

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held at Meeting Space
- Block 2, Floor 2 - County Hall on Thursday, 24 June 2021 at 3.00 pm.

PRESENT

G Castle (Chair) (in the Chair)

MEMBERS

C Hardy
G Hill
M Mather
G Renner-Thompson
M Swinbank
J Watson

T Clark
I Hunter
W Pattison
C Seymour
T Thorne

OFFICERS

J Bellis
J Blenkinsopp
H Bowers
V Cartmell

E Sinnamon

Senior Planning Officer
Solicitor
Democratic Services Officer
Planning Area Manager - Development
Management
Development Service Manager

One member of the press was present.

(Councillor Castle in the Chair).

1 MEMBERSHIP AND TERMS OF REFERENCE

RESOLVED that the membership and terms of reference for the North Northumberland Local Area Council agreed by Council on 26 May 2021 be noted.

The Chair stated that all members of the local area council should be involved in the Community Chest Panel and suggested that Councillor Bridgett remain as Vice Chair of the Panel.

Ch.'s Initials.....

2 **MEMBERSHIP AND TERMS OF REFERENCE - NORTH NORTHUMBERLAND RIGHTS OF WAY SUBCOMMITTEE**

RESOLVED that the membership and terms of reference for the North Northumberland Local Area Council (Rights of Way) Subcommittee be agreed as follows:

- a. Membership: Councillors Castle (Chair), Hardy, Mather, Renner-Thompson, Seymour (Vice Chair) and Swinbank.
- b. Terms of reference: To exercise functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way in the north Northumberland area, on behalf of the North Northumberland Local Area Council.

3 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Bridgett.

4 **MINUTES**

RESOLVED that the minutes of the meeting of North Northumberland Local Area Council held on Thursday, 22 April 2021, as circulated, be confirmed as a true record and signed by the Chair.

5 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Mather declared a personal and prejudicial interest in application 20/02501/FULES and confirmed that he would leave the meeting whilst the item was considered.

(Councillor Hardy in the Chair)

6 **DETERMINATION OF PLANNING APPLICATIONS**

The report explained how the Local Area Council was asked to decide the planning applications attached to the agenda using the powers delegated to it. (Report and applications enclosed with official minutes as Appendix A.)

Liz Sinnamon, Development Service Manager explained the procedure of determining planning applications and the format of the reports.

RESOLVED that the report be noted.

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For the benefit of new members, Development Manager, Vivienne Cartmell explained that the report contained the history of the relevant site, the constraints the site was subject to, consultee responses and the tests for varying the 106 Application.

Members were informed that section 6 – Consultee Responses should refer to North Sunderland Parish Council and not Berwick upon Tweed.

Ms Cartmell continued to introduce the application with the aid of a slide presentation and informed members that the application sought permission to modify the requirements of the S106 to allow for changes to the open space.

21 letters of objection had been received and the reasons summarised in the report.

Members then asked questions of which the key responses from officers were:

- The application submitted in 1999 approved the open space and the play area being used, however, that was not currently being maintained. In addition there had been some ambiguity over the ownership of the access path and it was now proposed to re-orientate the open space and provide an extra £5,000 contribution for the maintenance of the open space.
- Officers first became involved in 2017 and could not see any reason why permission should not be granted. There had been enforcement discussion since ambiguities had been discovered on the content of some of the agreements.
- There were provisions within legislation (paragraph 7.4) which allowed applications to be modified and assessed in accordance.
- The reason given for the modification was set out in paragraph 2.6 of the report.
- Anyone who submitted a letter of representation would be invited to speak at the committee.
- The main change was that the area would be better separated from the Coastal Strip and the County Ecologist had not provided any comment.
- Legal discussions could not be shared with members.
- Officers had worked with the applicant and were of the view that the variation of the S106 agreement met the tests.
- The County Ecologist had been consulted but had not made any comment.
- Currently the open space was unusable and not maintained but that would be tied into the S106 agreement which would improve the open space

Councillor Thorne then moved approval of the application, but stated that there had been little information, however, the application had been rigorously assessed by the planning officer. This was seconded by Councillor Pattison. Councillor Renner-Thompson as Ward Councillor stated that there had been issues from a legal point of view and long before the current existing planning officers. The residents of Kingsfield were unhappy with the developer and stated

that the application be refused.

