

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at Dene Park House, Corbridge Road, Hexham, Northumberland, NE46 1HN on Tuesday, 12 December 2017 at 4.00 p.m.

PRESENT

Councillor G Stewart
(Chair, in the Chair for minute nos. 75-77)

(Vice-Chair Councillor R Gibson in the Chair for minute nos. 78-82)

MEMBERS

T Cessford
C Homer
CW Horncastle
D Kennedy
N Oliver

KR Quinn
JR Riddle
A Sharp
KG Stow

OFFICERS

J Hitching
M Ketley
H Marron
N Masson
M Patrick

D Puttick
N Turnbull
J Wood

Senior Sustainable Drainage Officer
Head of Planning Services
Senior Planning Officer
Principal Solicitor
Principal Highways Development
Management Officer
Senior Planning Officer
Democratic Services Officer
Planning Officer

18 members of the public
1 member of the press

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dale and Hutchinson.

76. MINUTES

RESOLVED that the minutes of the meeting of Tynedale Local Area Council held on Tuesday, 14 November 2017 as circulated, be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

77. DISCLOSURES OF MEMBERS' INTERESTS

Councillor Riddle declared a personal and prejudicial interest in planning application 16/04680/OUT as he was a tenant of land belonging to the applicant.

Councillor Quinn declared a personal and prejudicial interest in planning application 17/01792/VARYCO as she was the ward councillor and had met with residents.

Councillor Stewart vacated the Chair, for Councillor Gibson, Vice-Chair Planning, to chair the development control section of the agenda.

DEVELOPMENT CONTROL

78. DETERMINATION OF PLANNING APPLICATIONS

The report explained how the Local Area Council was asked to decide the planning applications on the agenda using the powers delegated to it, and included details of the public speaking arrangements. (Report attached to the minutes as Appendix A.)

RESOLVED that the report be noted.

79. 16/04680/OUT

**Residential development of up to 36no. dwellings, with all matters reserved apart from access (Revised Description)
Land North East Of Bridgeford View, Bellingham, Northumberland**

(4.05 pm Councillor Riddle having disclosed a personal and prejudicial interest left the meeting whilst the application was considered).

The Senior Planning Officer introduced the report with the aid of a powerpoint presentation.

Mr P Elder addressed the Committee to speak against the application. His comments included the following:-

- A number of objections to the application related to the 5 year housing supply, impact on the ecology of the area, concern regarding highway safety of the access for vehicles and pedestrians and impact on drainage.
- Landscape values should be protected and enhanced as per paragraphs within the NPPF and Tynedale Core Strategy, particularly in areas of environmental or scientific interest.
- The site would be an extension of the village along a arterial route.

- The topography of the site and changes in level from the village centre in the bottom of the valley to the site at the top of a hill would have a significant impact on long distance views of the village and wider landscape and would dominate the village.
- The area around the site was of high landscape value; the site was also surrounded by national park and dark sky zone and it was therefore a sensitive site.
- The application did not comply with the NPPF or the Core Strategy and would lead to irreparable damage of the surrounding area. It was suggested that the application be refused.

Mr P Bell, addressed the Committee to object to the application and principle of development of the site. He commented on the following:-

- Bellingham was located in a valley and should not extend to the top of the hillside as if allowed this would change the landscape character of the village.
- It was greenfield land not bounded by development. Brownfield land should be developed first.
- The visual impact assessment did not adhere to institute guidelines and was believed to inaccurate, biased and flawed.
- There was no need for the site to be used as the county had a healthy, 5 year supply of housing land.
- The development was not targeted towards local housing needs or serve the aging demographic. It was the wrong homes in the wrong place, it was too remote and too far from work opportunities and outside the Tyneside commuter zone.
- Other issue of the site included the location, connectivity, transport, flood risks, infrastructure meant that the site was not sustainable under the NPPF.
- The recommendation was wrong and that if the application was not appropriate Councillors should vote accordingly and reject it.

