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Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

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Tel direct: 01670 622614

Date: Monday, 21 February 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **STRATEGIC PLANNING COMMITTEE** to be held in **MEETING SPACE - BLOCK 1, FLOOR 2 - COUNTY HALL** on **TUESDAY, 1 MARCH 2022** at **4.00 PM**.

Yours faithfully

Daljit Lally
Chief Executive

To Strategic Planning Committee members as follows:-

C Ball, L Darwin, R Dodd, B Flux, J Foster, G Hill, JI Hutchinson, J Lang, J Reid, G Renner-Thompson, M Robinson (Vice-Chair), G Stewart, M Swinbank, T Thorne (Chair), A Wallace and A Watson

Any member of the press or public may view the proceedings of this meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving round but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. **PROCEDURE AT PLANNING COMMITTEES** (Pages 1 - 2)
2. **APOLOGIES FOR ABSENCE**
3. **MINUTES OF PREVIOUS MEETINGS** (Pages 3 - 12)

The minutes of the Strategic Planning Committees held on Tuesday 1 February 2022, as circulated, be agreed as a true record and be signed by the Chair.
4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room.

NB Any member needing clarification must contact the monitoring officer by email at monitoringofficer@northumberland.gov.uk. Please refer to the guidance on disclosures at the rear of this agenda letter.
5. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 13 - 16)

To request the committee to decide the planning applications attached to this report using the powers delegated to it.

Please note that printed letters of objection/support are not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>
6. **20/01107/CCM** (Pages 17 - 54)
Extraction of sandstone.
Prudham Quarry, Newbrough, Northumberland

7. **21/03720/CCD** (Pages 55 - 98)
Construction of a two-platform railway station including: pedestrian lifts, stepped pedestrian access, new highway accesses; construction of overbridge to carry diverted A1061 with shared footway and cycleway. Modifications to existing highways including new roundabouts and realignment of local roads and construction of new access roads from the highway; provision of parking for buses, cars, electric vehicles, motorcycles, cycles, and taxis; works to of public rights of way. Construction of facilities ancillary to the station including, lighting, soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works
Land South of The A1061, South Newsham Road, Blyth, Northumberland
8. **20/04423/OUT** (Pages 99 - 114)
Outline application seeking approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping
Essendene, Kenilworth Road, Ashington, Northumberland NE63 8AR
9. **APPEALS UPDATE** (Pages 115 - 128)
For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.
10. **S106 AGREEMENTS UPDATE REPORT** (Pages 129 - 132)
For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.
11. **URGENT BUSINESS**
To consider such business, as in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

A Welcome from Chairman to members and those members of the public watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is being held in a Covid safe environment and available to view on a live stream through You Tube Northumberland TV
- (ii) Members are asked to keep microphones on mute unless speaking

B Record attendance of members

- (i) Democratic Services Officer (DSO) to announce and record any apologies received.

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

Committee members' questions to Planning Officers

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

Debate (Rules)

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

Vote(by majority or Chair's casting vote)

- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Meeting Space - Block 1, Floor 2 - County Hall on Tuesday, 1 February 2022 at 4.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball	L Darwin
R Dodd	B Flux
J Foster	G Hill
Jl Hutchinson	J Lang
J Reid	G Renner-Thompson
M Robinson	G Stewart
M Swinbank	A Wallace

OTHER COUNCILLORS

J Watson

OFFICERS

J Blenkinsopp	Solicitor
L Dixon	Democratic Services Assistant
L Little	Senior Democratic Services Officer
R Murfin	Interim Executive Director of Planning & Local Services
J Sharp	Senior Planning Officer

Around 4 members of the press and public were present.

65 **PROCEDURE AT PLANNING COMMITTEES**

The Chair outlined the procedure to be followed at the meeting.

RESOLVED that the information be noted.

66 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor A Watson.

67 **MINUTES OF PREVIOUS MEETINGS**

RESOLVED that the minutes of the meetings of the Strategic Planning Committee held on Tuesday 4 January 2022, as circulated, were agreed as a true record and signed by the Chair.

68 **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.

69 **21/03855/CCD**

**Change of use of car park to area of land to allow individuals to sleep in self-sufficient Motorhomes
Car Park, Benthall, Beadnell, Chathill, Northumberland, NE67 5BQ**

J Sharp, Senior Planning Officer advised that his introduction would encompass all three applications at this Committee with separate discussions and decisions being taken on each. A power point presentation was provided related to all three applications and updates provided as follows:-

- Following publication of the agenda a response had been received from Natural England in connection with applications 21/03856/CCD and 21/03858/CCD advising that they had no objections subject to suitable mitigation.
- An additional 2 objections had been received in respect of the Benthall application, planning reference 21/03855/CCD, detailing concerns that the proposal was out of character and it would become a camp site of which they were plenty already; the potential for anti-social behaviour and it would be better to stay where there were appropriate facilities; and questioned how any enforcement would work.

R Murfin, Interim Executive Director of Planning and Local Services advised that the applications for the three 12 month temporary planning permission would act like pilot schemes which had come forward in response to significant changes in tourism during lockdown and would allow for demand/take up of overnight sleeping in self-contained motorhomes to be assessed and would also inform what management and investment would be required to make any future schemes suitable.

Councillor G Martindale addressed the Committee, speaking as the Chair of Beadnell Parish Council. His comments included the following:

- Beadnell Parish Council supported the trial as a potential part-solution to address issues arising from the proliferation of motorhomes. However

they were concerned that requests for modifications to the proposal were not included as conditions in the report.

- At present motorhomes were prohibited from parking overnight in Beadnell car park with signs advising of this prohibition however these were often ignored especially in the summer months which had resulted in many complaints and adverse comments being received from both residents and visitors. The major reason for complaint was that the motorhome owners were seen to be abusing the car park amenity and getting something for nothing whilst not contributing to the local economy.
- The Parish Council was strongly opposed to any groundworks of a permanent nature and requested that a condition be attached whereby the ground would be repaired and reinstated should the scheme not be made permanent. There had never been any significant damage to the existing ground whilst being used as the overflow car park and they did not believe that any groundworks were required, with the ANOB Officer having the same reservations.
- The Parish Council also requested that the applicant be required to provide additional waste bins in the overflow area as the current four bins were already insufficient during peak months.
- The Parish Council would also like to better understand the criteria by which the success of the trial would be judged and sought assurance that they would be fully consulted on any future proposals following the trial.

E Yarrow addressed the Committee speaking in support of the application. His comments included the following:

- He supported the trials as he was a motorhome owner and the UK in general was sadly lacking in motorhome parking/tourism compared to Europe and it was time that the Country caught up.
- Parking along the coast had presented challenges for local people which had been highlighted by staycation. These parking proposals would help control parking along the coast including in Beadnell, which had seen an increase in visitor numbers over the last few years, including motorhome tourists who wanted to park overnight to enjoy the local scenery, facilities and spend money in the local economy.
- A friend from Derbyshire had planned to stay in Northumberland for 3 weeks travelling around the County but had only managed 3 days because there were so few places for short term overnight parking for motorhomes and had then had to move on to Scotland.
- It was a great shame and financial loss to Northumberland that very many motorhome tourists, including those from Europe, drove straight through Northumberland to Scotland where there were assured of a warm welcome and plenty of places to stay.
- He advised of proven benefits of having an Aire (a place for overnight motorhome parking) in any community. From a recent survey of nearly 9,000 motorhome owners, it had been discovered that each motorhome unit spent around £47 per day in a local area on basics such as food, drink and local attractions. This did not include retail spending for presents, souvenirs, parking charges or fuel. Using this formula for 5 spaces over 7 nights per week, 35 weeks in a year, this could generate £57,575 and that was without adding parking charges. In addition motorhomes travelled all

year round so this could provide even more income than previously quoted.

- When motorhomes parked this provided better security for nearby properties, big reductions in vandalism, litter and fly-tipping saving much more expense in clean-ups and security as had been quoted by Northumbrian Water who allowed overnight parking.
- It was common practice for motor homers to clean up an area when they first arrived and then leave without a trace.
- Northumberland was a beautiful county, attracting more and more visitors and the potential for growth must be managed and used to reinvigorate the local economy to help it recover from the pandemic and sustain it into the future. A good way to do this was by establishing Aires for motorhome tourism such as this one proposed in Beadnell.
- By establishing Aires in Northumberland, motorhome users could have a more carbon friendly option to stay in the UK thus cutting their carbon footprint by travelling less miles than going to Europe.

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

- The groundworks to be undertaken were to the existing access to the overflow car park which was in need of some repair and maintenance work.
- A condition could be added to ensure that details of any signage were requested to be provided and agreed by the Local Planning Authority.
- A condition could also be added to request a bin capacity analysis with details to be submitted of potential bin space to be provided to the Local Planning Authority.
- As the application was only for a pilot scheme for a period of 12 months it was not appropriate to levy the full charge for coastal mitigation for the scheme and only a percentage of this was being requested. If the scheme were to be made permanent then the appropriate charge would be levied.
- There was an existing toilet block in Beadnell, temporary toilet facilities in Bamburgh and no toilet facilities at the Amble site. The application was only for self-contained motorhomes who would not need any public toilet facilities. Bookings would be taken via the website and users would need to sign up to certain conditions. Only self-contained motorhomes would be allowed and once spaces were fully booked any additional motorhomes trying to use the spaces could be moved on. There would be a charge for the use of the places but the information on this was not known.
- The exact details of timings for arrival/departure were not known, however it was thought that currently overnight parking was allowed on the overflow car park at Beadnell and the car parks at Amble and Bamburgh with the stipulation that people could not sleep in their vehicles and therefore the only change was that people could sleep in their vehicles. The intention was not to remove business from caravan/camping sites and was only for those who parked adhoc and did not use proper sites.
- Any application for wild camping would be looked at on a case by case basis.
- It was intended that only stays of one or two nights maximum could be booked.

- It was not intended to provide any type of waste or water facilities as part of the pilot schemes, however it was possible these could be required to be provided if the scheme was taken forward.
- The purpose of the pilot schemes was to judge the effectiveness, understand any demand and understand any requirements for infrastructure which might be required.
- Current parking restrictions and charges varied across the car parks. Additional regimes in terms of enforcement and management of the sites would need to be set up.
- The Local Authority had no experience of running these type of facilities and any idea of possible levels of usage which was why the three pilot schemes had been proposed. It was hoped that this provision would allow visitors to stay within Northumberland and to break their journey using local facilities rather than travelling straight through. The different variations of schemes used throughout the Country had been looked at.
- Reactive responses would be provided throughout the pilot to ensure that the true effect of what was required and what had been utilised gave a true picture at the end of the trial period.

Councillor Renner-Thompson proposed acceptance of the recommendation to approve the application as outlined in the report with the addition of conditions in relation to bin capacity assessment, signage and restoration of land should the permission not continue with the exact wording of the additional conditions to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee , which was seconded by Councillor Hutchinson.

The majority of Members expressed support for the pilot scheme which they considered would be of benefit to the area and would allow for more regulation for the car parks and areas being used in this manner. It was questioned how and what information would be collected during the trial period and how this would be used to inform the decision on whether to take the proposals forward. Concern was expressed regarding the lack of facilities to be provided, enforcement and the effect on current users of the car parks, however the need for a trial to ascertain exactly what would be required was understood.

A vote was taken on the proposal as outlined above as follows: FOR 14; AGAINST 0; ABSTENTIONS 1.

RESOLVED that the application be **GRANTED** permission for a period of 12 months subject to the conditions outlined in the report with 3 additional conditions in respect of a bin capacity assessment, signage and restoration of land should the permission not continue, with the exact wording of these 3 additional conditions to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee and subject to a financial contribution to the Council's Coastal mitigation Service.

70

21/03856/CCD

Change of use of car park to are of land to allow individuals to sleep in self-sufficient Motorhomes

Amble Braid Car Park, Amble Marina, Amble, Northumberland, NE65 0HH

An introduction to the report and powerpoint presentation had been provided as part of the first application on the agenda.

Councillor J Watson, Ward Councillor for the area spoke in support of the application. His comments included the following:-

- Councillor Wallace was right in that the reason the trial was being held was as a result of a Coastal Summit held a number of years ago which had acknowledged the problem of camper vans parking regularly and illegally and recognised that this must be stopped.
- It was stated that the application site was technically in Warkworth and not Amble and that the application had been discussed at both Amble Town Council and Warkworth Parish Council when as a Councillor on both he had taken no part on any discussions.
- The sites were pilots and would be easier to invigilate as currently this was not able to be done as there was nothing illegal about parking a campervan overnight on Amble car park just sleeping in it.
- Sites would need to be booked on the website including registration number and if any campervans parked had not booked then they could be issued with a parking ticket.
- He was not aware of any anti-social behaviour from people using campervans and advised that there was such a location in Warkworth where overnight stays were allowed and he was not aware of any reports of anti-social behaviour being received. The people using the campervans would use their own facilities.
- A lot of the questions asked by Members and the Parish Council would have been answered if they had been party to some of the information which he had viewed but unfortunately this information had not come out as part of the application. This was a pity as it would have provided more details and assurance on how the pilot was going to be run. All the sensible things would be done such as providing adequate waste bins etc. in order to ensure that the Council were able to learn from the pilot.
- The only point he questioned was in relation to flood risk as it there was a risk of flooding then the motorhome would just drive away from the area.
- He had no objections to the application and felt that the Parish Council would not have had either had they been provided with all the information and he encouraged Members to approve the application.

T Barkwill addressed the Committee speaking in support of the application. Her comments included the following:-

- She had previously lived in Durham and Northumberland and currently lived in North Tyneside. She had a static caravan in Northumberland as well as being the owner of a motorhome. She loved living in the North East and was passionate about supporting the economic wellbeing of the region and believed there had never been a better time to recognise the potential income from motorhome tourism. Ownership in the UK had almost doubled over the last two years with large number of people discovering the staycation, advising that this upsurge should be harnessed before people give up on Northumberland and went elsewhere.
- Most motorhome tourists did spend money in the local economy, frequenting local food outlets, testing local produced foods and shopping

for everything from clothes to pet treats was enjoyed as well as participating in activities. She had visited Amble last year with her partner enjoying a paddleboarding session, fish and chips and ice cream. If they had been able to stay overnight they would have also enjoyed an evening meal and drinks at a local restaurant and breakfast the next day.

- Over the last two years a small group, averaging 6 motorhome units, trialled 4 separate overnight stays at local pubs, farms etc in the outlying areas of Northumberland and calculated a group spend which equated to £1,242.39.
- Recently local Councils in Cumbria had created a motorhome tourist route with the aim of drawing motorhomes away from honeypot areas to less populated areas which was reported as working very well.
- At times, public and the media attributed anti-social behaviour to motor homers however, the vast majority not only disposed of their own waste and litter appropriately but strived to leave an area cleaner than when they arrived.
- A group called Motorhomes and Campervans against litter had grown and cleared litter from one end of the UK to the other. The natural surveillance provided by motor homers could deter anti-social behaviour such as boy-racing and fly-tipping.
- Motorhome tourists were happy to be charged and would welcome the revenue used to police an area and would be happy for barriers of car parks to be lowered overnight. The motorhome group CAMpRA were currently advising Durham County Council and other Local Authorities and would be happy to work with Northumberland also.
- The reason campsites were not used all the time, although they were used, was that motorhomes were large vehicles and what owners liked to do was to park within walking distance to towns or villages so that they could walk into the town or village to enjoy an evening meal and a few drinks before walking back and staying in the motorhome. If a motorhome was parked on a caravan site then they would either take their own food or buy from the shop on the site and therefore other local businesses did not benefit.
- In relation to waste disposal a central waste disposal point within Northumberland would be enough, with signage provided giving information on the nearest facility, and to which motor homers would pay typically around £5 to use, This could be provided in central point in a supermarket or petrol station etc.

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

- The point of the pilot was to judge the impact of allowing overnight stays and to ascertain what would need to be in place if made permanent. It would also allow the impact to be assessed on the operation of the car parks, the numbers who would use such a facility and prevent car parks to be dominated by motorhomes.
- The cost of the overnight stay for a campervan was not a material planning consideration, but would need to be set at an appropriate figure.
- If the pilot was to be expanded it would not be rolled out Carte blanche to all car parks as each would need an individual planning consent and would be looked at on a case-by-case basis. Certain car parks struggled to cope with demand for spaces at peak times and it would be important to spread

any facilities to other parts of the County and there would be a strategic led approach to coverage.

- Whether the Council made any profit from the pilot was not a material planning consideration and it was stressed that these were being provided to facilitate and manage tourism and ascertain the effect on the local economy.
- Re-active enforcement might be required if a motorhome was unable to park in a booked space and this would be worked through during the pilot period.

Councillor Hutchinson proposed acceptance of the recommendation to approve as outlined in the report with the additional conditions in related to bins, signage and restoration of land as outlined in the previous application which was seconded by Councillor Flux.

A vote was taken on the proposal as follows: FOR 14; AGAINST 0; ABSTENTIONS 1.

RESOLVED that the application be **GRANTED** permission for a period of 12 months subject to the conditions outlined in the report with 3 additional conditions in respect of a bin capacity assessment, signage and restoration of land should the permission not continue, with the exact wording of these 3 additional conditions to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee and subject to a financial contribution to the Council's Coastal mitigation Service.

71

21/03858/CCD

**Change of use of car park to area of land to allow individuals to sleep in self-sufficient Motorhomes
Land South West of Bamburgh Castle Car Park, Links Road, Bamburgh, Northumberland**

An introduction and powerpoint presentation had been provided as part of the first application.

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

- The suggestion of users being directed to another site should the one they have tried to book was full was a good point and the type of issue looked at as part of the Northumberland Tourist Destination Management Plan. This was a pilot and as such would not be linked to information on other sites as it would be a closed system, but that would be the intention in the future if the idea was progressed.

Councillor Darwin proposed acceptance of the recommendation to approve the application as outlined in the report with the additional conditions related to bins, signage and restoration of land as outlined in the previous applications, which was seconded by Councillor Stewart.

Whilst Members supported the application, it was stated that the behaviour of all motorhome owners was not exemplary with some problems encountered by

farmers with indiscriminate parking in entrances to fields etc and a change in national legislation was required in relation to this was required. Members also suggested that if such sites were to be provided in Northumberland then the motorhome community should stop advertising where free sites were as these invariably caused problems for local communities and necessitated TROs and signage having to be used to regulate usage. The appropriate technology being in place to allow payment in car parks was also highlighted, with large queues to pay reported in certain car parks and payments unable to be made through a downloadable app as there was no mobile signal.

A vote was taken on the proposal to approve the application as follows:- FOR 14; AGAINST 0; ABSTENTIONS 1.

RESOLVED that the application be **GRANTED** permission for a period of 12 months subject to the conditions outlined in the report with 3 additional conditions in respect of a bin capacity assessment, signage and restoration of land should the permission not continue, with the exact wording of these 3 additional conditions to be delegated to the Director of Planning in consultation with the Chair of the Planning Committee and subject to a financial contribution to the Council's Coastal mitigation Service.

72 **APPEALS UPDATE**

RESOLVED that the information be noted.

73 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....

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Northumberland County Council

STRATEGIC PLANNING COMMITTEE

DATE: 1 MARCH 2022

DETERMINATION OF PLANNING APPLICATIONS

Report of the Interim Executive Director of Planning and Local Services

Cabinet Member: Councillor C Horncastle

Purpose of report

To request the Strategic Planning Committee to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Strategic Planning Committee is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

Author and Contact Details

Report author: Rob Murfin
Interim Executive Director of Planning and Local Services
01670 622542
Rob.Murfin@northumberland.gov.uk

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Strategic Planning Committee in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:

- Decision makers are to have regard to the development plan, so far as it is material to the application
- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
- Applications should always be determined on their planning merits in the light of all material considerations
- Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
- Where the Strategic Planning Committee is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward

3. Planning conditions must meet the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions must be:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

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BACKGROUND PAPERS

These are listed at the end of the individual application reports.

Implications

Policy	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for money	None unless stated
Legal	None unless stated
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
Risk Assessment	None
Crime & Disorder	As set out in the individual reports
Customer Consideration	None
Carbon reduction	Each application will have an impact on the local environment and it has been assessed accordingly
Wards	All

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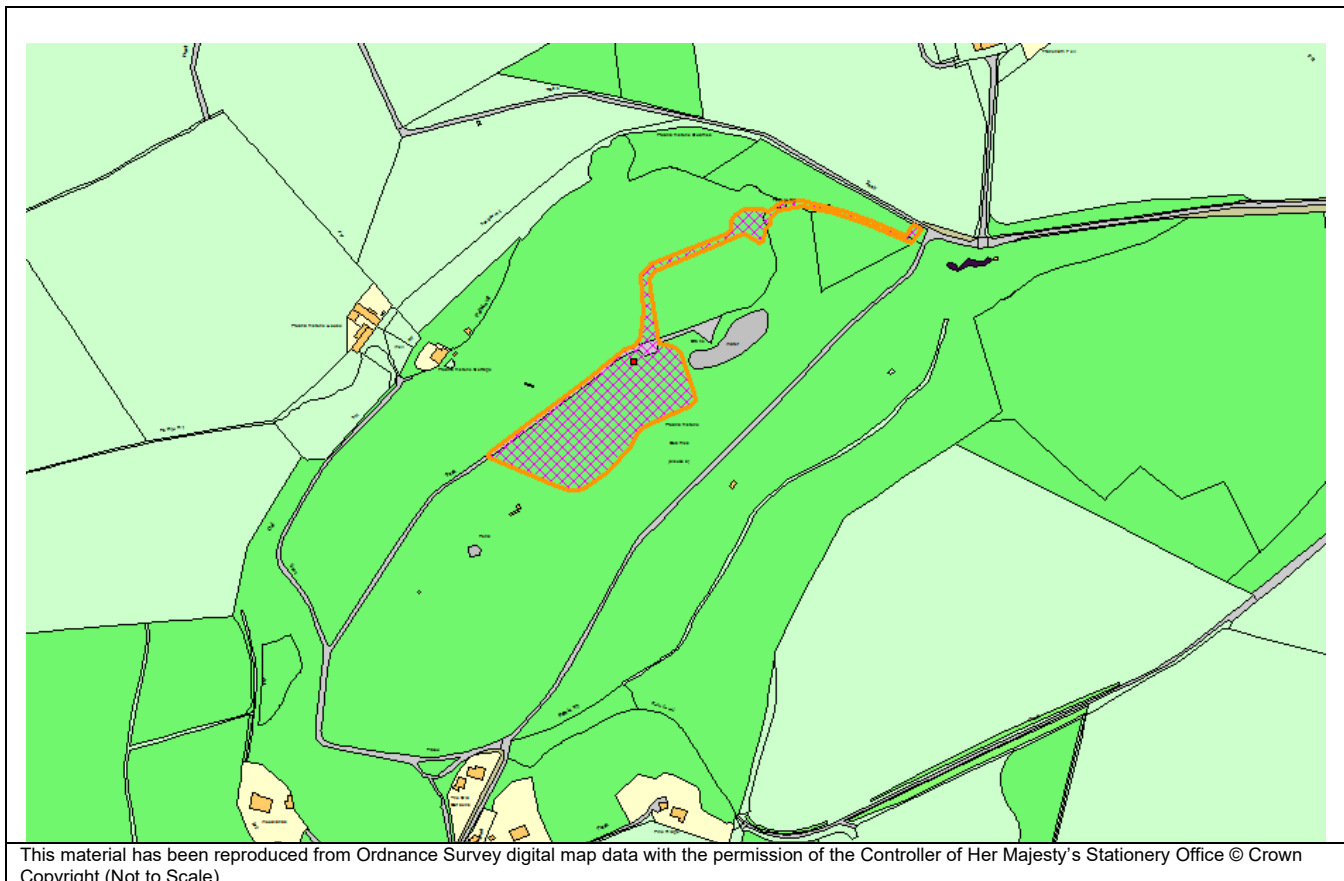


Northumberland
County Council

Strategic Planning Committee, 1 March 2022

Application No:	20/01107/CCM		
Proposal:	Extraction of sandstone.		
Site Address	Prudham Quarry, Newbrough, Northumberland,		
Applicant:	Mr Robert Charlton Kirkholme, Lanty's Lonen, Haltwhistle, Northumberland NE49 0HQ	Agent:	Mrs Katie Wood 1 Meadowfield Court, Meadowfield Industrial Estate, Ponteland, Newcastle Upon Tyne NE20 9SD
Ward	Humshaugh	Parish	Warden
Valid Date:	6 April 2020	Expiry Date:	31 March 2022
Case Officer Details:	Name: Mr Gordon Halliday Job Title: Consultant Planner Tel No: 07785 727053 Email: gordon.halliday@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to the Secretary of State not wishing to call in the application for determination



1. Introduction

- 1.1 Under the terms of the current Scheme of Delegation this planning application is to be determined by the Strategic Planning Committee, as it is a County Matter (minerals) development proposal that has received significant public interest.
- 1.2 The Committee refused a previous application for the proposed development in May 2019. Further details are provided in Section 4 below.
- 1.3 A report on the application was prepared for the meeting of the Committee to be held in December 2021. However, in error, that report included references to a report commissioned from Wardell Armstrong on land stability that was subsequently withdrawn. In December 2021, Wardell Armstrong were commissioned to provide further advice on land stability and the Environment Agency and the Local Lead Flood Authority were invited to respond to a number of questions on water management issues. The responses from Wardell Armstrong, the Environment Agency and the Local Lead Flood Authority have been taken into account in preparing this revised report. This report has also taken into account further representations received on the proposals since the original report was prepared.
- 1.4 The County Council has adopted a Screening Opinion under the Town and Country Planning (Environmental Impact Regulations) 2017. This concludes that the County Council, as Minerals Planning Authority, considers that the proposed development is not likely to have significant effects on the environment and as such is not considered to be EIA development.

2. The Application Site and Surrounding Area

- 2.1 Prudham Quarry (historically known as Prudhamstone Quarry) is a former sandstone quarry located 900m northwest of the village of Fourstones, 1.2km northeast of Newbrough and 7km northwest of Hexham, on the north side of the South Tyne valley. The former Fourstones Quarry that produced limestone is located to the south east of Prudhamstone Quarry. The nearest residential properties to the extraction area include Prudhamstone Cottage and Prudhamstone House, about 130 metres and 170 metres respectively to the west, Frankham Fells Boarding Kennels about 350 metres to the north east, and several properties about 300 metres to 400 metres to the south and south west including The Old Gardens and Woodlands.
- 2.2 The quarry was worked between about 1830 and 1914. It was a large quarrying operation that included steam driven cranes and a quarry tramway to extract and export sandstone towards the adjacent Fourstones Quarry and then south along a mineral tramway to the limeworks at Fourstones Station for onwards transport. Subsequently it was worked on an intermittent business with the last known mineral extraction believed to be in the 1970s and early 1980s.
- 2.3 The Prudham Quarry site retains many features of previous mineral exploitation including waste dumps of various sizes, crane bases and lengths of retaining walls and revetments. A long embankment, formerly a tramway, runs east – west across the site and is now the access road to Prudhamstone House. A former quarry void has become a waterbody known locally as the ‘Blue Lagoon

The quarry face runs for 400 - 500 metres northeast to southwest and is exposed in places showing a 15 - 20 metre high face, set into which is a variety of shot holes tool marks, blast features and iron bars.

- 2.4 The quarry site is now mixed plantation woodland mainly of Norway Spruce with some Scots Pine around the application site. Much of the plantation has matured and recent forestry management operations are evident. The ground flora is an acidic heath mix, including heather, foxglove and bramble. Extensive areas of the woodland are rock and spoil heaps discarded from the former quarry workings and allowed to naturally revegetate. The former quarry extended further to the east beyond the woodland where it was subsequently used for the disposal of household waste – the former Frankham landfill site.

