

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, 13 August 2019 at 2.00 p.m.

PRESENT

Councillor T Cessford

(Vice-Chair, in the Chair for agenda items 43 - 45 and 56 - 57)

(Planning Vice-Chair, Councillor R Gibson in the chair for items 46- 55)

MEMBERS

A Dale (no.s 43 - 55)
CR Homer
CW Horncastle
I Hutchinson
D Kennedy

N Oliver
JR Riddle (no.s 43 - 55)
A Sharp (no.s 43 - 52)
KG Stow

OFFICERS

K Blyth
R Campbell
M Francis
D Hadden
M Haworth
P Johnston
D Laux
E Sinnamon
N Turnbull
S Wilson

Principal Planning Officer
Planning Officer
Senior Planning Officer
Solicitor
Planning Officer
Executive Director of Place
Head of Technical Services
Senior Planning Manager
Democratic Services Officer
Media Communications Officer

ALSO PRESENT

45 members of the public
3 members of the press
Russell McLean and Kate Read, Highways England

43. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Quinn and Stewart.

44. MINUTES

RESOLVED that the minutes of the meeting of Tynedale Local Area Council held on 9 July 2019, as circulated, be confirmed as a true record and signed by the Chair.

45. DISCLOSURES OF MEMBERS' INTERESTS

Councillor Homer declared a personal and non-pecuniary interest in planning applications 19/01170/VARYCO, 19/01171/VARYCO and 19/01854/FUL as her mother was a resident of Lowgate Care Home.

Councillor Cessford declared a personal and non-pecuniary interest in planning application 19/01506/FUL as his children had previously been taught by the applicant.

DEVELOPMENT CONTROL

Councillor Cessford then vacated the Chair, for Planning Vice-Chair Councillor Gibson to chair the development control section of the agenda, as was the arrangement for all Local Area Councils.

46. 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. (A copy of the report is enclosed with the minutes as Appendix A.)

RESOLVED that the report be noted.

47. 19/01506/FUL

**Retrospective permission for a temporary (2 years) timber shed
Osborne House, The Peth, Allendale, NE47 9BJ**

The Planning Officer introduced the report with the aid of a powerpoint presentation. There was a correction to paragraph 2.4 of the officer's report which should read a width of 1.3m x a depth of 1.75m (not 17.5m as stated).

Parish Councillor David Crellin, spoke on behalf of Allendale Parish Council in support of the application. He highlighted the following points:-

- The Parish Council supported the museum.
- The problem had arisen as a result of a complaint from a member of the public which had resulted in a visit by the Conservation Officer who had decided that planning permission would be needed but would likely be refused.
- Reference was made to a nobby car outside a public house, a trailer with flat tyres that had been an eyesore for 4 years and abandoned cars, but this temporary addition was recommended for refusal.
- Surprise was expressed that the shed was classed as an infringement. Buildings in the market place were described as nationally significant, however, an old forge had been knocked down and replaced with a modern art centre which some would describe as an eye sore.
- The dalek and museum attracted 2,000 visitors to Allendale.
- The applicant had made significant improvements to the building which had previously been in a poor condition. They should not be penalised and allowed planning permission for a temporary structure.

Neil Cole, the applicant, spoke in support of his application. He raised the following points:-

- The emerging Northumberland Local Plan made reference to planning decisions facilitating the potential for the county to be a destination for heritage and cultural visits. His museum housed a unique collection, a new heritage asset within an older one, which was accessible to the public for the first time.
- Over 2000 people had visited Allendale since October with over half from outside the county. They were spending money in businesses and bringing fresh revenue to the local economy.
- The Dalek model outside had been made by local school children and was different to the original inside. He quoted from the emerging plan which stated that planning should 'respond to opportunities to incorporate public art'.
- Comparison was made with artefacts outside Beamish, Woodhorn Colliery and the Discovery Museum which were used to draw in visitors and could not be compared with an A board.
- They relied on social media to raise awareness of the museum and Allendale and many individuals and groups took photos of the Dalek or 'selfies' which were shared on different groups worldwide.
- Removing the enclosure which housed the Dalek would inhibit their business and reduce passing trade as there would be no more 'selfies' reducing their online presence. Photos were rarely taken of A boards.
- The shed sat discreetly behind the house steps and was only visible when walking past Osborne House. It was not attached structurally, was temporary and reversible. It obscured the ground floor windows as recommended by Northumbria Police without requiring shutters.

- Whether community interest had been considered when the application had been assessed by planning.
- His planning consultant suggested that the less than substantial harm should be weighed against the public benefits of the proposal, as stated in paragraph 196 of the NPPF. Reference was made to tourism being a key element of the Allendale economy as stated within the Allendale Neighbourhood Plan and supporting the re-use of existing buildings. Also that neglected or underused assets be brought back into economic use should be supported.
- A neglected local eyesore had been restored for use as his family home and a unique tourist attraction for Northumberland.
- He had tried to discuss alternatives which would be acceptable with planning officers in March.
- Several local businesses had recently closed in the village and he queried the pursuit of planning law which was hindering his fledgling business.
- The 6 month permission which he had been offered would not be long enough to apply and fund an alternative.
- He wanted to develop one of the best small museums in the UK which would be an essential visit for the sci-fi community and requested Members support to enable this to happen.