Mr C Barnes spoke on behalf of the applicant, Northumberland Estates, in support of the application and raised the following key issues:-

- There had not been a lot of development in Bellingham in recent years and Northumberland Estates had been approached by the Council due to the shortage in the North Tyne area. It was the main service centre and it would be the most appropriate location for any new housing.
- Although it was classified as a large village it was still vulnerable to service cuts and an aging population and it therefore needed to attract young families to be sustainable in the longer term.
- A number of sites had been considered with the proposed location classified as infill.
- Low density housing was proposed of 36 properties comprising a mix of 1, 1.5 and 2 storey dwellings which would allow for a good standard of planning and landscaping.

- The application delivered 6 affordable homes, meeting Council policy objectives and was supported by the Affordable Housing Officer.
- There were no objections from the statutory consultees.
- Although there was a 5 year land supply across the county but only a 3 year supply in the west area. There was therefore an established need.
- The Tynedale Local Plan was out of date; however economic, social and environmental tests within the NPPF were properly met.
- The visual impact of the proposed development would be localised and limited and reduced by boundary hedges and trees and new planting, enabled by the low density of the site. The lighting would be carefully designed to ensure that there was a low spread. Northumberland National Park had not objected to the application on landscape grounds.
- There was ecological gain off site and issues had been addressed.
- There was no objection from Highways and the site was located less than a 10 minute walk to the village centre and therefore was not isolated.
- The Section 106 contributions had been agreed including an amount towards health facilities.
- They wanted to support rural services and affordable housing which had to be balanced against the limited landscape impact on the landscape. The application would make a difference towards sustaining the rural economy, rural services and Bellingham.

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

- Details of the Heads of Terms were included in the report and included 6 affordable housing units on site, off site mitigation scheme for the ecological impact of the development including a new drainage pond and landscaping offsite and £24,636 towards health provision in Bellingham.
- The footpath to link the development to the town would be extended from Bridgeford View up to the entrance to the development. Whilst trees and hedging would need to be removed to create the path, details of landscaping would be secured under reserved matters.
- 15% was the maximum affordable housing that could be secured in Bellingham, as it did not have an up to date local housing needs assessment. Where a local housing needs assessment provided evidence of a higher need, more than 15% could potentially be secured through negotiation with developers although without this, a higher percentage could not be secured lawfully through Section 106 agreements.
- The planning process included consultation with the affordable housing team who would liaise with other social housing providers, such as ISOS, Karbon and Home Group for example. Homefinder data was key to discussions but was only part of the overall consideration in identifying local housing need. Officers had concluded that 15% was appropriate in the settlement on this occasion.
- A flood risk assessment had been undertaken to assess the surface water runoff from the site, pre and post development, and would be limited to 6 litres per second. The location of the watercourse and where it ran to had also been checked at the site visit. Calculations had been carried out to

- determine the size of a basin which would be specified under reserved matters to offer protection to houses downhill of the development.
- Access to the site had been assessed as part of the outline application including visibility of the front strip, pedestrian and vehicle accessibility. Details regarding the internal layout of the development would be included under reserved matters to ensure approval to adoptable standards. The pedestrian links were on the same side of the development until they joined the developments at Bridgeford View and Briar Hill to cross the road. Whilst the footpath was not ideal or in accordance with modern standards, it was adequate to service an additional 36 properties. There would be no vehicular access at the location utilised at the site visit and one of the conditions proposed would require submission of a construction management plan.
 - There was no requirement for a sequential test of brownfield or greenfield sites for housing purposes under the NPPF. The requirement under the Tynedale Core Strategy predated the NPPF and carried little weight in the determination of this application.
 - Regarding visual impact of the development, the main impact in officers view was from the East of the site from Redesmouth Road, however, the impact was deemed acceptable because the application site would not be viewed in its entirety. The final layout, scale, appearance of dwellings would be reserved for future consideration.
 - A maximum of 36 houses would be considered on the site.
 - The speed of the access road was 30 mph and had been taken into consideration to ensure there would be adequate visibility.
 - The application needed to be assessed under current planning policy. Whilst the Tynedale Core Strategy previously required a 30% affordable housing element, the evidence base which had underpinned the now withdrawn Core Strategy had demonstrated that in excess of 30% had been delivered in recent years and therefore the County was now ahead of its overall affordable housing target. The submission version of the Core Strategy had therefore proposed that the affordable housing contribution be reduced to 15% to ensure that it did not over deliver unless there was an up to date, robust housing needs assessment for a particular settlement/location which justified seeking a higher proportion.
 - Work had commenced on preparation of detailed housing needs assessments in Hexham, Alnwick, Cramlington and Ponteland and would be rolled out to other settlements across the county as quickly as possible. Homefinder data was not exhaustive and had not reflected the actual needs in Hexham when considered there. A homefinder assessment had been carried out for Bellingham.
 - Discussions would be held with Northumberland Estates to see whether there would be an opportunity to make further upgrades to the footpath. However, it was not something that was required to make the application acceptable in planning terms and could not be included as a condition.
 - If the detail regarding drainage and flood risk was not considered to be acceptable when considered under reserved matters, it would form grounds for refusal at that stage.