3. Description of the proposal

- 3.1 It is proposed to extract up to 5200 tonnes of sandstone over a 5-year period. The annual extraction would be between 1000 and 1200 tonnes. It is expected that the sandstone would be used for the restoration of historic buildings that had been originally constructed with the exact or similar sandstone. Additionally stone would be used for new build projects.
- 3.2 The application site is only a small part of the former quarry. The proposal would include access tracks, quarry compound and stone storage and loading area as well as the operational quarry extraction area that involves the reopening of a small portion of the former quarry to extract an area of outcropped sandstone to the southwest of the 'Blue Lagoon'. The main area for extraction is an 8 metre high sandstone face approximately 50 metres in length that would be worked in a south-easterly direction. Working would be intermittent for 6 to 12 week periods depending on demand. Working hours would be 08.00 to 17.00 Monday to Friday, with reduced hours of 09.00 to 16.00 in winter. There would be no working on Saturdays, Sundays or Bank Holidays.
- 3.3 Extraction would be by a mechanical excavator with the use of black powder (low velocity explosive) to break the larger blocks of sandstone or create a joint at the quarry face. The material would be loaded on to a forklift for transport to the storage area which would be located near to the site entrance to the north of the working area.
- 3.4 No crushing, screening or processing of stone is proposed at the application site. All stone would be transported to the applicant's masonry works at Haltwhistle by 6-wheeled articulated vehicle. Annual extraction of 1000 – 1200 tonnes would equate to two vehicles leaving the site each week. However, as extraction would be intermittent, the proposal is that there would be a maximum of six two-way movements each working day. Heavy goods vehicles would not enter or leave the site except between the hours of 09.00 and 15.00 thus avoiding peak hours and school movement times.
- 3.5 It is proposed to extract the stone from the quarry in two phases. Phase 1 would involve extracting stone from an area to the east of the quarry. The extent of phase 1 has been significantly reduced compared to the original proposal meaning that the block of sandstone lying west of the 'Blue Lagoon' will no longer be removed. Phase 2 would involve extracting the main

sandstone outcrop that remains above ground to the west of the application site. All extraction would be from above existing ground level.

- 3.6 The site access would be from the existing access into the woodland area and lead into a compound area. The compound area would be used for the storage of stone as well as necessary welfare equipment. A number of trees would need to be removed to widen the existing access track for the articulated vehicle and at the site of the proposed compound. The removal of trees is a feature of the normal management of the woodland.
- 3.7 The proposed haulage route from the quarry to the strategic road network (A69) is via the C226 to the junction with the B6319. At this junction lorries would turn towards Fourstones and travel through the village and southwards to the A69.
- 3.8 When the quarry is operational, the non-haulage vehicle movements would include daily access of one van to transport quarry operators and their small tools to the site. Additionally there would be periodic visits by a low loader for the delivery and collection of quarry plant. There would also be periodic visits by the quarry operators and their advisors to monitor and control extraction operations.
- 3.9 Restoration of the site would be carried out following cessation of mineral extraction and would involve regrading and reprofiling the operational quarry void with some of the resulting quarry spoil and then covering with fines from the spoil. The spoil heaps would then be allowed to regenerate naturally and it is anticipated that this would encourage the colonisation of the spoil with Birds Foot Trefoil. The compound areas and access track would be regraded, seeded and left to regenerate naturally as necessary.

4. Planning History

- 4.1 The previous application (reference 16/01458/CCM) was submitted in April 2016. Following extensive discussions it was presented to the Strategic Planning Committee on 7 May 2019 with a recommendation to refuse planning permission. The Committee voted unanimously to refuse the application.
- 4.2 The decision notice was issued on 8 May 2019 stating that planning permission was refused for the following reasons.

1. The proposal had not demonstrated that the risks posed by the development to groundwater could be satisfactorily managed. Therefore the proposal was contrary to paragraphs 163 and 170 of the NPPF and Policy GD5 of the Tynedale LDF Core Strategy.

2. The proposal was for mineral extraction and associated restoration. The proposed restoration scheme could not be fully assessed due to the lack of submission of an indicative restoration scheme. This was contrary to the NPPF and Policies R1, EP22 and SM1 of the Northumberland Minerals Local Plan.

5. Changes from the Previous Application

- 5.1 The previous planning application originally sought extraction from three phases of working. Phase 3 was subsequently deleted and was not included in the

proposals considered by the Strategic Planning Committee. Phase 3 is not included in the current application. As stated in paragraph 3.5 above, the current proposal also excludes most of the original Phase 1.

- 5.2 The new application is supported by information that seeks to address the previous reasons for refusal. This includes the results of the monitoring of 4 groundwater boreholes, additional topographical information to support the assessment of surface water in the locality, a revised surface water management scheme and a proposed restoration scheme. The application is also supported by new information on ecology and noise. Some of this information was not submitted when the new application was originally submitted but has subsequently been provided in response to requests for further information from statutory consultees, Council officers and members of the public. Each of these is described and assessed in section 7 of this report.

6. Consultations, Neighbour Notification and Publicity

- 6.1 The application was advertised by press and site notices and neighbour notification and consultation with statutory and other bodies was carried out in April 2020. Two subsequent rounds of neighbour notification and consultation were carried out in August 2020 and January 2021 following the receipt of amended proposals and additional information. In response to requests for further information on water management issues, revised plans and additional information were submitted in October 2021. The applicants agreed that after the various water management organisations had considered this information and submitted final comments to the Mineral Planning Authority, the application should be presented to the Strategic Planning Committee for determination.

Consultation Responses

<p>Warden Parish Council</p>	<p>Objects to the proposed re-opening of Prudham Quarry. We were surprised to see a repeat application containing so little change from the original, which was rejected overwhelmingly by the planning committee last time. The Council appreciates the unique and special qualities of the stone and would be more sympathetic to its use in restoration and repair but would find it difficult to support quarrying for new build.</p> <p>Over the past 2 years the Council has become increasingly concerned about the danger posed to residents by traffic travelling through the village; numerous complaints have been received. We are currently working with our county councillor to address these problems. The additional risks posed by the proposed heavy lorry traffic travelling on the narrow roads that run through our villages are unnecessary and unacceptable.</p> <p>We do not pretend to possess expertise in the hydrological issues raised by this application but note the significant efforts put in by local residents to ensure that water supply, flooding and landslip issues are taken seriously. We would urge the committee to take these aspects fully into account. The report from a consultant repeatedly says that "there is no evidence to... " but the damaging impacts of this application will only</p>
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	<p>become evident after the quarry has been re-opened, which of course will be too late for local residents threatened by flooding and landslip.</p> <p>Not for the first time in recent years we are faced with the prospect of a small, industrial development in the village which it appears will provide no new jobs and little economic benefit to the village.</p> <p>We made reference in our comments on the original application regarding the importance of the effects on wildlife of the quarrying proposal. The subsequent declaration of a "climate emergency" by Northumberland County Council makes it more imperative than ever to protect wildlife sites such as this from industrial development.</p> <p>We would like to see this planning application firmly rejected again, but in the event of permission being granted we would like to see the following conditions imposed.</p> <p>a) A condition to limit the number of vehicular movements to not more than 6 on any day. The Council also has concerns over the planned route for loaded vehicles passing Park Shields, Whinneyhill and through Fourstones. A route northbound on the C226 to the B6318 would be preferable. The Council appreciates the necessity for a Section 59 agreement relating to the extraordinary traffic using the highway.</p> <p>b) The Council would want to see an appropriate comprehensive risk assessment that the threats of groundwater can be satisfactorily managed.</p> <p>c) It is important that the intrinsic nature conservation value of the site is safeguarded through mitigation measures for reptiles, breeding birds and red squirrels. A restoration strategy and mitigation plan are necessary.</p> <p>The Council trusts that the Council will be advised by NPPF paragraphs 109, 110 and 144, Local Plan policies NE21, NE24 and NE26, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Schedule 1, Bird, Wildlife and Countryside Act 1981 and Section 41 Natural Environment and Rural Communities Act 2006.</p> <p>The Parish Council reaffirmed its objections following consultation on revised plans and updated information, considering that the changes appear to be largely cosmetic in nature and expressing concern at inaccuracies in the plans particularly in respect of the all important bund.</p>
Newbrough Parish Council	<p>Supports this application and has no objection in principle to the extraction of stone from Prudhamstone Quarry.</p> <p>The site is a quarry, as its name Prudhamstone Quarry confirms, and because of this the site has metamorphosed into a locally designated site of nature conservation importance.</p>

	<p>The council anticipates that this short period of development will result in further enhancement of this site, although the submitted Restoration Plan lacks detail.</p> <p>This very beautiful, attractive sandstone was been used in the building of prominent buildings, many with listed status, in Newbrough and Warden as well as McEwan Hall and Waverley Hotel in Edinburgh. The quarry still has historical, cultural and economic benefits to offer.</p> <p>The Council would like mitigation measures in place for reptiles, breeding birds and, in the event of their return, red squirrel. The existing monitoring sites for groundwater levels should be periodically re-measured.</p> <p>The Council realise that the road traffic will be small but it will be significant, so the damage caused to the tarmac will need monitoring. It is not anticipated that noise will be an issue but we would want the developers to consider the fitting of all vehicles working on the site with reversing alarms of the "white noise" type rather than "bleepers".</p> <p>Health and Safety measures will advise the developers in the display of danger warning signs to alert members of the public of the dangers of the quarrying activities, and the Council would certainly reinforce this.</p> <p>The Council approves of the "restoration au naturel" – however this will need monitoring to ensure that the appropriate species were regenerating.</p>
Historic England	As the proposed development would not affect the setting of Scheduled Ancient Monuments or Listed Buildings, Historic England wishes to make no comments on the application.
Natural England	No objections as proposed development will not have significant adverse effects on statutorily protected nature conservation sites or landscapes.
Environment Agency	<p>No objections subject to conditions.</p> <p>The Agency originally objected to the proposed development but has withdrawn that objection following the submission of additional information and is now satisfied that any risks to groundwater can be satisfactorily managed.</p>
Northumberland Wildlife Trust	<p>No objections.</p> <p>The Trust originally objected to the proposed development on grounds that the applicant had not provided information on how the geological features of the Fourstones and Park Shield Quarries Local Wildlife and Geodiversity Site (LWS) would be protected and it also had wildlife concerns. However, it is now satisfied that both these matters have been adequately addressed.</p>
County Highways	No objections subject to the imposition of planning conditions related to the covering of vehicles, restriction of vehicle

	movements, a highway condition survey and a section 59 agreement for the repair of any damage to the highway resulting from the quarry operation.
County Ecologist	No objections subject to the imposition of conditions to protected species protected by law and to ensure that the restoration of the site conserves and enhances important habitats.
Public Protection	No objections subject to the imposition of conditions on noise, dust and private water supplies. Public Protection originally objected to the proposed development but has withdrawn that objection following the submission of additional information and is now satisfied that the operation of the site can be satisfactorily managed.
Lead Local Flood Authority (LLFA)	No objections subject to the imposition of conditions to ensure the effective disposal of surface water drainage and to ensure that the risk of flooding does not increase. The LLFA have liaised at length with the Environment Agency on any impacts that the proposed development might have on groundwater, surface water and flooding off site. It is considered that the proposed surface matter scheme will not increase the risk of flooding subject to ongoing maintenance of the on-site features and ongoing monitoring, which are the subjects of recommended conditions. The LLFA originally objected to the proposed development but has withdrawn that objection following the submission of additional information and is now satisfied that the operation of the site can be satisfactorily managed.
Countryside/ Rights Of Way	No objections provided that Public Footpath No 6 is protected where it passes the proposed site.
County Archaeologist	No objections subject to the imposition of a condition requiring an appropriate programme of archaeological work.
Building Conservation	No objections as it is considered that the proposed development will not cause any harm to surrounding designated heritage assets.

Public Responses

Neighbour Notification

7.2 The number of neighbours notified and the numbers objecting, supporting or submitting general comments are listed below.

Number of Neighbours Notified	254
Number of Objections	48*
Number of Support	9
Number of General Comments	3

- Note: There were objections from 48 individuals with some individuals submitting more than one letter of objection.

Notices

- 7.3 Site notices were posted in the vicinity of the site on 17 and 22 April 2020. A press notice was placed in the Hexham Courant on 23 April 2020.

Summary of Responses:

- 7.4 The letters of objection received to the application objected on the following grounds.
- Loss of woodland and wildlife habitats.
 - Threats to endangered and protected species.
 - Suitable stone for historic buildings is available from other quarries.
 - Proposed haulage route not suitable for heavy goods vehicles.
 - HGVs will increase risks to other users of the local roads including cyclists and pedestrians.
 - Danger to users of public footpath from Frankham to the public highway.
 - Increased noise disturbance for residents and wildlife from quarrying and traffic.
 - Concerns about dust and air pollution from quarrying and traffic.
 - Concerns about blasting
 - Negative impact on tourism and local economy.
 - No employment or economic benefits to local community.
 - Inappropriate development in the Green Belt.
 - Hydrology and land stability concerns increased following recent removal of mature trees from spoil heaps.
 - Increased risk of localised flooding.
 - Previous working resulted in a landslip on a spoil heap contaminating spring drinking water.
 - Disturbance to the complex hydrology around Frankham
 - Potential for contamination of local springs and Blue Lagoon.
 - Concern about adverse effects from suspended solids on quality of water supply to Woodlands Spring.
 - Concern about accuracy of submitted plans and information.
- 7.5 The letters of support received made the following points.
- Local need for employment
 - Appropriate use for the stone in refurbishment of historic buildings.
 - Avoidance of disruption to local resident,
 - Low levels of traffic to be generated.
 - Good standard of access road.
 - Support for return of local industrial heritage of area.
- 7.6 The above is a summary of the comments. The full written text is available on our website at:
<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q87O7YQSFNO00>

8. Planning Policy

- 8.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises saved policies from the Northumberland Minerals Local Plan (NMLP) (2000), the Tynedale Local Development Framework Core Strategy (TLDFCS) (2007) and saved policies from the Tynedale District Local Plan (TDLP) (2000).
- 8.2 The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.
- 8.3 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The plan is in the final stage of preparation, there are no unresolved objections, and the plan is consistent with national policy, and therefore significant weight should be given to the policies in the NLP.
- 8.4 The following saved policies in the NMLP are relevant to the consideration of the application.

S1 Minerals Supply and Efficiency of Use
S6 Good Working Practices
SA1 Future Sandstone Workings
EP3 Landscape Protection
EP6 Sites of Regional or Local Importance for Nature Conservation
EP7 Conserving Nature Conservation Value
EP14 Protecting and Maintaining Employment
EP15 Protecting Tourism and Recreation Interests
EP16 Protecting Public Rights of Way
EP 17 and 18 Encouraging Alternatives to Road Transport and Mitigating Impacts
EP19 Protection of Local Communities
EP22 Ensuring Acceptable Site Operations
EP23 Securing Community Benefit
SM1 Ensuring Good Site Management
R1 Site Reclamation

8.5 The following policies in the TLDFCS are relevant to the consideration of the application.

GD3 Green Belt
GD4 Principles for Transport and Accessibility
GD5 Minimising Flood risk
NE1 Principles for the Natural Environment

8.6 The following saved policies in the TDLP are relevant to the consideration of the application.

NE21 Protection of Sites of Nature Conservation Importance
NE26 Protection of Habitats of Special Importance to Wildlife
NE27 Protection of Protected Species
NE33 Protection of Trees, Woodlands and Hedgerows

8.7 The following policies in the Northumberland Local Plan are relevant to the consideration of the application.

STP3 Principles of Sustainable Development
STP8 Development in the Green Belt
ENV2 Biodiversity and Geodiversity
ENV3 Landscape
WAT3 Flooding
POL2 Pollution and Air, Soil and Water Quality
MIN1 Environmental Criteria for Assessing Mineral Proposals
MIN2 Criteria for Assessing the Benefits of Mineral Proposals
MIN3 Minerals and Landfill Restoration, Aftercare and After-use
MIN11 Natural Building and Roofing Stone (Strategic Policy)

8.8 The Northumberland Landscape Character Assessment (2010) is also a relevant document.

9. Appraisal

9.1 The main issues for consideration in the determination of this application are:

- Principle of the development
- Green Belt
- Landscape and visual impact
- Impact on residential amenity
- Transport considerations
- Impact on ecology
- Impact on heritage assets
- Impact on surface water and ground water

- Impact on ground stability
- Restoration of the site
- Benefits of the proposed development

Principle of the Development

- 9.2 Policy S1 of the NMLP states that land will be made available for mineral working to allow an appropriate and efficient contribution to local, regional and national needs where the development would not result in an undue adverse impact on local communities or the environment. NMLP policy SA1 deals specifically with sandstone quarries and states that proposals, including the reopening of old quarries and extensions to existing quarries, will only be permitted if there is a need for material which cannot be met from existing sites and there would not be a significant adverse impact on local communities or the environment.
- 9.3 Policy MIN1 of the NLP states that proposals for mineral working will be supported where the applicant can demonstrate that any adverse effects on local communities and the environment are acceptable. The policy sets out environmental criteria against which proposals will be assessed. Policy MIN2 states that great weight will be given to the benefits of mineral extraction and sets out the matters to be considered when assessing the benefits. Policy MIN 11 states that proposals for the provision of building stone, including from historic quarries which do not have a current planning permission will be supported where certain criteria can be demonstrated.
- 9.4 The NPPF gives great weight to the benefits of mineral extraction, including the economy and sets out various factors that should be taken into account in determining planning applications. These include ensuring that there are no unacceptable adverse impacts on the natural and historic environment and human health; ensure that any unavoidable noise, dust and particle emissions and that any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties; and providing for restoration to be carried out to high environmental standards (paragraph 211).
- 9.5 In relation to building stone the NPPF states that MPAs should “*consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries, needed for the repair of heritage assets, taking account of the need to protect designated sites; and recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the duration of planning permissions, reflecting the intermittent or low rate of working at many sites*’ (paragraph 211 (f) and (g)).
- 9.6 In the submission the applicant stated that NMLP Policy SA1 that requires need for the development to be demonstrated, does not accord with the provisions of NPPF paragraph 211, f and g. The applicant stated that the proposal is in accordance with the NPPF and Policy MIN11 of the emerging NMLP.
- 9.7 Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant Development Plan policies have been set out above. The main Development Plan policy related to the principle of the development of a new or

reopening of a former sandstone extraction quarry is saved policy SA1 in the NMLP. Although the NMLP was adopted 20 years ago its saved policies still carry weight, with the degree of weight to be afforded to individual policies being influenced, inter alia, by the extent to which they are consistent with the NPPF which is a material consideration.

- 9.8 As stated above, in the submission the applicant stated that saved policy SA1 does not accord with the NPPF. However, although the NPPF does not set out specific policy requirements in relation to the need for and supply of sandstone, it is considered that saved policy SA1 provides a local approach to manage development to ensure needs are addressed and balanced against the need to ensure the long-term conservation needs of these finite resources. The documents originally submitted with the application did not contain information on the quality and characteristics of the material proposed for extraction in order to fully understand the settings where it could be used or why demands for such material could not be sourced from an existing quarry with planning permission.
- 9.9 It is considered that saved policy SA1 does carry some weight and therefore the applicant was requested to provide further information in order for the policy requirements to be assessed. The applicant points out that although there are other sandstone quarries with planning permissions in Northumberland, there is considerable variation in their colour and physical properties. It is stated that the sandstone at the application site has been tested and shown to be a quality product with unique characteristics not available at other quarries in the county that would be used in restoration projects and new developments that are required to be constructed of materials that respect their settings.
- 9.10 Some local residents have suggested that the quality of the sandstone from the former Prudhamstone Quarry has been variable and that any need for sandstone could be met from existing quarries. The applicants acknowledge that some of the stone did in the past show a tendency to weather under polluted atmospheric conditions, but they consider that the stone came from the upper weaker beds which show evidence of alteration. They state that the lower beds that are proposed for extraction are more resilient, show no evidence of deterioration where exposed and exhibit close compatibility with the more resilient sandstone previously worked at the quarry and used in traditional buildings. They state that the main use of the stone will be in conservation works and building repairs. It can be seen on site that the top layers of the main pillar of sandstone proposed for extraction are weathered, presumably due to their exposure to rain, but that the exposed faces show no such signs of cracking or splitting.
- 9.11 The applicants have submitted details of significant buildings that were built with sandstone from the former Prudhamstone quarry. These included Central Railway Station, Newcastle upon Tyne (1840s and during restoration work in 1976), Municipal Offices, Stirling (1900s and 1960s), a number of well known buildings in Edinburgh including McEwan's Hall (1887-97), North British Hotel, Princes Street (1902), Scotsman Buildings, Market Street and North Bridge (1902) as well as many tenements and villas in the city, as well as paving for the entrance court to Hillgate House, Old Bailey, London (1984) and locally for the village hall in Newbrough and many of the stone built buildings in the locality. The scale of working at the former quarry suggests that there will be many

buildings both locally and further afield that were built with Prudhamstone sandstone.

- 9.12 The strategy in the NLP for new sandstone quarries envisages them being permitted where this would help maintain a steady, adequate and diverse supply of materials, subject to complying with the environmental safeguards set out in Policy MIN1. The applicants state that the demand for stone is increasing and matching stone from the upper Middle Limestone group, such as that from Prudham, for use in conservation work has not been readily available leading to stone that is not necessarily an ideal match being used in these works. Such statements are not easy to verify but the experience of mineral planners in Northumberland supports the general view that the materials from sandstone quarries in the County do have diverse characteristics that cater for diverse projects. This applies in particular where the quarries are geographically dispersed.
- 9.13 There are currently 10 operational sandstone quarries in Northumberland. In addition there is one quarry that has planning permission but has not yet commenced operations. The planning permissions for five of these quarries will cease over the next few years. Most are worked intermittently. There are no operational quarries within the vicinity of the application site.
- 9.14 Bearing in mind that the weight that can be given to policy SA1 is limited because it is only partially consistent with the NPPF and the NLP is at a very advanced stage especially following the publication of the Inspectors' report, it is concluded that it would not be reasonable or justifiable to refuse planning permission on grounds of non-compliance with the first part of policy SA1. This is consistent with the officer report on the original application, which did not find any conflict with policy SA1.
- 9.15 The various other aspects affecting the principle of development, including whether there are unacceptable adverse impacts on local communities and the natural and built environment, are dealt with in the remaining sections below of this appraisal.

Green Belt

- 9.16 The site is located in the Tyne and Wear Green Belt. The NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (paragraph 137).
- 9.17 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Paragraph 147). Certain forms of development, including mineral extraction, are not inappropriate provided that they preserve its openness and do not conflict with the purposes of including land within it (paragraph 150).
- 9.18 The NPPF (paragraph 138) states that the Green Belt serves five purposes:
a) to check the unrestricted spread of the built up area;
b) to prevent neighbouring towns from merging into one another;
b) to assist in safeguarding the countryside from encroachment;

- d) to preserve the character and setting of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 9.19 Openness is not defined in the NPPF but case law has established that it is considered to be more than just the absence of built development and in relation to mineral development could include the impact of such features as earth bunds and landscape screening.
- 9.20 In terms of the purposes of the Green Belt it is the third purpose – to assist in safeguarding the countryside from encroachment - that is most relevant in relation to the application site. It is necessary therefore to consider whether the proposed development would constitute an unacceptable form of encroachment into the countryside. The proposed development would be located in a former quarry on land within a wooded area. The proposed extraction operations would not be visible from outside the site even if the trees were removed. The proposal is for a relatively small-scale operation over a limited time period.
- 9.21 It is concluded that the proposed development would not result in any unacceptable loss of openness and would not represent encroachment into the countryside. The proposal therefore is not contrary to the aims and purposes of the Green Belt and would not represent inappropriate development in the Green Belt. It therefore complies with paragraphs 137, 138 and 150 of the NPPF.

Landscape and Visual Impact

- 9.22 Policy EP3 of the NMLP requires minerals developments to take account of potential impacts on the landscape during and after working. Policy ENV3 in the NLP deals with landscape and states that in assessing development proposals in relation to landscape character, it will be considered whether sufficient regard has been had to the guiding principles and other relevant guidelines set out in the Northumberland Landscape character assessment. Policy MIN1 in the NLP requires applicants for mineral developments to demonstrate that the proposal can be effectively and appropriately integrated with its surroundings and the character of the landscape.
- 9.23 In the Northumberland Landscape Character Assessment, the site is mainly located within Landscape Character Type 31: Glacial Trough Valley Sides. Key characteristics of LCT 31 include valley sides of a glacial trough between the North Pennines and the Northumberland uplands; ancient semi-natural woodland associated with natural springs and incised boundary valleys; and areas of coniferous plantation and shelterbelts in places. LCT 31 is divided into a number of Landscape Character Areas and the site is mainly within LCA 31(b): Haltwhistle to Bridge End, in which area the valley sides are characterised by a strong pattern of hawthorn hedges with hedgerow trees and areas of semi-natural woodland in deep gullies which drain the upland to the north. The access track lies within the adjoining LCT 29: Broad Wooded Valley. One of the key qualities of LCT 29 is stated as being the remnants of past mining activity including disused railways, stone bridges and old quarries which add local visual and historical interest

- 9.24 The wider former quarry site is an established feature in the local landscape. The application site forms only a small part of the former quarry and is not visible from beyond the immediate area due to the screening effects of topography and mature woodland. Site operations would not be seen from public roads within the immediate area. Vehicles transporting material from the site would be visible but the limited vehicle movements mean that the visual impact is not considered to be significant. Overall therefore the proposal would have only limited effects on visual amenity and the character of the local and wider landscape. It therefore complies with Policy EP3 in the NMLP and Policies ENV3 and MIN1 in the NLP.

Impact on Residential Amenity

- 9.25 Policy EP19 of the NMLP requires consideration of the potential disturbance to local communities. Policy S6 of the NMLP aims to protect local communities through ensuring high operational standards and long-term environmental improvements. Policy MIN1 in the NLP requires applicants to demonstrate that there is appropriate separation between the site and dwellings and other sensitive uses, to prevent unacceptable levels of noise, dust, vibration, air pollution and harmful visual impact. Paragraph 211 (c) of the NPPF states that when determining applications for mineral extraction MPAs should ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source and recommends that appropriate noise limits for extraction in proximity to noise sensitive properties are established.
- 9.26 The following paragraphs deal separately with noise, dust and blasting / vibration. Transport considerations and impact on private water supplies are considered in subsequent sections of this report.

Noise

- 9.27 National Planning Practice Guidance recommends that MPAs set noise limits at noise sensitive properties that do not exceed the background noise levels by more than 10dB(A) during normal working hours (07.00 – 19.00). Where it will be difficult not to exceed the background level by more than 10dB(A) LAeq, 1 hour free field without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event the total noise from the operations should not exceed 55dB(A) LAeq, 1hr free field between 0700 – 1900, and 42b(A)LAeq 1hr free field between 20.00 – 07.00.
- 9.28 A noise survey was carried out and found that the background (LA90) level was very low at 26dB LA90. The three nearest residential properties are Prudhamstone Cottage, about 130 metres to the west of the extraction area, Frankham Fells Boarding Kennels about 345 metres to the north and The Old Gardens about 295 metres to the south. The submitted noise assessment report demonstrates that in the worst case scenario, predicted noise levels at these properties would range between 27 dBLAeq 1 hour and 40 dBLAeq 1 hour and would therefore not exceed the night time limits set out in NPPG even although all operations would be carried out during daytimes.
- 9.29 The Council's Environmental Protection Team have undertaken a technical review of the submitted information and have assessed the environmental impacts relevant to the proposed development. It considers that the activity proposed at Prudham Quarry will be relatively small-scale and time limited and

that the topography of the site in relation to nearby properties will limit the environmental impacts. Taking into account the findings of the noise assessment report, it is agreed that achieving a limit of not more than 10dB(A) above background would be an unreasonable burden on the mineral operator. Some local residents have questioned whether the choice of Frankham Fells Boarding Kennels was an appropriate location to record background noise levels. Whilst there are other properties closer to the application site where background noise levels might have been lower, these are screened by mature woodland and topographic features. The Council's Environmental Protection Officer has raised no objections on noise impact subject to the imposition of conditions. It is concluded that the noise impact on residential amenity would be acceptable subject to compliance with planning conditions and that the proposal therefore complies with policies EP19 and S6 of the NMLP, Policies MIN1 and POL2 of the NLP and paragraph 211 (c) of the NPPF.

Dust

- 9.30 National Planning Practice Guidance advises that where dust emissions are likely to arise, mineral operators should prepare a dust assessment study. The planning statement submitted with the planning application recognises that the quarrying operations have the potential to create dust from the operation of wheeled vehicles and tractor plant in dry conditions. It proposes that in order to minimise the potential for dust generation the access tracks would be hard surfaced and untracked areas, including those within the quarry, would colonise with vegetation over time.
- 9.31 A dust assessment study has not been submitted with the application. However, the Council's Environmental Protection Team considers that the proposed mineral operations are unlikely to generate dust that will cause loss of amenity to local residents and the activity does not require an environmental permit under the Environmental Permitting (England and Wales) regulations 2016. It has recommended conditions requiring the submission of a Dust Management Plan covering dust generation, mitigation, monitoring over the lifetime of the development and management of any dust related complaints. It is concluded therefore that the proposal complies with policies EP19 and S6 of the NMLP, Policies MIN1 and POL2 of the NLP and paragraph 211 (c) of the NPPF.

Blasting and Vibration

- 9.32 It is anticipated that blasting using small volumes of low velocity black powder explosive would be required to split the sandstone. This is the technique that was used at the former quarry as can be seen from the shot holes on the quarry face. The explosive would not be stored on site but would be transported to the quarry by site operatives when it was needed.
- 9.33 The three effects associated with blasting are ground vibration, air over pressure and projected rock particles (flyrock). The extent of disturbance is dependent on a number of factors including type and quantity of explosive, degree of confinement, distance to nearest buildings, the geology and topography and atmospheric conditions.