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

- There was not known to be any noise or loss of light from the structure which would have an impact on the amenity of adjacent land or buildings.
- The shed was visible from the Market Place and from the approach uphill from Peth Head. It was forward of the principal elevation of the building which was not acceptable.
- Whilst the shed was not open 24 hours per day, the contents had to be disregarded and the impact of the shed considered.
- Guidance had been used to assess the planning application in a Conservation Area in the setting of a Listed Building which said that great weight should be attributed. Public benefit would be needed to outweigh the less than substantial harm.
- If the application was permitted, the two year period would commence from the date of the decision.
- A period of 6 months had been suggested by officers as a tool for discussion to consider if the museum could be promoted in a different way not because the shed was acceptable.
- The applicant had not put forward a plan beyond the 2 year period planning permission which had been requested.
- Discussion as to what would be an acceptable alternative proposal was not relevant to consideration of the application to be determined that evening. Officers were happy to continue discussions with the applicant with regard to what would be appropriate. They did not wish to see harm to the museum but had a statutory duty to protect heritage assets.
- If permission was granted for a temporary period of 2 years, the temporary period would have to be dealt with by condition and at the end of the 2

year period the permission would expire and the shed would need to be removed unless an application was made to renew the consent. However, clarity would be required regarding the reasons for granting permission for 2 years, whether the harm to the setting of the Listed Building and Conservation Area could be outweighed by the public benefit; was it to negotiate a better outcome?

- The Building Conservation Officer had been consulted and had assessed the structure against statutory and legal requirements. The harm had been assessed as less than substantial harm. Members needed to determine whether the public interest outweighed the harm, however, they were also reminded of their duty to give great weight to asset conservation. Officers did not think sufficient information had been provided by the applicant regarding the public interest.
- A complaint about the structure had been received which had led to an investigation and validation of the application on 13 May 2019. The 2 year period, if granted, would not apply retrospectively, it would commence from the date of the decision.
- Each application was considered on its own merits. When considering applications the street scene was taken into account.
- Whilst no objections had been submitted in response to this application, paragraph 7.9 of the report explained that no justification had been presented to show that the shed was an essential requirement to the museum or information to state the true public interest.
- The improvements that had been made to the building were a separate issue to consideration of the planning application for the shed.
- Alternative proposals needed to be made by the applicant. This could include re-siting the structure or something else. The officers were unable to make suggestions. The shed had now been in situ for a substantial period and it would not have been appropriate to suggest a period beyond 6 months which had been discussed.
- They did not wish to cause harm to the business and welcomed further discussions with the applicant.

Councillor Horncastle proposed that permission be granted for a temporary period of 2 years to allow time for the applicant to discuss alternative proposals. He disagreed with the reasons for refusal in the officer's report and did not consider the shed to cause harm to the Listed Building and the Conservation Area and that time was required to resolve discussions. He had thought a site visit would have been beneficial. Discussions were ongoing and senior officers had visited the building. He acknowledged that whilst there was a Conservation Area in Allendale, he agreed with the Chair of Allendale Parish Council's comments regarding the art centre which in his view did not fit with the area. Members of the public were perplexed why a small shed had met with resistance when an extremely visible salt dome which could be seen for miles had been granted approval.

The proposal was seconded by Councillor Dale.

Several Members expressed their support for the application and did not consider that the structure caused harm to the Conservation Area or town and weighed it against the community benefits to the town and tourism. It was noted that a large number of people had expressed their support for the application including the Parish Council and that no response had been received from the North Pennines AONB.

Councillor Riddle expressed reluctance to agree the granting of permission for a 2 year period which was contrary to the officer recommendation and recommended that permission be granted for 1 year to allow for further discussions for a better outcome.

Councillor Horncastle indicated there was a reason he felt 2 years were required. At the request of Members, and with the agreement of the Chair, Councillor Horncastle provided a further explanation which he had intended to include in his summing up. The Solicitor confirmed that this would be acceptable provided he was given the right to reply at the end of debate.

Councillor Horncastle explained that he had arranged a meeting at the site of the shed with the former Interim Director of Planning, Enforcement Officer, representatives from the Parish Council and the applicant. The former Interim Director of Planning had set out the legal position with regard to the Listed Building. The shed would not be permanent but if it was not there, they were concerned about footfall and the future of the museum. The applicant hoped to build a stone extension which would blend in and meet legal and planning requirements but it would need to be carefully designed with advice from his planning consultant. However, it would be expensive and he needed time to make provision as he had spent a significant sum of money bringing the listed building back from a state of dereliction. Income from the museum was needed in the intervening period for him to be able to afford the extension.

