

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At a meeting of the **Strategic Planning Committee** held virtually on **Tuesday 18 August 2020** at **4.00 pm**.

PRESENT

Councillor CW Horncastle
(Chair in the Chair)

MEMBERS

Armstrong E
Bowman L
Dodd R
Flux B
Gibson R
Hepple A

Lang J
Renner-Thompson G
Robinson M
Stewart G
Thorne T

OFFICERS

Bulman M
Dixon L
Harvey C
Little L
Murfin R
Murphy J
Patrick M

Turnbull N

Solicitor
Democratic Services Apprentice
Planning Officer
Senior Democratic Services Officer
Director of Planning
Principal Planning Officer
Principal Highways Development
Management Officer
Democratic Services Officer

108. 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.....

109. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Foster, Reid, Swithenbank and Webb.

110. DECLARATION OF INTEREST

Councillor M Robinson advised that he was the Ward Councillor for applications 20/01693/CCD and 20/01711/CDD

111. 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.

112. 20/01881//FUL

**Resubmission: Proposed development comprising of 27no. residential units with associated road and parking. Units consist of 2bed single storey bungalows, 2bed 2storey houses and 3bed 2storey houses.
Land South West Of 17 Carlton Avenue, Newcastle Road, Blyth, Northumberland**

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

J Murphy, Principal Planning Officer introduced the application to the Committee with the aid of a powerpoint presentation. Updates were provided as follows:-

- The recommendation on the first page should read that the application be granted permission with a S106 agreement as opposed to the stated unilateral undertaking for coastal mitigation and housing tenure.
- Paragraph 7.17 where it refers to 17% of homes to be available for affordable homes ownership, this should read 10%.

A statement from W Atkinson on behalf of residents of Carlton Avenue and 177 signatories of a petition, in objection to the application was read out by N Turnbull, Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

A statement from the Ward Councillor, D Campbell which set out her objections to the application was read out by L Little, Senior Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

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

- The width of the access at the south of the site and the terrace on Newcastle Road was insufficient to allow for an adopted road, it was only sufficient to allow the provision of a shared cycleway.
- No records from Highways were available from Blyth Valley Borough Council in connection with the previous application in 2007. R Murfin, Director of Planning advised that following the introduction of the National Planning Policy Framework (NPPF) evidence of a severe highways impact needed to be provided in order for an application to be refused. There would not be a sufficient impact on the road network in relation to this application to warrant a refusal.
- In relation to the requirement for a road safety audit, S.38 and S.278 of the Highways Act are in relation to new works to create a highway (S.38) and works within the highway (S.278) which in both instances would require a road safety audit to be undertaken.
- The plans submitted indicated that the access to the site was where the private access to number 17 was and was connected to the adopted highway. There was sufficient width at that location to provide an adoptable entrance into the development.
- The land in question was not shown on the current Development Plan as open space, however on the emerging Local Plan it had been identified as an area of protected open space . If the site was developed prior to the adoption of the Local Plan then alternative sites would be considered as options for public open space. Officers were confident that alternative sites could be found within the area for this purpose.
- The internal arrangement of the site had been changed in order to address a concern of the Highways Authority in relation to access and turning for refuse vehicles within the site.
- It was not possible to provide an adoptable access to the site at the roundabout off the B1523 due to the splays which would be required to increase the size or provide an additional arm at the roundabout due to the width as 5.5m for carriageway and 2m either side for footpath to make it adoptable.
- Ordinarily a carriageway for this number of dwellings would need to be 5m wide and Carlton Avenue was 8m and therefore taking into account parking by residents it was of sufficient width.
- Due to the number of properties to be provided on this site neither a traffic assessment or traffic statement were required and Officers were satisfied that the additional traffic from this development could be accommodated on the highway network in the area.
- It was also not possible to provide an access from Locomotive Close due to the layout of that estate and insufficient width and properties at the turning head and the eastern boundary of the site was the railway line.

Councillor Stewart proposed acceptance of the Officer's recommendation to approve the application with the conditions and with the S.106 agreement as outlined, which was seconded by Councillor Thorne.

Members were happy with the proposal for houses to be provided on this site, however a number had reservations regarding the access from Carlton Avenue and the increase in traffic using the network since it was previously refused, advising that they would not be able to support the application. It was unfortunate that more thought had not been provided when Locomotive Close was constructed which could have allowed access to the site that way.

Members were reminded that they would need to prove that a severe highway impact would be caused by the development in order to refuse the application on highway grounds.