- 9.34 In this case it is not anticipated that there would be any unacceptable impact on residential amenity arising from the limited blasting using small volumes of low velocity black powder explosive that would take place. A condition is recommended requiring a blasting scheme to be submitted for the approval of the Mineral Planning Authority. The proposal therefore complies with policies EP19 and S6 of the NMLP, Policies MIN1 and POL2 of the NLP and paragraph 211 (c) of the NPPF.

Transport Considerations

- 9.35 Policy EP18 in the NMLP states that the assessment of proposals for mineral workings will take into account transport considerations including the suitability of the road network to accommodate traffic, the routing of traffic to avoid settlements and the effect on highway safety, highway maintenance and the environment. Policy MIN1 in the NLP states that appropriate weight will be given to the capacity and suitability of the transport network, including vehicle movements, site access arrangements and impacts on non-motorised users with applicants having to demonstrate that transport by rail or water is not practicable or feasible.
- 9.36 It is proposed that there would be maximum 6 two-way heavy goods vehicle (HGV) movements per day during the periods of working. The applicants have agreed that there would be no HGV movements before 09.00 or after 15.00 and when the site is not operational. The proposed haulage route is from the site onto the C226, to the junction with the B6319 and through Fourstones Village to the A69. In addition non-haulage vehicles would include daily access by one van to transport quarry operators to the site, periodic visits by a low loader for the delivery and collection of quarry plant and periodic visits by the quarry operator and monitoring personnel.
- 9.37 Warden Parish Council and some local residents have raised concerns about traffic passing through Fourstones. However, an appropriate Transport Assessment has been submitted by the applicant, vehicle numbers would be limited and County Highways have raised no objections subject to the imposition of planning conditions related to vehicles having their loads secured, restriction of vehicle movements, a highway condition survey and a section 59 agreement for the repair of any damage to the highway resulting from the quarry operation. There is no rail or water connection to the site.
- 9.38 Public Footpath No. 6 passes adjacent to the site. Some local residents have raised concerns that local walkers use the access track leading to the woodland. The Council's Rights of Way Officer has raised no objections to the proposal subject to the condition of the public footpath being protected. This is the subject of an informative, should the Committee be minded to grant planning permission.
- 9.39 It is concluded that the proposed development complies with policy EP18 in the NMLP and policy MIN1 in the NLP. It is therefore acceptable in highways terms subject to the imposition of appropriate planning conditions and the satisfactory conclusion of an agreement for the repair of any damage to the highway resulting from the quarry operation.

Impact on Ecology

- 9.40 Policy NE21 in the TDLP seeks to protect Sites of Nature Conservation Importance. The policy states that development which could destroy or adversely affect these sites will only be permitted where it can be demonstrated that there are no reasonable alternative means of meeting the need and the reasons for the development outweigh the need to safeguard the intrinsic nature conservation value of the site. The NPPF states that in considering proposals for mineral extraction, MPAs should ensure that there are no unacceptable adverse impacts on the natural environment (paragraph 211b). It also states that planning permission should be refused if significant harm to biodiversity value resulting from development cannot be avoided, mitigated or compensated (paragraph 180a). Policy ENV2 in the NLP in relation to Local Wildlife and Geological Sites, states that if significant harm to biodiversity value cannot be avoided, mitigated or compensated for, then planning permission will be refused. Policy MIN1 in the NLP states that applicants will be required to demonstrate that their proposal will deliver a net gain for biodiversity where possible.
- 9.41 The application site lies wholly within the Fourstones and Park Shield Quarry Local Wildlife Site (LWS), the interest features of which are the grassland flora associated with the non-forested limestone areas to the east of the site and the geological series represented through the site. The locally scarce dingy skipper butterfly also occurs on some of the grassland areas of the site.
- 9.42 The first part of policy NE21 in the TDLP relating to the need for the development has been dealt with in paragraphs 9.7 to 9.14 above.
- 9.43 In relation to the impact on the LWS, the County Ecologist has commented that the part of the LWS included in and surrounding the planning application area is dominated by planted and self-sown conifers and therefore considers that the proposed quarrying will not harm the special features of the LWS.
- 9.44 In relation to the impact on protected species, the County Ecologist has commented that there are no known red squirrels at the site and even if they were present the amount of the plantation to be lost is such a small proportion of the total that this would not adversely affect them or compromise any future colonisation. The County Ecologist considers that great crested newts are unlikely to be present on the site and restoration presents opportunities to provide suitable habitats for the dingy skipper butterfly. The County Ecologist has also noted that all wild birds and their nests are protected and will need to be accounted for before any works commence. In conclusion therefore the County Ecologist has raised no objections to the proposed development subject to conditions being imposed to protect any species protected by law.
- 9.45 The Northumberland Wildlife Trust (NWT) originally objected on grounds that the applicant had not provided information on how the geological features of the Fourstones and Park Shield Quarries Local Wildlife and Geodiversity Site (LWS) would be protected and it also had wildlife concerns. However, following the submission of further information and discussions with the County Ecologist, NWT is now satisfied that both these matters have been adequately addressed. Warden Parish Council and a number of the objections from local residents have also raised concerns about the adverse impacts on the ecology of the site.

- 9.46 It is considered that the proposal will not harm the main geological features of the LWS. The main quarry face will not be worked as the proposal relates to extraction only from limited areas of outcropped sandstone.
- 9.47 Whilst the concerns of the Parish Council and local residents are recognised, having regard to the views of the County Ecologist and NWT, it is concluded that the proposal complies with policy NE21 of the TDLP, Policies MIN1 and ENV2 of the NLP and paragraphs 180a and 211b of the NPPF.

Impact on Heritage Assets

- 9.48 The NPPF states that in considering proposals for mineral extraction, MPAs should ensure that there are no unacceptable adverse impacts on the historic environment (paragraph 211b). It also states that in determining applications generally, account should be taken of the desirability of sustaining and enhancing the significance of heritage assets (paragraph 197a). Policy MIN1(e) in the emerging NLP requires applicants to demonstrate that the proposal will not result in unacceptable harm to heritage assets. Policy ENV7 in the NLP states that decisions on development proposals will ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings.
- 9.49 The former Prudhamstone Quarry was the subject of the English Heritage Monuments Protection Programme (MPP) for the Quarrying Industry in 1996/97. The Step 3 reporting stage of the MPP recommended that the site should be scheduled because of its national importance. However, due to resource issues and a change in designation focus within English Heritage this was not progressed.
- 9.50 The applicant has carried out an archaeological assessment of the site which identified the significance of the features that would be removed or impacted as a result of the proposed extraction. The assessment concludes that the most significant parts of the quarry would not be affected by the proposal and that the impact on the features of lesser significance can be mitigated by investigation and recording. The County Archaeologist agrees with the assessment report in terms of the significance of the features to be affected by the proposal and has raised no objections subject to the imposition of a condition requiring an appropriate programme of archaeological work.
- 9.51 Mineral Planning Authorities are required to consider the effects that a development proposal could have on listed buildings and their settings and to have special regard to preserving the building, its setting or any features of special architectural or historic interest it may have. Special attention must also be paid to the desirability of preserving or enhancing the character or appearance of conservation areas when considering development in a conservation area. English Heritage has also issued advice that the assessment should consider the setting of conservation areas.
- 9.52 East Fourstones Farmhouse is a grade II listed building located 150 metres south of the application site. There are also separately listed farm buildings and shelter shed and pigsties associated with this farm. Newbrough Conservation Area, which includes a number of important historic buildings

including Newbrough Park and Home Farmhouse, is about 1.5 kilometres to the west of the application site. The application site and any workings would not be visible from any of these heritage assets due to the topography of the land and the presence of trees. The Council's Building Conservation Officer has raised no objections as it is considered that the proposed development would not cause any harm to these designated heritage assets.

- 9.53 It is concluded therefore the proposed development is acceptable in terms of its potential impact on heritage assets in the area and complies with paragraphs 197 and 211 of the NPPF and policies MIN1(e) and ENV7 in the NLP.

Impact on Surface Water and Ground Water

- 9.54 Policy NE1 in the TLDFCS states that the relationship between development and the natural environment should be managed to maintain the quality of ground and surface water. The NPPF states that planning decisions should contribute to and enhance the local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution and that development should wherever possible help to improve local environmental conditions such as water quality (paragraph 174 e). Policy WAT1 in the NLP states that development will not be supported if it could disrupt the ground water movement or affect its chemical balance. Policy MIN1 in the NLP states that applicants will be required to consider the potential for the proposal to affect the flow, quality and quantity of ground and surface water supplies.
- 9.55 Quarrying operations have the potential to impact on groundwater through creating excavations within the water table and causing effects to the management of surface water through altering existing water infiltration rates and water flows to off site catchments. Potential alterations to water flows can impact on aquifers and local springs in the vicinity of the site.
- 9.56 The potential impact of the proposals on surface water and ground water has been the focus of considerable discussion, both on the original application and the current application. The Committee may recall that the Environment Agency, Local Lead Flood Authority and the Council's Public Protection Team objected to the original application and the potential impact on ground water was one of the reasons for refusing that application.
- 9.57 As noted above (paragraph 5.2) the new application is supported by information that seeks to address the previous reason for refusal. This includes the results of the monitoring of 4 groundwater boreholes and additional topographical information to support the assessment of surface water in the locality. Subsequently revised proposals and additional information have been submitted in response to objections, concerns and requests for further details from the statutory consultees, council officers and local residents. Most recently an amended and updated Surface Water Management Scheme together with a revised plan of the Proposed Working and Drainage Scheme have been submitted to be read in conjunction with the previously submitted information and plans. The statutory water management organisations have assessed the revised proposals against all this information, taking into account representations submitted by local residents. Whilst there have been concerns raised by some

local residents that all this information should have been submitted with the planning application and that its subsequent submission has delayed the determination of the application, the Committee will be aware that this often happens with complex mineral applications and that it is important that the application is not presented to the Committee for determination until all relevant and appropriate matters have been fully assessed.

- 9.58 The Environment Agency originally objected on the grounds that insufficient information had been submitted to demonstrate that the risks to groundwater and Woodlands Spring were negligible or could be satisfactorily managed. However, following the submission of the new information, the Agency has withdrawn its objection. Subject to the imposition of conditions, the Agency accepts that the revised surface water management scheme provides mitigation measures to maintain baseline hydrological conditions and which will cover the uncertainties in the conceptual hydrogeological understanding or residual risks to the groundwater during and after the proposed development. The recommended condition 20 includes measures to provide additional protection to groundwater. These include not allowing extraction lower than 1 metre above the highest recorded groundwater level in order to maintain an unsaturated zone of sandstone, remove any standing water from the site if groundwater levels exceed defined heights in Borehole 2 and the Blue Lagoon and desludging the surface water ponds to maintain capacity for surface water and attenuation of surface water run-off, baseline infiltration rates and protecting surface water and groundwater quality. Condition 19 also requires the surface water collection ponds to be developed on sandstone, lined with an impermeable liner to maintain baseline infiltration rates and spatial distribution, minimise the impact on groundwater flow paths and spring discharge rates and protect groundwater quality.
- 9.59 The Local Lead Flood Authority also originally objected to the proposal on flood risk and drainage grounds. However, following the submission of the new information and detailed discussion with the Environment Agency on any impacts that the proposed development might have on groundwater, surface water and flooding off site, the LLFA now consider that the proposed surface water scheme will not increase the risk of flooding subject to ongoing maintenance of the on-site features, ongoing monitoring and restoration, which are the subjects of recommended conditions. The LLFA has therefore withdrawn its objection subject to the imposition of conditions that complement and support the conditions recommended by the Environment Agency.
- 9.60 Specialist technical officers of the Environment Agency and the Local Lead Flood Authority have liaised to ensure that appropriate and consistent advice has been provided to the Mineral Planning Authority.
- 9.61 The Council's Public Protection Team has also withdrawn a previous objection to the proposed development. Public Protection's interest in the proposal relates to potential effects on private water supplies. The Private Water Supply (England) Regulations 2016 (as amended) apply to private water supplies used for human consumption. Water intended for human consumption means all water intended for drinking, cooking, food preparation or other domestic purposes. Other domestic purposes is defined in Section 216 of the water Resources Act 1991 and includes washing, central heating and sanitary purposes such as washing, bathing, showering, laundry and toilet flushing.

- 9.62 The County Council has a record of five private water supplies within 1 kilometre of the proposed development site. The Environment Agency has stated that springs at Lane House, Carr Edge, 130m north of Frankham Fell, Park Shield and Fourstones Paper Mill are sourced from different rock layers or strata and hence should be disconnected from the proposed workings. The Prudhamstone House borehole is sourced from the underlying Four Fathom Limestone and is also therefore geologically disconnected from the proposed development. However, the Environment Agency recommended further assessment due to its proximity to the workings if surface water mitigation is required. Whilst the development should not adversely affect these private water supplies, Public Protection have recommended the imposition of a planning condition requiring the operator to investigate any complaint relating to an adverse impact on a private water supply due to extraction activities.
- 9.63 The owners of Woodlands have expressed concerns about the potential impact of the proposed development on a spring at their property. They have pointed out that flows from the spring increased following the removal of sandstone from the former quarry in 2013 for testing purposes, resulting in flooding of their property. Public Protection point out that Woodlands spring is not used for human consumption or domestic purposes and that the use of water from the Woodlands spring in a garden for ornamental features and occasional garden watering falls outside the Private Water Supply (England) Regulations 2016 (as amended). Notwithstanding this point, the revised proposals and recommended conditions provide protection to groundwater flow paths and quality as set out in paragraphs 9.58 and 9.59 above.
- 9.64 It is concluded therefore that, subject to the imposition of conditions as recommended by the Environment Agency, Local Lead Flood Authority and Public Protection, the proposed development is acceptable in terms of its impact on ground and surface water and complies with policy NE1 in the TLDFCS, paragraph 174(e) of the NPPF and policies WAT1 and MIN 1 in the NLP.

Impact on Ground Stability

- 9.65 Policy MIN1 in the NLP includes a criterion that states that '*applicants should demonstrate that the operation and restoration of the site does not create land instability and the quarry slopes and storage mounds are designed so as not to create instability*'. The NPPF states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of land instability (paragraph 174e). The NPPF also state that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks from land instability, including risks arising from former mining activity (paragraph 183a). Where a site is affected by land instability the NPPF states that responsibility for securing a safe development rests with the developer and / or landowner (paragraph 184).
- 9.66 The more extensive former Prudhamstone Quarry site has numerous spoil heaps located between the current application site and nearby residential property. The spoil heaps between the application site and these properties have broadly not been altered since prior to 1922. The vast majority are vegetated with the roots

of shrubs and trees helping to bind the spoil together and reducing the risk of erosion and surface instability.

- 9.67 The Hydrology and Hydrogeological Assessment (HHA) submitted with the application notes that there are large standoffs from the extraction area to the nearest properties and that the spoil heaps have been stable since their formation. This is with the exception of one known instance of historical instability recorded in the 1960s / 1970s. The circumstances e.g. working practices, weather events etc. pertaining to this isolated event, which occurred some 50 years ago, are not clear cut and Wardell Armstrong, who have provided advice to the Local Planning Authority on land stability matters (see paragraphs 9.69 – 9.72 below), consider it unlikely that it has any significant bearing on the proposed development, all control measures being in place. The HHA report concludes that the proposed quarrying operations would not destabilise the spoil heaps. It explains that the Health and Safety Executive would be responsible for managing quarry regulations that are aimed at protecting quarry operatives and members of the public. The operator would be responsible for preparing and keeping up to date excavation and tips appraisal and geotechnical assessment that would identify and assess all factors liable to affect the stability and safety of excavations and tips within the quarry area.
- 9.68 A number of the letters of objection from Warden Parish Council and local residents raise concern over land instability, including reference to the slippage described in the previous paragraph. They refer to the fact that some properties, including Woodlands, to the south of the former quarry are located below extensive spoil heaps and express concern that the opening up of the quarry could destabilise these heaps. They refer also to the existence of a tunnel in the area behind Woodlands that dates from the 19th century and is now covered by spoil. The concerns regarding stability are related to concerns regarding groundwater flooding that are dealt with in the previous section of this report.
- 9.69 To assist in the assessment of ground stability the County Council commissioned Wardell Armstrong to advise on the following issues:
- (a) The stability of the land between the Blue Lagoon and the originally proposed Phase 1 of the extraction area.
 - (b) The stability of land that would contain water from the proposed workings that lies between Phase 2 of the proposed extraction area and the area to the south.
 - (c) The stability of the spoil heaps above 'Woodlands' and other properties to the south of the former quarry.
- 9.70 In relation to the land between the Blue Lagoon and the previous Phase 1 of the extraction area, Wardell Armstrong found that the width of this area was less than was shown on the originally submitted plans, confirming a concern raised by a local resident. Wardell Armstrong also confirmed that it was not possible, with the information available, to determine the make-up of this width of land (intact rock or historical quarry spoil). It would be possible therefore that any working of sandstone towards the lagoon could potentially remove whatever barrier remains between these two features. Wardell Armstrong considered that the proposed works would represent a moderate risk to the stability of the land between the Blue Lagoon and the Phase 1 area. This led to the applicants deleting the majority of Phase 1 from the proposed extraction area ensuring that the barrier between the Blue Lagoon and the extraction area would remain in

situ. With the revision to the application proposals Wardell Armstrong consider that the risk category in relation to land stability to be reduced to negligible.

- 9.71 In relation to the stability of land between Phase 2 and the area to the south which included the site of the originally proposed attenuation pond, Wardell Armstrong concluded that the proposals would result in a moderate risk to the stability of the land which will contain the proposed attenuation pond. This was primarily due to uncertainty of the quarry floor material in this area. The location of the proposed settlement pond has subsequently been moved to be adjacent to the southern end of the Phase 2 extraction area, to reflect advice received from the Local Lead Flood Authority, although a second smaller attenuation pond remains close to the area of the original pond. On the basis that both ponds are shown to be located on sandstone and that they will be constructed without requirement for an earth supporting bund, Wardell Armstrong consider the risk category in relation to land stability in this area to be reduced to negligible.
- 9.72 In relation to the stability of the spoil heaps above 'Woodlands' and other properties to the south, Wardell Armstrong considered that there was negligible direct risk that the proposed workings would result in instability in this area. However, Wardell Armstrong did consider that there was an indirect risk of land instability in this area in the event of failure of the proposed works, specifically the embankment between the Blue Lagoon and the Phase 1 works as then proposed (December 2020). As previously described in this report, the removal of sandstone from the embankment in Phase 1 has been deleted from the working proposals and the Environment Agency and Local Lead Flood Authority have recommended conditions that seek to ensure that the risks to groundwater, surface water and flooding off-site are not increased as a result of the proposed development. On the basis of the above changes to the working scheme, Wardell Armstrong consider that the risk category in relation to land stability above 'Woodlands' and other properties to the south to be reduced to negligible.
- 9.73 It is relevant to note that the Committee report on the original planning application concluded that the proposed development would not result in land stability issues. This has now been confirmed by the work carried out by Wardell Armstrong. Taking into account these additional investigations carried out by Wardell Armstrong and the recommended planning conditions related to surface water and ground water management and monitoring, it is concluded that the proposed development is in accordance with the relevant provisions of the NPPF and Policy Min1 in the NLP in relation to land stability.

Restoration of the Site

- 9.74 Policies R1, EP2 and SM1 of the NMLP and paragraph 211e of the NPPF require applicants to submit proposals that make proper provision for the restoration of the site to a suitable after-use. Policy MIN 3 in the NLP requires provision to be made for appropriate restoration and aftercare of mineral workings at the earliest opportunity.
- 9.75 The proposed restoration scheme for the site relies on natural regeneration together with applying an appropriate local seed mix to encourage plant growth if this is considered necessary. The quarry face would remain with the void being regraded and reprofiled with the spoil resulting from the extraction of the

stone to tie in with surrounding land and covered with fines from the spoil. The spoil heaps would be allowed to regenerate naturally and the compound areas and access track would be regraded, seeded and left to regenerate naturally as necessary.

- 9.76 The County Ecologist notes that areas of the quarry where the conifers are sparse or absent have a reasonably diverse ground flora including common heather, devil's-bit scabious, selfheal, mouse-ear hawkweed and common knapweed. He considers that restoration should aim to create the conditions for this grassland plant community to become established. Natural regeneration is likely to be the most satisfactory method to achieve this, with quarry fines providing a suitable substrate. This is the subject of a recommended planning condition.
- 9.77 An indicative restoration plan was not submitted with the previous application and this was one of the reasons that the application was refused. A basic but appropriate restoration plan has been submitted with the new application showing the regrading and reprofiling of the land. This plan provides the basis for the recommended planning condition relating to the restoration of the site which requires a more detailed restoration and aftercare scheme to be submitted for the approval of the Mineral Planning Authority not later than six months before commencement of restoration operations. The proposal therefore complies with Policies R1, EP2 and SM1 of the NMLP, paragraph 211e of the NPPF and Policy MIN 3 of the NLP.

Benefits of the Proposal

- 9.78 As stated in paragraph 9.4 above, the NPPF (paragraph 211) gives great weight to the benefits of mineral extraction, including the economy. Policy MIN2 of the NLP also states that great weight will be given to the benefits of mineral extraction and lists various matters that will be considered in assessing the benefits of individual proposals, including economic benefits, employment and the contribution to maintaining supply both locally and nationally. Other benefits listed in the policy are not relevant in the case of this application.
- 9.79 It is considered that the economic and employment benefits in this case are limited. Two quarrymen would work on the site on an intermittent basis. In addition there would be some employment for transport operatives and for processing at the operator's works in Haltwhistle. The contribution that the quarry would make to maintain supply of sandstone both locally and nationally was dealt with at paragraphs 9.9 to 9.13. This contribution would involve a relatively limited amount of sandstone to be worked over a limited period. Notwithstanding the fact that the benefits are limited in this case, they need to be given great weight in the planning balance as stated in paragraph 211 of the NPPF.

Other Matters

Cumulative Impact

- 9.80 Policy EP20 of the NMLP, Policy MIN1 of the NLP and paragraph 205 of the NPPF advise that mineral proposals should take into account the cumulative impact on local communities and the environment. Cumulative impact can comprise the combination of effects from an individual site, the combination of

effects from one or more sites in the locality and the effects over an extended period of time either from an individual site or a combination of sites in the locality.

- 9.81 There are no other mineral workings in the vicinity of the application site. The assessments of the various impacts of the proposed development and their duration demonstrates that the combination of their effects would not be sufficient to be in conflict with Policy EP20 of the NMLP, Policy MIN1 of the NLP and paragraph 205 of the NPPF.

Government Direction

- 9.82 The Mineral Planning Authority has received a direction requiring it to refer the application to the Secretary of State for Levelling Up, Housing and Communities, before granting planning permission. Therefore, should the Committee be minded to grant planning permission, the application will need to be referred to the Secretary of State. Officers have kept the Planning Casework Team informed of progress with consideration of the application.

Equality Duty

- 9.83 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

- 9.84 There have been incidents of anti-social behaviour in the woodland, including trespass, littering and jumping from the top of the rock face into the Blue Lagoon. These led to the landowner blocking the northern entry with sandstone blocks, putting up signs stating that it is private land and erecting a fence and warning signs above the Blue Lagoon. However, it is not considered that the proposals that are the subject of this planning application have any implications in relation to crime and disorder.

Human Rights Act Implications

- 9.85 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

- 9.86 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 9.87 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

10. Conclusion

- 10.1 The application is a revised proposal for the scheme that was refused planning permission in 2019. Additional information on hydrology, restoration and surface water management has been submitted that seeks to address the reasons for refusal of the previous application, as well as updated survey information on ecology and noise.
- 10.2 The application, as amended, has been assessed against all relevant planning policy considerations, notably Development Plan policies, the NPPF and policies in the emerging Northumberland Local Plan. Comments received from consultees and in response to publicity have all been considered and taken into account. The Environment Agency, Local Lead Flood Authority and Public Protection Team objected to the previous application that was refused planning permission. Each organisation submitted holding objections to the current application with requests for further information to be submitted. Following the submission of additional information and revised proposals, each organisation has withdrawn its objections subject to the imposition of appropriate planning conditions.
- 10.3 For the reasons set out in this report it is considered that the proposal is acceptable in principle and in terms of impact on the Green Belt, landscape character, visual amenity, residential amenity, highways and public rights of way, ecology, heritage assets, surface water and ground water, private water supplies, ground stability and cumulative effects. The benefits of the scheme mainly relate to the supply of sandstone with employment and other economic benefits limited but needing to be weighed in the planning balance. The proposed restoration scheme is considered to be acceptable with more detailed restoration and aftercare proposals being the subject of a recommended planning condition. The assessment of the proposals has demonstrated that, subject to the imposition of appropriate planning conditions, there are no sustainable planning reasons for refusing the planning application.
- 10.4 It is concluded therefore that the proposal is in accordance with the Development Plan, the Northumberland Local Plan and the NPPF and that the overall

planning balance weighs in favour of granting planning permission subject to appropriate planning conditions and the satisfactory conclusion of a Section 59 agreement for the repair of any damage to the highway resulting from the quarry operation.

11. Recommendation

11.1 That this application be GRANTED planning permission subject to:

a) the Secretary of State for Levelling Up, Housing and Communities, following referral of the application, confirming that he does not wish to call in the application for determination;

b) the satisfactory conclusion of a Section 59 agreement for the repair of any damage to the highway resulting from the quarry operation; and

c) the following conditions.

General

1, The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and documents. The approved plans and documents for this development are:

Plans

- (a) Prudham Quarry Proposed Working and Drainage Scheme. 11 October 2021 (PO21-3 version 4)
- (b) Prudham Quarry Existing Plan. July 2021 (SJB/P/03 Rev D)
- (c) Prudham Quarry Proposed Development. July 2021 (SJB/P/04 Rev D)
- (d) Prudham Quarry Restoration Scheme Site. Nov 2020 (SJP/P/09 Rev B)
- (e) Prudham Quarry Location Plan. November 2020. (SJB/P/02 Rev C)
- (f) Prudham Quarry Restoration Scheme Area. Nov 2020 (SJB/P/08 Rev C)
- (g) Prudham Quarry Proposed D'ment: Sections. July 2021 (SJB/P/06 Rev E)
- (h) Prudham Quarry Cross-Sections. 13 April 2021 (PQ 21-2)
- (i) Prudham Quarry Existing Landscape Plan. November 2020 (SJB/P/10 Rev A)

Documents

- (j) Surface Water Management Scheme for Prudham Quarry. R&K Wood Planning LLP. October 2021
- (k) Addendum to Hydrological and Hydrogeological Assessment. 28 July 2021
- (l) Proposed Extension to Prudham Quarry Hydrological and Hydrogeological Assessment (including Appendices A – E). DAB Geotechnics Ltd. March 2020
- (m) Prudham Quarry Preliminary Ecological Appraisal. J L Durkin. April 2019
- (n) Examination of Environmental DNA in Pond water for the Detection of Great Crested Newts. A Penny. 27 June 2016

- (o) Prudhamstone Quarry Renewal of Quarrying Works Archaeological Assessment and Impact Assessment (including Appendices 1 – 3). Alan Williams Archaeology. April 2016
- (q) Prudham Quarry Noise assessment. LA Environmental. March 2020
- (r) Characteristics of the sandstone from Prudham Quarry (DAB/DAB/16004/07)

Letters

- (s) Letter from DAB Geotechnics Ltd, 23 June 2020
- (t) Letter from DAB Geotechnics Ltd, 10 August 2020
- (u) Letter from DAB Geotechnics Ltd, 18 October 2020

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

3. The Mineral Planning Authority shall be notified in writing of the dates of the commencement of site operations, the first extraction of sandstone and the first exportation of sandstone.

Reason: In the interests of the proper working of the site in accordance with Policy SA1 of the Northumberland Minerals Local Plan.

4. The permission hereby granted is for a period expiring on 31 December 2029. The extraction and exportation of minerals from the site shall cease no later than 31 December 2028 and the site shall be restored in full accordance with the restoration plan approved under condition 2 and with the detailed programme for the restoration of the site approved by Condition 27.

Reason: In the interests of the proper working and restoration of the site in accordance with Policy SA1 of the Northumberland Minerals Local Plan

5. The operator shall ensure that a notice board is erected and maintained at the entrance to the site indicating the name, address and telephone number of a representative of the operator who would be available to deal promptly with any complaints.

Reason: In the interests of the proper working of the site in accordance with Policy SA1 of the Northumberland Minerals Local Plan.

6. Until the completion of restoration, a copy of this permission, all approved plans, documents and details approved subsequently shall be displayed at the site in such a location or locations that all relevant personnel may be aware of their contents.

