

# Public Document Pack



## Northumberland County Council

**Your ref:**

**Our ref:** NNLAC

**Enquiries to:** Rebecca Little

**Email:** Rebecca.Little@northumberland.gov.uk

**Tel direct:** 01670 622611

**Date:** Wednesday, 11 August 2021

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held in Committee Room 1, County Hall, Morpeth, Northumberland, NE61 2EF on **THURSDAY, 19 AUGUST 2021** at **3.00 PM**.

Yours faithfully

Daljit Lally  
Chief Executive

**To North Northumberland Local Area Council members as follows:-**

**G Castle (Chair), S Bridgett (Vice-Chair), T Thorne, T Clark, G Hill, W Pattison, G Renner-Thompson, C Seymour, J Watson, C Hardy (Vice-Chair (Planning)), I Hunter, M Mather and M Swinbank**

**Any member of the press or public may view the proceedings of this virtual 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 around 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 TO BE FOLLOWED AT A VIRTUAL PLANNING COMMITTEE** (Pages 1 - 2)
2. **APOLOGIES FOR ABSENCE**
3. **MINUTES** (Pages 3 - 24)  

Minutes of the meeting of the North Northumberland Local Area Council held on Thursday 24<sup>th</sup> June 2021 and 22<sup>nd</sup> July 2021, as circulated, to be confirmed as a true record and 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](mailto:monitoringofficer@northumberland.gov.uk) . Please refer to the guidance on disclosures at the rear of this agenda letter.
5. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 25 - 30)  

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 no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>***
6. **20/03697/FUL** (Pages 31 - 50)  

**Extension and conversion to provide 18No additional hotel rooms and improved pub/restaurant facilities. Bamburgh Castle Inn, Seafield Road, Seahouses, NE68 7SQ**

7. **21/00904/FUL** (Pages 51 - 84)  
**Proposed redevelopment of former Brickworks, including 14no. dwellings, 3no. tourism units, car parking and amenity space. Land West of Brick Work Cottages, Brick Works, Thrunton, Northumberland NE66 4SD**
8. **20/02132/FUL** (Pages 85 - 102)  
**Extension to an existing caravan park to provide an additional 36 static caravan pitches. Land South East of Tindles Hill Caravan Park, Longhorsley, Morpeth NE65 9HZ**
9. **20/0155/S106** (Pages 103 - 110)  
**Variation of S106 agreement pursuant to planning application N/99/B/0848 dated 19.02.2002. Land at Mitchell Avenue, Seahouses**
10. **APPEALS UPDATE** (Pages 111 - 120)  
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.
11. **SECTION 106** (Pages 121 - 124)  
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
12. **URGENT BUSINESS**  
To consider such other business, as in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.
13. **DATE OF NEXT MEETING**  
The next meeting is scheduled for Thursday 23<sup>rd</sup> September 2021.

**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.

<b>Name (please print):</b>
<b>Meeting:</b>
<b>Date:</b>
<b>Item to which your interest relates:</b>
<b>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):</b>
<b>Nature of Non-registerable Personal Interest (please give details):</b>
<b>Are you intending to withdraw from the meeting?</b>

**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 VIRTUAL PLANNING COMMITTEE

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

Welcome to also include reference to

- (i) Fact that meeting is being held on a virtual basis
- (ii) Members are asked to keep microphones on mute unless speaking and otherwise respect the etiquette of a remote meeting including raising a hand when they wish to speak
- (iii) The changes to the public speaking protocol to include written representations being read out by an officer (but to retain speaking by local member where applicable)

#### B Record remote attendance of members

- (i) Legal officer asks each member in alphabetical order to indicate presence at meeting
- (ii) 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 written representations and speaking (local member)

Objector(s) (up to 750 words) – to be read by Officer

Local member (up to 5 mins)/ parish councillor (up to 750 words)- to be read by Officer

Applicant/Supporter (up to 750 words) – to be read by Officer

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 proceed to ask each member in turn to indicate which way they wish to vote – FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)



# Agenda Item 3

## NORTHUMBERLAND COUNTY COUNCIL

### NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At a meeting of the **North Northumberland Local Area Council** held in the meeting space, County Hall, Morpeth, NE61 2EF on Thursday 24 June 2021 at 3.00pm

#### PRESENT

Councillor G Castle  
(Chair, in the Chair for items 1 - 5 and 9 - 12)

Councillor C Hardy  
(Vice-chair - Planning, in the Chair, items 6 - 8)

#### MEMBERS

T Clark  
G Hill  
I Hunter  
M Mather (part)  
W Pattison

G Renner-Thompson  
C Seymour  
M Swinbank (part)  
T Thorne  
J Watson

#### OFFICERS IN ATTENDANCE

J Bellis  
J Blenkinsopp  
H Bowers  
V Cartmell

E Sinnamon

Senior Planning Officer  
Lawyer  
Democratic Services Officer  
Development Area Team Manager  
(North)  
Development Service Manager

One member of the press was in attendance.

***(Councillor Castle in the chair)***

#### **01. MEMBERSHIP AND TERMS OF REFERENCE - NORTH NORTHUMBERLAND LOCAL AREA COUNCIL**

**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.....

**02. MEMBERSHIP AND TERMS OF REFERENCE - NORTH NORTHUMBERLAND LOCAL AREA COUNCIL (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.

**03. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Bridgett.

**04. 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.

**05. DECLARATION 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)*

**06. 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.

**07. 20/01155/S106A**  
**Variation of S 106 agreement pursuant to planning application N/99/B0848**  
**dated 19.02.2002**  
**Land at Mitchell Avenue, Seahouses**

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).***

- 08. 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.

**09. 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.....

**NORTHUMBERLAND COUNTY COUNCIL**

**NORTH NORTHUMBERLAND LOCAL AREA COUNCIL**

At a meeting of the **North Northumberland Local Area Council** held in the meeting space, County Hall, Morpeth, NE61 2EF on Thursday 22 July 2021 at 2.00pm

**PRESENT**

Councillor G. Castle  
Chair

Councillor C. Hardy  
Vice-chair - Planning

**MEMBERS**

S. Bridgett  
T. Clark  
G. Hill  
I. Hunter  
M. Mather  
W. Pattison

G. Renner-Thompson  
C. Seymour  
M. Swinbank  
T. Thorne  
J. Watson

**OFFICERS IN ATTENDANCE**

G. Bucknall  
V. Cartmell  
D. Hadden  
B. Hodsgon  
L. Little  
R. Little  
J. Sharp  
E. Sinnamon

Lead Highways Delivery Manager  
Planning Area Manager  
Solicitor  
Neighbourhood Services Area Manager  
Senior Democratic Services Officer  
Assistant Democratic Services Officer  
Planning Officer  
Development Service Manager

**12. DETERMINATION OF PLANNING APPLICATIONS**

**RESOLVED** that this report was noted.

**13. PROCEDURE AT PLANNING MEETINGS**

The chair confirmed that members had watched the site videos before this meeting.