A short adjournment was held to obtain legal advice regarding consideration of the order of motions.

Councillor Horncastle concluded his summing up making reference to the desirability of visitors for tourism and the fact that the shed was not highly visible as it had been in situ for a number of months before a complaint had been made. He also made reference to other items in the vicinity which were not attractive and more of a detriment to the appearance of the area.

Councillor Riddle proposed an amendment that permission be granted for 1 year only to allow for further discussions with officers. This was seconded by Councillor Cessford who agreed that a shorter period would give more focus.

Councillors Horncastle and Dale did not agree to alter the original motion and did not wish for it to be withdrawn.

The Committee voted on the proposed amendment to the motion that a 1 year period would be sufficient time for negotiation.

A vote was taken as follows:- **FOR: 6; AGAINST: 5.**

The motion was, therefore, amended and a vote was then taken on the original proposal to grant a temporary permission, as amended to a 1 year period, the reasons being:-

(i) to give the applicant time to consider alternatives;

The results of the vote were as follows:- **FOR: 7; AGAINST: 4.**

RESOLVED that the application be **GRANTED** permission for a temporary period of 1 year.

**48. 19/01170/VARYCO
Variation of condition 2 (habitation period) of application
18/01745/VARYCO to allow 12 month habitation period (amended
description)
Blue Sky Resorts Ltd, Heathergate Country Park, Lowgate, Hexham,
Northumberland, NE46 2NN**

The Chair confirmed that the application, and the following application 19/01171/VARYCO would be presented together and public speakers given a 10 minute slot, however, they would be voted on separately.

The Planning Officer introduced the report with the aid of a powerpoint presentation. She requested that the condition 3 be amended and split as below and the remaining conditions be renumbered:

“03. Six touring caravan pitches shall be used only for overnight stay accommodation with one caravan on any such pitch occupying that pitch for a maximum of seven consecutive nights.

Reason: The layout of the site is not considered satisfactory for seasonal and holiday use and/or to meet the need for this type of accommodation in the area having regard to Policy TM15 of the Tynedale District Local Plan.

04. The sides of the static caravans shall be painted in a Green or Brown colour from the 'Willerby' manufacturer, or any other colour(s) as may be agreed in writing by the local planning authority.

Reason: The layout of the site is not considered satisfactory for seasonal and holiday use and/or to meet the need for this type of accommodation in the area having regard to Policy TM15 of the Tynedale District Local Plan.”

Town Councillor Tom Gillanders spoke on behalf of Hexham Town Council to object to the application. He made the following comments:-

- The applicant had asked for 12 months occupation on the basis that it was currently 11 months with February unoccupied. However, there were a number who stayed for the whole period and were there during February.
- Some residents commuted to work on a Monday morning and returned in the evening.
- It was not used as a temporary place to live, some used it as their permanent residence.
- The Government's Good Practice Guide on Planning for Tourism suggested conditions to ensure that sites were used for holiday purposes only. However, he queried if they could be used for the whole year, how could it be a holiday purpose?
- Whether the register of occupation was utilised.
- Some residents lived there for the whole period and ignored the requirement to be away in February.
- If the extension was allowed it would permit residents to live there permanently all year round. This could lead to them becoming chalets and then houses. This was not what Lowgate wanted or needed.
- The report stated that extending the habitation period would be an enhancement and should be permitted. He suggested that the enhancement was an extension of occupancy and should not be permitted.

Clive Cunio, agent for the applicant, spoke in support of the application and made the following points:-

- The principle of development of the site had been approved. The one month extension would allow visits all year round and access in February.
- A planning condition could be attached to ensure that it was not used as a primary residence and was used for holiday use only.
- The conditions had been assessed against 6 tests set out in the PPG and conditions had been suggested and accepted by the applicant.
- The NPPF supported tourism related development which brought economic benefits to the area.
- Other sites, such as Causey Hill Caravan Park, had been allowed 12 months occupation since 2011.
- There would be minimal impact on highway safety.
- Members were requested to support approval of the application.

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

- 11 months occupation was granted on the application site (which was an extension to the original site) to match the occupation condition on the original site. This was a commonly used condition pre 2006 and before the tourism guidance was issued. Some conditions referred to a non occupation period of 2 weeks whereas other sites had longer periods to prevent permanent habitation.
- Verification of residents addresses elsewhere and compliance with planning conditions would be investigated upon receipt of a complaint.

This could include checks of Council Tax, the Electoral register and schools if there were children.