Reason: In the interests of the proper working of the site in accordance with Policy SA1 of the Northumberland Minerals Local Plan.

7. No development shall be carried out until details of any fencing and gates and the surfacing of the internal access tracks and compound area have been submitted to and approved in writing by the Mineral Planning Authority.

Reason: In the interests of the amenity of the area in accordance with Policy EP19 of the Minerals Local Plan.

8. Notwithstanding the provisions of Part 17 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery shall be erected on the site without the prior approval of the Mineral Planning Authority and, similarly, details of the siting and design of all temporary buildings and structures required in connection with the quarrying operations shall be submitted to and agreed by the Mineral Planning Authority before they are erected on site.

Reason: In the interests of the proper working of the site and the visual amenity of the surrounding area in accordance with Policy SA1 of the Northumberland Minerals Local Plan.

- 9 The operator shall submit to the Mineral Planning Authority a formal report which shall detail all mineral working and ancillary operations:

- (a) undertaken at the site under the terms of this permission during the immediately preceding 12 months; and
(b) proposed for the following 12 months.

Each report shall indicate by reference to a plan the areas within which the following operations have taken place during the previous 12 months and are proposed during the following 12 months:

- (a) mineral extraction including the tonnage extracted and the principal markets;
(b) deposition of mineral waste arisings;
(c) surface water drainage works; and
(d) restoration works.

Reason: In the interests of the proper working of the site in accordance with Policy SA1 of the Northumberland Minerals Local Plan.

10. No mineral extraction shall be carried out and no plant shall be operated, except for the purposes of site drainage or maintenance of plant or vehicles) except between the following hours:

Monday – Friday (1 April – 30 September) 08.00 – 17.00
Monday – Friday (1 October – 31 March) 09.00 – 16.00

There shall be no working on Saturdays, Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy EP19 of the Northumberland Minerals Local Plan.

Highways

11. All loaded heavy goods vehicles leaving the site shall have their loads secured by straps or ropes such that they shall not be displaced during transit. Where small blocks (less than 1 cubic metre) are to be transported, they shall be palletised, sealed by polythene shrink-wrapping, strapped and secured by hauliers netting transit on flat bed vehicles.

Reason: In the interests of highway safety, in accordance with Policies EP18 and EP19 of the Northumberland Minerals Local Plan and the National Planning Policy Framework.

12. The total number of heavy goods vehicle movements shall not exceed 6 movements in any direction on any day and a maximum of 130 movements in any direction when measured as a maximum figure averaged over a rolling 3-calendar month period. The operator shall keep a record of all movements of heavy goods vehicles, including the time of entering or leaving the site, and shall make the record available to the Mineral Planning Authority on request.

Reason: In the interests of highway safety, in accordance with Policies EP18 and EP19 of the Northumberland Minerals Local Plan the National Planning Policy Framework.

13. There shall be no movements of heavy goods vehicles in any direction except between the hours of 09.00 and 15.00.

Reason: In the interests of highway safety, in accordance with Policies EP18 and EP19 of the Northumberland Minerals Local Plan and the National Planning Policy Framework.

Noise

14. Noise from normal mineral operations at the site shall not exceed 42 dB (A) LAeq (1 hour) free field at the boundary of any noise sensitive property.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise in accordance with Policy EP19 of the Northumberland Minerals Local Plan.

15. Temporary operations such as soils stripping or placement and drilling shall only be undertaken for 8 weeks in any calendar year and shall not exceed a noise level of 55 dB (A) LAeq (1 hour) free field at the boundary of any residential property.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise in accordance with Policy EP19 of the Northumberland Minerals Local Plan.

16. Within 21 days from the receipt of a written request from the Mineral Planning Authority notifying the operator of a justified noise complaint, the operator shall employ a competent independent acoustic consultant to assess the level of noise emissions from the development at the complainant's property. The assessment shall be undertaken in accordance with the methodology agreed in writing with the Mineral Planning Authority. The operator shall submit a report based on the consultant's findings to the Mineral Planning Authority for approval in writing. Where noise levels from the development exceed the level stated in conditions 14 or 15 at the complainant's property, appropriate mitigation measures shall be agreed with the Mineral Planning Authority and implemented within a timescale approved in writing by the Mineral Planning Authority.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise in accordance with Policy EP19 of the Northumberland Minerals Local Plan.

Dust

17. Prior to the commencement of operations hereby permitted, a scheme for dust management including measures for the control and reduction of dust emissions associated with quarrying activities and a process for dealing with complaints of dust adversely affecting residential properties shall be submitted to and approved in writing by the Mineral Planning Authority. The approved scheme shall then be implemented in full before mineral extraction commences and maintained for the lifetime of the site.

Reason: In the interests of the amenity of the area in accordance with Policy EP19 of the Northumberland Minerals Local Plan.

Blasting

18. No extraction shall take place until a scheme of blasting has been submitted to and approved in writing by the Mineral Planning Authority. Thereafter blasting shall be carried out strictly in accordance with the approved scheme for the lifetime of the development.

Reason: In the interests of the amenity of the area in accordance with Policy SA1 of the Northumberland Minerals Local Plan.

Water Management

19. No extraction shall take place until the two surface water collection ponds as shown on Drawing PQ21-3 *Proposed Working and Drainage Scheme* dated 11 October 2021, in the *Surface Water Management Scheme for Prudham Quarry* dated October 2021, are constructed on sandstone and lined with an impermeable liner.

Reason: To maintain baseline infiltration in terms of rates and spatial distribution; to minimise the impact on groundwater flow paths and spring discharge rates and to protect groundwater quality and in accordance with Policy EP21 of the Northumberland Minerals Local Plan

20. In carrying out the development the operator shall ensure that:
- (a) the base of excavation does not exceed an elevation 157 AOD as detailed in paragraph 1.33 of the *Surface Water Management Scheme for Prudham Quarry*, dated October 2021;
 - (b) any standing water is removed from site if the groundwater levels exceed 148 AOD in borehole 2 and 156.5 AOD in the waterbody known as "The Blue Lagoon";
 - (c) the surface water ponds are desludged to maintain capacity for surface water and attenuation of surface water run-off, baseline infiltration rates and to protect surface water and groundwater quality;

(d) the monitoring and reporting of all water features on the site will be maintained and mitigation throughout the restoration period will be reviewed, in accordance with paragraphs 1.28, 1.29 and 1.35 of the *Surface Water Management Scheme for Prudham Quarry*, dated October 2021; and

(e) a maintenance schedule and log, which shall include records of all maintenance within the development, shall be undertaken for the lifetime of the development and be made available on request to the Mineral Planning Authority.

These mitigation measures shall be fully implemented in accordance with the timing and phasing arrangements of the development. And shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To maintain a 1 metre unsaturated zone of rock above the highest recorded groundwater level; to maintain baseline infiltration rates and special distribution; and to ensure that the mitigation measures are reviewed in the light of any changing circumstances (e.g. climate change), operate to their full potential and are maintained during the lifetime of the development and in accordance with Policy EP21 of the Northumberland Minerals Local Plan

21. A report shall be submitted to the Mineral Planning Authority on an annual basis detailing the results of groundwater monitoring and an assessment as to whether the surface water management scheme has achieved its aims and been effective. The first such report shall be submitted not later than 13 months after the commencement of extraction. The reports shall include an assessment of:

(a) fluctuations in the water level of borehole 2; and

(b) fluctuations in the two surface water collection ponds as shown on Drawing PQ21-3 *Proposed Working and Drainage Scheme* dated 11 October 2021, in the *Surface Water Management Scheme for Prudham Quarry* dated October 2021.

Reason: To ensure the risk of flooding does not increase elsewhere as a result of the development in accordance with Policy EP21 of the Northumberland Minerals Local Plan and Policy GD5 of the Tynedale Local Development Framework Core Strategy.

22. Any changes to the agreed site water monitoring and management plan as set out in the *Surface Water Management Scheme for Prudham Quarry* dated October 2021 and shown on Drawing PQ21-3 *Proposed Working and Drainage Scheme* dated 11 October 2021, shall be submitted to and approved in writing by the Mineral Planning Authority not later than one month prior to their implementation, except where unacceptably high risks to groundwater require an immediate response.

Reason: To ensure the effective disposal of surface water and that the risk of flooding off-site is not increased in accordance with Policy EP21 of the Northumberland Minerals Local Plan and Policy GD5 of the Tynedale Local Development Framework Core Strategy.

23. Within 21 days from receipt of a written request from the Mineral Planning Authority notifying the operator of a justified complaint relating to quarrying

operations affecting the quality or quantity of water from a private supply of water within 1 kilometre of the development site, the operator shall employ a competent independent hydrogeologist to assess the impact from the development on that private supply of water. The request from the Mineral Planning Authority will include details of the change in water quality or quantity that is considered to justify the complaint. The operator shall submit a report based on the consultant's findings to the Mineral Planning Authority for approval in writing. Where quarrying activities from the development are proven to be affecting the quality or quantity of water from a private water supply, quarrying operations will be suspended and appropriate mitigation measures shall be agreed with the Mineral Planning Authority and implemented in full within a timescale approved in writing by the Mineral Planning Authority, or an alternative water supply will be provided to the affected properties.

Reason: To protect private water supplies to residential properties in accordance with Policy EP21 of the Northumberland Minerals Local Plan.

Ecology

24. No tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Netting of hedgerows or trees is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Mineral Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law in accordance with Policies EP6 and EP7 of the Northumberland Minerals Local Plan.

25. Prior to the commencement of development, a method statement for the safeguarding of Schedule 1 bird species shall be submitted to and approved by the Mineral Planning Authority. The method statement shall be fully implemented as approved.

Reason: To ensure that adverse impacts on a species fully protected by law are avoided in accordance with Policies EP6 and EP7 of the Northumberland Minerals Local Plan.

Archaeology

26. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) brief (dated 4/5/2020). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Mineral Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site Specific

Requirements documents has been submitted to and approved in writing by the Mineral Planning Authority.

b) The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason The site is of archaeological interest and in accordance with Policy EP10 of the Northumberland Minerals Local Plan.

Restoration and Aftercare

27. Not later than 6 months prior to the commencement of restoration and notwithstanding the details set out on the restoration plan approved under condition 2, a detailed restoration and aftercare scheme shall be submitted to and approved in writing by the Mineral Planning Authority, including but not restricted to:

(a) the areas to be restored and their final restoration contours;

(b) the spreading of overburden and fines across the working area of the quarry;

(c) a monitoring scheme to assess the progress of natural regeneration and to identify any adverse indicators such as non-native invasive species;

(d) a remedial scheme to address any adverse indicators and to undertake seeding in the event that natural regeneration proves insufficient;

(e) a control programme to eliminate existing stands of non-native invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 as amended from the area of Fourstones and Park Shield Quarry Local Wildlife Site within the same ownership and the planning application site; and

(f) details of surface water management, including monitoring, maintenance and reporting, post-development.

The restoration and aftercare scheme shall be fully implemented as approved not later than 31 December 2028 or 12 months after the final exportation of sandstone from the site, whichever is sooner.

Reason: To ensure that the restoration of the site is appropriate, conserves and enhances important habitats in accordance with Policies EP6 and EP7 of the Northumberland Minerals Local Plan and ensures the long-term surface water regime does not increase the risk of flooding on-site or off-site in accordance with Policy EP21 of the Northumberland Minerals Local Plan and Policy GD5 of the Tynedale Local Development Framework Core Strategy.

Informatives

1. A highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at Highwaysplanning@northumberland.gov.uk.
2. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
3. If the operator intends to abstract more than 20 cubic metres of water per day from a surface water source e.g. a stream or from underground strata (via borehole or well) for any particular purpose, an abstraction licence will be needed from the Environment Agency.
4. The effectiveness of the development's design in ensuring that a nuisance is not created is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should therefore fully appreciate the importance of obtaining competent professional advice.
5. The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of Part III of the Environmental Protection Act 1990 be received.
6. A private water supply, as referred to in condition 22, is defined under Regulation 3 of The Private Water Supply (England) Regulations 2016 (as amended) as a supply intended for human consumption.
7. Public Footpath No. 6 passes the proposed site and should be protected throughout the period of working. No action should be taken to disturb the path surface without prior consent from the Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.

Date of Report: 16 February 2022

Background Papers: Planning application file(s) 20/01107/CCM (current application) and 16/01458/CCM (previous application)

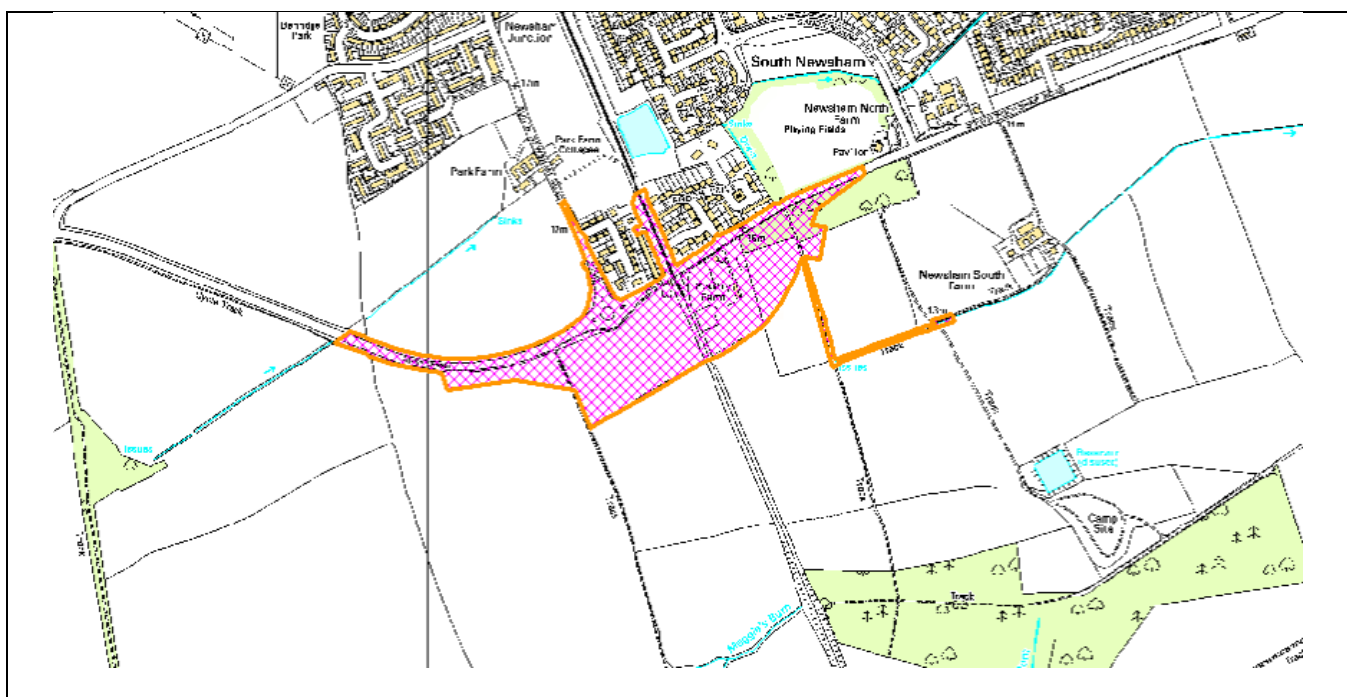
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Northumberland County Council

Strategic Planning Committee, 1 March 2022

Application No:	21/03720/CCD		
Proposal:	Construction of a two-platform railway station including: pedestrian lifts, stepped pedestrian access, new highway accesses; construction of overbridge to carry diverted A1061 with shared footway and cycleway. Modifications to existing highways including new roundabouts and realignment of local roads and construction of new access roads from the highway; provision of parking for buses, cars, electric vehicles, motorcycles, cycles, and taxis; works to of public rights of way. Construction of facilities ancillary to the station including, lighting, soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works		
Site Address	Land South of The A1061, South Newsham Road, Blyth, Northumberland		
Applicant:	Northumberland County Council, County Hall, Morpeth, NE61 2EF,	Agent:	Miss Alannah Healey 72 B-Box Studios, Newcastle, NE2 1AN,
Ward	South Blyth	Parish	Blyth
Valid Date:	24 September 2021	Expiry Date:	15 March 2022
Case Officer Details:	Name: Mr Gordon Halliday Job Title: Consultant Planner Tel No: 07785 727053 Email: gordon.halliday@northumberland.gov.uk		



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Recommendation: That this application be GRANTED permission

1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, in cases where the local authority is the applicant in respect of a planning application, it is required to be determined by the Planning Committee.

2. Description of the Proposal

2.1 The Northumberland Line scheme seeks to re-introduce passenger services onto the existing freight line that runs between Newcastle Central Station and Ashington. The scheme includes the construction of six new railway stations and associated infrastructure. It is envisaged that there will be a half hourly service with an anticipated journey time between Newcastle and Ashington of 35 minutes.

2.2 The railway line was formerly known as the Ashington, Blyth and Tyne Line. Passenger services on the line ceased in 1964 since when freight trains have continued to operate.

2.3 This application is for the construction and operation of a new railway station in Newsham, Blyth. The original railway station at Newsham was opened in 1951 and was located adjacent to Newsham Junction where one line went north to Ashington and one line continued into the centre of Blyth. The latter line is now disused. The site of the proposed station is located some 700 metres south of the site of the original station that served the area between 1851 and 1964 when it was closed as part of the Beeching cuts. The site for the proposed station is adjacent to the A1061 to the southwest of Blyth. Residential properties at Railway Cottages, Blagdon Drive and Park Farm Villas are located to the north of the site. Almost the entire site, including all of the land proposed for development south of the A1061, is in the Green Belt.

2.4 The site of the proposed development has an area of 11.9 hectares. It comprises the following areas.

- A residential property (Arden House) to the east of the railway line.
- A poultry farm to the east of the railway line.
- Agricultural fields to the west and east of the railway line.
- Woodland on the eastern flank of the site.
- The railway corridor.
- The A1061 to the north; and
- Public Right of Way (300/031) on the western flank and Public Right of Way (300/162) on eastern flank.

2.5 The development proposals include the following main elements.

- Two platforms approximately 100 metres in length including lifts, stairs, footbridge, help points, platform lighting, CCTV and waiting shelters.
- Ticket vending machines and customer information screens with real time information at the station entrance.
- Car parking on both sides of the railway line with up to 237 spaces including 17 spaces with electric vehicle charging and 15 disabled parking spaces. The car parks will have a taxi drop off area, bus stop and cycle storage facilities.
- Realignment of the A1061 including construction of an overbridge facilitated by modifications to the existing roundabout, and the construction of a new roundabout to the east.
- The Public Rights of Way will be the subject of localised short diversions to facilitate the construction and operation of the station infrastructure.
- Provision of a drainage attenuation basin to the southwest of the site.
- Off-site habitat creation in compensation for the loss of biodiversity within the site.
- Off-site woodland planting in compensation for the loss of woodland on the site.
- Hard and soft landscaping including specimen tree planting on the site boundaries and swales, grass, shrub and tree planting between car parking bays.

2.6 It is anticipated the construction of the station will be undertaken in a period of approximately 11-15 months, subject to safety, access and other considerations.

2.7 The existing railway line is single track in the Newsham area and the scheme proposes that this will be upgraded to twin track in this location, hence the requirement for platforms and car parking provision on both sides of the track.

3. Planning History

Reference Number: 19/02151/SCREEN

Description: Request for a Screening Opinion- Provision of six new train stations, associated upgrading and refurbishment of existing rail infrastructure and engineering works and the reintroduction of passenger train services.

Status: SCREEN

Reference Number: 20/02243/SCREEN

Description: Request for a Screening Opinion- Provision of six new train stations, associated upgrading and refurbishment of existing rail infrastructure and engineering works and the reintroduction of passenger train services.

Status: SCREEN

4. Consultee Responses

Blyth Town Council	No response received.
Natural England	No objection.
The Coal Authority	No objection subject to the imposition of conditions requiring intrusive site investigations to be carried out prior to the commencement of development to ensure that adequate information on ground conditions and coal mining legacy is available for appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site.
Lead Local Flood Authority (LLFA)	No objection subject to the imposition of planning conditions to control surface water and ensure that the risk of flooding does not increase.
Northumbria Police	Have liaised with British Transport Police (BTP) and the submitted comments also reflect the views of BTP. Suggestions made for designing out crime in the proposed development.
County Highways	No objection subject to the imposition of conditions and informatives in relation to highway safety, sustainable transport and car / cycle parking considerations.
County Archaeologist	No objection subject the imposition of a condition as the site is of archaeological interest.
County Ecologist	No objection subject to conditions.
Public Protection	No objection subject to the imposition of conditions related to tannoy noise, acoustic barrier details, construction noise and vibration, enabling works, land contamination and construction delivery and collection hours.
Strategic Estates	No response received.
Countryside / Rights of Way	The proposed layout has an impact on the northern end of two public footpaths (300/031 and 300/162), requiring their diversion. The appropriate legal changes to these public footpaths will need to be carried out
Fire & Rescue Service	No objection.
Northumbria Ambulance Service	No response received.
South SE Tree And Woodland Officer	No response received.
Climate Change Team	No response received.
Building Conservation	Support the application that is in accordance with the NPPF and recommend that conditions be imposed relating to the design and colour palette for station infrastructure (shelters, lighting, signage, furniture etc.) to ensure continuity and quality in the appearance and design of the scheme.
Port of Blyth	No response received.
Network Rail	Fully support the re-introduction of a passenger service along the railway. Also support the closure of the adjacent railway level crossing on safety grounds and this is an important aspect in helping fulfil Network Rail's policy of reducing risks at level crossings nationwide. Planning conditions, including

	construction hours, should not fetter Network Rail in performing its normal operating and maintenance functions on the line.
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5. Public Responses

5.1 Neighbour Notification

Number of Neighbours Notified	142
Number of Objections	10
Number of Support	6
Number of General Comments	0

Notices

5.2 Statutory public / public right of way site notices were posted on 5 October 2021 and a press notice was placed in the News Post Leader.

Summary of Responses:

5.3 The letters of support refer to the benefits that the Northumberland Line scheme will bring to the area.

5.4 The letters of objection raise the following points

- if charges at the station car park are introduced in the future, this will lead to indiscriminate parking in local streets.
- The provision of 12 parking spaces for the 16 properties at Railway Cottages is inadequate. Parking is required for emergency services, deliveries and visitors.
- The blocking of the railway crossing at South Newsham will make residents, many of whom are elderly, have to walk further and have to use footbridge.
- Increased noise, litter and ant-social behaviour for residents of Railway Cottages and Blenheim Drive.
- Adverse impact on ability to horseride in the locality.
- The station together with new housing will lead to increased congestion on local roads, in particular the A1061.
- Adverse impact on the local environment through removal of greenspace and increased road traffic outweigh any economic benefits.
- Rail maintenance will take place outside normal working hours to the detriment of local amenity.
- Concerns regarding impact on stability of properties at Railway Cottages and effects of pile driving.
- Noise pollution from tannoy announcements.
- Existing field suffers from drainage problems.
- Floodwater behind signal box seeps under the road through railway Cottages.
- Too many car parking spaces are being provided.
- There is a good bus service to Newcastle at present.
- Loss of right of way across the railway line. Gated access across the railway could be provided.
- The proposed 2.5 metre sound barrier will result in a strip of 'no man's land' and will be a visual intrusion. This area could be used for parking.

- Carbon footprint of the proposed development will be enormous.
- Increased air pollution from both cars and trains.
- A well-established wood providing habitats for wildlife will be removed.
- Passenger trains have not run for 50 years and are not needed now.
- Destruction of open countryside used by walkers, cyclists and horse riders.
- The station should be located at Newsham not South Newsham.
- There was inadequate pre-application consultation during a period that was subject to Covid restrictions.

5.5 The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QZQNA3QSJCD00>

6. Planning Policy

6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Blyth Valley Borough Local Development Framework Core Strategy (BVBCS) (2007), the Blyth Valley Borough Local Development Framework Development Control Policies (BVBDCP) (2007) and saved policies from the Blyth Valley Borough Local Plan (BVBLP) (1999).

6.2 The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

6.3 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The plan is in the final stage of preparation, there are no unresolved objections, and the plan is consistent with national policy, and therefore significant weight should be given to the policies in the NLP.

6.4 The following policies in the BVBCS are relevant to the consideration of the application.

SS1 Regeneration and Renaissance of Blyth Valley 2021
SS3 Sustainability Criteria
A2 Pedestrian / Cycle Routes
A3 Ashington, Blyth and Tyne Line

6.5 The following policies in the BVBDCP are relevant to the consideration of the application.

DC1 General Development

DC3 Development in the Green Belt and in the Countryside
DC11 Planning for Sustainable Travel
DC16 Biodiversity
DC17 Landscape, General Protection and Restoration
DC19 Drainage and Flood Risk
DC21 Pollution Control
DC22 Noise Pollution
DC27 Design of New Developments

6.6 The following saved policies in the BVBLP are relevant to the consideration of the application.

STP1 Spatial Strategy
STP2 Presumption in favour of Sustainable Development
STP3 Principles of sustainable Development
STP4 Climate Change Mitigation and Adaptation
STP5 Health and Wellbeing
QOP1 Design Principles
QOP2 Good Design and Amenity
QOP4 Landscaping and Trees
QOP6 Delivering well designed Places
TRA1 Promoting Sustainable Connections
TRA2 The Effects of Development on the Transport Network
TRA4 Parking Provision in New Development
TRA5 Rail Transport and Safeguarding Facilities
E2 Nature Conservation: General Protection of Wildlife
E3 Landscape: General Approach
E5 The Protection of Tree and Shrub Cover
E12 Archaeology
G9 Development in Countryside Beyond Green Belt
G10 Development Criteria in the Countryside
M8 Car Parking

6.7 The following policies in the NLP are relevant to the consideration of the application.

STP 1: Spatial Strategy
STP2: Presumption in favour of Sustainable Development
STP3: Principles of Sustainable Development

STP4: Climate Change Mitigation and Adaptation
STP5: Health and Wellbeing
STP 8: Development in the Green Belt
QOP1: Design Principles
QOP2: Good Design and Amenity
QOP4: Landscaping and Trees
QOP6: Delivering Well-designed Places
TRA1: Promoting Sustainable Connections
TRA2: The Effects of Development on the Transport Network
TRA5: Rail Transport and Facilities
ENV1: Approaches to assessing the impact of development on the natural, historic and built environment
ENV2: Biodiversity and Geodiversity
ENV7: Historic Environment and Heritage Assets
WAT3: Flooding
WAT4: Sustainable Drainage Systems
POL1: Unstable and Contaminated Land
POL2: Pollution and Air, Soil and Water Quality
INF 5: Open Space and Facilities for Sport and Recreation

6.9 The following documents are also relevant in the consideration of the application.

North East Local Economic Partnership. Strategic Economic Plan (2017)
Northumberland Economic Strategy 2019-2024. (2018)
Northumberland Line Economic Corridor Strategy, (February 2021)
Northumberland Landscape Character Assessment (2010)

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

- Principle of the development
- Economic considerations
- Impact on the Green Belt
- Provision for car parking
- Other highway considerations
- Impact on residential amenity
- Impact on the character and appearance of the area
- Impact on biodiversity
- Impact on heritage assets

Principle of the Development

7.2 Policy SS1 in the BVBCS identifies the Ashington, Blyth and Tyne (ABT) Line as a district-wide priority for achieving an economic and social renaissance by 2021.

Policy A3 in the BVBCS states that the re-introduction of passenger rail services on the ABT line will be supported by safeguarding the route and land for possible stations including at Newsham.

7.3 The key diagram for the BVBCS does not identify sites for possible stations. The BVBLP had identified the site where a station had previously existed. However, this was not a saved policy so does not form part of the current Development Plan for the area.

7.4 The NLP also identifies the reintroduction of passenger rail services on the Northumberland Line as a key priority of the Council provided any significant adverse impact on the environment and communities can be mitigated. It also promotes the development of public transport interchanges at key locations along the line. Policy TRA5 in the NLP also supports the re-introduction of passenger rail services on the Northumberland Line.

7.5 Policy TRA5 identifies Newsham as one of the locations for stations on the railway line. The Publication Draft of the emerging NLP does not safeguard a specific site for the station, simply showing the station as a point close to the existing A1061 road and the location that is now proposed in the planning application.