Planning application 20/01155S106 had been withdrawn from the agenda and would not be considered.

**RESOLVED** that this report was noted.

Ch.'s Initials.....

#### 14. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Hunter disclosed a personal interest in item 9 and 10 on the agenda as she was the Town Clerk at Beadnell Parish Council but had taken no part in any debate and therefore would take part in the application. Councillor Pattison advised that she would be speaking as the Ward Member on applications 5 and 6 during the public speaking slot then leaving for the debate and vote of those two items.

#### 15. 20/03446/VARYCO

**Variation of Conditions 2 (approved plans) pursuant to planning approval 19/03479/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; additions of natural stone quoins to all elevations.**

**Amendment of Condition 3 (Materials) pursuant to planning permission 19/03479/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).**

**Farm Buildings East of North Farm, Rennington Village, Rennington, Northumberland**

Members were advised that items 5 & 6 on the agenda were going to be a merged presentation but separate voting.

V. Cartmell - Planning Area Manager, introduced the application with the aid of a power point presentation.

An update was provided from Rennington Parish Council clarifying their comments on this application as follows:

- The parish council strongly objected to the VARYCO orders of building materials at North Farm, Rennington and believed the materials they were planning to use should be refused.
- The developer had continued with construction despite earlier comments having been drawn to the attention of the planning officer
- The slate used appeared to be a blue Spanish slate of uniform colour which was not consistent with the character of the buildings in the surrounding area, contrary to the planning conditions.
- The stone being used was of a yellow colour and was being laid in a single layer course, this was not consistent with other buildings in the village.

V. Cartmell also provided an update from paragraph 7.2 in the report, to confirm that the proposal also included an amendment to the materials condition as this was missing from paragraph 7.2.

S. Baggot addressed the Committee speaking in objection to the two applications. His comments included the following information:



- The colour of the stone being used was a bright yellow, which would take decades to tone down. The colour and coursing of the stone were not sympathetic to the vernacular and were within the curtilage of a grade II listed building.
- The reduction of the number of car parking spaces within the development, specifically the and the small size of these garages. The size of the garages would not be able to fit a family-sized car inside, which meant that residents would use street parking, reducing the number of spaces down to 15, 1.5 spaces per property.
- The development was on the edge of a small village, which has no public transport, no local shops or services, residents would be reliant on their cars, likely resulting in two cars per household.
- Developer has not tried to reach the sustainable objective set out in the NPPF with the lack of electric car charging point, and requesting that if the applications were granted, that there be an additional condition of a 16AMP charging point.

Councillor Dixon of Rennington Parish Council addressed the committee speaking in objection to the two applications. His comments for objection included the following information:

- The inappropriate use of tiling and stone on the almost complete new build.
- The objection in the relation to the stonework related to the bright colour and irregular shape and laying of the stone.
- The tiling was blue, as against the original speciation of grey slate.
- The materials and styling detail used has a negative visual impact on the appearance and character of the village and an adverse effect on the setting of the Grade II listed buildings that form the remainder of the site as well as the listed building opposite the site, also was adjacent to a row of old traditional agricultural worker cottages.
- The C73 road going through Rennington from south to north, the mix of converted farmstead and school properties, old estate agricultural cottages, newer build cottages and houses, the village pub and village hall all fronting onto the C73, ending at North Farm. They shared a common vernacular, presented a visual harmony and a strong sense of place. The loud and overbearing effect of the application now different from the original plans approved for this site was contrary to that sense of place.
- There was concern around the relationship with the Grade II listed buildings, there had been a loss of the roof trusses, a new roof had been laid including modern roof lights which were contrary to previous planning approval, as well as use of inappropriate yellow stone from replacing the unsalvable stone from the listed building.
- Water drainage scheme that had been put in place had changed considerably from original plans, which could cause problems such as flooding as surface water was being drained already into a short watercourse. There was a history of flooding on the roadway and in the field opposite the entrance to the site.
- The method of working, the village had to cope with the C73 roadway being used as part of this site, the way the developer had organised the site meant they could only access the site yard to the build site by using the C73, this has

caused problems with residents, motorists, and pedestrians due to blockages from road works and lorries transporting materials.

- The site was loud and overbearing in its effect of the village, it was seen as a mini estate instead of a traditional farmstead conversion.
- Rennington Parish Council asked the committee to refuse these applications.

Councillor W. Pattison addressed the committee speaking as the Ward Councillor. Her comments included the following:

- The development was filled with retrospective applications.
- The developer has changed plans on the application without consulting the residents of the village or the Parish Council.
- The residents voiced their concerns over the “garish” yellow of the stone being used.
- During the building work at North Farm, the developer chose to remove the roof of a Grade II listed cart shed, as written in unit 9. The roof should be put back and restored exactly as it was, and she asked Members to reject this application.

Councillor Pattison left the room.

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

- The bright stone would weather in time, the building conservation officer had visited the site and stated that any stone used must be a natural colour. The planning officers did feel the stone was appropriate and would weather over time.
- L. Sinnamon, Development Service Manager, advised the Committee that the applicants were entitled at any point in the building process to submit an application to vary what they were building, and the Committee had to consider it. The Building Conservation Officer had deemed that the building materials were appropriate. If this application was refused and it went to appeal it was likely that the Inspector would give weight to the comments from the building conservation officer and overturn members decision. In November the Building Conservation officer had given verbal confirmation that they were happy with the stone, however there was no formal approval.
- The Highway Authority had been consulted regarding the parking and had raised no objections, subject to conditions.
- If members considered they would like to add a condition to the application regarding charging points for electric vehicles, it could be added as a condition.
- The material used on the listed building was different to the original, the Conservation Officer had stated that they accepted the re-roofing has been completed in a manner consistent with the cycling of traditional slate as discussed in the application.
- 1.5 car parking spaces per house was not a policy but a judgement by the Highways Officer.
- The garages would be large enough to fit a family sized car in addition to any bicycle storage.

A proposal was set out by Councillor Thorne to approve the application 20/03446/VARYCO as outlined in the report which was seconded by Councillor Watson.

Councillor Hunter expressed her disappointment that the developer had started work before they had been granted planning permission and that they had taken the risk. Parish Councils see retrospective applications as automatic planning approval.

Councillor Swinbank explained to the committee that he was going to vote against it due to the developer not seeking planning permission before commencing work, and he considered that the application should be refused, and the units be stripped and put back the way they were.