- Use of caravan parks had evolved over time. Owners wanted to stay longer and use them as second homes and, therefore, there was not a high turnover of occupants in each caravan. The proposed condition had taken into consideration the Government guidance on Planning for Tourism, although this had now been withdrawn. It was noted that there were concerns regarding the permanent occupation of the caravans as sole residences, however the condition could be enforced.
- Occupation of the units as a sole or permanent residence would require planning permission. The principle of development had already been established through the Certificate of Lawfulness. Consideration of a new application for a similar site in the Green Belt now might not be successful. The decision related to whether an extra month of use in a Green Belt would cause harm to refuse the application. Twelve months occupation had been allowed elsewhere in the county including Causey Hill Caravan Park, Hexham, Hareshaw Linn Caravan Park, Bellingham and High Hermitage Caravan Park, Ovingham.
- No complaints had been received that caravans were being lived in all year round and, therefore, there had been no enforcement action regarding the condition.
- The quality of temporary accommodation had improved and was being used differently compared to the past. Although it was recommended consent be given for 12 months habitation, this was not the same as allowing permanent residency and, therefore, should not form part of the consideration for the application. The site operator of the park was required to keep a record of all occupiers and their permanent residence and their dates of occupation and should be available for inspection by the Council. It was suggested that there was no difference between a condition with 11 or 12 months habitation as neither allowed the unit to be used as a permanent residence. The proposal was thought to be reasonable and enforceable and no complaints had been received regarding permanent occupancy.
- The Council's tourism policy related to the provision of holiday homes and recent guidance had advocated the application of 12 months habitation conditions.
- The recommended condition regarding habitation was considered to be fit for purpose to provide all year round holiday accommodation and not permit permanent residency. Any applications for permanent occupancy would need to go through the site owner who would need to apply for change of use, which would be considered against different policies. Officers considered that the proposed condition for 12 months habitation was as good as the current condition for 11 months and permitted all year round occupancy as holiday accommodation.
- The site operator was obliged to maintain a register which would be inspected by the Council if a complaint was made. The register was not currently inspected on a regular basis. However, an additional condition regarding inspection of the register could be included with the current

applications (not retrospectively) although the extension to the site was still under construction and not yet in use.

Several members expressed concern regarding permanent occupancy of the site and the fact that this would be encouraged or the likelihood increased if 12 months habitation was permitted. It was believed that accommodation which was used by different occupants would be of more benefit to the tourism industry and the economy. They also noted that the Government's Guidelines that had been referred to had been withdrawn. Reference was made to accommodation at Slaley Hall whose structures had increased in permanency over time, the ability and time to take enforcement action and reluctance to set a precedent.

Councillor Kennedy proposed that the application be refused to prevent permanent occupation of the units which would increase the impact on the residential amenity of neighbouring properties in Lowgate. This was against officer recommendation and seconded by Councillor Hutchinson.

Upon being put the vote the results were as follows:- **FOR: 10; 1 AGAINST.**

RESOLVED that the application be **REFUSED** permission for the following reasons:

- (i) to prevent permanent occupation of the units;
- (ii) to prevent increased the impact on the residential amenity of neighbouring properties in Lowgate.

49. 19/01171/VARYCO
Variation of condition 2 (habitation period) of application T/20050948 to allow 12 month habitation period
Blue Sky Resorts Ltd, Heathergate Country Park, Lowgate, Hexham, Northumberland, NE46 2NN

Following the application being presented jointly with 19/01170/VARYCO, a separate vote was then taken on the above application.

Councillor Kennedy proposed that the application be refused against officer recommendation, for the same reasons as the previous application which was seconded by Councillor Hutchinson.

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

RESOLVED that the application be **REFUSED** permission for the following reasons:-

- (i) to prevent permanent occupation of the units; and

(ii) to prevent an increased impact on the residential amenity of neighbouring properties in Lowgate.

50. 19/01401/FUL

**2 bedroom single storey holiday let accommodation
Land North of Braeside Cottage, The Peth, Allendale, Northumberland**

The Senior Planning Officer introduced the report with the aid of a powerpoint presentation. She requested that the first reason for refusal be amended to read:

“The location of the proposal *in a prominent location*, outside the defined settlement of Allendale, is in an inappropriate location for tourism contrary to Policies ANDP 1 and ANDP 5, Core Strategy Policy GD1 and Tynedale Local Plan Policy TM6.”

Parish Councillor David Crellin, spoke on behalf of Allendale Parish Council in support of the application. He highlighted the following points:-

- Surprise that the site had been classed as open countryside. However, policy ANDP5 of the Allendale Neighbourhood Plan permitted the construction of new permanent buildings for overnight tourist accommodation in locations within or adjoining existing settlements provided they were effectively screened and conformed to criteria in ANDP1. If the site was open countryside then Policy ANDP5 applied as it was adjacent to the centre of the village.
- The applicant had sought advice and had talked to the planners and engineers. The proposal was innovative and took into account the slope of the site. They welcomed architecturally interesting applications such as this which was constructed of steel and green wood.
- As an owner of a bed and breakfast accommodation, he regularly had guests which came to the area on walking holidays and therefore the fact that the site was not accessible to vehicles would not be problematic as long term parking was available in the Market Place.
- There had been no comments about the building being at risk of flooding.
- They considered that the development would have a beneficial impact on the Conservation Area.
- Whilst the site could be seen from the cricket ground opposite, there was screening already in place with more hardwood trees to be replanted.
- Whilst one Parish Councillor had objected to the application, the rest of the Councillors wanted to support this application.