7.6 The proposed siting of the station has been determined based on an appraisal of alternative options. The alternative sites for the proposed railway station included adjacent to the site of the original Newsham station. However, sites to the north of the railway station were constrained by existing building development adjacent to the railway line. Any potential alternative sites were not large enough to provide for the anticipated car parking demand at the station. This includes the site of the original Newsham station. Furthermore, the proposed station at Newsham could not be sited further north due to it being in direct conflict with the proposed railway station at Bebside. Any sites to the south would not have been well related to the existing settlement. It is noted that there has been substantial house building in the southern parts of Blyth that would be easily accessible by various means of transport to the proposed new station

7.7 The proposed railway station at Newsham is an integral component of the Northumberland Line scheme. It is concluded therefore the principle of the development of the station is in accordance with Policies SS1 and A3 in the BVBCS and policy TRA5 in the NLP. Other aspects of the proposals, notably the impact on the Green Belt, highway considerations and the implications for residential amenity, are dealt with in later sections of this appraisal.

Economic considerations

7.8 The County Council and various regional bodies consider that the re-opening of the Northumberland Line for passenger rail services will be a key to future economic development in South East Northumberland.

7.9 In the North East Local Economic Partnership's Strategic Economic Plan, the introduction of passenger services to the line is cited as necessary to the achievement of the plan's connectivity goals. The Northumberland Economic Strategy recognises that increased connectivity will bring huge benefits, especially to the deprived communities of South East Northumberland. The Strategy identifies the reopening of the Northumberland Line to passengers as a key priority.

7.10 The Strategy for the Northumberland Line Economic Corridor seeks to capitalise upon the reintroduction of passenger rail services between Ashington and Newcastle as a catalyst for transformational change. It states: *'The Northumberland Line is expected to have a major impact on the local economy by facilitating economic activity and improving public transport accessibility, providing the foundations for a new and ambitious clean growth economic corridor to be established'*.

7.11 It is concluded that the economic considerations support the principle of the development and should be given substantial weight.

Impact on the Green Belt

7.12 Almost the entire application site, including all of the land proposed for development south of the A1061, is in the Green Belt, as defined in the BVLP and the NLP.

7.13 Policy DC3 of the BVBDP states that there is a presumption against inappropriate development in the Green Belt and that new development in the countryside will not be permitted unless it is for certain defined uses. It also states that where new developments are to be permitted they will be expected to demonstrate that a sequential search has been undertaken and there are no more suitable sites available. Policy STP 8 in the NLP states that inappropriate development in the Green Belt will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt and any harm resulting from the proposal.

7.14 The NPPF states (paragraph 137) that *'the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*. It continues by stating (paragraph 147) that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 150 identifies forms of development that are not inappropriate provided they preserve openness and do not conflict with the purposes of including the land in the Green Belt. These include *'local transport infrastructure which can demonstrate a requirement for a Green Belt location'*.

7.15 There are therefore four aspects to consider. First whether a sequential test has found no suitable sites outside the Green Belt. Second whether the proposed development represents inappropriate development. Third whether the impact on 'openness' is acceptable. Fourth whether the proposed development conflicts with the purposes of including the land in the Green Belt. These are considered in the following paragraphs.

7.16 The alternative sites that were considered for the proposed development are referred to in paragraph 7.6 above. It is considered that the applicant has demonstrated that it would not be possible to develop the station and its associated infrastructure, including the car park and access, on land to the north of the A1061 that is not designated as Green Belt.

7.17 In respect of whether the proposed development represents *'inappropriate development'* it is considered that the proposed development as a whole represents *'local transport infrastructure'* under the terms of NPPF paragraph 150. It is relevant

to note that case law has confirmed that a car park that serves a purpose beneficial to a community, as opposed to serving a private development, could be classified as 'local transport infrastructure' within the terms of paragraph 150 of the NPPF. The proposed station similarly clearly serves a purpose beneficial to the community. A relevant consideration is whether the full extent of the proposed car parking is required to service the new station. An assessment of the proposed car parking provision is set out later in this report and this concludes that the full extent is justified. Accordingly it is concluded that the proposed car parking conforms to paragraph 150 of the NPPF. Overall therefore it is concluded that the proposal for local transport infrastructure does not represent 'inappropriate development' in the Green Belt.

7.18 In respect of 'openness' there are elements of the proposed development that will not affect openness, in particular the landscaping and attenuation basin are open land uses that can be regarded as appropriate land uses in the Green Belt. The proposed development does include certain elements, notably the lifts and bridge at the station and the bridge over the railway for the realigned A1061, whose vertical dimension could be considered to affect openness, but the car park also would have an impact on openness. A Landscape, Townscape and Visual impact Assessment (LTVIA) document was submitted as part of the application and it is helpful to consider its assessment of the impact of the proposals on openness.

7.19 The LTVIA notes that *'the level of openness within and surrounding the site is highly influenced and limited by the existing built form of South Newsham north of the A1061; the existing railway buildings and features south of the A1061; existing residential and commercial properties to the east of the Newsham Station railway corridor; and the existing vegetation in the forms of woodland and hedgerows which form a series of green boundaries and limits openness within the Green Belt. The scheme will require the removal of existing vegetation within the site in order to produce the station platforms, pedestrian lifts and footbridge, the overbridge, and car parking. The largest source of effect to the site will be through the introduction of an overbridge, to allow the A1061 to cross over the railway corridor without a level crossing. Embankments to the north and south of the proposed road will support the overbridge. The embankments will be planted with woodland and additional woodland will be planted to create a 10m buffer between the embankment and the Green Belt to the south. This expanse of woodland will connect with the existing woodland to the east and the existing and proposed hedgerows to the west, creating a solid green boundary along the south edge of the A1061'*.

7.20 The LTVIA concludes that *'the magnitude of the effect of the proposal on the landscape openness of the site is considered to be moderate. This is due to the proposals causing a change in landscape character, but one which introduces compatible or complementary elements of landscape character through the increase of woodland planting within the area and lack of buildings included within the scheme'*. This moderate effect on openness needs to be weighed in the planning balance.

7.21 In respect of whether the proposed development represents a conflict with the purposes of including this land within the Green Belt, it is considered that the main reasons for Green Belt designation here is to maintain the separation of settlements, to prevent encroachment and to encourage urban regeneration. The nearest settlement to the south of Blyth is New Hartley and the effect of the proposed development would be to bring urbanising features between 10 and 15% closer to

New Hartley This is considered to be acceptable. The nearest settlement to the west is Cramlington approximately two kilometres away but the proposed development is not considered to affect separation to the west. The proposed development clearly would encourage urban regeneration as referred to in paragraphs 7.8 to 7.11 of this report.

7.22 It is concluded therefore that the proposal will have an effect on the openness of the Green Belt but that this will be limited by the various landscaping and planting proposals. It is relevant also to note that the proposed new alignment of the A1061 will provide a sense of containment and a clear demarcation between the open Green Belt countryside to the south and the urbanising elements of the proposed development. Suitably landscaped the proposed embankments for the realigned A1061 and the overbridge could allow for a degree of screening of the car park and station structures when viewed from the south and east. It has been concluded above that the proposal does not represent 'inappropriate development' in the Green Belt but even if it was considered to be 'inappropriate development it is agreed that the proposal's contribution to urban and economic regeneration of the area would represent the *'very special circumstances'* that the NPPF requires to be demonstrated if projects are to proceed.

7.23 Overall therefore, notwithstanding the limited impact on openness and taking into account the absence of suitable alternative sites and the proposal's contribution to urban and economic regeneration of the area, it is concluded that the proposed development conforms with Policy DC3 in the BVBDGP, Policy STP8 in the NLP and the relevant provisions in the NPPF in respect of development in the Green Belt.

Provision for Car Parking

7.24 Policy M8 in the BVBLP states that new development should seek to minimise the area devoted to car parking, whilst complying with parking standards and safeguarding existing provision. Policy DC 11 in the BVBDGP states that planning permission for new development will not be permitted unless it meets various criteria including providing an appropriate number of car and cycle parking provision. Appendix A in the BVBDGP sets out car parking standards for various types of development. Railway stations are not specifically mentioned so would fall under 'sui generis' for which it is stated that provision will depend on the size and location of the development and the extent to which it will generate trips. The text in the appendix states that car parking standards ensure that new developments provide adequate off-street whilst avoiding the over-provision of car parking.

7.25 Policy TRA4 in the NLP states that an appropriate amount of off-street vehicle parking sufficient to serve new development should be made available in safe, accessible and convenient locations. However, the NLP does not identify any minimum or maximum parking standards for developments such as the Northumberland Line. The NPPF states that maximum parking standards should only be set where there is clear and compelling justification that they are necessary for managing the local road network or for optimising the density of development in town centres where the aim should be to improve the quality of parking alongside measures to promote accessibility by pedestrians and cyclists (paragraph 108).

7.26 It is proposed to provide two new car parks, one on each side of the railway line, providing up to 237 spaces with the western car park having 140 spaces and the eastern car park 97 spaces. This split reflects the broad anticipated split of

access routes from Newsham for the western car park and South Beach for the eastern car park. It is not possible to determine users' preference for parking in one car park over the other. Consideration will be given at the detailed design stage for the signing strategy to the provision of reactive signing to indicate whether spaces may be available on the approach to the car parks and is secured by a recommended condition. There would be 15 accessible spaces and 17 electric vehicle-charging bays. The car parks will each accommodate a drop-off area and taxi pick up / drop off area. The internal layout of the car parks allows for pedestrian access between the car parking aisles through the provision of footways and internal pedestrian crossing routes that connect to the desire lines from the car parks to the station platforms.

7.27 The Transport Assessment (TA) submitted with the planning application includes information on forecasting the number of passengers that would use the proposed station and how they would travel to the station. The forecasting identified a demand for 232 car parking spaces would be required for the new Newsham station in 2039.

7.28 Some local residents have indicated that the number of car parking spaces has been overestimated and the proposed car park is too large. Members will recall that in the Committee report for the Seaton Delaval Station application, a considerable amount of information was presented which in summary supported the methodology used in the forecasting and modelling of car parking requirements. Some of that is relevant also for this application. County Highways have reviewed the information provided on future car parking requirements in the Transport Assessment and have endorsed its findings.

7.29 The effects of the pandemic were considered in the officer report to Committee on the proposed Ashington Railway Station. It was pointed out that the applicants acknowledged that the original modelling was based on pre-pandemic 2019 data, but that recent traffic flow data demonstrated that traffic flows had largely recovered to pre-pandemic levels. Furthermore it was considered to be too early to assess if travel behaviours will return to pre-Covid patterns or have changed permanently as a consequence of the pandemic. They considered that it was not unreasonable to use pre-pandemic information on travel behaviour to inform parking provision and designs for the Northumberland Line scheme. County Highways agreed with this assessment. For Newsham additional traffic surveys were carried out at the Blagdon Drive junction in June 2021 when Covid restrictions had been lifted sufficiently to allow representative surveys to be undertaken.

7.30 County Highways note that car parking requirements and highway impacts have been assessed upon the basis of free car parking being provided. The Cabinet has agreed that there should be no charging at Northumberland Line car parks for one year following which there will be a review. County Highways recommend a planning condition is imposed to ensure that the impacts of any change in car parking charging strategy is addressed through the planning process and any mitigation that might be required is provided as part of any change in strategy.

7.31 County Highways have also recommended a car parking management condition to allow future flexibility in the management of the car parks and the number of EV, disabled and other operational bays within the site to reflect the future usage and make up of parking demands. This will allow also for the provision of EV charging for some disabled bays. It will also detail how access roads, drainage,

landscaping, CCTV and lighting will be operated, managed and maintained upon completion of the development and the boundaries between any multiple parties in this respect. This strategy secures the ongoing management and maintenance of the development and also ensures that if there are any changes to these elements in the future, revised details will need to be reviewed and approved through the submission of revised information.

7.32 Following the scheme-wide consultation that took place in November and December 2020, residents of Railway Cottages raised concerns regarding the impact of the proposals on the availability of car parking for the 16 properties that comprise Railway Cottages. As a result of representations received on that consultation, the submitted proposals include the provision of a car parking layby for 12 parking places adjacent to the proposed access road to the western car park and Railway Cottages. There is an existing issue with on-street parking in this location associated with Railway Cottages where parking currently occurs on the highway, with some vehicles parking half on and half off the existing footway and footway / cycleway. Whilst not exclusively for residents of Railway Cottages, County Highways support this provision in order to improve safety along the new access road to the car park. County Highways consider it unlikely that station users would use these bays due to the occupancy by Railway Cottage residents and the increased walking distance to them from the station platform compared to using the western car park itself.

7.33 Some residents have submitted objections to the planning application that this level of provision is insufficient for a demand that will include not just residents but also visitors, deliveries, emergency services etc. Residents have pointed out that they currently also have access to a small area of vacant land to the east of the level crossing and south of the A1061 where 4 / 5 cars are able to park. This area, which is owned by Network Rail, will not be available to residents as it is required as part of the proposed development. Emergency vehicles (and other vehicles) will be able to continue to access the properties via the back lane that runs to the east of the properties, although this lane is not wide enough to allow vehicles to pass if there are vehicles parked in the lane.

7.34 The applicants were asked to comment on these representations and have provided the following comments.

7.35 'Residents currently informally park their cars on the northern footway of South Newsham Road. The proposed layout of the scheme provides an opportunity to formalise existing parking here through provision of a parking area. As such, the proposals do not seek to provide for additional parking but seek to safeguard and formalise the existing arrangement for existing demand. The area available for parking has been maximised within the constraints of the layout, considering other competing demands on space. For example, the formalised access to the Railway Cottages and car park to be east; and suitable pedestrian crossing facilities; the car park exit and side junction to the west. Formalising parking outside of the parking area specified would lead to safety issues due to required junction visibility splays and crossing protection areas. The area available for parking has been maximised within the constraints of the layout, considering other competing demands on space. For example, the formalised access to the Railway Cottages and car park to be east; and suitable pedestrian crossing facilities; the car park exit and side junction to the west'.

7.36 Residents have also suggested that the land to the rear of Railway Cottages could be used for residents' parking. Regarding this suggestion the applicants have provided the following comments.

7.37 *'The project team have explored a number of options for car parking at this location with residents. Two options for the land at the back of Railway Cottages have been discounted.*

(i) The land at the back of Railway Cottages is adopted as highway which would require it to be laid out according to highway standards. We understand there are no formal permissions for residents to park along the kerb or in the triangle of land – even though residents have informally done so. Existing parking on the kerb in close proximity to the level crossing also presents a hazard to the operational railway. Discounted on grounds of safety.

(ii) Residents of Railway Cottages enter into a shared ownership with maintenance obligation for the land at the rear of the cottages. There was no consensus of opinion on this option, some residents advised that they could not or would not pay others did not want a long-term liability for the use of the space. Discounted due to the concept of a shared ownership model being deemed unacceptable by residents.

7.38 *"As such, the scheme has sought to formalise the existing kerb-based parking along the north side of the approach road into parking bays. This will provide c. 12 spaces, which is in addition to other parking provision in this area (including the station car park itself). These parking spaces will not be 'residents only' on the basis the station car park provides more convenient parking provision for station users. NCC will monitor parking in this area, if off street parking becomes an issue, then residents could apply for these spaces to become designated residents parking under a permit scheme which would be free for the first year but chargeable after that'.*

7.39 Whilst recognising the issues raised by residents of Railway Cottages, it is considered that the car park proposals in the application, subject to the imposition of appropriate planning conditions, are in accordance with Policy M8 in the BVBLP, Policy DC 11 in the BVBDP, Policy TRA4 in the NLP and the NPPF.

Other Highway Considerations

7.40 Policy DC 11 in the BVBDP states that planning permission for new development will not be permitted unless it meets various criteria including improving the integration of different modes of travel, encouraging the use of public transport and demonstrate safe and efficient access. Policy TRA1 in the NLP requires the transport implications of development to be addressed as part of any planning application and sets out various planning criteria that the development will be required to address. The NPPF requires applications for developments requiring significant amounts of movement to be supported by a transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113).

7.41 A Transport Assessment (TA) has been submitted to support the proposed development. The assessment identifies the anticipated transport impacts of the proposed development and outlines whether any necessary improvements to accessibility and safety for all modes of travel are required. The assessment methodology was agreed in advance of the submission of this application through

detailed pre-application discussions between County Highways and the applicants and their consultants.

7.42 The highways works to support this application are significant. This is primarily linked to the need to provide a replacement railway crossing following the recommended closure of the existing A1061 Newsham Level Crossing. The proposed closure of the Newsham Level Crossing improves road safety at this location through the removal of the potential conflicts between road users and railway users. County Highways note that the closure has been recommended by the Route Level Crossing Manager for Network Rail, who was the expert witness for level crossing closures as part of the Transport Works Act Order (TWAO) inquiry for the scheme. The Proof of Evidence submitted to the inquiry considered the safety aspect of the level crossings through the undertaking of a qualitative and quantitative risk assessment resultant from the proposals and the increase in train movements on the line. The assessment of the current situation and potential mitigation options at the Newsham Level Crossing considered the increased frequency of closures, the interaction of traffic movements, line speed implications, signalling and the behaviour of all users at a level crossing. The assessment also included a risk ranking comparing all level crossings in the Eastern Region and how this rank changed with the various interventions considered. In his assessment of these matters it was his expert opinion that technological improvements to the existing level crossing would not suitably address the risks associated with its retention on the balance of safety, public behaviour and implications on the operation of the railway itself. It was therefore his recommendation, that the level crossing was closed when considering these factors.

7.43 In supporting the expert position in relation to rail safety, an alternative provision for a bridge has been proposed. This measure will remove the harm associated with a level crossing in its entirety and County Highways consider that it is an acceptable form of mitigation that will achieve the improvements to rail safety, but also remove the delay and queuing that creates part of the risk associated with a level crossing. The removal of delay and queuing can also be considered as an overall improvement to the free flow operation of the highway, for all users, in this instance. The replacement of a level crossing with a bridge will provide additional resilience to the overall highway network providing a route into the southern part of Blyth via the A1061 South Newsham Road that is not restricted by level crossing closures as is currently the case.

7.44 This has been achieved through the provision of a new road overbridge to the railway line to the south of the current alignment of the A1061 South Newsham Road. To facilitate this bridge and provide acceptable approach gradients to the structure a realignment of the A1061 to the south is necessary. The applicant has proposed two roundabout junctions on either approach to bridge. A priority ghost island junction on the realigned B1523 South Newsham Road provides access to the western car park and the former A1061 South Newsham Road alignment retaining highway access to Railway Cottages. A mini-roundabout is provided between the new access junctions to the eastern car park and Blagdon Drive retaining highway access to Blagdon Drive from the realigned A1061. The highways works have been subject to a Stage 1 Road Safety Audit and the revised layouts submitted reflect the findings of this audit with the applicant's designer confirming in writing that any further amendments at the detailed design stage can be accommodated within the red line boundary of the application.

7.45 County Highways have recommended conditions to secure the engineering details of the proposed highways works, both on the existing and future highway and to ensure that the A1061 bridge is constructed and available for use by all road users prior to the A1061 Newsham Level Crossing being permanently closed to highway users. These engineering detail conditions will also include the requirement to submit details pertaining to the A1061 bridge, which will form a highway structure, including details of Road Restraint Systems to prevent vehicle incursion onto the railway and approach embankments and means by which pedestrians, cyclists and equestrian are protected from leaving the proposed shared use footway/cycleway in this area.

7.46 The detailed design of the highways works will be subject to a further three stages of Road Safety Audit through the lifetime of the detailed design and early operation of the development. County Highways are therefore satisfied that the submitted details and the future information required to discharge the recommended conditions mean that there are no inherent road safety issues with the proposals. A condition is also recommended in respect to the potential road safety impacts during the construction phase of the development through the submission of a Transport and Construction Method Statement.

7.47 As a result of the development the extent of the adopted highway will be amended. The new sections of roads, primarily linked to the A1061 bridge works and associated connections, will need to be adopted as public highway to retain the highway designation along the A1061. As this is an NCC scheme, no S38 Agreement can be entered into and the designation of the new roads as highway will follow as part of the construction and delivery process of the scheme. The recommended highways works conditions will ensure control over the engineering details to ensure that the works are constructed to adoptable standards.

7.48 There is a requirement to permanently Stop Up the Public Highway because of the highways works. The extent of this Stopping Up is primarily linked to the closure of the Level Crossing. It is proposed that highway rights between the Level Crossing and the new Blagdon Drive / eastern car park access junction are removed as there is no benefit to the Highway Authority in this being retained following the closure of the level crossing and the proposed use of the current section of A1061 South Newsham Road as the exit to the eastern car park. Partial extents of existing highway around the current A1061 / B1523 Roundabout also need to be Stopped Up to facilitate the western roundabout, western car park SuDs and realignment of the western access road (currently A1061 South Newsham Road).

7.49 Whilst the use of Section 247 of Town and County Planning Act can be used to Stop Up a Highway once planning permission is granted, the Transport and Works Act Order (TWAO) for the Northumberland Line scheme includes the provision for Highway Stopping Up. The extents of the Stopping Up detailed above are included in the Transport and Works Act Order submission, which is currently being considered by the Inspector following the completion of the TWAO Inquiry last year. The potential granting of the TWAO is separate to the Planning Application and does not impact upon the layout as proposed.

7.50 The extents of the highway stopping up have been provided to ensure all existing dwellings at Railway Cottages and Blagdon Drive retain their direct access to the adopted highway.

7.51 The Transport Assessment includes a review of access routes and sustainable transport options for users of the development and demonstrates the

linkages for pedestrians, cyclists and public transport users to the proposed station. The proposed station has direct pedestrian and cyclist access to Newsham and South Beach utilising existing routes for pedestrians and cyclists. The proposed layout provides for direct connectivity for pedestrians and cyclists to access the station infrastructure but also retains connectivity as a result of the highway works required to provide the A1061 bridge across the railway. The proposals incorporate those improvements that are already secured under the planning permission for the adjacent housing development to the north of the A1061 Laverock Hall Road. For pedestrians and cyclists impacted upon by the closure of the Level Crossing, alternative routes are provided using the proposed road bridge, which includes a shared pedestrian/cyclist route to the north of the carriageway that will connect to existing infrastructure. Pedestrians will also have the opportunity during operational times of the railway and station to use the proposed station bridge (and lifts) to cross the railway. Connectivity within the two car parks allow for this alternative route to be used during the operational hours of the new station.

7.52 The development impacts upon existing bus stops on the B1523 South Newsham Road to the north of the site and the A1061 South Newsham Road to the east of the site. These bus stops have been relocated to cater for the revised road layout and, following amendments made because of the Stage 1 Road Safety Audit, are shown in acceptable locations. The detailed design process will further refine the proposals with engineering details in respect to the highways works recommended to be secured by condition. Bus stops are additionally provided within the site in the form of a double length bus stop layby within the eastern car park. However, the submitted details do not indicate any provision of Equality Act compliant kerbing or a shelter at the internal bus stop. These items will be secured through the detailed design of the proposals. Vehicle swept path analysis submitted with the application demonstrates that bus access can be accommodated within the design of the eastern car park and its approach roads.

7.53 New pedestrian and cyclist signage is likely to be required in relation to directing pedestrians and cyclists along the routes intended within the design, especially in relation to cyclist access. Whilst the submitted traffic signs drawing does not show this, these details can be conditioned as part of any approval given and a condition is recommended to this effect.

7.54 Following detailed assessment, County Highways have therefore generally endorsed the findings of the submitted Transport Assessment, including the minor revisions made to the originally submitted proposals, and have raised no objection to the proposed development subject to the imposition of planning conditions in the interests of highway and pedestrian safety and the amenity of local residents

7.55 It is concluded therefore that subject to the imposition of appropriate planning conditions the proposals are in accordance with Policy DC11 in the BVBDGP, the NPPF and policy TRA1 in the NLP.

Impact on residential amenity

7.56 Policy DC1 in the BVBDGP states that development proposals will be expected to have no adverse impact on the amenities of residents of nearby residential properties. Policy DC22 states that wherever practicable potentially noisy developments should be located away from one another.

7.57 Policy STP5 in the NLP states that *'Development proposals will be required to demonstrate where relevant and in a proportionate way, that they ... (f) prevent negative impacts on amenity; (g) protect, and alleviate risk to people and the environment, and do not have a negative impact on... vibration, air and noise pollution'*.

7.58 The main impacts on residential amenity dealt with in this section of the report are noise, vibration, air quality and artificial lighting. Car parking has been dealt with above and visual impact is dealt with in a later section of this report.

Noise

7.59 Public Protection have identified the main residential receptors for noise from the proposed development as Nos. 1 – 16 Railway Cottages, Nos. 1 -3, 5 – 8, 24 and 25 Blagdon Drive and Nos. 13 and 14 Park Farm Villas. These dwellings are already receptors to noise from the current freight rail traffic. However, the proposal will increase the number of train movements on the line from the current 30 freight trains per week by 64 passenger trains each day.

7.60 Whilst noise from trains is transitory, the proposed half hour frequency for passenger services represents a significant increase on current levels and at stations the impact will be greater as passengers disembark and board. However, the noise from railcars at the station is predicted to be 36 to 54 dBLA_{aq} (without mitigation), which is between 24 dB below and up to 3 dB over the measured current baseline daytime level. The proposal is to use diesel railcars, therefore most train engines will be located under the chassis of the railcar and a certain amount of noise attenuation will be provided at the station from the platform acting as a barrier. Acoustic barriers on both sides of the track are proposed to provide mitigation to 20 properties at Railway Cottages and Blagdon Drive.

7.61 Public Protection note that the 'worst case scenario' relates to night-time noise from passing trains. The night period is 23.00 – 07.00 and during these periods it is anticipated that three empty trains (05.47, 06.11 and 23.15) and three stopping trains (06.19, 06.46 and 06.48) will pass through Newsham Station. However, the much heavier freight trains with a greater number of wagons currently pass through the area during the 06.00 – 07.00 period. Public Protection therefore conclude that given the limited number of passenger traffic movements (passing and stopping) in a small proportion of the night period, the predicted night-time noise impacts are expected to be in the Lowest Observed Adverse Effect Level (LOAEL) when taken against the existing rail traffic. In addition the proposed acoustic barriers should provide a degree of attenuation. The closure of the level crossing will also provide benefits as barrier alarms will no longer operate and there will be a reduction in noise through the realignment of the A1061 road.

7.62 A new source of noise from the proposed development would be the tannoy system. Whilst final details of the tannoy system are not yet available Public Protection consider that the noise impacts will be acceptable. Even at night the noise impact would meet the internal limit in BS 8223 of 30dB LA_{eq} (accounting for 15dB of attenuation through an open window) and below the existing background level at night of 51dB LA_{eq}. Notwithstanding this, Public Protection have recommended a planning condition requiring details of how noise from the tannoy will operate and be managed and controlled during the night period.

7.63 The noise levels at the nearest receptors from the operational noise from the use of the car park is predicted to be 20 to 50 dB LAeq ground floor and 24 to 52 db LAeq first floor at the nearest receptors. This, in isolation from the other operational noise impacts, is below the measured daytime background levels of 46 to 51 db LAeq at these receptors. The properties that would be most affected are the residential dwellings north of the existing A1061 road but even at the most affected, the predicted level is almost the same as the current ambient noise level. Most of the use of the car park will be during the acoustic daytime period, although it is likely that there will be cars arriving for the first train at 06.19.

7.64 The predicted cumulative daytime noise impact at the nearest receptors without mitigation is between -16 to +5 dB in relation to the measured existing ambient daytime levels of 46dB to 61db LAeq. As previously stated, noise attenuation in the form of two acoustic barriers is proposed north of the station providing attenuation to the dwellings at Railway Cottages and Blagdon Drive. This attenuation mitigates noise levels in these dwellings by -10 dB to 0 dB in relation to non-mitigated noise levels. Details of the acoustic barriers will be secured through a planning condition.

7.65 The recommended conditions require the submission of a construction noise and vibration management plan for the approval of the Local Planning Authority. That plan would be required to provide details of the construction work and methodologies, measures for the control and reduction of noise emissions associated with construction works, liaison with local residents and arrangements for noise monitoring. Final details of the construction schedule and plant to be used are not yet available, however, the applicants have stated that working at night-time and weekends would be necessary, as the line would remain open during construction for the operation of freight services. The expectation would be that the activities that might generate most noise, such as platform construction, groundworks and tarmacking the car park, would be carried out during normal working hours as far as practicable and this could be controlled through the approval of the planning condition or by a COPA Section 61 'prior approval' or a combination of both. Public Protection also point out that there are noise limits under British Standards 5228 (Code of practice for noise and vibration control on construction and open sites) that they would expect the applicants to adhere to. The applicants estimate that the overall construction period would be up 11 - 15 months subject to access, safety and other considerations but construction would not be continuous. Individual activities such as the construction of the platforms and car park are likely to take place within discrete periods of time of much lesser duration. The construction programme will be refined now that the main contractor for the scheme has been appointed.

7.66 Subject to the imposition of appropriate conditions, Public Protection have raised no objections based on noise, either during the operational phase or during construction.