L. Sinnamon explained to the committee that enforcement action was discretionary and the aim of the Council Enforcement Strategy was to resolve planning breaches informally first before taking further enforcement action. On this occasion the officers had worked with the applicant and the Building Conservation Team to agree an acceptable way forward, notwithstanding that it was not what was originally applied for. It may be the case that if the developer had used brick for instance, it may have been unacceptable in which case there would be a different outcome.

Councillor Mather expressed his concern in relation to the parking issue, as there was a lack of public transport. It was clarified that the garage would be 3m x 6m and was appropriate for accommodating a family car and cycle storage.

Councillor Thorne requested an amendment to his proposal to accept the recommendation to also include a condition for electric vehicle charging points to be provided and the size of the garages to be confirmed.

It was clarified that the proposal was now to accept the recommendation to approve the application subject to the conditions in the report and delegated authority be provided to the Director of Planning and the Vice-Chair Planning to agree the dimensions of the garages to be no less than 3m x 6m and an additional condition to be added to provide one electric vehicle charging point per property at a suitable wattage to be agreed with the Local Highway Authority.

This was agreed by both Councillor Thorne as the proposer and Councillor Watson as the seconder.

A vote was taken on the proposal as outlined above as follows: - FOR 5; AGAINST 5; ABSTENTIONS 0.

There was one Councillor who did not vote.

The Vice Chair - Planning used his casting vote and voted to approve the application.

It was **RESOLVED** that the application be GRANTED subject to the conditions as outlined in the report and delegated authority be provided to the Director of Planning and the Vice-Chair Planning to agree the dimensions of the garages to be no less than 3m x 6m and an additional condition to be added to provide one electric vehicle

charging point per property at a suitable wattage to be agreed with the Local Highway Authority.

**16. 20/03447/VARYCO**

**Variation of condition 6 (approved plans) pursuant to planning permission 19/03478/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations.**

**Amendment of Condition 2 (Materials) pursuant to planning permission 19/03478/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).**

**Farm Buildings East of North Farm, Rennington Village, Rennington, Northumberland**

Councillor Thorne proposed to approve the application as outlined in the report which was seconded by Councillor Watson.

A vote was taken on the proposal to approve the application with the conditions as outlined in the report as follows: - FOR 6; AGAINST 5; ABSTENTIONS 0.

It was **RESOLVED** that this application be GRANTED subject to the conditions as outlined in the report.

*Councillor Pattison returned to the meeting.*

**17. 20/04249/FUL**

**Change of use of former farm buildings into 6no. accessible dwellings. Demolition of 2no. redundant barns along with construction of ancillary buildings to provide garaging and entrance porches.**

**Barnhill Farm, Guyzance, Morpeth, Northumberland NE65 9AG**

J. Sharp – Planning Officer, introduced the application with the aid of a power-point presentation.

W. Byatt addressed the committee speaking in objection to this application. His comments for objection included the following:

- The Environment and Design Team had concluded that this proposal would preserve and enhance the character and appearance of the conservation area, but their conclusion was flawed because their basic premise is wrong.
- Guyzance had its own distinctive and special atmosphere, not mirrored elsewhere in South Northumberland. The residents believed that sandwiching six new dwellings in between the hamlet and the hall would destroy it
- Six houses with 18 bedrooms created a 21<sup>st</sup> century Hamlet, and there could be no thought that this would enhance the vitality of the local community, as

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commended in the NPPF, because this was a second hamlet, was along a drive and behind an electronically controlled gate.

- On 26 January 2021 the applicant told the residents that the new dwellings would be used as holiday lets, this would be unsustainable in a hamlet with no services, surrounded by narrow lanes.
- The objector asked for a condition be included if approval was given for the new dwellings to be for residential use only and not to be used as holiday cottages.
- The hamlet's main access route was a long lane in a poor state of repair, and in places single track.
- The applicant's agent said that "the applicant intends that the hamlet and estate will be safeguarded through residential development" however there was another application to build new cottages on the small pasture in the hamlet.

Councillor S. Ingleby of Acklington Parish Council spoke in objection to this application. His comments included the following:

- The conservation officer report was incorrect in stating that Guyzance hall was the fundamental reason for the conservation area. The conservation area put the village street and the hamlet as the core settlement.
- The houses would be on private land, behind electric gates and would have little scope for interaction within the existing community.
- There was concern for the proposed development of the long barn, it would not enhance the character of the barn but change it detrimentally.
- Severe humanistic impact and a reason for refusal under the NPPF, due to lack of suitable paths for those with mobility issues.

P. Elder addressed the committee speaking in support of this application. His comments included the following:

- He agreed with the Officer's recommendation for the Committee.
- He emphasised the importance of the estate as a whole which was a challenge to run and had previously been supported by agriculture and a new way of creating a sustainable was needed to be found.
- Their clients long-term aim was to create an estate including a "green" hydro-power station which was currently under construction.
- The existing building was a traditional u-shaped barn and hay barn, it was proposed to convert these existing buildings into dwellings, repairing and bringing these back into use and he quoted the comments from the Building Conservation Officer
- The proposed housing had been specifically designed for older people and people with mobility issues, with parking areas suitable for wheelchair users and accessible internal layouts.
- There was a significant lack of suitable housing within the areas and the proposed development went some way to fulfilling this need.
- The currently population of the village was around 19. However, this should be seen in historical context – based on the census data of 1811, the population of the area was 186.

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

- The reuse of redundant buildings in sustainable locations was acceptable in policy terms in regards to NPPF
- There was no policy in place to enforce certain types of housing, therefore the applicant was free to allow holiday lets in these buildings.
- The horseshoe barn was reasonably solid, did have slates missing from the roof however was capable of conversion. There was a condition in the report that the applicant must reclaim and reuse slates. If the applicant was not able to convert the barns, then a new application would have to be submitted.
- The condition of the roads would be a separate highways management issue and not part of the planning application of conversion of the buildings.

*Councillor Hill arrived at the meeting at 3.35pm as questions from the members took place, therefore did not take part in the discussion, or vote on this application.*

Councillor Watson discussed the lack of support from the surrounding areas and the highways report. Councillor Watson proposed to refuse this application on the grounds that it was in an unsustainable location, it would have an effect on highways and the effect on the conservation area. For clarification the reasons for refusal were provided as:

- Unsustainable location as travel does not prioritise walkways or cycleways
- Harm on the conservation area
- Unacceptable impact on the local highway

This was seconded by Councillor Pattison.

Councillor Seymour supported the application and mentioned that it was good for Northumberland's "green" innovative, due to the reuse of the barn.

Councillor Swinbank spoke around the concern to refuse under the unsustainable location in relation to carbon emissions through car traffic, as the housing units were being targeted at older people who would not be walking or cycling to facilities.