- Housing supply was now monitored on a county wide basis and whilst there was now a 5 year supply, it did not add or detract weight to the application on housing supply grounds alone.

Councillor Horncastle proposed acceptance of the recommendation to approve the application which was seconded by Councillor Quinn.

A vote was taken as follows:- For 7; Against 3.

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

(4.55 pm Councillor Riddle returned to the meeting.)

80. 17/01792/VARYCO

Variation of condition 2 (approved plans) pursuant to planning permission 15/03632/FUL in order to move building by east by 3.5 metres Dans Waterside Cottage, Welton, Newcastle Upon Tyne, Northumberland, NE18 0LJ

(4.55 pm Councillor Quinn having disclosed a personal and prejudicial interest left the meeting whilst the application was considered).

The Planning Officer introduced the report with the aid of a powerpoint presentation.

Mrs S Brown, addressed the committee on behalf of all residents who objected to the application. She highlighted the following issues:

- Whilst the application had been moved 3.5 metres to accommodate a request by a neighbour, the dwelling had increased in size significantly as it had been measured electronically and the height had increased from 6.7 metres to 7.3 metres. The garage area was now over 6 ft longer and did not include the gin gan area. The distance between the development and the next cottage had reduced from 25 to 15 metres.
- The approved stone was not the same colour as any of the surrounding buildings.
- During the site visit a snapshot of vehicles had been seen using the B6309 over a 20 minute period including: 2 vans, 1 land rover with trailer and 1 large hgv which had got stuck on the bend. The area was surrounded by farmland and was in constant use by agricultural vehicles up to 24 hours per day during peak times, such as during the harvest. It had previously been described as light use.
- Following commencement of work in October 2016, concern had been raised by neighbours in January 2017 via telephone calls and emails about the size of the dwelling. The Enforcement Officer during a visit had stated that the builder was working to a different set of plans. Residents had contacted the Highways Department who informed them that they had not

been consulted by the Planning Department regarding the proximity to the road.

- Paragraph 2.3 of the report incorrectly stated that land to the south of the development was open field, it was a garden.
- Paragraph 7.4 increase in size of 0.4 metres was incorrect.
- Paragraph 8.3 stated that there would be no impact on the neighbours; residents feel this is incorrect as Welton Cottage would be overlooked if the gin gan was used.
- They disputed the architect's claim that the dwelling was a traditional Northumbrian longhouse. They considered it to be 2 houses with 2 storeys build of material that was incongruous to the area. The former bothy had been demolished with no regard for tradition or historical significance.
- Residents felt that the issues they had raised had not been addressed; there had been no clarification regarding the drainage, soak away and run off or where it would go as it was surrounded by private land. The land surrounding the property was predominantly clay which would not absorb water easily.
- There were no terraced properties in Welton. The plot was one of the smallest in the village, not the largest.

Mr P Tvergaard, the architect for the applicant addressed the committee speaking in support of the application. He made the following comments:-