Andrew Docchar, the applicant, spoke in support of the application and made the following comments:-

- He proposed to build a bespoke oak framed holiday lodge constructed using solid oak timbers and traditional joinery techniques. Low impact ground screws would be used to root the lodge to the ground on a floating

- steel frame to minimise disturbance to the land and gave the option of easy removal at the end of the lodge's life compared to using concrete.
- The North Pennines AONB Partnership had been consulted and the scheme complied with Allendale Neighbourhood Plan Policies 1 and 5.
 - The design used largely natural materials and additional tree and shrub planting would screen the lodge to give minimum visual impact. The bespoke design and sensitive planting would mean that the lodge would sit in sympathy and enhance the site.
 - A wildflower meadow and flowering shrubs would encourage more birds and insects to the site.
 - He had been a professional gardener previously and was confident that his skills could be replicated on the site.
 - Local people supported his application and no objections had been made against the proposal.
 - He ran an existing holiday let within the village with nearly a 100% occupancy rate and was, therefore, positive the scheme would make a positive contribution to the local economy. It would provide employment to local people through construction and through the weekly changeovers for cleaning and maintenance.
 - The spruce trees on the site had been planted by his father 30 years previously with the intention of harvesting them. The trees had been felled as they had reached maturity and not to make space for the lodge. The ecologist had commented that this had been an improvement as it provided space for existing oak trees to establish as they had previously been smothered by the spruce trees. The site would benefit from planting of native hardwood trees which he had started to plant.
 - He felt it was unfair to be criticised for not providing visuals of the lodge when this request had not been made to him.
 - Despite several emails he had been unable to liaise with the Conservation Officer.
 - He queried acceptance of the plans that had been submitted with the application and the comments that these were not now appropriate.
 - Visitors came to the area to walk and therefore he did not anticipate that a 150 metre walk to the site would be problematic.

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

- The Conservation Officer was a consultee and had objected to the application as it was considered the development would cause harm to the setting of the Allendale Conservation Area as it formed part of a green buffer between the built environment of the town at the top of the slope and the river Allen below.
- Whilst the proposal would cause less than substantial harm which had to be weighed against the public benefits, there had been no justification of public benefit.
- The Allendale Neighbourhood Plan had been through the referendum process agreed by the County Council.

- The Planning Officers and the Parish Council had interpreted the neighbourhood plan differently.
- The site was located just outside the settlement in open countryside and had been recommended for refusal due to a number of issues including the buffer between the Conservation Area and lack of parking.
- The benefits of tourism could be deemed to be of relevance to the public interest test, however, there were also other concerns relating to the application.
- Part of the site was located in a flood zone and whilst the building was proposed to be sited up the slope, a flood risk assessment should have been submitted. It was proposed that the building be used as a holiday let and, as such, visitors would not be familiar with the area to ensure their safety. This aspect was a technical issues which could be resolved.
- The Highways section did not want to encourage parking on The Peth as the corner was dangerous and they would have preferred to have dedicated parking on the site to avoid potential problems from a dangerous position on the road.
- Comparison should not be made with holiday accommodation located in town centres which had a minimum parking requirement of zero. This did not apply to smaller villages.
- Whilst the applicant suggested the designation of spaces in the Market Place, the Highways Section stated that these spaces could not be designated for the lodge as they were not in the applicant's control.
- If Councillors were minded to approve the application, it was recommended that the application be deferred and architects plans be requested which would be drawn to scale and ensure that accurate checks could be made if enforcement action should be required in the future.
- Members would need to consider and be convinced that there would be no harm to the North Pennines AONB if they were minded to approve the application. It would not be fair to the applicant for him to incur additional expenditure if it was likely that the application be refused.
- The North Pennines AONB had neither supported nor objected to the application due to the lack of detailed plans and visuals.
- The plans that had been submitted by the applicant had been satisfactory for the application to be validated. However, this was not an addition to an existing building, it was a new build and, therefore, more detailed plans were required to show what was proposed on site. Any enforcement action, if required, would be difficult without these.

Councillor Horncastle moved that the application be deferred in order that a site visit be held and for detailed plans and visuals and a flood risk assessment to be submitted by the applicant and for the North Pennines AONB Partnership to be reconsulted and LLFA to be reconsulted. This was seconded by Councillor Hutchinson.

Members expressed their dissatisfaction that an application had been submitted to them without all of the necessary information for them to make a decision. The Senior Planning Manager explained that the application had to be determined on the information that had been submitted to the local

planning authority and statutory consultees had requested more information. An opportunity had been given to the applicant to provide the documentation. However, the application could not be properly be appraised without this information. As the principle of development had been rejected by the officers they had not requested the applicant go to the additional expense of providing the extra information.

Upon being put to the vote the proposal was unanimously agreed.