A vote was taken on the proposal to refuse the application for the reasons above as follows: - FOR 6; AGAINST 6; ABSTENTIONS 0.

The chair had the casting vote and voted against the proposal to refuse as set out by Councillor Watson.

The proposal failed and it was opened up to the floor for another proposal.

Councillor Castle proposed to accept the officer recommendation which was seconded by Councillor Seymore.

A vote was taken on the proposal to approve the application with the conditions as

outlined in the report and additional conditions and the lateral undertaking to secure the Coastal Mitigation Service as outlined in the officer's report as follows: - FOR 6; AGAINST 6; ABSTENTIONS 0.

The Chair of Planning had the casting vote and voted in favour of the proposal to approve the application.

**RESOLVED** that this application be GRANTED subject to planning conditions and the applicant entering into a Unilateral Undertaking to secure a financial contribution towards the Council's Coastal Mitigation Service (£3,690)

*The Chair proposed a comfort break for members at this point and the meeting recommenced at 4.20 pm*

**18. 21/01108/COU  
RESUBMISSION - Change of use to storage facility to be used for container, boat, and caravan storage.  
Land North East of Chathill Station, Chathill, Northumberland**

J. Sharp – Planning Officer, introduced the application with the aid of a power-point presentation.

T. Carter addressed the committee speaking in support of the application. His comments included the following:

- The site was a brownfield site and has accommodated various buildings in the past, however taking into account of the committee's comments on the last application the applicant had amended the scheme to address those concerns.
- The site would only be open between 6am and 10pm in order to protect residential amenity. These hours were similar to the operation of trains on the adjacent East Coast Mainline.
- The containers would be of a single height and would be painted in a forest green colour to blend in with the landscape.
- The applicant proposed a 2m high timber perimeter fence with additional landscape planting to further screen the site and enhance the setting.
- The number of storage units had been reduced from 10 to 8 with the originally proposed compounds removed. This would reduce the visual impact and the impact on the setting of the historic assets.
- The reuse of brownfield land was encouraged by the NPPF and the proposal would not have a significant detrimental impact upon the designated assets.

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

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- The proposed changes to the hours had been something offered by the applicant rather than something that had been imposed by Public Protection.
- The applicant had indicated that he had a number of interested parties to take up the storage facilities as the nearest at the current time was at Belford.
- The impact on the listed building had been taken into account with hedging proposed around the boundary and the drawing back of the built from the road would help lessen the impact.
- The expectation was that the site would be used as a storage facility and could include a boat or a caravan. There would be some level of noise but not enough to disturb the surrounding areas, it would be an enforcement matter if somebody was running a business out of the site.

Councillor Pattison proposed to refuse this application on the grounds of:

- Visual Impact
- Residential Amenity
- Impact upon Heritage Assets

This was seconded by Councillor Hill.

Councillor Thorne expressed his opinion on the opening hours of the application, stating that while the train station did make some level of noise, the level of noise from the site when complete would be constant.

Councillor Watson advised that he supported the officer's recommendation in that the facility would be well shielded and it will not have an adverse effect on the village. Councillor Castle also advised he could not see that there was much wrong with the application.

A vote was taken on the proposal to refuse the application for the reasons as outlined above as follows: - FOR 6; AGAINST 7; ABSTENTIONS 0.

The proposal failed, and it was opened up to the floor for another proposal.

Councillor Watson proposed to accept the officer's recommendation and grant the application, this was seconded by Councillor Castle.

Following further debate, a suggestion was made to change the times of operation and look at reducing the times to 8 am to 8 pm on Monday to Saturday which was agreed by Councillors Watson and Castle.

A vote was taken on the proposal to grant the application with the conditions set out in the report, with an amendment to condition 9 to limit the times of operation to 8am – 8pm, Monday – Saturday as follows: -

- FOR 7; AGAINST 6; ABSTENTIONS 0.

It was **RESOLVED** that this application was granted subject to planning conditions as outlined in the report and amended condition 9 as above.



*Councillor Bridget and Councillor Hill left the meeting at this point*

**19 SUSPENSION OF STANDING ORDERS**

**As the meeting approached the 3 hour limit the Solicitor asked Members if they wished to suspend standing orders in order to continue the meeting. Upon being put to the vote it was:**

**RESOLVED that in accordance with the Council's constitution, standing orders be suspended and the meeting continue over the 3 hour limit.**

**20 21/00026/FUL**

**Double garage extension and associated changes to access road and parking. Nook End, 4 Bradshawgate Cottages, Swinhoe, NE67 5AA**

V. Cartmell, Planning Area Manager introduced the application with the aid of a power point presentation.

Councillor C. Williamson from Beadnell Parish Council addressed the committee speaking in opposition to the application. His comments included:

- Swinhoe was a small hamlet, consisting of two working farms and twenty-two dwellings, nine of those dwellings were holiday homes.
- Beadnell Parish Council requested that this application and application 21/00368/FUL be deferred until drainage issues raised by the local farmer could be investigated by the local flood authority and the Environment Agency.
- Northumbria Water had confirmed there were no public sewers in the area.
- The farmer stated that the applicant intended to add surface water and treated effluent to his private field drain which discharged into the burn.
- The applicant had not attempted to discuss the necessary improvement to the drainage system with the farmer.
- The Parish Council requested a Grampian Condition for the applicant to remove all permitted development rights on the garage and prevent change of use to ensure that the building remained as a garage in perpetuity.

Following questions from members, the following information was received:

- The Local Lead Flood Authority had not been consulted as the application was only for an extension to a garage. Any impact on the drainage system would not be sufficient to warrant refusal of the application.
- The double garage would be used for storing a vehicle and storage condition 6 would ensure that it was not to be used for another reason.
- If the applicant wished to change the use of the garage in the future, then a change of use application would need to be made.

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Councillor Thorne proposed to move the recommendation to approve the application as outlined in the report which was seconded by Councillor Watson.

A vote was taken on the proposal to grant the application with the conditions as outlined in the report as follows: - FOR 10; AGAINST 1; ABSTENTIONS 0.

It was **RESOLVED** that this application be GRANTED subject to planning conditions as outlined in the report.