- He stated that the length was exactly as planned although the building was slightly higher, it would depend on where it was measured from.
- Most people built their own house once in a lifetime event and want it as well designed as possible to reflect their ideals. Most clients made important changes to the internal layout of the house after they received planning permission as they found it difficult to visualise the size of rooms from drawings and only when they see a building shell could they assess what was possible. On seeing the size of the shell and the potential of the loft space they decided it would be more attractive to have an open plan area on the ground floor with bedrooms and bathrooms upstairs.
- The original design had always incorporated 2 doors to the front; one for the main entrance and the other for the garage.
- Following the internal layout changes it had been become necessary to alter the window and door positions and in planning terms would normally be considered to be minor amendments and straight forward to approve.
- The applicants wanted to increase the amount of sunlight and view of the garden to the south side to help solar gain heat the house.
- The dwelling was positioned on the same building line as the bothy and was restricted at the rear due to the scheduled ancient monument which the garden was designated as it was a medieval black death village. They therefore had little choice regarding the location of the front door which was traditional in Northumberland and had been approved by Highway Engineers.
- The dwelling had been moved at the request of the neighbour and had considered to be sensible and reasonable. Other neighbours who

objected lived some distance away and were not considered to be affected by the design in any detrimental way.

- Careful consideration had been given to the door and window design following contact with the Planning Officer to create a home with the best features of a rural home Northumbrian house with a modern internal layout. The application was recommended for approval and would enhance the village.

Mr M Siddique, the applicant addressed the Committee with the following:-

- He was not a property developer and this was the first home he had built. Whilst there had been a number of objections, he confirmed that the stone had been locally sourced and would age with time.

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

- The height of the building had been measured by the Enforcement Officer at 7.1 metres, 0.4 metres larger than the approved plans.
- Revisions would need to be made to the building as it was currently built and would include removal of the window above the garage. Although the arched feature would remain, it would be required to be infilled. Other changes to windows on the north elevation would also be required to ensure that the dwelling was built in accordance with the plans being considered.
- Officers were confident that the proposed conditions would control the future use of the dwelling to prevent it from being used as 2 dwellings and for the garage to be retained.
- Whilst there was reference to paragraph 89 of the NPPF which supported extensions or alterations except where they were disproportionate to the size of the original building, permission had been granted for a similar sized building. The differences were 0.4 metres in height, location and openings and the principle of development had been established. The potential fallback position was a dwelling which was largely the same as proposed in this case, albeit 40cm lower in height and a position 3.5 metres to the west and there was no difference to the length and depth, including the gin gan.
- Consideration should be given to the dwelling as a single dwelling and not consider whether 2 staircases and the other accommodation facilitated subdivision into 2 dwellings. Any proposals for subdivision would require a separate planning permission in the future and would likely be required to be considered by Members and they should not be prejudicing any potential future application by discussing such a proposal now. Members were advised that they must determine the application being presented to them on its merits.
- Planning Officers had not been involved in discussions regarding movement of the dwelling.

Councillor Horncastle proposed acceptance of the recommendation to approve the application which was seconded by Councillor Homer.

A vote was taken as follows:- For 8; Against 1; Abstention 1.

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

(5.32 pm Councillor Quinn returned to the meeting.)

**81. 17/03728/FUL
Construction of permanent site entrance and access track
Land West of Heathergate Country Park, Lowgate**

The Senior Planning Officer introduced the report with the aid of a powerpoint presentation.

Mr N Barrett addressed the committee speaking in objection to the application. He made the following comments:

- He had resided in Lowgate for 15 years. Lowgate was a small hamlet which consisted of 19 houses and a care home with a population of 48 residents plus care home residents. The site had been occupied by caravans since 1959 with 42 caravans; a ratio of 2 caravans to 1 dwelling. Following the development of the site to the west, a further 39 caravans would be built, giving a ratio of 4 caravans to 1 fixed dwelling.
- Residents were concerned about further development of the field which would encircle Lowgate and would be disproportionate.
- He queried whether the application was complete as he thought additional signage would be required on the highway advertising the caravan park as the original entrance had large electric gates and a sign.
- The applicant suggested that the existing access would be difficult and awkward although it had been in use since 1959 and there was no information about accidents, near misses or damage and did not preclude continued operation of the caravan site as it existed.
- Traffic could be fast along the road despite being within a 30 mph zone; there would be additional risk to vehicles turning and residents walking along the road.
- Residents were concerned that if there were not a condition limiting further development in the access field, the countryside would not be safeguarded from encroachment which was one of the aims of the greenbelt in which the hamlet sat.