Vibration

7.67 Vibration levels from the proposed railcars are likely to be minimal, especially when compared to the longer and heavier freight trains already using the line and would be significantly below levels that would be noticeable at nearby dwellings. Vibration from plant and machinery during the construction phase will depend on the schedule of works and plant to be used. As the detailed works and plant are not yet known, this is the subject of a planning condition.

Air Quality

7.68 The railcars will be diesel and there is currently no plan to electrify the line, although the design of the scheme (e.g. the height of bridges) does allow for electrification at some future date. The railcar engines would be similar to those used to drive a large heavy goods vehicle. It is anticipated that the air quality impact from the operation of the passenger railway service would be minimal. No assessment of air quality impacts from the operation of the rail service was required under current Government guidance.

7.69 The applicants have modelled the road traffic air quality impacts that would arise from traffic flows resulting from vehicles travelling to and from the proposed railway station. The modelling has indicated that impacts would either be negligible or beneficial. Public Protection consider that this is acceptable having regard to the site's and receptors' location near the busy A1061 road and are not recommending any mitigation or planning conditions. It is noted that the realignment of the road and removal of stationary traffic at the existing level crossing will benefit some receptors.

Artificial Lighting

7.70 The external lighting on the platform and car park would be some distance from any receptors and Public Protection have raised no issues with the proposals but they have recommended a condition requiring further details to be submitted for approval. Also, as referred to below, the County Ecologist is concerned about the impact of artificial lighting on protected species and the recommended lighting condition also covers this aspect.

Conclusion on Impact on residential Amenity

7.71 It is concluded that with the proposed mitigation measures and subject to the imposition of appropriate planning conditions, the proposed development complies with Policies DC 1 and DC 22 in the BVBDGP and Policy STP5 in the emerging NLP.

Impact on the Character and Appearance of the Area

7.72 Policy DC1 in the BVBDGP states that development proposals will be expected to be of a high standard of design and landscaping which takes account of existing natural and built features, the surrounding area and neighbouring land uses. Policy DC17 in the BVBDGP states that development should contribute to restoration, enhancement, repair and maintenance of the landscape in and around which it is situated. Development with landscape and visual impacts will be assessed against the extent to which it will cause unacceptable visual harm and various planning and environmental criteria relating to the character and features of the area. Policy DC27 of the BVBDGP states that new developments will be expected to achieve a high standard of design. Policy E3 in the BVBLP states that proposals will be assessed according to their effects on the intrinsic qualities of the landscape type or types that they affect with account taken of any positive landscape related measures proposed as part of the development.

7.73 Policy QOP2 in the NLP requires development to provide a high standard of amenity for users and not cause unacceptable harm to the amenity of those living in the area. Development proposals should ensure that the physical presence and design of the development preserves the character of the area and does not have a

visually intrusive or overbearing impact on neighbouring uses. Policy QOP4 in the NLP states that: *'Where relevant, new development will be expected to incorporate well-designed landscaping and respond appropriately to any existing landscape features'*.

7.74 The Government has given centre stage in the recent revisions to the NPPF to raise the standards of design and quality of new development. Paragraph 126 of the NPPF states: *'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*. Paragraph 130 states that planning decisions should ensure (inter alia) that developments are *'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'* and that they are *'sympathetic to local character and history, including the surrounding built environment and landscape setting'*.

7.75 A Design and Access Statement (DAS) and a Landscape, Townscape and Visual Impact Assessment (LTVIA) were submitted with the application. The DAS states that the scale and layout of the development are in response to railway operational and engineering constraints. The two 100m long platforms are designed to safely accommodate trains with up to four carriages. The station size and layout have been designed to meet estimated passenger numbers whilst the scale of the proposals is dictated to by Network Rail standards, national legislation and the railway engineering and operating requirements.

7.76 The platforms will be of precast concrete construction with asphalt surfacing. Platform furniture and facilities will be designed and coloured to align with the train operating company's branding requirements. The waiting shelters on the platforms will provide protection for passengers during inclement weather. A single span overbridge, with lift and stepped access, will allow access to both platforms from the car parks. The car parks and station forecourt area will consist of line marked tarmac with raised kerb pavement and forecourt areas.

7.77 The DAS refers to various changes that were made to the design of the scheme following pre-application consultations. As a result of safety risks at the level crossing, a road overbridge is proposed as a diversion to the A1061. This includes the closure of Newsham level crossing. The size of the proposed car park has increased to 237 spaces to provide for the potential growth up to the year 2039 and as a result of the increase in car parking and the need to provide an overbridge, it was confirmed that land both to the east and west of the railway line would be required to implement the scheme. These changes were included in a scheme-wide consultation that took place in November and December 2020. As a result of representations received on that consultation, 12 parking places have been provided for residents of Railway Cottages.

7.78 The design of the proposed stations on the Northumberland Line, including the station at Seaton Delaval, has sought to provide functional and modern railway stations which are compliant with the relevant Network Rail and other industry standards, including those related to accessibility and inclusivity, whilst respecting the local townscape and historic importance of the line's industrial heritage. As referred to in the section below on 'impact on heritage assets' the Building Conservation supports the design of the station subject to the imposition of a planning condition requiring details relating to the design and colour palette for

station infrastructure to be submitted to ensure continuity and quality in the appearance and design of the scheme as a whole.

7.79 The LTVIA seeks to provide an understanding of the baseline landscape, townscape and visual conditions of the site and surrounding area. This is to determine likely effects which may arise as a result of the development and highlight mitigation measures to reduce, offset or compensate for such impacts. It uses a combined approach, which considers landscape, townscape and visual issues independently so as to gain a holistic understanding of the impact of the proposed development on landscape, townscape, and visual receptors.

7.80 The application site is located on the edge of South Newsham and currently comprises mainly agricultural fields enclosed by hedgerows and a small area of woodland in the northeast corner of the site.

7.81 There are no landscape or townscape designations affecting the site but most of the site is within the Green Belt, as discussed earlier in this report. The site is within Landscape Character Area 42a 'Ashington, Blyth and Cramlington', where built development is a typical characteristic. Whilst the site lies adjacent to the built development of South Newsham north of the A1061, the road provides a strong separation from the predominantly open farmland to the south.

7.82 The main change in relation to the landscape character is that its current uses will change to a railway station with associated car parks and facilities, including the overbridge for the realigned A1061 road. The scheme includes the planting of woodland, landscaping, SuDs features and an attenuation basin. The perception of change will clearly be considerable though it can be expected that this will reduce over time as the proposed buffer, tree, hedge and shrub planting associated with the development begins to establish.

7.83 The LTVIA found that there would be limited views of the proposals within the wider area with the majority of views restricted to the immediate area due to the built form of South Newsham and Blyth, the limited change in elevation and the existing woodland and hedgerows. With the mitigation measures proposed the main effects would be experienced by the residential properties along the northern boundary of the site, vehicles travelling along the A1061 and pedestrians walking on the footpaths in the vicinity of the site.

7.84 It is considered that the methodology used for the LTVIA is appropriate for the proposed development in this location and that its assessments of the impacts are accurate. To mitigate the changes, various landscape features have been incorporated within the proposed development and the detail of these are the subject of recommended planning conditions should the Committee resolve to grant planning permission.

7.85 It is concluded that with the proposed mitigation measures and subject to the imposition of appropriate planning conditions, the proposed development complies with Policies DC1, DC17 and DC27 in the BVBDGP, Policy E3 in the BVBLP and Policies QOP2 and QOP4 in the NLP.

Impact on biodiversity

7.86 An Ecological Impact Assessment was submitted with the planning application. It notes that development at the site will lead to a net loss of biodiversity. The County Ecologist has raised no objections to the proposed development subject to the imposition of appropriate planning conditions, including the submission of a scheme of biodiversity net gain. The net gain may be achieved through the provision of on-site or off-site habitat creation.

7.87 The potential ecological impacts of the development have been identified as follows.

- The loss or disturbance of habitats of up to local parish botanical value, but comprising areas of low botanical importance, including a small area of young broadleaved plantation woodland, hedgerows and shrub. The quality of the plantation woodland is not considered to be significant.
- Potential harm or disturbance to any protected species present within the site including roosting bats.
- Spread of invasive non-native plant species.
- Loss or disturbance of habitats of low value to red squirrel, local value to bats and badger and local parish level value to birds.

7.88 Overall the Biodiversity Net Gain Assessment for the site shows an increase of 27% or 8.35 biodiversity units between the existing site and the proposed landscaping scheme, excluding linear features such as hedgerows which show a loss of 28% or 3.7 units. However, the trading standards within the metric are not met for the loss of shrub, as the landscaping plans do not include a suitable compensation habitat of the same or higher distinctiveness. The development will therefore lead to a net loss of biodiversity.

7.89 A metric based approach securing a 10% gain has been agreed for the Northumberland Line scheme and this may be secured across the whole scheme or for individual stations as appropriate. In relation to this application the County Ecologist considers that flood prevention measures associated with the development of the realigned A1061 may be a suitable location for net gain.

7.90 The provision of net gains for biodiversity in accordance with the NPPF and Policy ENV1 in the NLP is the subject of a recommended planning condition. Other recommended conditions relate to mitigation measures, a lighting scheme and an amended Construction Environmental Management Plan to maintain the biodiversity value of the site and avoid harm to any protected species that may be present.

7.91 The broadleaved plantation woodland that will be lost is part of an area that is protected under Policy D16 of the BVBDGP. This protection has been carried forward through Policy INF5 in the NLP requiring the loss from the proposed development being replaced by equivalent or better provision in terms of quantity and quality in a suitable location. The proposals for landscaping including tree provision provide some compensation and discussions are continuing with the applicant regarding additional compensation that might include new footpath provision associated with the proposed drainage ponds and linked to the existing PROW network. This is the subject of a recommended planning condition.

Impact on heritage assets

7.92 The application site is not within a Conservation Area and does not contain any listed buildings. However, the proposed area for development has the potential to impact the setting of the Seaton Delaval Conservation Area and significance of various heritage assets, including the surviving 19th century Newsham South Signal Box and the 19th century terrace of cottages (Railway Cottages).

7.93 The Council's Building Conservation Team has assessed the impact of the proposed development on each of these heritage assets. It has concluded that whilst the development proposals would result in change to the landscape, it is not considered harmful to the setting and significance of the Seaton Delaval Conservation Area. The Building Conservation Team consider that the heritage significance of Railway Cottages is limited because the properties on the terrace have been modified through the construction of modern extensions to the rear and the inclusion of render and harling finishes. The proposed development would also change the setting of the 19th century signal box but the team do not consider that this would warrant refusal of the planning application.

7.94 The Building Conservation Team therefore supports the application and recommends that details relating to the design and colour palette for station infrastructure (shelters, lighting, signage, furniture etc.) are conditioned to ensure continuity and quality in the appearance and design of the scheme. An appropriate condition is included in the recommended conditions should the Committee decide to grant planning permission.

7.95 An archaeological geophysical survey was undertaken over the western half of the site in 2020, followed by a programme of archaeological evaluation trenching across the site in winter 2021. The evaluation targeted anomalies identified via the geophysical survey including areas not included in the geophysical survey. The trial trenching confirmed the existence of a rectangular enclosure of characteristic late prehistoric form. This feature has been interpreted as the remains of a 'roundhouse' dwelling. Evidence of prehistoric activity elsewhere within the site included 'potboilers' (stones used to heat water) in pits subject to sample evaluation and the remains of butchered animal bones in the enclosure ditches. Evidence of medieval and post-medieval activity was also recorded in the form of ridge and furrow earthworks and associated ditches, although such features are typical of the landscape and were not unexpected. The proposed development would result in the total loss of these remains.

7.96 The County Archaeologist has advised that these archaeological remains should be regarded as 'non-designated heritage assets' with archaeological interest for the application of national planning policy. The County Archaeologist has agreed an appropriate programme of archaeological mitigation with the applicant's archaeological consultant that is consistent with the objectives of paragraphs 56 and 205 of the NPPF. The agreed programme will initially comprise a targeted 'strip, map and record' exercise of the areas of most significant archaeological interest, followed by further work on an extended area if justified by the initial works.

7.97 The County Archaeologist is therefore raising no objection on archaeological grounds, subject to the detail of an appropriate programme of mitigation being agreed with the applicant. Such a condition would be in line with paragraph 205 of

the NPPF and is included in the recommended conditions should the Committee agree to grant planning permission.

Other matters

Drainage

7.98 A Flood Risk Assessment (FRA) was submitted with the planning application. This identified that the site may be at the risk of flooding due to two existing watercourses in close proximity to the site. As a result hydraulic modelling work was undertaken to understand the extent of risk that might be required. The FRA and Hydraulic Modelling Study have been reviewed by the Local Lead Flood Authority who have raised no objection subject to the imposition of planning conditions to control surface water and ensure that the risk of flooding does not increase.

7.99 Local residents have raised concerns that the field west of the railway line has standing water present at certain periods and that the proposals might increase the risk of flooding to their properties. However, the development will have a positive drainage system with drains, pipes and ponds that will directly intercept and drain this water. The drainage system will therefore resolve the current drainage problems.

Coal Mining Legacy

7.100 The application site falls within the defined Development High Risk Area, therefore there are coal mining features and hazards that need to be considered in relation to the determination of the application. Coal Authority information indicates that historic unrecorded underground coal mining activity is likely to have taken place at shallow depth associated with thick seam outcrops at the application site. A Preliminary Sources Study Report was submitted with the application. This has been assessed by the Coal Authority who agree with its conclusions and recommendations. The Coal Authority raise no objection to the proposed development subject to the imposition of conditions requiring investigations to establish the exact situation regarding coal mining legacy issues at the site.

Land Contamination

7.101 The application is supported by a Phase 1 desk stop study for potential land contamination that has recommended that various intrusive investigations be carried out prior to development. Public Protection have endorsed the findings of the study and have recommended conditions requiring site investigations to be carried out to identify any potential contamination from past historical uses of the site.

Public Rights of Way

7.102 The proposed layout has an impact on the northern end of two public footpaths (300/031 and 300/162), requiring their diversion. The appropriate legal changes to these public footpaths will need to be carried out. The public rights of way team has raised no objection to the proposals.

Enabling Works

7.103 The applicants have submitted a programme of works for the construction of the proposed development. This includes information on proposed 'enabling works'

that would be carried out in advance of the formal commencement of development. The main priorities for the enabling works are vegetation clearance and tree works that the applicant is seeking to carry out before the bird-nesting season.

Equality Duty

7.104 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.105 Policy DC1 in the BVBDPCP states that development proposals will be expected to minimise the risk of crime through appropriate design and layout. The Planning Statement submitted with the application states that the design of the proposals has been informed by guidance received from Northumbria Police and British Transport Police. The 'Designing Out Crime' units of both organisations have been consulted on the planning application and have provided recommendations for various measures to assist in reducing the fear of crime and disorder for passengers using the railway and rail staff, including measures related to CCTV, lighting and access. The Design and Access Statement states that the design of the station platform and car park have been developed to include suitable lighting, CCTV, public address system and passenger help points to create an environment which makes vulnerable users feel safe and secure when using the station and its facilities. Some local residents have raised concerns that the proposed development might lead to anti-social behaviour as a result of the increased numbers of people in the area. However, the measures referred to above such as lighting and CCTV will also assist in reducing the likelihood of anti-social behaviour. These matters are the subjects of planning conditions. It is concluded that the policy requirements have been met.

Human Rights Act Implications

7.106 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner, which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.107 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the

light of statute and case law and the interference is not considered to be disproportionate.

7.108 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The reintroduction of passenger rail services on the Northumberland Line would bring considerable benefits to communities in southeast Northumberland. The proposed station at Newsham forms an important part of the overall scheme and is in accordance with Development Plan policy.

8.2 The site of the proposed station is in the Green Belt immediately to the south of the A1061 and is some 700 metres south of the historic station at Newsham that served the area between 1851 and 1964 when it was closed as part of the Beeching cuts. The proposed siting of the station has been determined based on an appraisal of alternative options. Sites to the north of the railway station were constrained by existing building development adjacent to the railway line. Any potential alternative sites, including adjacent to the site of the previous Newsham station, were not large enough to provide for the anticipated car parking demand at the station. Furthermore, the proposed station at Newsham could not be sited further north due to it being in direct conflict with the proposed railway station at Bebside. Any sites to the south would not have been well related to the existing settlement. There has been substantial house building in the southern parts of Blyth that would be easily accessible by various means of transport to the proposed new station.

8.3 In respect of the site's location in the Green Belt there are four aspects to consider. First whether a sequential test has found no suitable sites outside the Green Belt. Second whether the proposed development represents inappropriate development. Third whether the impact on 'openness' is acceptable. Fourth whether the proposed development conflicts with the purposes of including the land in the Green Belt. Each of these has been considered in this report and overall, notwithstanding the limited impact on openness and taking into account the absence of suitable alternative sites and the proposal's contribution to urban and economic regeneration of the area, it is concluded that the proposed development conforms with national and local Green Belt policy.

8.4 The implications of the proposed development for local highway conditions have been the subject of particular scrutiny. Following detailed discussions, a Stage 1 Road Safety Audit and the submission of revised plans, County Highways have endorsed the detailed proposals for the car parking provision (including the proposals in relation to Railway Cottages), the closure of the existing level crossing, the realignment of the A1061 and the associated highway works that will be required. County Highways consider that the proposals are acceptable subject to the imposition of appropriate planning conditions.

8.5 The various impacts of the proposals including on residential amenity, biodiversity, heritage assets, plantation woodland and landscape character and quality, have all been assessed in this report and have been found to be acceptable subject to the imposition of appropriate planning conditions.

8.6 It is concluded that the proposals overall are in accordance with Development Plan policies, the NPPF and the NLP and that the planning balance, in particular taking into account the economic benefits that the scheme will generate, weighs in favour of granting planning permission subject to appropriate planning conditions.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following conditions

General

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents.

Plans

60601435-ACM-XX-ZZ-DRG-LEP-000012 (Rev PO1) Site Location Plan
60601435-ACM-04-ZZ-DRG-EHW-040052 (Rev PO5) Newsham Car Park General Arrangement
60601435-ACM-04-ZZ-DRG-EHW-040053 (Rev PO5) Highways Typical Cross Sections – Existing and Proposed Sheet 1
60601435-ACM-04-ZZ-DRG-EHW-040054 (Rev PO3) Highways Typical Cross Sections – Existing and Proposed Sheet 2
60601435-ACM-04-ZZ-DRG-EHW-040058 (Rev PO3) Highways Typical Cross Sections – Existing and Proposed Sheet 3
60601435-ACM-05-ZZ-DRG-EHW-040055 (Rev PO4) Highways Drainage Layout Sheet 1 of 2
60601435-ACM-05-ZZ-DRG-EHW-040056 (Rev PO4) Highways Drainage Layout Sheet 2 of 2
60601435-ACM-04-ZZ-DRG-EHW-040057 (Rev PO2) Car Park Traffic Sign and Road Marking Layout
60601435-ACM-04-ZZ-DRG-EHW-040059 (Rev PO2) Vehicle Tracking
60601435-ACM-04-ZZ-DRG-EHW-040063 (Rev PO1) Vehicle Tracking Sheet 2 of 2
60601435-ACM-04-PL-DRG-ECV-000002 (Rev PO2) Existing Platform General Arrangement
60601435-ACM-04-PL-DRG-EHW-040060 (Rev PO2) Existing Public Utilities Layout

60601435-ACM-04-PL-DRG-ECV-000003 (Rev PO3) Platform General Arrangement
60601435-ACM-04-PL-DRG-ECV-000007 (Rev PO3) Platform Existing and Proposed Platform Sections and Details

60601435-ACM-04-PL-DRG-ECV-000008 (Rev AO1) Platform Services General Arrangement
60601435-ACM-04-PL-DRG-ECV-000010 (Rev PO3) Platform Drainage General Arrangement
60601435-ACM-04-PL-DRG-ECV-000011 (Rev AO1) Platform Elevations
60601435-ACM-04-PL-DRG-ECV-000100 (Rev AO1) Level Crossing Closure General Arrangement
60601435-ACM-04-ZZ-DRG-EST-000301 (Rev PO2) Footbridge Proposed GA Sheet 1 of 3
60601435-ACM-04-ZZ-DRG-EST-000302 (Rev PO1.3) Footbridge Proposed GA Sheet 2 of 3
60601435-ACM-04-ZZ-DRG-EST-000303 (Rev PO1.3) Footbridge Proposed GA Sheet 3 of 3
60601435-ACM-04-ZZ-DRG-EST-000304 (Rev AO1) Newsham Station Footbridge Existing Arrangement
60601435-ACM-04-ZZ-DRG-EST-000044 (Rev AO1) E&P Proposed Schematic Newsham Station
60601435-ACM-04-PL-DRG-EHW-040051 (Rev PO5) A1061 Newsham Realignment Plan and Profile
60601435-ACM-04-ZZ-DRG-EST-001205 (Rev AO1) A1061 Overbridge Proposed General Arrangement Sheet 1 of 3
60601435-ACM-04-ZZ-DRG-EST-001206 (Rev AO1) A1061 Overbridge Proposed General Arrangement Sheet 2 of 3
60601435-ACM-04-ZZ-DRG-EST-001207 (Rev AO1) A1061 Overbridge Proposed General Arrangement Sheet 3 of 3
60601435-ACM-04-ZZ-DRG-HLG-001301 (Rev AO1) Highways Lighting Proposed Lighting Layout Sheet 1 of 2
60601435-ACM-04-ZZ-DRG-HLG-001302 (Rev AO1) Highways Lighting Proposed Lighting Layout Sheet 2 of 2
60601435-ACM-04-ZZ-DRG-HLG-001303 (Rev AO1) Highways Lighting Contours Layout Sheet 1 of 2
60601435-ACM-04-ZZ-DRG-HLG-001304 (Rev AO1) Highways Lighting Contours Layout Sheet 2 of 2
60601435-ACM-04-ZZ-DRG-HLG-001305 (Rev AO1) Highways Lighting Calculation Results Sheet 1 of 2
60601435-ACM-04-ZZ-DRG-HLG-001306 (Rev AO1) Highways Lighting Calculation Results Sheet 2 of 2
60601435-ACM-04-ZZ-REP-HLG-001301 (PO2) Lighting Calculation Report
60601435-ACM-04-ZZ-SKT-HLG-001301_1 (PO2) Highways Lighting Proposed Lighting Class Sheet 1 of 1
60601435-ACM-04-ZZ-DRG-EPT-000045 (Rev AO1) E&P Proposed Lighting Layout
60601435-ACM-04-ZZ-DRG-HLG-001307 (REV AO1) Highways Lighting Overall Lighting Layout
60601435-ACM-05-ZZ-DRG-EHW-040062 (Rev PO1) Flood Compensation Basin

Documents

Newsham Arboricultural Impact Assessment, Aecom for Northumberland County Council. September 2021.

Newsham Level 2 Updated Flood Risk Assessment. Aecom for Northumberland County Council. November 2021 (rev DO4)

Newsham Ecological Impact Assessment. SLC Property. September 2021 (Rev VO3)

Phase 1: Desk Study (The Northumberland Line – Preliminary Sources Study Report – Newsham). Aecom. 8 March 2021 (Rev PO1)
Newsham Enabling Works. Morgan Sindall for Northumberland County Council. 25 January 2022 (Reference No. 166967 MSI SN03 ZZ STR DEL 000001 Rev P1.3) as amended by email from Alannah Healey dated 28 January 2022.

Reason: To ensure that the approved development is carried out in accordance with the approved plans and documents.

3. The development hereby permitted shall not be commenced until plans of the site showing the existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements in accordance with the NPPF.

Environmental Matters

4. The development hereby permitted shall not be commenced until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall be adhered to throughout the construction period. The Management Plan shall provide for:

a. An assessment of construction noise and vibration including detailing measures for the control and reduction of noise and vibration emissions associated with earthworks and construction.

b. Details of the disposal of surface water from the development through the construction phase.

c. Equipment cleaning and washing facilities.

d. Excavation plant machinery to be fitted with fuel spill kits.

e. The provision of welfare facilities that shall be maintained by a licenced Waste Carrier.

f. Details of behavioural policies for all site staff to minimise noise, vibration and air quality impacts from vehicles, plant and equipment.

g. The engines / generators of all construction vehicles, plant and equipment shall be turned off when not in use. Hybrid generators shall be used wherever practicable to reduce noise and fuel consumption.

h. Details of the measures to be taken to protect existing trees that will not be removed as part of the development

Reason: To prevent nuisance in the interests of residential amenity in accordance with the NPPF, to ensure that the risk of flooding does not increase during the

construction phase, to limit the siltation of any site surface water features, to ensure the welfare of site operatives and to ensure trees are protected from construction works.

5. Details of the proposed boundary treatment to the site shall be submitted to and approved by the Local Planning Authority. The details shall include plans showing the location of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of the proposed new boundary treatments. The approved scheme shall be implemented before the station is brought into operational use.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policies DC21 and DC27 of the Blyth Valley Borough Local Development Framework Development Control Policies

6. Notwithstanding the details submitted, prior to the commencement of development samples of all materials, colours and finishes to be used on all external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy DC27 of the Blyth Valley Borough Local Development Framework Core Strategy.

7. Not later than three months after the commencement of development a scheme to offset the loss of protected plantation woodland shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be commenced no later than the first planting season after the proposed development is brought into use.

Reason: To provide compensation for the loss of protected plantation woodland in accordance with Policy DC16 of the Blyth Valley Borough Local Development Framework Development Control Policies.

Land Stability

7. No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, including recorded mine entries present within influencing distance of the site and shallow underground mine workings; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy Framework.

8. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy Framework.

Biodiversity

9. The development hereby permitted shall not be commenced unless and until a scheme for biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. The scheme may include on-site habitat creation, off-site habitat creation or both. The scheme shall include:

- a. Details of the biodiversity net gain requirements of the development (in accordance with the recognised offsetting metrics standard outlined in the Defra Metrics Guidance using the most up-to-date version of the metric at the date of assessment) and the CIEEM, CIRIA, IEMA Biodiversity Net Gain: Good Practice Principles of Development (2019); and either
- b. The provision of arrangements to secure the delivery of the offsetting measures either on or off-site (including a timetable for their delivery); and
- c. A management and monitoring plan (to include for the provision and maintenance of the offsetting measures in perpetuity); or
- d. The provision of a net gain payment to enable the Local Planning authority to provide the necessary net gain measures; and where necessary
- e. a methodology for the identification of receptor site(s); and
- f. the identification of receptor site(s).

The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of the offsetting measures have been executed. The offsetting scheme shall be implemented in full accordance with the requirements of the approved scheme.

Reason: To provide net gains for biodiversity in accordance with the NPPF.

10. No development shall take place unless in accordance with the mitigation measures detailed in the report *Ecological Impact Assessment Newsham Station. SLC Property. September 2021*, unless otherwise agreed in writing, including:

- a. Priority within the planting scheme to be given to native species or those of known value to wildlife, ideally of local provenance.
- b. The habitats to be retained and created for wildlife shall be subject to an appropriate management regime for the lifetime of the development.
- c. Installation of at least 20 bat boxes and 20 new nest boxes within the retained mature trees or integrated into new structures where possible.
- d. Works will proceed to an appropriate precautionary method statement produced by a Suitable Qualified Ecologist (SCE) to minimise the risk of protected or notable species being adversely affected.
- e. Works will not commence until a checking survey has been completed by a Suitable Qualified Ecologist (SCE) to ensure no badger setts have been created within 30 metres of the site boundary between the time of the original survey and the start of works on site.
- f. Vegetation clearance will be undertaken outside of the nesting bird period (1 March – 30 September inclusive) in order to minimise the risk of nesting birds being adversely affected. If this is not possible, works will not commence unless a checking survey by a Suitable Qualified Ecologist (SCE) has confirmed that no active nests are present within the 5 days prior. In the event any active nests are recorded the SCE will implement a buffer zone around the feature into which no works will progress until the SCE confirms that the nest is no longer active.
- g. No tree felling, trimming or other arboricultural works will be undertaken on any of the mature trees within or adjacent to the site without a SCE first being consulted.
- h. Works will not commence until those individuals undertaking the works have a received a toolbox talk from a SCE, to ensure they are aware of the potential presence of protected species on site, signs to look out for, working methods to be implemented and what to do in the event of any protected species being recorded during the works.
- i. Vegetation clearance works will be undertaken using a two-stage cut, the first cut down to a maximum of 10 centimetres, followed by a second down to ground level. Any amphibians found during the checks will be moved to a suitable vegetated area outside the site which will not be the subject of further disturbance.
- j. Any trenches opened as part of the works will ideally be closed on the same day. Where this is not possible, either one side of the trench will be cut to an angle of no more than 45 degrees, or a plank large enough for the person to walk up will be installed each night, to provide wildlife with an escape route. The trenches will be checked each morning, prior to the recommencement of works, to ensure no protected or notable species have become trapped.
- k. Appropriate Root Protection Areas will be implemented around the mature trees which are to be retained, into which no construction works (including the stockpiling of materials) will extend. Heras (or similar) fencing will be used throughout the works to ensure the protection of these features, if required.