**21. 21/00368/FUL  
Primary residency self-build dwelling with workspace and garage.  
Land North East of Bradshawgate Cottages, Swinhoe, Northumberland**

V. Cartmell introduced the application with the aid of a PowerPoint presentation.

Councillor C. Williamson of Beadnell Parish council addressed the committee speaking in opposition to the application. The reasons for opposition included:

- The Parish Council requested a deferment in this application for the local lead flood authority and the Environment Agency to investigate the drainage issue which had just been raised by the farmer and as stated in the previous application.
- The application was an overdevelopment of a small plot with little amenity space and would have an overbearing effect on a neighbouring property resulting in a loss of their light
- The application would also result in the loss of public amenity land which had been used for 20 years by the children from the holiday park and as there was no footpath to Beadnell the loss of the land would increase the likelihood of pedestrians, especially children coming into contact with traffic.
- The Parish Council requested the following conditions:
  - (i) Grampian Condition, to prevent the start of the development until offsite works had been completed on land not controlled by the applicant to ensure that the applicant provided modern drainage to the development and should state that no work should be undertaken before the drainage situation was resolved. The farmer had indicated that he was willing to talk to the applicants in relation to this matter.
  - (ii) A S106 agreement that the self-build dwelling was used as a principal residency in accordance with policies 14 & 15 of the North Northumberland Coast Neighbourhood Plan.
  - (iii) A S106 agreement that the separate workspace building and garage to be used for business use only in perpetuity to prevent the Neighbourhood Plan being bypassed and the accommodation changed to provide holiday accommodation.
  - (vi) A condition preventing any roof lights in the building emit light spill during the hours of darkness to reduce the impact on the dark skies that the area enjoyed.

Following questions from members, the following information was provided:

- It was not felt that it would be proportionate to refuse the application on the grounds of overdevelopment of the site as whilst there may not be a lot of amenity space there was ample space for the dwellings.
- The green space amenity that the public had used was not publicly or council owned, it was owned by the applicant who was able to develop the land.
- The LLFA has stated that there has been no flooding recorded on the environment agency flood risk maps, nor has anything been reported. It has not been identified as an area at risk of flooding.
- The Environment Agency would not comment on the application as it was below their threshold.

Councillor Renner-Thompson advised of issues with the drainage in the area with one pipe which was at capacity and on occasions this did back up and was causing SUDs to fail. He proposed to approve the application with the conditions as outlined in the report and a Grampian condition regarding the drainage and an additional condition to limit the use of the workshop with the wording to be delegated to the Director of Planning in conjunction with the Vice-Chair Planning and subject to the 106 agreement in the report to secure a coastal mitigation condition and to restrict the residency of the dwelling. This was seconded by Councillor Thorne.

A vote was taken on the proposal to grant the application as outlined above as follows: - FOR 11; AGAINST 0; ABSTENTIONS 0.

It was **RESOLVED** that this application was granted subject to planning conditions as outlined in the report, a Grampian Condition regarding the drainage and additional condition to limit the use of the workshop with the wording delegated to the Director of Planning in conjunction with the Vice-Chair Planning and subject to the applicant entering into a S106 agreement to secure the following obligations:

- A financial contribution towards the Council's Coastal Mitigation Service (£615) and
- Principle residency restrictions.

## 22. APPEALS UPDATE

**RESOLVED** that the information be noted.

## 23. SECTION 106 UPDATE

**RESOLVED** that the information be noted.

*The meeting was adjourned whilst planning officers left the meeting.*

## 24. PUBLIC QUESTION TIME

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No questions had been received.

## 25. PETITIONS

There had been no new petitions.

Councillor Renner-Thompson provided an update on a petition to resurface the bridleway from North Sunderland to Seahouses Primary School, that it had been successful, and the work would start in August 2021.

## 26. LOCAL SERVICES ISSUES

G. Bucknall - Lead Highways Delivery Manager provided a verbal update on north area highways. The update included information on the following

- Resurfacing works in the North Northumberland area
- Various traffic schemes such as 20mph zones
- Bridges and structures schemes
- Emergency situations
- Pothole fillings

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

- Bus shelter at Shilbottle would be in place in six weeks' time.
- A taskforce had been arranged for the upkeep of road signs and would be spending 4 weeks with an inspector to refresh road signs.
- Grit bin refilling to start in October.

Members thanked Mr Bucknall and the highways team for all the work completed in the area.

B. Hodgson - Neighbourhood Services Area Manager provided a verbal update on North area neighbourhood issues. The update including the following information:

- Mr Hodgson thanked the frontline staff for their continued hard work throughout last year during lockdown.
- The residual and recycling waste services were continuing to perform well, garden waste services have been stretched several times with new housing buildings.
- Growing conditions had increased the wait time between grass cuttings and the waste being collected due to extra journeys to the tip and composting facility during shifts.
- Slightly behind with grass cutting and weed control due to the weather conditions from May into June.

Following questions from members, the following information was provided:

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- The Neighbourhoods Services aimed to empty litter bins and cleanse the areas at least twice a day on the coast. There was a nine-hour crew on a Saturday and Sunday with the aim of getting three rounds completed in a day.
- There were no current plans to reduce the cleaning of Seahouses public toilets.

The members thanked Mr Hodgson and his team for their continued hard work.

*Councillor Clark and Councillor Pattison left during questions from members.*

## 27. APPOINTMENTS TO OUTSIDE BODIES

Alnwick Playhouse Trust	Councillor Castle
Alnwick Sporting Club	
Alnwick Town AFC – Board/Management Committee	
Amble Development Trust	Councillor Clark Councillor Watson
Butler Ember Charity	Councillor Watson
Eastern Borders Development Association	Councillor Hunter Councillor Seymour
Glendale Gateway Trust	Councillor Mather
Holy Island of Lindisfarne Community Development Trust	Councillor Hardy
Lindisfarne Nature Reserve Joint Advisory Committee	Councillor Hardy
North Sunderland Harbour Commission	
Northumberland National Park Joint Local Access Forum	
River Tweed Commission	Councillor Hardy Councillor Hill Councillor Seymour
Seahouses Development Trust	Councillor Renner-Thompson
Tweed Forum	Councillor Seymour

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**28. BERWICK REGENERATION PROJECT**

No update

**29. MEMBERS IMPROVEMENT SCHEMES 2021-2022**

**In response to issues raised by Members in relation to the bureaucratic nature of the scheme, the Chair advised that the process would be raised at the LAC Chairs' Briefing.**

**RESOLVED** that this was noted.

**30. LOCAL AREA COUNCIL WORK PROGRAMME**

**The Chair had requested Tony Kirsopp to attend the meeting to provide an update on Borderlands, however he had not been available for this meeting. He will be invited to attend the next meeting.**

**He had also requested that an item be included for the September on Youth Service Provision.**

**RESOLVED** that the information was noted.

**31. DATE OF NEXT MEETING**

**CHAIR.....**

**DATE.....**

Ch.'s Initials.....



## Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 18 FEBRUARY 2021

### DETERMINATION OF PLANNING APPLICATIONS

**Report of the Executive Director of Place**

**Cabinet Member:** Councillor JR Riddle

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#### **Purpose of report**

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

#### **Recommendations**

The Local Area Council 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  
Director of Planning  
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 North Northumberland Local Area Council 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 Local Area Council 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 6 tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. They 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

<b>Policy</b>	Procedures and individual recommendations are in line with policy unless otherwise stated
<b>Finance and value for money</b>	None unless stated
<b>Legal</b>	None unless stated
<b>Procurement</b>	None
<b>Human Resources</b>	None
<b>Property</b>	None
<b>Equalities</b> (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
<b>Risk Assessment</b>	None
<b>Crime &amp; Disorder</b>	As set out in the individual reports
<b>Customer Consideration</b>	None
<b>Carbon reduction</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Wards</b>	All



<b>Policy:</b>	Procedures and individual recommendations are in line with policy unless otherwise stated
<b>Finance and value for Money:</b>	None unless stated
<b>Human Resources:</b>	None
<b>Property:</b>	None
<b>Equalities:</b>	None
<b>Risk Assessment:</b>	None
<b>Sustainability:</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Crime and Disorder:</b>	As set out in the individual reports
<b>Customer Considerations:</b>	None
<b>Consultations:</b>	As set out in the individual reports
<b>Wards:</b>	All

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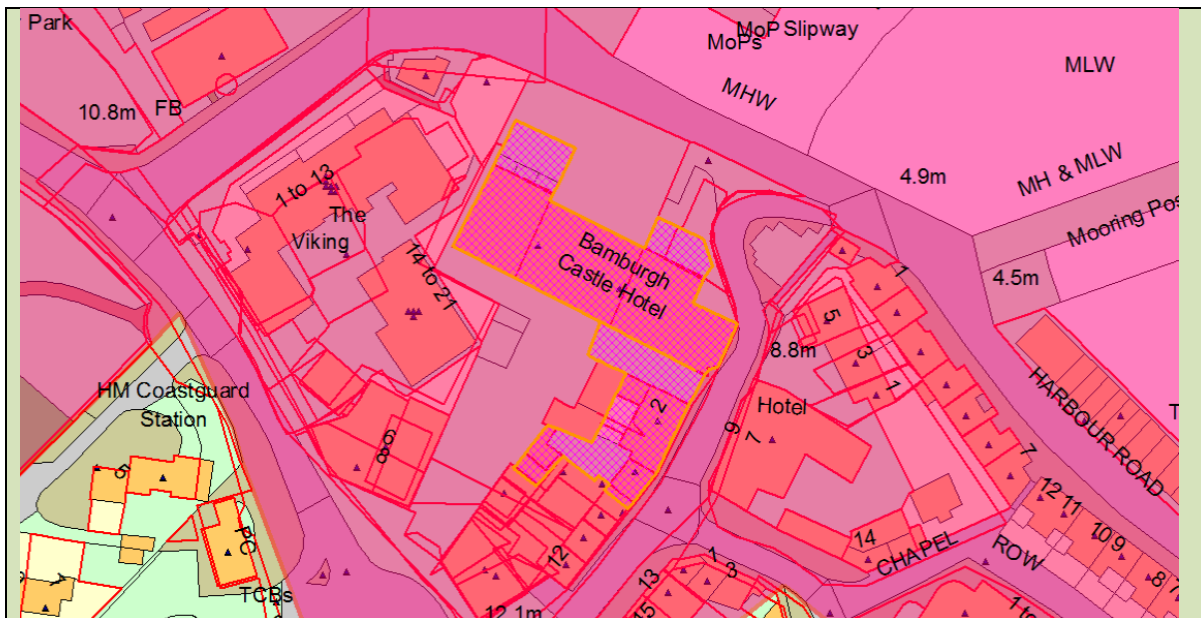


## Northumberland County Council

**North Northumberland Local Area Council  
19<sup>th</sup> August 2021**

<b>Application No:</b>	20/03697/FUL		
<b>Proposal:</b>	Extension and conversion to provide 18No additional hotel rooms and improved pub/restaurant facilities.		
<b>Site Address</b>	Bamburgh Castle Inn , Seafield Road, Seahouses, NE68 7SQ		
<b>Applicant/ Agent</b>	Mr Jon Tweddell Coble Quay, Amble, Northumberland, NE65 0FB United Kingdom		
<b>Ward</b>	Bamburgh	<b>Parish</b>	North Sunderland
<b>Valid Date</b>	15 December 2020	<b>Expiry Date</b>	9 February 2021
<b>Case Officer Details</b>	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED, subject to conditions and a legal agreement in relation to a Coastal Mitigation Service Contribution of £5,166.



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### 1. Introduction

1.1 Following referral via the virtual delegation scheme, this application is deemed appropriate for consideration at North Northumberland Local Area Council.

## 2. Description of the Site and the Proposal.

2.1 The site to which the application relates consists of a parcel of land located in Seahouses which contains the Bamburgh Castle Inn and Coble Cottage. The site lies in a central location within Seahouses. The site is bound by existing development to the east, south and west. The harbour lies to the north of the site.

2.2 The proposal to which the application relates is to extend the current pub/hotel site at Seahouses to create further pub space/restaurant covers and additional guest bedrooms. The extension will create approximately 120 square metres of pub floor space plus a further 18 en-suite bedrooms. The proposal if approved would bring the total number of rooms on site to 49 rooms and would result in the loss of 1 dwelling.

## **3. Planning History**

**Reference Number:** 13/01992/DISCON

**Description:** Discharge of condition 4 of 10/B/0316

**Status:** PER

**Reference Number:** 14/01714/VARYCO

**Description:** Variation of condition 3 relating to planning permission N/10/B/0316 (Garden landscaping and boundary railings) - Variation relates to reduced area of seating and change of materials from coloured paving slabs to driftwood millboard decking

**Status:** PER

**Reference Number:** 15/00047/LIC

**Description:** Variation of premises licence

**Status:** NOOBJ

**Reference Number:** 15/01986/FUL

**Description:** Installation of 1no. dormer window to roof at rear of property to match existing dormers. Alterations to sun room window arrangement to include new access doors and replacement of existing double doors with single door.