A vote was taken as follows:- FOR - 5; AGAINST - 3; ABSTENTIONS - 3.

RESOLVED that the application be **GRANTED** for the reasons and with the conditions outlined in the report and subject to the completion of a S.106 agreement in relation to the coastal mitigation financial contribution and securing the tenure of the affordable housing.

113. 20/00776/FUL

Development to include three modestly sized one bedroomed self contained holiday accommodation units (Amended Plans received 15/05/2020 and 19/05/2020).

Land West Of Chapel Lane , The Chare, Wall, NE46 4DU

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

C Harvey, Planning Officer introduced the application to the Committee with the aid of a powerpoint presentation.

A statement from Mr and Mrs Soulsby and Mr and Mrs Scott on behalf of residents in objection to the application was read out by N Turnbull, Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

Councillor R Gibson, the Ward Councillor read out a statement setting out his objections to the application which would be attached to the signed minutes and uploaded to the Council's website. He took no further part in either the discussion or deciding of this application.

A statement on behalf of T Spicer, Agent in support of the application was read out by L Little, Senior Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

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

- In relation to the accuracy of site plans, it was clarified that the submitted plans did not show a recently constructed conservatory in Ashcroft, however

Members were advised that the conservatory did not project any further west than the building line that was shown on the plans and Officers had assessed the proximity of the proposed development to the kitchen of that property which was actually closer than the conservatory. The plan had also not shown decking at Ashcroft, however this was not considered to be habitable space. Therefore neither of these affected the assessment.

- The footprint of the proposed development was slightly larger than that previously proposed as it was longer, however it was narrower and the height was considerably less than the previous application. The Planning Inspector's report indicated he had concerns regarding the height of the previously refused two storey dwelling and its proximity to the eastern boundary of the site. This application was still a net reduction in terms of scale and massing.
- The proposed dwelling was a single storey development and set back from the eastern boundary of the site and therefore the criteria in relation to the 25m distance between the first floors of the properties was not relevant.
- This proposal was in a part of the County where there was a desire to enhance tourism and therefore this application was justified heavily due to its tourism and economic role. If this application, even in its current design, was for a conventional home then it might be that a different conclusion would have been reached by Officers. The acceptability of this scheme was based on tourism and therefore a condition related to this use was attached. However, anyone could apply to vary an application or condition at any time and the arguments for such a change would be assessed at that time.
- If it was not considered that this was a realistic description of what was to be built or the applicant decided that it would not work and wished to change the application, then a fresh planning application would need to be submitted and the Local Planning Authority would not be duty bound to approve any subsequent application. Condition 20 attached to any permission given would remove permitted development rights and any minor change would also need consent.
- The precise wording of the new planning proposals from Government had not been viewed, however within this location and based on the decision to remove permitted development rights it was considered there would not be an arbitrary reinstatement of these rights.
- A full audit trail of the requirements from the Conservation Officer had been included in the report in order to reach a design which the Conservation team were happy with and their requirements had been incorporated and included in the final design to fit in with the Conservation setting.

Councillor Horncastle proposed acceptance of the Officer's recommendation to approve the application as detailed in the report which was seconded by Councillor Stewart.

Members considered that whilst the application was finely balanced, Officers had done all they could to ensure that the design was suitable for the Conservation area and to ensure that the development was used for tourism purposes.

A vote was taken as follows:- FOR - 9; AGAINST - 1; ABSTENTIONS - 0.

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

Councillor Hepple left the meeting at this point.

114. 20/01693/CCD

**Demolition of swimming pool building and construction of 2 storey modular classbase building comprising 6 classrooms, toilets and circulation space
Swimming Pool, St Benet Biscop Catholic Academy, Ridge Terrace, Bedlington,
Northumberland, NE22 6ED**

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

J Murphy, Principal Planning Officer provided a joint introduction in respect of this application and application number 20/01771/CCD with the aid of a powerpoint presentation. An update was provided as follows:-

- The recommendation on the front page of application 20/01693/CCD stated approval subject to additional highway conditions. Paragraph 7.16 also referred to additional information being provided and paragraph 7.165 also stated that Members would be updated at committee on this. The additional information had been provided and highways have requested the following planning condition be attached to any permission granted:-

"Within six months of first occupation of the development details of a Full School Travel Plan including action plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full School Travel Plan shall be implemented in accordance with the approved details. This Full School Travel Plan must include:

- i. details of and results from an initial travel to school survey;
 - ii. clearly specified ongoing targets for pupils and staff travel mode shares
 - iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan;
- and
- iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework.

