

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at Hexham House, Gilesgate, Hexham, Northumberland, NE46 3NH on Tuesday, 26 February 2019 at 4.00 p.m.

PRESENT

Councillor R Gibson
(Planning Vice-Chair, in the chair)

MEMBERS

T Cessford
A Dale
C Homer
CW Horncastle
I Hutchinson

N Oliver
KR Quinn
A Sharp
G Stewart
KG Stow

OFFICERS

K Blyth
N Masson
E Sinnamon
N Turnbull

Principal Planning Officer
Principal Solicitor
Senior Planning Manager
Democratic Services Officer

ALSO PRESENT

1 member of the press
4 members of the public

135. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Riddle.

136. DISCLOSURES OF MEMBERS' INTERESTS

Elizabeth Sinnamon, Senior Planning Manager, declared an interest in planning application 18/02238/FUL as she was a former resident of the hamlet and would leave the meeting during consideration of that item.

Councillor Dale declared a personal and non-prejudicial interest in planning application 18/02238/FUL as she knew the owner of the Riding.

DEVELOPMENT CONTROL

137. DETERMINATION OF PLANNING APPLICATIONS

The report requested the Local Area Council 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. (Report attached to the minutes as Appendix A.)

RESOLVED that the report be noted.

138. 18/02761/VARYCO

**Variation of condition 1 (temporary permission) pursuant to planning permission 17/00223/FUL
Land West Of Heathery Hill, Lowgate, Hexham, Northumberland**

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

John Seagrave addressed the Committee to object to the application. His comments included the following:-

- Residents of Lowgate had objected to the extension of time for something already approved as they felt deceived by the reality of the initial approval in 2017.
- Whilst the application presented the temporary road as a dog-legged line 124 m long and 3.5m wide to provide access to construction work in an adjacent field, the reality was very different. Over 3 acres of green belt land had been enclosed by Heras fencing and ruined. A portacabin site hut, toilets and generator had been installed; there was extra vehicle tracks, spoil heaps and the washings from ready mix vehicles on designated agricultural land.
- Last year work on the site had taken place 7 days per week to the extent of daylight hours.
- The road was only 14 metres from adjacent properties, not 90 metres stated in the report. Air pollution in June resulted in one resident seeking assistance from Environmental Health Officers.
- The site was visited by the Government Planning Inspector in May 2018 and in his report he ruled that “no special circumstances exist to justify development”.
- The new caravan site had been occupied since August 2018 and was served by a tarmac road which provided better and more convenient access. It was used by bin lorries, low loaders and used to carry out cosmetic work which continued on the site. The temporary road was redundant and the field a mess.

- The Committee were asked to refuse the application. The applicant had already had a substantial extension and residents of Lowgate would have closure.

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

- The application should have been made in August 2018.
- The owners had delayed undertaking the work which should have been finished in August 2018.
- Allowing the extension of the temporary road would enable other activities on the adjacent land to continue.
- There was a tarmac road between the original site and new site which was being used by local services and should provide sufficient access.
- Extending the temporary permission would undermine the decision of the Planning Inspector.

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

- The Planning Inspector had dismissed an appeal for the construction of a permanent site entrance and access track as it was considered to constitute inappropriate development within the Green Belt. However, the temporary nature of the permission being sought was sufficient to justify very special circumstances to allow an exception to inappropriate development within the Green Belt.
- The original application had proposed a 6 metre wide access track which had been reduced to 3.5 metres on revised plans.
- It was common that during construction work that adjacent areas would be utilised for storage of materials, though this was not formally approved.
- Whilst the weather over the winter months had not been unduly harsh, there were likely to have been other constraints which had meant that work on the site had not progressed.
- Work had been taking place when the officer had visited the site prior to the meeting.
- Clarification had been sought regarding the remaining work to be undertaken to determine whether the extension of time requested was appropriate.
- The application was validated on 9 August 2018 prior to the expiry of the original temporary permission on 16 August 2018.
- Clarification was provided on the discussions and additional information required between submission and consideration of the application by Committee. It would not have been appropriate to pursue enforcement action until the application had been determined.
- If the extension were refused, access would be obtained from the original narrow site entrance which was in close proximity to dwellings
- The applicants would be entitled to appeal a decision to refuse the application. They also had a period of 2 months to reinstate the temporary site entrance and access track to agricultural land and hedgerow. The

mentioned would impact on a decision as to when it would be appropriate to take enforcement action.

Councillor Hutchinson proposed acceptance of the recommendation to grant the application which was seconded by Councillor Horncastle.

Several Members expressed their disappointment that the applicant had not made faster progress on the work at the caravan site and that they would be extremely uncomfortable should another application for an extension be submitted.

Whilst residents were of the view that the original site entrance and the tarmac road extension to the expanded site would be preferable, the temporary access was beneficial in terms of highway and pedestrian safety, removing construction traffic from the narrow site entrance.

Some members were of the view that the application should be refused and enforcement action be initiated as soon as possible given that it would take time for this to be progressed.

A vote was taken as follows:- **FOR: 7; AGAINST: 4.**

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

139. 18/02238/FUL

**Application to rebuild barn which had permission under T/20080196 for change of use and conversion of existing barn to create a single residential dwelling and garage (retrospective)
Acomb View, The Riding, Acomb, Hexham, Northumberland, NE46 4PF**

(4.40 pm the Senior Planning Manager left the meeting whilst the application was considered.)

The Principal Planning Officer introduced the report with the aid of a powerpoint presentation. She reminded the Committee of the decision made on 15 January 2019 was that they were 'minded to approve the application' subject to consideration of conditions at a future meeting of the Committee.

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

- Confirmation had been given at the previous meeting by the Senior Planning Officer that amended plans had been obtained to ensure that the proposed dwelling would look more like the building in the conversion application.
- There were a similar number of conditions attached to this application compared to the original application, although the wording had been changed to reflect that it was now a new build and not a conversion.

Councillor Oliver proposed acceptance of the recommendation to agree the proposed conditions following the 'minded to approve' decision on 15 January 2019. This was seconded by Councillor Stow.

A vote was taken as follows:- **FOR: 10; AGAINST: 0; ABSTENTION: 1.**

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

(4.45 pm the Senior Planning Manager returned to the meeting.)

**140. Tree Preservation Order 2018 No 07 of 2018
Land at Bramley House, Elvaston Road, Hexham, Northumberland**

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

In answer to questions from Members, she explained:

- The process of making a tree preservation order which had included a visit and assessment by a Trees and Woodlands Officer. The prominent position of the tree, which it was considered made a significant contribution to the amenity of the local area, and was therefore worthy of TPO status.
- The owners of the land would be able to apply to obtain permission to have the tree pollarded to remove interference with the overhead telephone wires.

Members of the Local Area Council commented on the unsuitability of oak trees in residential estates as not being the most appropriate species due to their potential size. They considered that it would be beneficial for work to be carried out before the tree grew any larger.

Councillor Stow moved the recommendation to confirm provisional order 2018 (No. 07 of 2018). This was seconded by Councillor Stewart and unanimously agreed.

RESOLVED that the Northumberland County Council (Land at Bramley House, Elvaston Road, Hexham, Northumberland) Tree Preservation Order 2018 No 07 of 2018) be confirmed.

141. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 12 March 2019 at Hexham House, Gilesgate, Hexham at 4.00 p.m.

CHAIR _____

DATE _____