RESOLVED that the application be **DEFERRED** in order that a site visit be held and for detailed plans and visuals and a flood risk assessment to be submitted by the applicant and further consultation with the North Pennines AONB Partnership LLFA in due course.

The meeting adjourned at 4.50 pm for a short break.

SUSPENSION OF STANDING ORDERS

At 5.00 pm it was agreed 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 continue over the 3 hour limit.

51. 19/01854/FUL

Construction of permanent site entrance and access track Land West of Heathery Hill, Lowgate, Hexham, Northumberland

The Planning Officer introduced the report with the aid of a powerpoint presentation. She commented that a revised hedgerow plan had been submitted the previous day to address concerns raised by the Council's Ecology team. However, it had not been taken into consideration as the additional information did not relate to the reasons for refusal and principle of development.

Nick Barrett spoke in objection to the application. He made the following comments:-

- He had lived in Lowgate for 16 years. It was a small hamlet which consisted of 18 houses. The caravan site had expanded and had increased from 41 static caravans to 81 and touring caravans which meant that there was a ratio of 4:1 caravans to houses which meant that the site was a significant factor in the locality.
- Making a permanent access to the west would effectively encircle Lowgate which he felt would be disproportionate, unnecessary and encroachment in the Green Belt.

- The expected movement of 200 vehicles per day did not compare to a farm track as stated by the applicant. It was a road.
- The proposed mitigation of a 1.5 metre bund would not hide the traffic or be compatible with the local topography as there were no similar features in the natural landscape of the area.
- There was no reason to change the original access and requested that the application be refused.

Town Councillor Tom Gillanders spoke on behalf of Hexham Town Council to object to the application. He made the following comments:-

- He had been allowed to speak when the previous application had been considered. That application had been refused by the Council and had been rejected by the Planning Inspector.
- There was no reason to allow this application which only had a few changes.
- The Committee was requested to reject the application again.

Clive Cunio, agent for the applicant, spoke in support of the application and made the following points:-

- They had sought to address the comments made by the Planning Inspector in the refusal letter for the previous application which included the addition of the bund, removal of the lights and proposed closure of the existing access.
- The closure of the existing access would bring traffic away from the hamlet of houses. That access was insufficient as there were several pinch points along the length. It was also an existing footpath and bridleway and there was conflict when new caravans were delivered. The current access road was very narrow and the impact would be reduced by the proposed access as stated in paragraph 7.30 of the report.
- Many manufacturers were now providing 14 feet wide static caravans. There were photographs of caravans being delivered which came very close to the existing buildings which could be damaged. They were concerned that new caravans scheduled for delivery on 5 September 2019 would not fit down the current access road.
- Using the new access would not materially harm the living conditions of residents living next to the field or access and would improve conditions for those living next to the current access.
- They had proposed that the current access be closed to all users except emergency vehicles and would be conditioned and enforced by officers in planning.
- A hedgerow mitigation plan had been submitted to put back 60 metres of hedges which had been removed which should address residual ecological impacts.
- The proposed road would not create a circular network around Lowgate, it would take traffic away from the hamlet where the access was currently inadequate and would have no impact on existing residents.

- He encouraged the Committee to vote in favour of permission being granted due to the benefits that had been identified by the Planning Inspector.

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

- Changes to the scheme which had been refused by the Planning Inspector included additional planting and a low bund along the length of the access track, reconfiguration of the alignment of the track, removal of lighting along the access track, closure of the existing permanent access. Officers were of the opinion that the changes did not go far enough to overcome the harm a permanent access would have on the Green Belt and had recommended refusal of the application.

Councillor Homer proposed acceptance of the officer's recommendation to refuse the application for the reasons set out in the officer's report which was seconded by Councillor Kennedy.

Upon being put to a vote the proposal was unanimously agreed.

RESOLVED that the application be **REFUSED** permission for the reasons outlined in the report.

52. 19/00861/FUL

**Development of 20 residential dwellings (use class 3) with associated infrastructure and landscaping
Land South of Chesters Meadow, Humshaugh, Northumberland**

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

Ian Birleson, spoke as one of the 130 objectors to the application. His comments included the following:-

- There was anger and frustration amongst the community as a result of the scale and speed and development which was destroying the character, fabric and amenity of the historic village.
- There had been numerous new developments in recent years, however, the last application had been the tipping point, hence the number of objections.
- Objections had also been made by the local MP and the Campaign to Protect Rural England (CPRE) who referred to the number of buildings in the pipeline and that time was needed to integrate the people who had recently moved to the village.
- Further housing was not needed in Humshaugh as 54 homes had been built since the Local Plan period started in 2016 which represented a 23% increase or 31% if the development was included just before 2016.