**Status:** PER

**Reference Number:** 17/00135/LIC

**Description:** Application for a premises license.

**Status:** NOOBJ

**Reference Number:** N/84/B/14

**Description:** Proposed Illuminated fascia sign. Amended letter received 5.3.84

**Status:** PER

**Reference Number:** N/87/B/194

**Description:** Erection of 2 illuminated signs. Location Plan received 26.8.87.  
**Status:** PER

**Reference Number:** N/88/B/305

**Description:** Additional bedrooms in roof space dormer construction.  
**Status:** PER

**Reference Number:** N/88/B/0358/P

**Description:** Changes of use from redundant stables and garages to dwellings.  
**Status:** PER

**Reference Number:** N/90/B/0040/P

**Description:** Erection of conservatory between 2 buildings & conversion of outbuildings to 3 additional bedroom un  
**Status:** PER

**Reference Number:** N/10/B/0316

**Description:** Garden landscaping and boundary railings.  
**Status:** PER

**Reference Number:** N/08/B/0293/B

**Description:** Erection of new signage.  
**Status:** REF

**Reference Number:** N/08/B/0293/A

**Description:** Erection of new signage.  
**Status:** PER

**Reference Number:** N/08/B/0094

**Description:** Proposed 12 bedroom extension to existing building.  
**Status:** PER

**Reference Number:** N/08/B/0093

**Description:** Alteration of existing hotel to include new entrance and extensions, also change of use of part of building from c3 dwelling to c1 hotel on ground floor.  
**Status:** WDN

**Reference Number:** N/06/B/0653

**Description:** Change of use from bar area (a4) to bedroom/living area (c1).  
**Status:** PER

**Reference Number:** N/04/B/1113

**Description:** Extension to provide 12 additional bedrooms and swimming pool.  
**Status:** PER

**Reference Number:** N/03/B/0894

**Description:** Installation of replacement windows.

**Status:** PER

**Reference Number:** N/02/B/0801

**Description:** Installation of replacement windows.

**Status:** PER

**Reference Number:** N/91/B/0092/P

**Description:** Erection of frozen food preparation & storage building.

**Status:** PER

**Reference Number:** N/90/B/0860/P

**Description:** Conversion of first floor to flat.

**Status:** PER

## **4. Planning Policy**

### 4.1 Development Plan Policy

Berwick upon Tweed Local Plan 1999 (Saved Policies 2007) (BLP)

F1 Environmental Wealth

F2 Coastal Zone

F9 Wildlife

F30 Planning Obligations

F31 Social and Economic Welfare

R12 Holiday Accommodation, Coastal Zone

M14 Car Parking Standards

North Northumberland Coast Neighbourhood Plan 'Made' Version 2018 (NNCNP)

Policy 1 (Sustainable Development)

Policy 2 (Landscape and Seascapes)

Policy 3 (Habitat and Species)

Policy 5 (Design in New Development)

Policy 8 (Sustainable Development within the Settlements)

Policy 10 (Seahouses and North Sunderland)

Policy 16 (Change of Use from Residential (C3) to Holiday Let and Provision of New Holiday Accommodation).

### 4.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)

National Planning Practice Guidance (2014, as updated) (PPG)

### 4.3 Other Documents/Strategies

National Design Guide 2019 (NDG)

### 4.4 Emerging Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021) (NLP)

STP1, STP2, STP3, STP4, STP5, STP6, ECN1, ECN15 QOP1, QOP2, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ENV1, ENV2, ENV3, ENV4, ENV5, ENV7, ENV9, WAT1, WAT2, WAT3, WAT4, WAT5, POL1, POL2, INF1, INF6.



## 5. Consultee Responses

County Ecologist	No objection subject to contribution to Coastal Mitigation Service
Northumberland Coast AONB	In summary, the AONB Partnership has concerns over elements of the design and the lack of onsite parking and whilst the provision of additional serviced accommodation would be welcome in Seahouses, the current proposal will not conserve or enhance the special qualities of landscape, built and historic environment, and tranquillity of the Northumberland Coast AONB.
Natural England	No objection subject to contribution to Coastal Mitigation Service
Building Conservation	<p>Position</p> <p>We will raise no objection to the proposal if the materials palette is amended in line with our comments. Existing traditional timber fenestration in Coquet Cottage must be maintained. Clarification on the structures associated with the decking terracing must be obtained.</p> <p>Should amendments and clarification not be forthcoming we consider the application in its current form would give rise to less than substantial harm within the terms of paragraph 196 of the Framework resulting in our objection to the proposals.</p>
Waste Management - North	No response received.
Fire & Rescue Service	<p>Further to your request the Fire Service have no objection in principle to the above proposals.</p> <p>More detailed comment can be given once plans of the development have been finalised.</p>
Northumbria Ambulance Service	No response received.
Tourism, Leisure & Culture	Northumberland County Council's tourism development section is prepared to be supportive of this application. This position is subject to the application satisfying all statutory planning conditions and their consideration of the policies of the Northumberland Coast AONB management plan.
County Archaeologist	<p>No archaeological features are recorded within the proposed development site. The risk of significant unrecorded archaeological remains being disturbed by the proposed development is low.</p> <p>The buildings have already been subject to alteration. A programme of historic building recording is therefore not recommended in this instance.</p> <p>There are no objections to the proposed development on archaeological grounds. No archaeological work is recommended.</p>
Highways	No objection, subject to conditions.
Northumbrian Water Ltd	No comments to make on this application.

Public Protection	Public Protection have no comments/objections on this consultation.
North Sunderland And Seahouses PC	North Sunderland and Seahouses PC are strongly opposed to this application. The Council feels this is an over development of the property and the car parking arrangements at present are inadequate for the number of vehicles using the premises. The additional vehicles that will inevitably arrive with additional bedrooms and extended dining facilities will have a hugely negative impact on the surrounding area. This will have a huge impact on the already stretched on street parking and cause great disturbance to the residents of the Crumstones area.

## 6. Public Responses

### Neighbour Notification

Number of Neighbours Notified	43
Number of Objections	9
Number of Support	1
Number of General Comments	0

### Notices

Conservation & affect LB, 6th January 2021

Berwick Advertiser 7th January 2021

### Summary of Responses:

10 Representation has been submitted in relation to this application. The 9 objections received relate to the following matters:

- Parking Issues in the locality of the site and the potential exacerbation of these.
- Potential Emergency Services Access Issues
- Overdevelopment of a Congested Site
- Alleged vehicle damage from users of the premises.

1 supporting representation has been received. This relates to the following matters:

- Impact the proposal would have on tourism and the local economy
- Enable a greater range of accommodation options to be provided.

## 7. Appraisal

7.1 The National Planning Policy Framework (NPPF) is a material consideration and states that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the relevant development plan for this application is the North Northumberland Neighbourhood plan (2017) and the Berwick-upon-Tweed Local plan (1999) the proposed works shall be considered in the light of the saved policies of these documents.

7.2 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Reg 19) and minor modifications (NLP) was submitted to the Secretary of State for examination on 29th May 2019. The policies contained within this document carry some weight in the determination of planning applications at this stage.

7.3 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. 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 Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.4 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.4 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

- Principle of the Development;
- Design and Visual Impact (including impact on the AONB);
- Amenity Impact;
- Heritage Assets;
- Highways and Transport Matters; and,
- Ecological Matters;

#### Principle of the Development

7.5 Policy F1 of the BLP seeks to ensure that "*primary importance will be given to sustaining and enhancing the Borough's environmental wealth*". Policy F2 of the same document seeks to ensure that any development, within the Coastal Zone, accords with its surroundings, in terms of scale, mass, materials etc. and sets out locational requirements for development. Meanwhile Policy F31 seeks to ensure that, in applying Framework policies, appropriate 'weight' is given to the degree to which proposals enhance the quality of life of communities or complement the range of their social and economic functions.