Councillor T. Gillander, a Hexham Town Councillor for the ward in which Lowgate was located, addressed the Committee with the following comments:-

- There had been little time since the temporary access had been considered by the Committee in August. They had predicted that permanent access would be part of the developers mission to expand.
- The proposal included track wear and lights. Depending on the frequency of use, grass sometimes did not grow through the blocks; it was also unknown how effective the lighting would be.
- If approved, the application would result in the village being surrounded with 2 permanent roads into the site. They queried whether the next step would be a further extension to the caravan park with additional caravans at the bottom end.
- He requested that the application be rejected.

Mr C Cunio, addressed the committee on behalf of the applicant in support of the application. He made the following comments:

- They were pleased the report was recommended for approval subject to the inclusion of conditions.
- Heathergate Country Park had a lengthy planning history, the most recent being the application for temporary access approved on 15 August 2017. It was suggested that the track was an acceptable and appropriate use in the greenbelt, and a feature expected to be found in the countryside, such as a farmyard access.
- The temporary access was more visually intrusive than the proposed permanent access as the grasscrete would maintain a general green appearance compared to the temporary gravel.
- The proposal included 10 metres of additional hedgerow to mitigate the loss of the existing hedgerow.
- It would improve highway safety as it would stop vehicles travelling down the existing access track with only millimetres distance from surrounding properties and would provide a better access to the main site.
- The applicant would be happy to agree the cessation of use of the existing access.
- An application for signage would be submitted at a later date.
- The ecological, flood risks and residential amenity of the proposed permanent access would be the same as the temporary access with the addition of illumination and grasscrete.

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

- Concerns regarding the ecological impact were addressed by the inclusion of a condition which specified that lighting of the access track would be low level, low wattage and controlled by motion sensor(s) to ensure it was not lit, except when in use by vehicles during the hours of darkness.
- The condition and maintenance of the grasscrete track could be controlled by the addition of a condition with regard to a management plan.
- An additional condition could also be included regarding the applicant's proposal to cease use of the existing access to the site.

- Any future applications submitted would need to be assessed on their own merits and in particular against paragraph 89 of the NPPF, which stated that the construction of new buildings should be regarded as inappropriate in the green belt.
- Planning permission for the expansion to the caravan park had been granted in 1982 prior to the designation of the area as green belt.
- The Highways section were satisfied that the additional access would be acceptable in planning terms and would likely be the main access for the site and would accommodate the the network.
- The temporary access was considered to have a greater visual impact due to the materials used. The fallback position would mean that the temporary access would revert to its former green state on cessation of that permission. The visual impact of the proposed permanent access would not be sufficient to cause harm to the landscape, character and openness of the green belt.
- The NPPF did not distinguish between temporary and permanent engineering operations under which the access road would be classed.
- Section 106 agreements could only be used where they would be necessary to make a development acceptable. It was confirmed that the closure of the existing access road would not be required to make the application for an additional permanent access acceptable in planning terms, and therefore a legal undertaking could not be insisted upon.
- Equal weight would be attributed to policy NE33 of the Tynedale Local Plan which sought to align protection of the environment which the NPPF also sought to achieve.

Councillor Horncastle proposed acceptance of the recommendation to approve the application which was seconded by Councillor Sharp.

Members enquired whether residents had been made aware of the applicant's offer to cease use of the existing access and whether their views were known. The Head of Planning Services reported that the only way to ascertain the views of the local community would be for the application to be deferred to allow consultation and reconsideration of the application at a future meeting.

Councillors Horncastle and Sharp confirmed that they would be willing to withdraw their motion for approval to enable consultation with residents. The proposal that was currently moved was then withdrawn.

Several Members expressed concerns regarding the application. Councillor Kennedy proposed that the application be refused which was seconded by Councillor Homer. The reasons for refusal were:-

- Encroachment into the greenbelt.
- Introduction of lighting into the greenbelt.
- The proposed solution might not be acceptable and cause damage to the environmental area.
- There was potential for the site to be accessed 24 hours per day, which would cause disturbance for residents.

A vote was taken as follows:- For 8; Against 3.

It was therefore **RESOLVED** that the application be **REFUSED** consent for the
aforementioned reasons.

82. DATE OF NEXT MEETING

The next meeting would be held on 9 January 2018 at Hexham House,
Gilesgate, Hexham.

CHAIR _____

DATE _____