- The 54 dwellings in the village represented between 23 to 33 years development against the DCLG benchmark.
- Humshaugh had 5 times the amount of development when compared with 22 similar parishes in West Northumberland and at least double 7 other parishes.
- Whilst arguments stated that more family housing was required, pupil numbers had only been increased by 3 which corresponded with current demographics and a record low birth rate.
- The Duchy Phase 1 application stated that ‘the scheme had been amended to exclude the area of land directly opposite Beechcroft’. And ‘land to the south of the site falls within the applicant’s control and would provide amenity land for residents’. This was the land they had now applied to build on.
- The application was not consistent with the draft Local Plan and reference was made to policies INF 5 and ENV 7.
- Humshaugh was one of Northumberland’s most attractive villages and within the setting of Hadrian’s Wall World Heritage site.
- Many villagers depended on tourism for their livelihoods; tourism was critical to the economy in the county and accounted for 13% of jobs in Northumberland. The Council needed to preserve the beauty of villages such as Humshaugh for the benefit of future generations of visitors to ensure tourism continued to provide prosperity to the county.
- Many objectors had used the term ‘decimate’, the definition of which was a removal of a tenth. Over 30% of green space had been lost to development in recent years so the village had been decimated 3 times.
- Councillors were urged to refuse the application and prevent further damage to the character and amenity of the village.

Parish Councillor Kirsten Francis, spoke on behalf of Humshaugh Parish Council who were delighted that the application was recommended for refusal. She highlighted the following points:-

- Refusal of the application would provide evidence that the Council and elected representatives were fulfilling key pledges contained within the Council’s Corporate Plan and emerging Local Plan.
- Humshaugh Parish Council had recognised the need to evolve and grow. They actively supported affordable housing development and had not objected to the previous two developments. They had tried to work with the County Council and developers to ensure appropriate housing, high quality design and a full allocation of affordable units to rent and to buy.
- The village’s unique characteristics, distinctiveness and appeal were at risk of being damaged. Further new development was not valued by their community as evidenced by 4 objections to the Duchy phase 1 application and 130 objections to the phase 2 application.
- Key Council documents stated that if you diminished places like Humshaugh, then you diminished Northumberland. This report stated that this development would do just that.
- They agreed with paragraphs 7.11 - 7.13 of the report which dismissed the developers claim that further housing was necessary to meet unmet need.

They supported the comments in paragraphs 7.18 and 7.33 that a further 20 dwellings would be out of scale of the size and role of the village and the importance of maintaining the rural character of the location.

- The report had not addressed concerns raised regarding the issue of housing mix. The Parish Council had tried to work with developers to influence appropriate housing. The greatest need was for 2 and 3 bedroom houses which had been ignored. Recent developments had been largely 4 and 5 bedroom houses at £400,000. Any need in this category had already been met.
- Request that an additional reason for refusal of the application be included on the grounds of non compliance with policy HOU5 of the Local Plan or Policy H1 of the Tynedale Core Strategy.
- Objection to the application had strengthened an already cohesive community and had lead to the formation of Chesters Meadows Residents Group. The group was angry about being misled regarding amenity areas and issues unresolved by the developer.
- Members were requested to support the recommendation for refusal and that the Chester Meadows development not be signed off until issues were fully resolved.

Neil Westwick, Senior Director of Lichfields who were town planning consultants, addressed the Committee in support of the application. He made the following comments:-

- Duchy Homes was an award winning house builder who had received the Home Builder federation 5 star award for customer satisfaction.
- They were proud of their homes and developments in Humshaugh and Morpeth and wanted to build more homes in Northumberland and help meet housing requirements through bespoke well designed homes.
- The development infilled a gap site which was only excluded from the previous fully occupied development due to surface water issues which had been addressed in the first phase. They had not misled residents and had sought to work with the community.
- It was appreciated that Humshaugh had been subject to recent development. It was a sustainable location for housing as established through recent schemes.
- The scheme only proposed 20 dwellings which would provide additional high quality housing including 3, 3 bedroom affordable bungalows. This represented a limited increase in the number of dwellings within the village. This level of growth would not change the village beyond recognition.
- As an infill scheme, the development would not visually harm the rural setting of the village, be viewed as part of the existing urban form and complement the village.
- The site could not have a harmful impact on the Conservation Area given the distance and that it was further away than the previously approved proposal.

- No other technical issues had been raised by the statutory consultees or the Council's own technical team which would prevent the development going forward.
- Significant economic developments of the proposal included construction employment, indirect employment through the supply chain, new homes bonus and Council Tax revenue.
- The proposals would enhance the village.
- The sensitive infill development would add a limited number of new homes to the village to meet general housing needs and deliver much needed affordable bungalows.
- The Committee were requested to take a pragmatic view and support the development.

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

- The term infill was normally used with reference to Green Belt and a smaller number of dwellings completing a built up frontage.
- The site was outside the proposed settlement boundary for Humshaugh and Chollerford in the emerging Local Plan. As it was outside the built up areas it was classed as development in the countryside which would only be permitted for rural workers.
- Phase 1 of Chester Meadows had been permitted at a time when there had not been a five year housing supply which was not the position now.
- The Conservation Area was located 240 metres to the north of the application site. The proposed development would result in an almost continuous area of built development, changing the character of the land and cause less than substantial harm.
- Assessment of the proposal by the County Archaeologist and Historic England had found there would be no direct impact on any archaeological remains of the Hadrian's Wall World Heritage Site.
- Officers did not recommend that the additional reason for refusal proposed by the Parish Council be included as the development did include a mix of housing types and smaller dwellings.