Liz Sinnamon, Development Service Manager, informed members if the application went to appeal, given that open space is the same size as that offered within the original 106 agreement and it equally serves the same purpose in the re-orientated position and in addition additional sums of money have been secured in respect of maintenance, an Inspector is likely to agree to permit the application as it meets the tests of section 106A.

Councillor Hill agreed with Councillor Renner-Thompson and would be voting against the application and would move deferment for further information.

Councillor Castle agreed that the application was not straight forward but the Parish Council were not in attendance to articulate their concerns.

Ms Sinnamon advised that it was an option to come back with further information but their recommendation would remain to approve the application as the obligation continues to serve a useful purpose and would serve that purpose equally well with the modification contained within the application of re-siting the open space.

Councillor Thorne stated that the 106 was being assessed on planning grounds put before members, although there was some history and purely on planning grounds he was of the opinion that they were sound and would keep his recommendation as before, and therefore the application be granted in respect of the open space being re-sited and varied as stated in the report.

This was supported by Councillor Castle and agreed by Councillor Pattison.

The motion was then put to the vote and agreed by six votes in favour to three against with two abstentions.

RESOLVED that the application be GRANTED, subject to the provisions and requirements of the Section 106 Planning Obligation relating to application N/99/B/0848 (as varied by N/02/B/0356) in respect of re-siting of open space and varied in the manner set out above.

(Councillor Mather left the meeting).

8

20/02501/FULES

Proposed river restoration scheme comprising – removal of existing ford crossing and replace with new gravel ford; regrading of 400m of canalized section of river; remove fish pass; creation of inset floodplain; construction of new replacement pedestrian footbridge; removal of upstream check weirs – minor widening of approach to Coldgate Mill Ford crossing.

Senior Planning Officer James Bellis introduced the application with the aid of a slide presentation. He updated the committee by reading out a late representation received by email received from Wooler Parish Council:

Dear Sir Re: Proposed restoration scheme – removal of existing ford crossing and replace with new gravel ford; regarding 400m of canalised section of river; remove fish pass; creation of inset floodplain; construction of new replacement pedestrian footbridge; removal of upstream check weirs – minor widening of approach to Coldgate Mill Ford Crossing
Land North West of Haugh Head Crossing Cottage, Wooler

On behalf of both the Wooler Parish Council and also our County Councillor - Mark Mather, we write to express our concerns on what appears to be two outstanding matters.

Whilst we acknowledge that the majority of issues identified have been addressed, the question of future maintenance is still unclear. It would appear that the Environment Agency is not to maintain this Ford in future and therefore we have grave concerns as to what problems this may cause further down the river with potentially raised river levels.

Also, no monitoring of private wells is to be undertaken, despite this being highlighted as a potential issue. As a considerable portion of land/properties operate on private wells in and around the area of this crossing, it would seem irresponsible to not monitor the effect of this work on the water supply available to these properties.

Many thanks for listening to our concerns.

Mr Bellis recommended that the application be approved subject to the conditions in the report.

Members then asked questions of the officer, the key responses were:

- Environmental Health would monitor the scheme initially
- There were approximately 8 private wells
- Mr Bellis was of the understanding that the bridge would not affect the flow but he had not seen a detailed design of the bridge
- The Environment Agency had been working with the landowners and the flood plain inset had been agreed with them

Councillor Thorne then moved approval for the scheme and stated that this would improve the River Till downstream from Wooler and was a step forward environmentally, however, he did have concerns about removing the natural blockage and how the scheme would be maintained in the future. This was seconded by Councillor Watson who also shared concerns but was sure the Environmental Agency would be able to manage the scheme.

In response to a query, it was clarified that Councillor Mather had taken advice from the solicitor before the meeting and had therefore declared an interest in the application.

The motion was then put to the vote and was unanimously agreed.

RESOLVED that the application be GRANTED subject to the conditions in the report.

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9 **APPEALS UPDATE**

RESOLVED that the information be noted.

10 **SECTION 106 UPDATE**

RESOLVED that the information be noted.

11 **DATE OF NEXT MEETING**

It was noted that the next meeting was scheduled for Thursday 22 July at 3.00 pm.

CHAIR.....

DATE.....

Ch.'s Initials.....