- Therefore the recommendation was that the application be granted planning permission subject to the conditions in the report and the additional highways condition as outlined above.

A statement submitted by I Billam on behalf of residents in objection to the application was read out by N Turnbull, Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

A statement submitted by West Bedlington Town Council objecting to the application was read out by L Little, Senior Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

A statement submitted by A Flatman (Agent) in support of the application was read out by N Turnbull, Democratic Services Officer and would be attached to the signed minutes and uploaded to the Council's website.

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

- The applicant had sought advice and guidance from Planning Officers prior to the commencement of work on site with discussions surrounding the timescale for determination by Committee, with advice that the development should not commence prior to permission being granted being given. The applicant had hoped to be able to secure permission prior to commencement, however the development became time critical and therefore construction had commenced. Members were advised the fact that the building was already there should have no bearing on the decision made by this Committee.
- An Enforcement Officer had visited the site following reports that development had commenced which was confirmed and the Director of Planning wrote to the Education Department advising them that the Committee would determine this as soon as possible, however the Education Department would be wholly responsible for any risk and costs incurred if the application was refused or the building was required to be altered in any way.
- It was clarified that there were windows on the west elevation of the building however as the building was offset from the rear gardens of Ridge Terrace and Ridge Villas there would be no direct overlooking of properties. The way the modular building was located on the site all pupils would face south and would not be in a position to sit and look out at gardens. There was no natural direct line of site into the gardens.
- It was not felt necessary to add a condition related to windows on the building being at head height as there was no direct overlooking of the properties.
- Modular buildings were constructed off site and brought onto site and were placed on the footprint of the existing building as far as possible. Separation distances were discussed and these exceeded the 20m minimum requirement between overlooking rooms. .
- Classrooms would be given the same considerations as a habitable room in a house and therefore 20m would be the minimum separation distance.
- Conditions had to be precise, enforceable and for the reasons of planning. A condition requiring the repositioning of windows could be applied, however Planning Officers did not consider this to be justified in this instance. Other options such as the use of opaque glass etc in some windows could also be conditioned.
- There was limited physical ability to alter modular buildings. If the Committee considered that they required a single storey with a larger footprint or a change to the windows then the Committee could refuse the application or defer for

further discussions between the applicant and the Director of Planning to come up with a solution.

Councillor Robinson proposed deferring application 20/01693/CCD to allow further discussions to take place between the Director of Planning and the Education Department to come up with a compromise solution in relation to the issues of overlooking, which Councillor Flux seconded in order to allow a vote to be undertaken.

Clarification was sought on whether the Committee should move straight to the vote for deferral or allow some deliberation to be undertaken. The Solicitor advised that there was nothing written in the constitution which would prevent a debate taking place.

A discussion then took place with some members advising that whilst it was unfortunate and unsatisfactory that the construction had already commenced, they considered that the separation distance was adequate and there would be no direct overlooking of the properties from the classrooms on the first floor. In recognising Councillor Robinson's concerns regarding overlooking a suggestion was made that opaque glass could be used in the bottom panels of the windows on the first floor. Officer's advised that a condition could be included related to the use of opaque glass on the affected windows however the applicant could appeal this condition should they feel that this was not necessary. The Director of Planning advised that given the concerns of the Committee this would be a solution which would address this issue rather than requesting the windows in the modular building to be moved.

A vote was taken on the vote to defer application 20/01693/CCD in order to allow further discussions as outlined above as follows:- FOR - 1: AGAINST - 9; ABSENTIONS - 0. The motion was not carried.

Councillor Thorne then proposed that application 20/01693/CCD be approved in accordance with the Officer's recommendation outlined above subject to an additional condition to be added for details of obscure glazing to be submitted and approved with the wording delegated to the Director of Planning, which was seconded by Councillor Flux.

Members considered that this was a sensible compromise solution.

A vote was taken to approve application 20/01693/CCD as outlined above and it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and subject to the conditions in the report, the additional highways condition as outlined above and an additional condition to be added for details of obscure glazing to be submitted and approved with the actual wording to be delegated to the Director of Planning.

115. 20/01711/CCD
Single storey extension to the existing academy hall

**St Benet Biscop Catholic Academy, Ridge Terrace, Bedlington, Northumberland,
NE22 6ED**

There were no questions in relation to the site visit videos which had been circulated earlier, and no updates provided by the Officer.

Councillor Robinson proposed acceptance of the recommendation as outlined in the report which was seconded by Councillor Gibson. 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.

The virtual meeting closed at 6.45 pm

CHAIR _____

DATE _____