3 hour limit.

RESOLVED that in accordance with the Council's Constitution, standing orders be suspended and the meeting be allowed to continue over the 3 hour limit.

107. 20/00994/FUL

Change of use from A4 to C3. Conversion of public house and owners accommodation into four apartments.

The Harrow Inn 94 - 96 Main Street Tweedmouth

No questions were submitted in respect of the site visit videos which had been circulated in advance of the meeting.

H Marron, Senior Planning Officer introduced the report to the Committee with the aid of a visual presentation. Updates were provided as follows:-

- Paragraph 2.3 should state that the application was within Tweedmouth Conservation Area and not Berwick.
- Berwick Town Council had previously advised that whilst the loss of trees was a concern they would accept mitigation by replacement tree planting. The Town Council had now advised that they wished to object to the application due to the loss of the trees.

A written statement from Councillor G Hill, the local Ward Councillor was read out by N Turnbull, Democratic Services Officer. A copy of the written statement would be attached to the signed copy of the minutes of this meeting and would be uploaded to the Council's website.

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

- No objections to the application had been received in response to the posted site notice and letter drop to adjoining residents.
- It was proposed that the trees be removed to facilitate the first floor extension to the rear of the property.
- It was agreed that the trees were not of a high quality, however as they were in a Conservation Area then they were awarded protection. A condition would be included in any permission granted to mitigate their loss.
- The extension would be of a brick construction with a Marley Pan Tile roof and a condition would be included to any permission granted to agree the materials, however the Conservation Officer had not objected to the application subject to conditions.
- The ownership of the land between the existing wall where a doorway was proposed and a footpath constructed to join the existing footpath was not a

planning issue. It would be for the applicant to agree a way-leave across the land with the relevant owner.

Councillor Reid proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Flux.

Members considered that the application would be a good use of the building which if not brought back into use would deteriorate. They requested that an informative be added to any permission granted to advise the applicant of the need to gain permission from the landowner to cross the land from the existing footpath to the newly created doorway in the stonewall prior to the development commencing.

RESOLVED that the application be **GRANTED** subject to the conditions as outlined in the report and a Unilateral Undertaking pursuant to S106 of the Town and Country Planning Act to secure the following obligation:-

A financial contribution towards the Council's Coastal Mitigation Service (£1845).

107. PLANNING APPEALS

RESOLVED that the information be noted.

The virtual meeting closed at 7.30 pm

CHAIR _____

DATE _____