I. Any sightings of protected species within the works will be recorded in the site diary and the project ecologist will be notified immediately. In the unlikely event any great crested newts are identified on site when the project ecologist is not present, all works will cease immediately and a SQE will be contacted for advice on how to proceed.

Reason: To maintain the biodiversity value of the site and avoid harm to protected species that may be present in accordance with Policy DC16 of the Blyth Valley Borough Local Development Framework Development Control Policies document.

11. Works to any buildings likely to affect known roosts shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

a. a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified works to proceed; or

b. confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or

c. written justification by a SCE confirming why a licence is no longer required.

The development shall then only be carried out in accordance with all the recommendations for mitigation and compensation which detail the methods for maintaining the conservation status of bats unless otherwise approved in writing by the Local Planning Authority or varied by a European Protected Species licence subsequently issued by Natural England.

Reason: To maintain the favourable conservation status of a European protected species.

Landscaping

12. All works shall be undertaken in accordance with the submitted Arboricultural Impact Assessment (AECOM September 2021) (AIA) and the Tree Protection Plan (Appendix E of the AIA). If there are any changes to the design of the development hereby approved, a final Tree Protection Plan and Arboricultural Method Statement, which shall also be informed by the requirements in BS 5837:2012 Trees in Relation to Design, Demolition and Construction, shall be submitted to and approved by the Local Planning Authority. No development or other operations, including any works within the root protection area (RPA) of the retained trees shall take place except in accordance with the approved AIA or any approved revised AIA.

Reason: In order that retained trees are protected during construction and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy DC17 of the Blyth Valley Borough Local Development Framework Development Control Policies

13. Within three months of start on site, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The

landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason: To ensure that important features are protected and retained in the interests of amenity and to ensure a satisfactory standard of landscaping in accordance with Policy GD17 of the Blyth Valley Borough Local Development Framework Development Control Policies.

14. No trees, shrubs or hedges within the site which are shown as being retained in the approved landscaping scheme required by condition 13, shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced, within the next planting season, with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that important features are protected and retained in the interests of amenity and to ensure a satisfactory standard of landscaping in accordance with Policy DC17 of the Blyth Valley Borough Local Development Framework Development Control Policies.

Highways and Car Parking

15. Prior to the commencement of passenger rail services at the station the car parking areas indicated on the approved plans, including any disabled and EV car parking spaces contained therein, shall be hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the car parking areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the provision of passenger rail services at the station.

Reason: In the interests of highway safety, in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

16. Prior to the commencement of passenger rail services at the station, a car parking management strategy detailing the number of car parking spaces, including disabled, EV and other spaces for non-public use, and details as to how these spaces will be made available, shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented in accordance with the approved details before the commencement of passenger rail services at the station.

Reason: In the interests of highway safety and sustainable development, in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

17. Prior to the commencement of passenger rail services at the station, details of the proposed advanced directional signage for vehicles, cyclists and pedestrians, shall be submitted to and approved in writing by the Local Planning Authority. No

passenger rail services at the station shall commence until the details have been implemented in accordance with the approved plans.

Reason: In the interests of highway safety and sustainable transport, in accordance with Policy A2 of the Blyth Valley Borough Local Development Framework Core Strategy and the National Planning Policy Framework.

18. Prior to the car parking areas being made available for public use, an Operation, Management and Maintenance Strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The operation, management and maintenance strategy shall detail how the areas of the development including the car parking areas, access roads, drainage, landscaping, CCTV and lighting will be operated, managed and maintained upon completion of the development and the boundaries between any multiple parties in this respect. Following the car parking areas being made available for public use, the development shall be managed and maintained in accordance with the approved details.

Reason: In the interests of highway safety and local amenity, in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

19. Prior to any change in charging strategy for the car parking area, details of the amendments and any associated mitigation associated with that change shall be submitted to and approved in writing by the Local Planning Authority. The approved details and associated mitigation shall be implemented prior to the change in charging strategy being implemented.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

20. Prior to the commencement of passenger rail services at the station, the cycle parking shown on the approved plans shall be implemented in accordance with the approved plans. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with Policy A2 of the Blyth Valley Borough Local Development Framework Core Strategy and the National Planning Policy Framework.

21. Development shall not commence until a Transport Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Transport and Construction Method Statement shall be adhered to throughout the construction period. The Transport and Construction Method Statement and plan shall, where applicable, provide for:

- a. details of temporary traffic management measures, temporary access, routes and vehicles;
- b. vehicle cleaning facilities;
- c. the parking of vehicles of site operatives and visitors;
- d. the loading and unloading of plant and materials;
- e. storage of plant and materials used in constructing the development.

f. measures to maintain access and mitigate impacts of the construction period to residents of Railway Cottages and Blenheim Drive.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

22. The existing A1061 Newsham Level Crossing shall not be permanently closed to any highway users until the approved A1061 Bridge and its approaches from the adopted highway have been provided for the use of all highway users to cross the railway.

Reason: In the interests of highway safety, sustainable transport and to retain access across the railway, in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

23. Prior to the commencement of works to the existing highway, details of the proposed highways works to facilitate the development, including access by sustainable modes of transport, on the A1061 South Newsham Road, B1523 South Newsham Road, A1061 Laverock Hall Road and Blagdon Drive as shown indicatively in the approved plans shall be submitted to and approved in writing by the Local Planning Authority. No passenger rail services at the station shall commence until the highways works have been implemented in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

24. Prior to the commencement of works to streets that are intended form part of the future adopted highway full engineering, drainage, street lighting and constructional details of these streets, including structural details and road restraint systems, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details prior to the commencement of passenger rail services at the station, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

25. No temporary access shall be formed to the A1061 or B1523 until details of the temporary construction access point and a timeline for its use have submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plans. The temporary access shall be retained in accordance with the approved plans and the agreed timetable for use.

Reason: In the interests of highway safety, in accordance with Policy M8 of the Blyth Valley Borough Local Plan and the National Planning Policy Framework.

CCTV

26. A scheme for the provision of a network of closed circuit television cameras (CCTV), including the proposed location cameras, mounting columns, proposals for the use and management of the system and proposals for its installation shall be submitted to and approved in writing by the Local Planning Authority. The CCTV

system shall be installed in accordance with the approved details before the station is brought into operational use.

Reason: In the interests of the safety and security of users of the station and car park in accordance with the NPPF.

Noise and Vibration

27. Prior to any amplified voice or tannoy system becoming operational, full details of the system shall be submitted to and approved in writing by the Local Planning Authority to show how the system will be operated and managed to minimise noise impacts to local noise sensitive receptors. The proposed system shall be installed and operated in accordance with the approved details.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy DC22 of the Blyth Valley Borough Local Development Framework Development Control Policies.

28. Prior to the development being brought into use, details of the acoustic barrier(s) as outlined in the document Newsham Station Noise and Vibration Impact Assessment, Aecom. December 2020 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include location, specification, design and performance. The approved scheme shall be implemented in full before the development is brought into use and shall be maintained to ensure it meets the agreed performance for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy DC22 of the Blyth Valley Borough Local Development Framework Development Control Policies.

29. No development shall take place until a construction noise and vibration management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail measures for the control and reduction of noise and vibration emissions associated with demolition, earthworks and construction, liaison with local residents and arrangements for noise monitoring. The development shall be carried out in full accordance with the approved details.

Reason: To protect residential amenity and provide a commensurate level of protection against noise and vibration in accordance with Policy DC22 of the Blyth Valley Borough Local Development Framework Development Control Policies.

30. During the demolition and construction period, there shall be no deliveries to or collections from the site, on Sundays or Bank Holidays or outside the hours of 08.00 – 18.00 on Monday to Friday or 08.00 – 13.00 on Saturday, unless agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy DC22 of the Blyth Valley Borough Local Plan.

Contaminated Land

31. No development shall take place beyond the 'enabling works' identified under condition 2, until an appropriate scheme of assessments, investigations and remediation has been carried out as detailed below, unless those assessments and investigations demonstrate that remediation is not required, and the Local Planning authority dispenses with any such requirement in writing.

a. Further site investigations are recommended in the Phase 1: Desk Study (The Northumberland Line – Preliminary Sources Study Report – Newsham Station Appendix 03. Aecom. 8 March 2021) and shall be carried out to fully and effectively characterise the nature and extent of any land contamination and / or pollution of controlled wastes. These shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed, taking into account the site's existing status and proposed new use. The site investigation and findings shall be submitted to the Local Planning Authority without delay upon completion.

b. Where remediation is shown to be necessary, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and / or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. All requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made to the approved scheme without express written agreement of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to future users in accordance with Policy DC21 of the Blyth Valley Borough Local Development Framework Development Control Policies.

32. The development hereby permitted shall not be brought into use or continue in use until a full closure (Verification Report) report has been submitted to and approved in writing by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to future users in accordance with Policy DC21 of the Blyth Valley Borough Local Development Framework Development Control Policies.

33. If during the development, contamination not previously considered is identified, then an additional Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the developer shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to future users in accordance with Policy DC21 of the Blyth Valley Borough Local Development Framework Development Control Policies.

Drainage

34. Prior to the installation of any drainage within the car park details of the attenuation tank, swales and basin, including information on lining and vegetation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the effective disposal of surface water from the development in accordance with Policy DC19 of the Blyth Valley Borough Local Development Framework Development Control Policies.

35. The surface water mitigation scheme shall be undertaken in accordance with the submitted South Newsham - Draft Hydraulic Modelling Report” Rev 0, dated 26 November 2021 - AECOM and drawing 60601435-ACM-04-ZZ-DRG-**EHW-040062** Rev P01 “Newsham Flood Compensation Basin”. If there are any changes to the design of the surface water management scheme, a final Hydraulic Modelling Report and related drawings shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the effective mitigation of surface water flood risk on and off site in accordance with Policy DC19 of the Blyth Valley Borough Local Development Framework Development Control Policies.

Lighting

36. Prior to first use a lighting scheme for all areas of the site including, but not restricted to, the car park and footpaths, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting shall be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not unduly affect residential amenity or prevent bats using their territory (e.g. for foraging or commuting) or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the approved scheme and no external lighting shall otherwise be installed without prior approval in writing from the Local Planning Authority.

Reason: To protect residential amenity and maintain connectivity along commuting and feeding corridors for protected animal species in accordance with the NPPF.

Archaeology

37. A programme of mitigation is required in accordance with the agreed Newsham Station Written Scheme of Investigation AECOM for Northumberland County Council January 2022. The programme of archaeological mitigation shall be implemented in full to reporting and archiving Stages before the condition can be fully discharged. In accordance with paragraph 14.3 of the Written Scheme of

Investigation, all stages of reporting and publication, if required, will be completed within 18 months of the completion of fieldwork.

Reason: The site is of archaeological interest and to comply with Policy E12 of the Blyth Valley Borough Local Plan and the NPPF.

Informatives:

1. Any intrusive activities including initial site investigation boreholes, and / or any subsequent treatment of coal mine workings / coal mine entries for ground stability purposes require the written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action.
2. The prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice. Failure to address issues of noise, dust and light at the development stage does not preclude action by the Council under Section 79 of the Environment Protection Act 1990 in respect to statutory nuisance.
3. British Standards 5228 (Code of practice for noise and vibration control on construction and open sites) sets out noise limits that the developers will be expected to adhere to, particularly in relation to working outside 'normal working hours'.
4. There shall be no burning of any material associated with the construction phase of the development.
5. It is recommended that the lighting scheme approved under condition 36 is designed in consultation with the project ecologist and follow guidance set out in Institution of Lighting Professionals Advice Note 08/18 (2018).
6. An application for the temporary closure and / or diversion of sections of two public footpaths (300/031 and 300/162) will be required prior to any works starting that might affect the footpaths. No works, including preliminary investigations, test boring or temporary closure should take place that might affect two public footpaths (300/031 and 300/162), without the prior agreement from the Area Countryside Officer.
7. It is recommended that technical approval is obtained for all street details that will form the future adopted highway from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge condition 23 of this permission. Highway Development Management can be contacted at highwaysplanning@northumberland.gov.uk.
8. Offsite highway works required in connection with the proposed development are controlled by the Council's Technical Services Division. These works should be carried out before the car parking area is made available for public use. The Council will undertake such works at the applicant's expense. Highways Development Management (highwaysplanning@northumberland.gov.uk) should be contacted to progress this matter.

9. A highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from the site. Highways Development Management (highwaysplanning@northumberland.gov.uk) should be contacted to arrange a survey.
10. The Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk should be contacted before and during the construction period in respect of any impacts to current and proposed Traffic Regulation Orders.
11. Building material or equipment shall not be stored on the highway unless otherwise agreed. The Streetworks Team on 0345 600 6400 should be contacted for Skips and Containers licences.
12. The Council's Lighting Section at highwaysstreetlighting@northumberland.gov.uk should be contacted before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.
13. In accordance with the Highways Act 1980, no mud, debris or rubbish shall be deposited on the highway.
14. Road safety audits are required to be undertaken. The Council offers this service and can be contacted at highwaysplanning@northumberland.gov.uk or 01670 622979.
15. Technical Approval of Highways Structures is required. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk
16. The demand for EV car parking spaces is likely to increase in the future to reflect the inevitable increased take up of electric vehicles.
17. Works that do not constitute 'development' or are permitted by virtue of the provisions of the General Permitted Development Order will not require formal discharge to be obtained prior to such works being undertaken.
18. The Council's Conservation Team should be contacted to discuss the scope of an appropriate mitigation programme and approve specifications for archaeological work as necessary. This may be a chargeable service as set out in the Conservation Team's charging policy that is available on the Council's website.

Date of Report: 16 February 2022

Background Papers: Planning application file 21/03720/CCD

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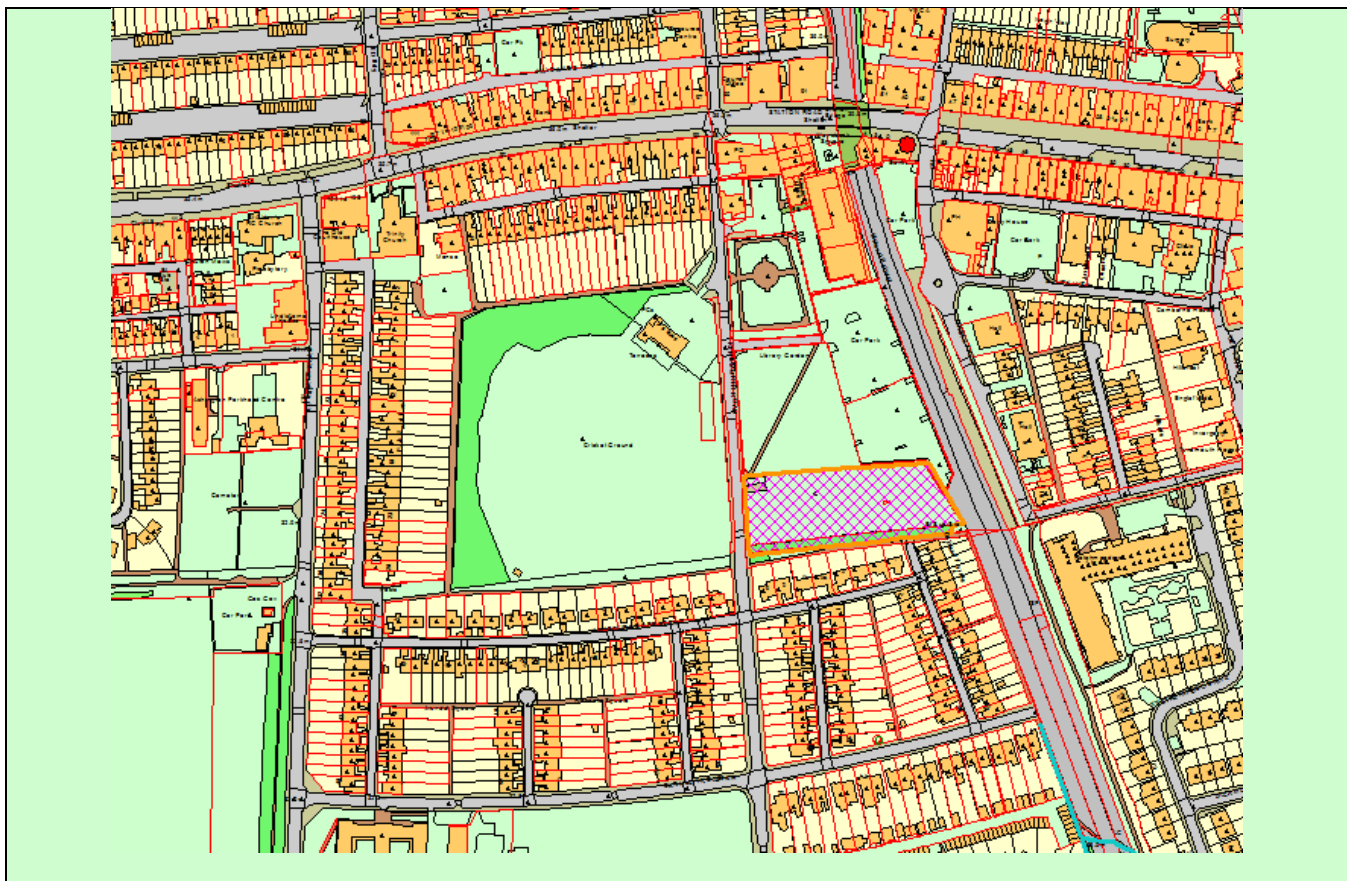


Northumberland
County Council

Strategic Planning Committee 1st March 2022

Application No:	20/04423/OUT		
Proposal:	Outline application seeking approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping		
Site Address	Essendene, Kenilworth Road, Ashington, Northumberland NE63 8AR		
Applicant:	Mr Meenu Malhotra Malhotra House, 7-9 Groat Market, Newcastle Upon Tyne, NE1 1UQ	Agent:	David Coundon Spaceworks, Benton Park Road , Newcastle Upon Tyne, NE7 7LX
Ward	Ashington Central	Parish	Ashington
Valid Date:	19 February 2021	Expiry Date:	16 July 2021
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being reported to the Strategic Planning Committee as the proposal raises significant planning issues.

2. Description of Proposals

2.1 The application is seeking outline approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping at Essendene, Kenilworth Road, Ashington. The matters of scale, appearance and layout has been reserved.

2.2 The site is currently a vacant brownfield site near Ashington Town Centre but it was previously occupied by the Essendene care home from 1968 -1992. The site is bounded to the west by Kenilworth Road, to the north by open grassed parkland and surface level car parking, to the east by the railway lines and to the south by a small footpath at the rear of Ashbourne Crescent residential properties. On the opposite side of Kenilworth Road is the large open space of Ashington Cricket Club.

2.3 The site is also part of a recently approved application for a car park to serve the new Ashington Northumberland Line railway station approved in September 2021 (ReL 21/00387/CCD).

3. Planning History

Reference Number: C/83/F/7

Description: Construction of a fire escape staircase

Status: Approved

Reference Number: 87/F/312

Description: Alterations and extensions to provide day care facilities

Status: NONCCZ

Reference Number: 83/00015/477OTH

Description: FIRE ESCAPE

Status: Approved

Reference Number: 87/00015/478OTH

Description: EXTENSION TO PROVIDE DAYCARE FACILITIES FOR ELDERLY PERSONS

Status: Approved

Reference Number: 07/00329/FUL

Description: Proposed Conservatory

Status: Approved

Reference Number: 21/00387/CCD

Description: Construction of a new single platform railway station including pedestrian lift, new highway access; modifications to existing highways including pedestrian

footways; provision of parking for cars, electric vehicles, motorcycles, cycles, and taxis and other associated works including new crossings for pedestrians and cyclists. Construction of facilities ancillary to the station including, lighting, soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works.

Status: Approved

Reference Number: 21/04979/DISCON

Description: Discharge of condition 7 (full programme of works) on approved application 21/00387/CCD.

Status: Approved

Reference Number: 21/04986/DISCON

Description: Discharge of condition 3 (Construction Environmental Management Plan),, 28 (construction noise and vibration management plan) and 32 (archaeological work) on approved application 21/00387/CCD.

Status: Approved

4. Consultee Responses

Ashington Parish Council	Objection
Strategic Estates	Objection
Public Protection	No objection subject to conditions
Northumbrian Water Ltd	No objection subject to conditions
County Ecologist	No objection subject to conditions
Network Rail	Objection
Highways	No response received.
The Coal Authority	No objection
Environment Agency	No response received.
Lead Local Flood Authority (LLFA)	No objection subject to conditions

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	31
Number of Objections	4
Number of Support	0
Number of General Comments	0

Notices

General site notice 25th February 2021

News Post Leader 4th March 2021

Summary of Responses:

4 letter of objections have been received with concerns that:

- the plans for the railway station is more important the proposal for a care home and conflict with planning policy
- the care will impact amenity such as overlooking
- access is close to two existing junctions

Ashington Town Council strongly objects to the application as it conflicts with local plan policies, the Northumberland Local Transport Plan and Northumberland Economic Strategy that supports car parking facilities for rail travel and in general the reopening of the Northumberland Line. The re-introduction of rail passenger services in South East Northumberland and Ashington has been a long-term aim of the Town Council and the realisation of a rail service is now at an advanced stage. It is the understanding of the Town Council that the Ashington railway station is currently programmed to be operational in Winter 2023.

The Town Council consider that the application is not in accordance with Policy T1 of the Wansbeck District Local Plan and Policy TRA5 of the emerging Northumberland Local Plan as it should be reasonable to assume that land near the station site may well be required and be key for associated and related facilities and parking. The shortage of appropriate public parking and available land options within the vicinity of the proposed station makes use of the proposed care home site essential. In the view of the Town Council the benefit of a care home development on the site clearly does not outweigh the importance of the Northumberland Rail Line.

The Northumberland Local Transport Plan also specifically states that *“the lack of available car parking at stations severely restricts passenger growth and demand for rail travel”* The design of the Ashington Station to include parking has clearly sought to provide for foreseeable future growth. The Northumberland Economic Strategy (2018) identifies *“Invest in high quality passenger transport including the reopening of the Northumberland to Newcastle rail line to passengers”* as Priority 5 of the Economic Strategy. The care home would prevent this future growth with a significant impact to the scheme. It is not considered that the benefits of the care home would in any way outweigh the major public and economic benefits of delivering a strategic transport scheme across South East Northumberland; the regional economic benefits alone resulting from the Northumberland Line are estimated to be up to £470m.

This view is also supported by NCC Strategic Estates and Network Rail who oppose to the application as parking provision is required to serve the new rail station.

In summary Network Rail commented that:

“The proposal for the Care Home would prejudice the provision of adequate car parking to serve the proposed railway station. The provision of the station will affect existing car parking spaces and will also generate significant demand for further car parking. To reduce the level of car parking as provided for in the station planning application as a result of the care home scheme would reduce attractiveness of the station as well as exacerbate parking issues and congestion in and around the station. Approval of the care home proposal would affect the viability of the station and therefore be contrary to Policy T1 of the adopted Wansbeck District Local Plan (the

current development plan document for Ashington) and Policy TRA5 of the emerging Northumberland Local Plan. For these reasons it should be refused”.

NCC Strategic Estates highlight that “In the event that the acquisition of the application site cannot be agreed with the applicant, an application is being made to the Secretary of State for an Order under the Transport and Works Act 1992. The order (if made) will authorise the compulsory acquisition of land and rights associated with the application site (should it not be possible for these to be acquired voluntarily)”.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QLSY1MQSL0U00>

6. Planning Policy

6.1 Development Plan Policy

GP1 – Location of development
H10 – Residential Care Homes
T1 – Ashington, Blyth and Tyne Rail Line
T6 – Traffic implications
T7 – Parking provision in new development

6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF);
National Planning Practice Guidance (2019 as amended) (NPPG)

6.3 Emerging Planning Policy

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Wansbeck District Local Plan. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors’ report is published on the Council’s website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is ‘sound’ and provides an appropriate basis for the planning of the County. The plan is in the final stage of preparation, there are no unresolved objections, and the plan is consistent with national policy, and therefore significant weight should be given to the policies in the NLP.

Northumberland Local Plan – Publication Draft Plan (Regulation 19) (Jan 2019) as amended by Main Modifications recommended in the inspectors Report (January 2022)

STP 1 - Spatial strategy
STP 3 - Principles of sustainable development
HOU 11 - Homes for older and vulnerable people
QOP 1 - Design principles
QOP 2 - Good design and amenity
TRA 4 - Parking provision in new development
TRA 5 - Rail transport and facilities

7. Appraisal

Principle of Development

Residential care home provision

7.1 Saved Policy GP1 of the Wansbeck District Local Plan defines settlement limits for the district. Part A of the policy states development on previously developed sites within settlement limits will be permitted providing the proposal is in accordance with other policies set out in the Plan. The application site is located within the settlement boundary of Ashington and has been accepted as a brownfield site; therefore, it falls within the first priority of the sequential approach to development. Policy STP1 of the emerging Local Plan similarly places the site within the settlement of Ashington and seeks to focus development within settlement boundaries.

7.2 The submitted application proposes the development of a 58-bed care home and a separate 12 bed specialist unit. The Council's Extra Care and Supportive Housing Strategy demonstrates a shortfall of residential care homes for older people in all former district area. Saved Policy H10 of the WDLP states proposals for residential institutions and care homes will be permitted, provided that:

- a) in terms of the likely needs of the prospective residents, the development is sufficiently accessible to local services and facilities; and
- b) it is accessible by public transport, on foot and by cycle; and
- c) residents will enjoy satisfactory living conditions in terms of privacy, outlook, outdoor amenity space and freedom from disturbance and pollutant; and
- d) there is unlikely to be any disturbance to neighbours.

7.3 The proposed development would accord with Policy H10. The location of the site is considered sustainable; it adjoins Ashington Town Centre and is close in proximity to a range of local services. Regarding transport connections, the site is in close proximity to bus services. The proposed re-introduction of the Northumberland Line could potentially mean the development would also be accessible by rail.

7.4 Policy HOU 11 of the emerging Northumberland Local Plan supports the provision of a variety of suitable accommodation for older and vulnerable people. Part 1(c) seeks to support and enable 'the provision of Use Class C2 residential care and nursing home accommodation options for those older and vulnerable people with physical disabilities and other needs who are unable to live independently, where justified by a specialist housing needs assessment'. Part 1(e) requires applications to demonstrate, within the Design and Access Statement, the development proposal meets the space and accessibility needs of older and vulnerable people.

7.5 The land is developable and within the settlement limits of Ashington with a need for supportive housing in the area. As such, the application accords with policies GP1,

H10, STP1 and HOU11 subject to an assessment to design and amenity considerations.

Potential impact of the proposed development on the Northumberland Line

7.6 The land subject to the application is identified for acquisition as part of the development of Ashington Rail Station and associated car parking for the Northumberland Rail Line. The application for Ashington Railway Station was recently approved under 21/00387/CCD ‘*Construction of a new single platform railway station including pedestrian lift, new highway access; modifications to existing highways including pedestrian footways; provision of parking for cars, electric vehicles, motorcycles, cycles, and taxis and other associated works including new crossings for pedestrians and cyclists. Construction of facilities ancillary to the station including, lighting, soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works.*’

7.7 The Council and regional bodies consider that the re-opening of this line for passenger rail will be a key to future economic development in the South East of Northumberland. Concerns have been raised by Ashington Town Council and Network Rail regarding the potential negative impact this proposed development would have upon the re-introduction of the Northumberland Line as further parking will be required for the development of Ashington station.

7.8 In the North East Local Economic Partnership’s Strategic Economic Plan (SEP), January 2017, the introduction of passenger services to the line is cited as necessary to the achievement of the SEP’s connectivity goals. It specifies: “*Connecting urban South East Northumberland with North Tyneside and Newcastle via an interchange with the Metro system.*” This vision has been carried forward in the form of a business case by the North of Tyne Combined Authority; and the County Council’s own Northumberland Economic Strategy recognises the huge benefits that increased connectivity will bring – especially to the deprived communities of South East Northumberland; it has the reopening of the Northumberland Line to passengers as a key priority.

7.9 The site is not allocated for any land use with the proposals maps of the Wansbeck District Local Plan or the emerging Northumberland Local Plan. It has also been established that there is a need for supportive housing on a brownfield site within a sustainable location. Of relevance to the application, however, is Wansbeck District Local Plan Policy T1 and emerging NLP Policy TRA5 that seeks to support and safeguard facilities for passenger services in Ashington.