Councillor Oliver proposed acceptance of the officer's recommendation to refuse the application for the reasons set out in the officer's report which was seconded by Councillor Homer.

Upon being put to a vote the proposal was unanimously agreed.

RESOLVED that the application be **REFUSED** permission for the reasons outlined in the report.

Councillor Sharp left the meeting at 5.45pm

**53. 18/02853/CCD
Construction of new footbridge across the Devil's Water for public
footpath
Devils Water Footbridge, Dilston West Cottages, Corbridge,
Northumberland**

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

In answer to a question regarding clearance under the bridge in the event of raised water levels during a flood, it was confirmed that the LLFA had assessed the scheme and had recommended informatives.

Councillor Oliver proposed acceptance of the officer recommendation to approve the application for the reasons set out in the officers report which was seconded by Councillor Hutchinson.

Upon being put to a vote the proposal was unanimously agreed.

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

**54. 19/00006/OUT
Outline permission for up to 17 dwellings including affordable housing
and access road and other ancillary works (some matters reserved
including Appearance, Landscaping, Layout and Scale)
Land North and East of Ashlynd House, Church Lane, Wark,
Northumberland**

The Chair reported that the item had been withdrawn from the agenda.

55. PLANNING APPEALS UPDATE

A report was received which provided an update on the progress of planning appeals received. (A copy of the report is enclosed with the minutes as Appendix B).

RESOLVED that the report be noted.

On the conclusion of the development control business at 5.53 pm, Councillor Gibson vacated the Chair and the meeting adjourned as the remainder of the agenda consisted of other Local Area Council business scheduled to begin at 6.00 pm. Councillor Cessford returned to the Chair and continued the meeting at 6.08 pm.

OTHER LOCAL AREA COUNCIL BUSINESS

56. HIGHWAYS ENGLAND UPDATE

Russell McLean of Highways England (HE) was in attendance to give an update on the A69 junction improvements at Hexham Bridge End. (A copy of the presentation is enclosed with the minutes).

The presentation included information regarding the background to the scheme, benefits of the project, progress on internal governance, timeline for the work, communication strategy and availability of traffic management updates.

Mr McLean explained the different stages of work and reported that Highway England would be giving a press release the following morning to confirm that the work would be proceeding. He reported that he had been working with officers and county councillors to ensure that there was minimal impact whilst construction was underway.

In answer to questions, the following information was provided:

- The diversions were much shorter than originally proposed and would now take the form of an elongated roundabout with a distance of 170 metres in either direction.
- The dual carriageway would be maintained as much as possible, however, there would be some periods where it would be necessary for the A69 to be reduced to single lanes to protect the workforce. Lane closures would be minimised.
- Analysis of traffic levels had indicated at peak times 1300 vehicles per hour used the road network at that location. Studies had shown that single lane carriageways could be used by 1400 vehicles per hour and, therefore, there should not be any delays.
- A number of safety measures were to be introduced including Traffic Orders to reduce the speed of vehicles to 30 mph which should enable drivers to use the west end junction safely. Other safety measures included: alterations to junction layout, regular patrols to ensure that the traffic management was in good condition and installation of average speed cameras.
- Members of the public or Town and Parish Councils were requested to contact their local County Councillor with any concerns regarding traffic issues. Regular Traffic Management meetings were to be held to address issues which arose, such as drivers using alternative routes on roads around Acomb and Hexham. Maximum weight limits could prevent the use of roads by inappropriate vehicles and temporary pedestrian crossings were also going to be installed. Implementation of Local Traffic Management Plans meant that it should not be advantageous to use alternative routes.

- Technical drawings showing the revised diversion routes would be available in the near future.
- A public drop in day was to be arranged mid-September 2019, venue to be confirmed but potentially at Wentworth Leisure Centre.
- Information leaflets would be issued to households on the Highways England database and to local Parish and Town Councils.
- Residents were encouraged to register on the Highways England website which would mean that they would receive email alerts on a monthly or more frequent basis.
- Planning on the Styford roundabout scheme was ongoing but would not now be carried out at the same time as the Hexham Bridge End scheme. Work on the Styford scheme was not expected to commence for at least 12 months due to the process of consultation and public inquiry required to obtain a Highways Order.

The Chair thanked the officers from Highways England for attending the meeting. He reminded those present that further information would be available soon via press releases and the public engagement event scheduled to be held mid-September.

RESOLVED that the information be noted.

57. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 10 September 2019 at Hexham House, Gilesgate, Hexham at 4.00 p.m.

CHAIR _____

DATE _____