7.10 Policy T1 states:

“The re-introduction of passenger services on the rail line between Newcastle and Ashington will be supported and promoted. Land which may be required for associated facilities such as stations, bus stops and car parks will be safeguarded. Such sites will include Woodhorn Colliery, Ashington Town Centre, North Seaton Road, Ashington and Bedlington Station”.

7.11 This approach towards promoting the reopening of the line and the station itself has been carried forward in the emerging Northumberland Local Plan. The emerging Plan seeks to promote the development of public transport interchanges at key

locations along the Northumberland Line. Policy TRA 5 of the emerging Local Plan relates to Rail transport and facilities that states:

“Development which would prevent the reintroduction of passenger rail services on the Northumberland Line along with associated stations, facilities and access to them from adjacent highways, and continued rail freight use of the Northumberland Line, its associated branch lines will not be supported”.

7.12 Paragraph 47 of the NPPF requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The planning history confirms that there is an extant permission on site for parking facilities to serve the Northumberland Line and general planning policies seek to safeguard such uses.

7.13 In terms of the future plans for the land, any greater strategic need for infrastructure projects will give rise to the consideration of compulsory purchase of land which is determined outside of the planning process. In principle, it is possible to have two different permissions for the same site either for similar development or different development of the same land. However, it does not mean that both will be capable of being implemented. The Court of Appeal in *Staffordshire County Council v NGR Land Developments Ltd [2003] J.P.L.56* it was held that where you have inconsistent permissions relating to the same land, both permissions are valid unless and until the implementation of one has made the implementation of the other physically impossible.

7.14 Although the site is a suitable and a sustainable location for residential care accommodation under policies GP1 and H10 of the WDLP and policies STP 1 and HOU 11 of the emerging Local Plan, the principle of development will not be supported by the policies in the development plan and material considerations if the proposed development is considered to potentially limit or prejudice the progression of the Northumberland Line in Ashington.

7.15 There is a clear intention to develop the land for the Northumberland Line which is supported by Ashington Town Council, Network Rail and the extant planning permission. In accordance with ‘saved’ policy T1 of the WDLP, if the proposed site is required for the associated facilities (such as parking) in the development of Ashington Station then it should be safeguarded for such purposes. This approach is similarly supported by Policy TRA 5 of the emerging Northumberland Local Plan which can now be afforded significant weight. It is acknowledged that there is an identified need for care home facilities for older and vulnerable people in the area, however, it is considered that there is an overriding requirement for the progression of rail services on a strategic level to benefit of the wider community and economic growth of South East Northumberland. As such, this should be afforded more weight in the planning balance and therefore, and in conclusion, the application is not considered to be acceptable in principle, due to the conflict with Policies T1 and TRA5.

Design and Residential Amenity

7.16 Saved Policy GP30 of the Wansbeck District Local Plan advises that development that would in visual terms cause significant harm to the character or quality of the surrounding environment will be refused. Saved Policy GP31 states that high standards of urban design are required for any proposed development.

7.17 Policy QOP 2 (Good design and amenity) of the Northumberland Local Plan states that:

1. Development will be required to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in, working in or visiting the local area.

2. Development which would result in unacceptable adverse impacts on the amenity of neighbouring uses, in terms of both individual and cumulative impacts, will not be supported.

3. In order to provide a high standard of amenity and minimise any adverse impacts on amenity, development proposals will need to ensure that:

a. The physical presence and design of the development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring uses;

b. Trees, other green and blue infrastructure and soft landscaping of amenity value are retained and are introduced where they would enhance amenity of the development;

c. The appropriate levels of privacy, according to the use of buildings and spaces, are incorporated into the design of the new development and are preserved in existing neighbouring development;

d. Outlook from the development or resulting from the development, particularly in relation to principle viewpoints in habitable rooms or spaces, is not oppressive and design of the development responds to opportunities to deliver the best outcomes for outlook;

e. Air, temperature, sound and light conditions of habitable areas within the development, or resulting from the development, are of a good standard; and

f. Neighbouring uses are compatible and that there are no unacceptable adverse impacts from noise, disturbances, odour, gases, other emissions and any other harmful effects, resulting from either the development or from neighbouring uses on the development.

4. Developments will be required to relate positively to their locality, having regard to:

a. Building heights;

b. The form, scale and massing, prevailing around the site;

c. The framework of routes and spaces connecting locally and more widely;

d. The pattern of any neighbouring or local regular plot and building widths, and where appropriate, follow existing building lines;

e. the need to provide active frontages to the public realm; and

f. distinctive local architectural styles, detailing and materials.

7.18 Whilst indicative site and floor plans have been submitted, the matters of appearance, scale and layout are reserved. The site layout demonstrates that the plot can accommodate the development and so that windows of the care home would be at a distance to avoid overlooking to those properties to the south. The first floor terrace and the building in general does encroach close to the southern boundary but any subsequent Reserved Matters application would assess this impact with more formal plans and elevations and proposed any mitigation to the scheme if necessary. A care home in this location would be suitable in a residential area and could be designed to avoid a detrimental impact to the character of the area.

7.19 Based on the details submitted within the outline application any impact to visual and residential amenity would be further assessed at any Reserved Matters application should the outline permission be granted. As such, the application does not conflict with the national and local planning policies above.

Highways

7.20 The Local Highways Authority has been consulted to assesses the impact of the proposed development on the highway network, both during construction, and once the development is completed. To ensure adequate manoeuvring/parking space is provided, safe access can be achieved, the highway remains free for the passage of all users of the highway, and so it does not have an adverse impact on the safety of all users of the highway. Section 9 of the NPPF highlights that development should create places that are safe, secure and attractive and ensure the safe and suitable access to the site can be achieved for all users.

7.21 Paragraph 110 and 111 of the NPPF states that “*in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

7.22 Policy T7 of the WDLP states that:

“Developers should make appropriate provision in their developments for the parking of motor vehicles and motorcycles. The appropriateness of proposed provision will be assessed in terms of the following:

*a) the scale and type of development; and
b) accessibility by public transport, on foot and by cycle; and
c) the potential for road safety and environmental problems as a result of increased parking demand in the area;”*

7.23 Policy TRA 4 of the emerging NLP relates to parking provision in new development states:

“1. An appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe, accessible and convenient locations prior to the development, as a whole or in part, being brought into use. Vehicle parking shall be provided in accordance with the parking standards set out in Appendix D of the Local Plan, or other such local standards set out in made neighbourhood plans which will be given priority in determining the appropriate amount of parking required.

2. *In exceptional circumstances, where provision is not made in accordance with the relevant standards, it must be demonstrated how the amount of parking proposed to serve the development has had regard to:*

- a. The scale, type, mix and use of the development;*
- b. The proximity and accessibility of the development to services and facilities reasonably required by users or occupiers of the development;*
- c. The availability of and opportunities for access to and from the development by public transport, walking and cycling;*
- d. The potential for road safety and environmental problems as a result of increased parking demand in the area; and*
- e. The extent and nature of any parking restrictions in force on highways in the area”.*

7.24 A Transport Statement has been included with the submitted design & access statement, which sets out that there will be more than 20 people employed as part of this facility which will on a three-shift pattern, with some staff being full time (approx. 80%) and the remainder part time (approx. 20%). It also stipulates that a percentage will live within two miles of the development site and thus will not use a car to get to work. This figure cannot be quantified as it is more than, and could be any figure over 20, furthermore detailed information is required of the actual number of people to be employed on-site at one time and shift patterns.

7.25 The submitted Trip Generation and Parking note submitted relates to a different development in Newcastle from 2014. It is not possible to deduce from an evidence base for an unrelated application with no in depth comparison of the assessment sites if any relevance between the location and nature of those car facilities in any way relates to staffing levels and travel behaviours in relation to this application.

7.26 The evidence in support of the parking provision required is only summarised and gives averages of the amount of parking and thus doesn't highlight whether there have been any periods when the parking provision has been found to be inadequate. It also fails to set out when the parking study was undertaken or for how long.

7.27 The expectation for work of this nature would be comparative analysis of other care homes with similar staffing operations. Shift patterns and review of travel behaviours and a comparative analysis of method of travel to work for 'care' workers based on census data. There should also be an address to the care needs of residents and any car ownership, which whilst potentially low, can occur, along with visitor trips throughout the day.

7.28 In the absence of any reliable evidence base we have no justifiable reason to depart from our parking standards and the presented evidence relates to another development. Therefore, to be satisfied that a robust assessment has been made, and to ensure adequate parking is provided for this development, so overflow parking does not occur on the surrounding residential streets, a satisfactory assessment that relates to staff levels, travel behaviours, resident's car ownership, visitors and agreed comparative sites should be provided.

Highway Safety

7.29 It is noted from the proposed site layout plan that the applicant is proposing a new access in the vicinity of some traffic calming and street furniture, and the development will result in the stopping up of an existing vehicular access.

7.30 The application is proposing the relocation of speed cushions, however no overall assessment of the traffic calming and whether or not the scheme would require any revocation or new traffic order processes has been considered.

7.31 It would appear that adequate visibility can be achieved. It is noted that the existing access is also satisfactory. The proposed access requires the relocation of BT cabinets and as such the overall buildability has further questions, but in highway safety terms a safe and suitable access is achievable.

7.32 The application will also be required to show details of the boundary treatment along the frontage of the site to ensure adequate unhindered visibility splays can be provided for the 20mph designation of the highway. These access details should also show adequate pedestrian access adjacent to the vehicular access road to ensure a safe pedestrian access route can be provided.

7.33 The new access and closing of the existing access along with infrastructure that retains the footway priority for pedestrians has not been shown at this time and but further details could be secured by a suitably worded condition to any approval. Highways Development Management consider that it would have been preferable for this to be known so that all parties had a clear understanding of the commitment to achieve safe and suitable highway outcomes

Parking

7.34 Whilst this application is considering access to the development only, for the avoidance of doubt it is important that the internal layout provides adequate parking and manoeuvring facilities to ensure that these can be accommodated from the proposed access without hindrance or having an adverse impact on the highway. Parking has also been included within the application description.

7.35 With regard to the internal layout of the site the Northumberland Local Plan Publication Draft Plan (Regulation 19) sets out that the parking required for C2 Residential Institutions is as follows:

- 1 space per unit, warden's accommodation, or resident staff.
- 1 space per non-resident staff
- 1 space per 3 rooms for visitors
- 1 space per 4 residents for residents

7.36 As set out above in the transport assessment section the applicant is only proposing 14 parking spaces, which does not accord with these requirements. Our high level assessment suggests that to accord with standards some 36 spaces or in that region may be required.

7.37 Swept path has been provided and some internal amendments, which would require up to date plans. However, there are concerns in relation to the conflict between the pedestrian route between the buildings and potential conflict with reversing large vehicles which is clearly shown in the swept path work.

7.38 The parking arrangement also has some less-than-ideal bays, and this includes the ambulance bay which would appear to require multiple movements to turn. Parking

bays 1, 5 & 11 also suffer from issue relating to space, turning and use and need further work carried out to satisfy suitability and safety.

Access and Off-Site Highway Works

7.39 Work will be required to create a new vehicular access and close the existing vehicular access, there is also traffic calming features within close proximity of the proposed new access which may require being moved. The applicant will be required to liaise with NCC's highways programme team in order to establish if this traffic calming can be moved and any associated Traffic Regulation Order altered. Similarly, there is a streetlighting column on the boundary of the site and the applicant will be required to liaise with NCC's street lighting section to relocate this column.

7.40 There are also Openreach cabinets that may be affected by the proposed new access, these will need to be relocated and the applicant will need to liaise with the utility company for them to be relocated to a suitable location so that they do not interfere with the visibility splays from the new vehicular access. There is a streetlighting column on the boundary of the site and the applicant will be required to liaise with NCC's street lighting section to relocate this column.

7.41 To conclude, in order to ensure the proposal can accommodate the new use, the Local Highways Authority consider that the following further information is required:

- Off-site highways works
- Evidence to support proposed parking numbers.
- Internal layout arrangements
- Conflict between all modes of transport, including pedestrians

7.42 As the requested information has not been submitted, an informed judgement cannot be made on the potential impact to highway safety. The Local Highway Authority has raised concerns to the proposal and as it may conflict with Policy T7 of the Wansbeck District Local Plan, Policy TRA 4 and appendix D of the emerging NLP and the NPPF as it is not considered acceptable in terms of the impact on highway safety and parking provision.

Ecology

7.43 No ecological information has been submitted in support of this application although it is acknowledged that the site is previously developed land and that rough grassland and scrub such as bramble has established on the site. There are a number of semi-mature trees along the boundaries and the landscape plan shows the majority of these to be retained in the proposed layout, although this would be subject to a reserved matters application or secured via a condition. When designing a site layout careful consideration must be given to the proximity of buildings to trees, where conflicts of use through shading, leaf fall, and real or perceived risk of falling branches would result in the premature removal of trees by future residents.

7.44 The NPPF makes it clear that aside from purely mitigating against the harm that a development may cause to biodiversity the definition of sustainable development includes biodiversity enhancement. Paragraph 8 of the NPPF aims "to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity." The increased structural integrity of modern

developments reduces the potential for birds and bats to utilise modern buildings for nesting and roosting therefore any new developments should integrate a variety of bird and/or bat boxes which can be secured by condition.

7.45 The site is within 10km of the protected coast however, as the proposal is for supportive housing, it is exempt from any mitigation or contribution to the Coastal Mitigation Scheme.

7.46 Overall, the application is in accordance with the NPPF on Ecology grounds and no objections have been received from the County Ecologist.

Public Protection

7.47 The site is a brownfield site which is currently grassed over. Historic Ordnance Survey mapping shows that the Essendene Care home was present on the site at least between 1968 – 1992. Public Protection has been consulted and offer no objection as the appendices of the Phase I land contamination report having been submitted and found to be satisfactory subject to conditions seeking further information on Soil Contamination / Ground Gas and a Verification Report. As such the application is in accordance with the NPPF.

LLFA

7.48 The proposed surface and foul water is proposed to connect mains and a Northumbrian water pre-development inquiry is supplied verifying Northumbrian water will accept the proposed 5l/s discharge rate into their system. As such, the LLFA have no objections to the application subject to the conditions. As such the application is in accordance with the NPPF.

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful

enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Recommendation

That this application be REFUSED permission subject to the following:

Conditions/Reason

1. The application would prevent the reintroduction of facilities in connection to the passenger rail services on the Ashington Northumberland Line. As such the application would not accord with Policy T1 of the Wansbeck District Local Plan and TRA5 of the Northumberland Local Plan.
2. The application has not been accompanied by adequate information concerning off site highways works, manoeuvrability within the site, parking provision and conflict between all modes of transport, including pedestrians. It has not been adequately demonstrated that the proposals are acceptable in terms of highway safety and fail to accord with Policy T7 of the Wansbeck District Local Plan, Policy TRA 4 and appendix D of the emerging NLP and the NPPF.

Date of Report: 10.02.2022

Background Papers: Planning application file(s) 20/04423/OUT

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Northumberland County Council

Appeal Update Report

Date: March 2022

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
20/03777/FUL	<p>Change of use to dwelling with single storey extension and internal/external alterations – The Water House, Redesmouth, Hexham</p> <p>Main issues: no completed Section 106 Agreement to secure planning obligation of financial contribution for sport and play provision.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03059/FUL	<p>Erection of garage – The Red House, Fairmoor, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03062/FUL	<p>Proposed alterations and rear extension to dwelling house (retrospective) - 23 Shoresdean, Berwick-upon-Tweed</p> <p>Main issues: poor quality flat roof design with detrimental impact on the property and the character of the environment.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
21/01660/FUL	Proposed erection of perimeter fencing and gates – site of former The Bungalow, High Pit Road,	No – claim

	<p>Cramlington</p> <p>Main issues: by virtue of siting, height and design the proposal constitutes an incongruous feature that fails to respect or enhance the character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	refused
20/03231/OUT	<p>Erection of 4no. dwellinghouses (C3 use class) with all matters reserved – land north-west and south-east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/01918/FUL	<p>Demolition of modern agricultural sheds and development of six new residential dwellings, including gardens, car parking, and all ancillary works – Longbank Farm, Longhoughton</p> <p>Main issues: principle of housing in an isolated location in the open countryside is unacceptable; significant urbanising effects in the open countryside eroding the local landscape and not enhancing the Northumberland Coast AONB; insufficient information to assess off-site highway works; and no Section 106 Agreement completed to secure affordable housing.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/04343/LBC	<p>Listed building consent for metal railings to balcony – 8 Prospect Place, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/02282/LBC	<p>Listed building consent for replacement of all single glazed windows with double glazed units matching the current design – West House, Chillingham Castle, Chillingham</p> <p>Main issues: insufficient information to demonstrate that the proposed works are necessary or justified and the existing windows are beyond reasonable repair.</p>	No

	Delegated Decision - Officer Recommendation: Refuse	
21/01085/FUL	Single storey front extension – 2 The Limes, Morpeth Main issues: the proposals would result in an incongruous and overbearing addition with visual harm to the property and wider street scene. Delegated Decision - Officer Recommendation: Refuse	No
21/01697/FUL	Single-storey dual pitched extension to rear – 11 Quatre Bras, Hexham Main issues: the extension would not be in keeping with the traditional character of the building or the Hexham Conservation Area; and detrimental impact on residential amenity of neighbouring properties. Delegated Decision - Officer Recommendation: Refuse	No
20/00705/FUL	Proposal for the erection of a dwelling and garage with associated landscaping – Plot 28, Grange Road, Berwick Main issues: scale and visual impact would be detrimental to and out of character with the immediate surroundings. Delegated Decision - Officer Recommendation: Refuse	No
20/02536/FUL	Retrospective - Installation of hard standing, electricity and water points, alterations to access and other ancillary works - land west of North Farm Cottages, Embleton Main issues: incursion into the open countryside and would erode the rural character of the site and its surroundings. Delegated Decision - Officer Recommendation: Refuse	No
20/04369/REM	Reserved Matters application in accordance with condition 1, 2 and 5 - seeking approval of layout, scale, appearance and landscaping, including details of materials/finishes (residential development of up to 6 dwellings) pursuant to planning permission 13/00802/OUT - land north of High Fair, Wooler Main issues: layout, scale and massing would be out	No

	<p>of character with surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/00656/FUL	<p>Retrospective: replacement of all windows and doors – 67 Main Street, North Sunderland, Seahouses</p> <p>Main issues: proposal does not preserve or enhance the character and appearance of the Conservation Area and results in less than substantial harm with no public benefits.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02916/FUL	<p>Addition of a balcony to the first floor east facing gable elevation accessed by new door – 1 Elfin Way, South Shore, Blyth</p> <p>Main issues: incongruous feature on the property that fails to respect or enhance the character of the area; and harm to amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/04348/FUL	<p>Former Veterinary Clinic Converted to 4 x Residential Apartments – 37-39 Croft Road, Blyth</p> <p>Main issues: harmful impact on residential amenity; fails to address highway safety matters in relation to parking provision; and lack of completed planning obligation in respect of a contribution to the Coastal Mitigation Service.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/00667/FUL	<p>Conversion of agricultural buildings into 4no. residential units – High Baulk Farm, Great Whittington</p> <p>Main issues: retention and alteration of modern hay barn as part of conversion works is unacceptable in principle; and harmful design that would not be in keeping with the curtilage listed buildings.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
20/03861/VARYCO	<p>Variation of condition 2 (approved plans) pursuant to planning permission 20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04660/FUL	<p>New external plant – Asda, Main Street, Tweedmouth</p> <p>Main issues: insufficient information in relation to noise and potential impacts on residential amenity.</p>	<p>19 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03542/FUL	<p>Change of use of land to site shepherd's hut for tourism accommodation – land east of Kingshaw Green, Tyne Green, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; inadequate flood risk assessment; and insufficient information regarding foul water treatment.</p>	<p>13 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01008/FUL	<p>Construction of 58no. dwellings with associated landscaping, access and</p>	<p>16 September 2021</p>

	<p>infrastructure works – land to north of Fairmoor Centre, Morpeth</p> <p>Main issues: unacceptable in principle as the site is allocated in the development plan for employment use and it is considered that the site should be retained for such purposes; outstanding technical matters also remain to be resolved regarding surface water drainage and highways matters; and Section 106 contributions in respect of education, primary healthcare and affordable housing have not been secured.</p>	Appeal against non-determination
21/01578/OUT	<p>Outline permission with all matters reserved - demolition of existing garage, stable block and tennis court and erection of 1 dwelling with associated driveway and landscaping (Self Build) - land west of Roecliffe, Ladycutter Lane, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; and encroachment into the countryside and would not respond to the character of the area.</p>	<p>19 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01600/FUL	<p>Development of 9no. affordable houses, including access road, gardens, car parking and other ancillary works - land north of B6350, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; development in an unsustainable location in the open countryside; results in encroachment into the countryside, loss of mature trees and visually intrusive and harmful impact on rural and open character of the site and setting of Corbridge; and loss of Grade 2 agricultural land.</p>	<p>27 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03224/FUL	<p>Change of use of private dwelling into 4no. holiday lets and separate holiday home to rent and erection of 4no. holiday homes to rent with associated car parking – Bayview, Beachway, Blyth</p> <p>Main issues: inadequate off-road car parking provision and resultant off-site impacts; increased noise and light pollution to the shoreline of the Northumberland Shore SSSI and harmful to bird species in that area; inadequate provision to mitigate the impact of increased recreational disturbance to designated sites of ecological importance; insufficient information to demonstrate that the proposals are acceptable in terms of</p>	<p>27 October 2021</p> <p>Appeal against non-determination</p>

	coastal erosion vulnerability and surface water drainage; and insufficient information to demonstrate the proposals are acceptable in terms of impacts on the World War II pill box and setting of Blyth Battery.	
21/02878/FUL	Change of use of land for siting of shepherd's huts and associated development – land north of White House Farm, Sleafy Main issues: inappropriate development in the Green Belt.	4 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/00465/FUL	Resubmission: alterations to existing window opening on front elevation and installation of replacement balcony – Riverview, Shepherds Hill, Alnmouth Main issues: unacceptable impact on amenity of neighbouring properties; and detrimental impact on the AONB.	1 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/02734/FUL	Demolish garage and erect two storey side extension and single storey flat roof rear extension – 23 The Beeches, Ponteland Main issues: disproportionate addition to the property resulting in negative impact to the character of the area and inappropriate design.	7 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01136/FUL	Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.	13 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01882/FUL	Change of use of agricultural buildings to residential use and incorporation into existing dwelling; creation of one new dwelling - Stublic Hill, Langley-on-Tyne, Hexham Main issues: the site is located in open countryside, the building is of no historic merit and the conversion proposes a large extension; inappropriate design resulting in harm to the building and the North Pennines AONB; and no contribution to sports and play provision has been provided.	4 January 2022 Delegated Decision - Officer Recommendation: Refuse
20/02979/DISCON	Discharge of conditions: 3 (materials - chimney), 4 (schedule of plaster work), 5 (installation services) and 6 roof/rainwater	19 January 2022 Delegated Decision - Officer

	<p>goods) pursuant to planning approval 17/02196/LBC - Felton Park Lodge, Felton Park, Felton</p> <p>Main issues: lack of information provided to approve and discharge the conditions.</p>	<p>Recommendation: Refuse</p>
21/01840/FUL	<p>Replacement of timber cladding with new natural cedar boarding. Change of balustrade to glazed and patio size as built. (retrospective) - The Signal Box, Farley Cottage, Ellingham</p> <p>Main issues: design would have a harmful effect on the character and appearance of the existing property and surrounding area.</p>	<p>21 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/02984/FUL	<p>Erection of 4 bedroom dormer bungalow - land south of The Old Farmhouse, Ulgham</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; fails to demonstrate that safe ingress and access can be achieved from the proposed access; and no completed legal agreement to secure a contribution to the coastal mitigation service.</p>	<p>24 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03160/LBC	<p>Listed Building Consent: Replace 3 existing sash windows and associated secondary glazing at front of property in original style with grade 1 Redwood sashes and duplicating original pattern. The work will include slim line double glazed units – The Manor House, 55 Northumberland Street, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building and Conservation Area and no public benefits identified.</p>	<p>25 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02824/FUL	<p>Retrospective: Installation of raised decking to part of side garden – 7 East Burton Cottage, Bamburgh</p> <p>Main issues: detrimental impact on residential amenity.</p>	<p>2 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03892/FUL	<p>Demolition of outbuilding and rear bay window. Proposed rear single storey extension with roof terrace – 8 Woodlands, Warkworth</p> <p>Main issues: unacceptable impact on residential amenity.</p>	<p>3 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03042/FUL	<p>Change of use from landscape contractors yard to residential, removal of existing</p>	<p>14 February 2022</p>

	<p>buildings and erection of one no. dwellinghouse (C3 use) - Warkworth Landscaping Services, land north of Old Helsay, Warkworth</p> <p>Main issues: development in the open countryside; fails to support the conservation and enhancement of the countryside; fails to protect and enhance landscape character; and no suitable mitigation secured to address recreational disturbance to designated sites.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
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Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
18/00223/ENDEVT	<p>Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB</p> <p>Main issues: material change of use of the land from agricultural for the siting of 4 caravans</p> <p>N.B. The Inspector directed that the enforcement notice be amended by: a) the deletion of all the text in the allegation and the substitution of it by the following text: 'Without planning permission; the material change of use of the land from agricultural to the stationing of caravans for storage purposes, as shown in the approximate position and outlined in blue on the plan attached to the enforcement notice.' b) the deletion of all the text from requirement (i) and the substitution of it by the following text: 'Cease the use of the land for storage purposes and remove all the caravans from the land.'</p>	No

18/00223/ENDEVT	<p>Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB</p> <p>Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height</p> <p>N.B. The Inspector directed that the enforcement notice be amended by the deletion of the text '(i) Remove the caravan (outlined in black on the plan attached to the enforcement notice) from the land' and the substitution of it by the text '(i) Cease the use of the land for residential purposes and remove the caravan (outlined in black on the plan attached to the enforcement notice) from the land'.</p>	No
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Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
None		

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/01932/FUL	<p>Construction of single dwelling with annex and ancillary accommodation, c.6.5 metre high wind turbine, associated landscaping and highway works (amended description) - land south of Church Lane, Riding Mill</p> <p>Main issues: isolated dwelling in the open countryside; inappropriate development in the Green Belt; insufficient information to fully assess ecological impacts; harmful impacts on the character of the site, wider area and countryside; lack of completed Section 106</p>	<p>Hearing date: 18 January 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

	<p>Agreement to secure planning obligations for contributions to sport and play provision; and insufficient information to assess noise from wind turbine and impacts in residents and local area.</p>	
21/01584/FUL	<p>Demolition of agricultural buildings. Replace and build on footprint 4 workers cottages and install solar panels – South Dissington Farm, Eachwick</p> <p>Main issues: development in the open countryside and no demonstrated need for new rural worker’s dwellings; and inappropriate development in the Green Belt with no very special circumstances demonstrated.</p>	<p>Hearing date: 22 February 2022 (virtual hearing)</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: the proposal would appear as an incongruous and over-dominant addition to the street scene, would not be sympathetic to the built environment or local character, and would fail to add to the overall quality of the area and undermine community cohesion.</p>	<p>Hearing date: to be confirmed.</p> <p>Committee Decision - Officer Recommendation: Approve</p>

Implications

Policy	Decisions on appeals may affect future interpretation of policy and influence policy reviews
Finance and value for money	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
Legal	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	Each application/appeal may have an impact on the local environment and have been assessed accordingly
Wards	All where relevant to application site relating to the appeal

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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Northumberland

County Council

S106 Agreements Update Report

January 2022

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

Recommendations

To note the contents of the report in respect of agreement monitoring and collection of s106 contributions.

Link to Corporate Plan

This report is relevant to all the priorities included in the NCC (Northumberland County Council) Corporate Plan 2018-2021.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of January 2022 and payments received in these months.



New Agreements

January	New Agreements completed and added to Database
21/02738/FUL	Land West of 6 Railway Street, Berwick
21/00449/Ful	Land at Seaton House Boulmer
21/01868/FUL	Land West of 1 Northside, Shilbottle, Alnwick
21/02384/FUL	South-west of Swinhoe Cottage, Chathill

Contributions Received January

Development	Type of Contribution	Amounts Received
21/02384/Ful Swinhoe Cottage	Coastal Mitigation Service	£345
21/02738/Ful Land West of Railway Street	Coastal Mitigation Service	£615

Awards Paid Out	Project	Amount Paid
Barnesbury Cycling Club	Improve Cycle / BMX track	£10,000

106 team - Any queries please email: s106@northumberland.gov.uk

Implications

Policy	Section 106 obligations are in line with policy unless other stated in individual applications.
Finance and value for money	As stated on individual applications
Legal	Legal Services will be instructed to assist with the preparation and monitoring of the obligations
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Each application will have regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	As set out in individual reports and decisions
Wards	All

Background papers

Planning applications and 106 Agreements

Report author and contact details

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