7.6 Policy 5 NNCNP states that all new development in the plan area, including extensions and conversions, should incorporate high quality design and demonstrate how local context and character is respected in terms of scale, density, height, massing, layout, materials, hard and soft landscaping, means of enclosure and access; and features including windows, doors, roof lights, chimneys, flues, roofs, and boundary treatments have regard to surrounding character and materials.

7.7 Policy 20 of the NNCNP states that proposals that will enhance the viability and/or the community value of community facilities and community assets, (whether registered as Assets of Community Value or not registered), will be supported.

7.8 The site is located within Seahouses, which is a sustainable location. The proposed extension would provide a positive contribution to the economy of Seahouses and provide local job opportunities. On this basis, having regard to local and national policy, the principle of the proposal as an extension to an existing hotel/inn in Seahouses is considered to be acceptable, in principle.

7.9 Comments in support of the proposal have been submitted adding that the proposal would have a positive impact on tourism and the local economy, as well as enabling a greater range of accommodation options to be provided.

#### Design and Visual Impact

7.10 This section seeks to appraise the design and visual of the proposal against the impact this may have on the character and appearance of the local area.

7.11 Policy F2 of the BLP and Policy 5 of the NNCNP set out the criteria against which new development shall be assessed. This includes the impact on adjacent land uses in terms of scale, massing, materials, etc and sets out locational requirements for development.

7.12 Policy 10 of the NNCNP states that within the Seahouses Conservation Areas development proposals will be required to preserve or enhance the character or appearance of the area.

7.13 Paragraph 126 of the NPPF attaches great importance to the design of the built environment and states that 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. Northumberland County Council's Building Conservation team have assessed the proposals and advised that they support the development subject to amendments to the use of materials that will be more in keeping with the conservation area, further detailed comments are provided in the Heritage Assets section of this report. These amendments have been undertaken, with amended plans submitted and considered as part of this application.

7.14 As mentioned above, the proposal has been assessed and after submission of amended plans to alter to the use of materials the development is considered acceptable. The proposed building extension and alterations would be seen in the context of the existing Hotel/Inn and surrounding Conservation Area. Furthermore the scale is considered to appropriate for its proposed function. On this basis the proposal is considered to be acceptable and in accordance with Policy F2 of the BLP, Policy 5 and 10 of the NNCNP and the NPPF in this respect.

7.15 Policy ENV1 of the emerging NLP states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character. It is considered that the proposal is in accordance with this, however little weight can currently be applied to these policies at this stage.

7.16 Comments from the Northumberland Coast AONB Partnership have been received, and to summarise these *“the AONB Partnership has concerns over elements of the design and the lack of onsite parking and whilst the provision of additional serviced accommodation would be welcome in Seahouses, the current proposal will not conserve or enhance the special qualities of landscape, built and historic environment, and tranquillity of the Northumberland Coast AONB.”* The parking aspect of these comments will be addressed in the Highways and Transport Section of this report, with the visual impact on the AONB being considered in this section.

7.17 As mentioned above, a number of amendments have been made by the applicant following the receipt of the comments of the Building Conservation Officer. The materials have been amended as follows: Bedroom windows in Coble Cottage to be timber, painted white; revised material choice for the first floor extension to Coble Cottage to a render finish Shopfront to carpark side of extension to be timber, painted white; Shopfront to main road side of extension to be stained hardwood timber; Roof light to extension should be dark grey aluminium. This is not visible from the street scene and given the coastal location, the Applicant would be nervous of using timber which may rot and cause a leak; and, in terms of the new terrace, the Applicant will only be placing loose tables and chairs on the terrace and the balustrade to the perimeter will be clear glass. Therefore, it is considered that the following these amendments the Building Conservation Team would no longer hold an objection to the proposal. These amendments have been made to reduce the impact of the proposal, which have been deemed to have overcome the objections of the Building Conservation Officer as presented, with the proposal now being deemed to be of a standard where the proposal is viewed as Conserving and Enhancing the Conservation Area in which it sits. In turn, it is deemed that the proposal in its current form, will not have a visually detrimental effect on the Northumberland Coast AONB, with the amendments going some way to address the concerns of the AONB partnership, as raised. The proposal following amendments, in visual terms, will be viewed in the context of the Bamburgh Castle Inn itself, the Harbour, the Conservation Area, and the settlement of Seahouses, and therefore the impact the proposal may visually have on the AONB are not deemed sufficient as to warrant refusal on these grounds.

7.18 Subject to the above, the proposal is deemed to be in compliance with the relevant development plan policies and material considerations e.g. NPPF, emerging plan and the National Design Guide, when considering the

#### Amenity Impact

7.19 The proposal site is an existing Hotel/Inn, proposing an expansion of its 'offer' within the built-up area of Seahouses. Seahouses is a location where tourism accommodation such as this would reasonably be expected to be located. The

amenity impacts (and considerations) from tourism accommodation such as this are largely similar to those experienced from flatted/apartment dwellings.

7.20 Policy 8 of the NNCANP states that proposals will be supported within the defined settlement boundary for Seahouses where they ensure that where extensions are proposed, they do not result in substantial loss of amenity space or loss of parking space which could result in an adverse impact on residential amenity from on-street parking on nearby streets.

7.21 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users. It is considered that the proposed conservatory would not cause any substantive amenity issues as it is a replacement of an existing building which is to be located in an existing beer garden. On this basis it is considered that the proposal is acceptable and in accordance with paragraph 130 of the NPPF.

7.22 The hotel rooms as located would seem to have a limited impact in terms of their impact on the amenity of nearby occupiers, in terms of loss of outlook, light and privacy. Transport and highway amenity impacts are to be covered under the highways and transport section of this report. It is considered that the separation distances to nearby occupiers are acceptable and should not form a reason to withhold planning permission in this instance.

7.23 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in general accordance with this, however little weight can currently be given to this policy.

7.24 Subject to the above, the proposal is deemed to be in compliance with the relevant development plan policies and material considerations e.g. NPPF, emerging plan and the National Design Guide, when assessed in relation to amenity matters.

### Heritage Assets

7.25 This section seeks to appraise the proposal against the impact this may have on nearby heritage assets, both designated and non-designated assets.

7.26 The site is within the Seahouses Conservation Area. The proposed decking terracing is in the setting of the C18 lime kilns which are grade II listed. The Old Ship Inn which faces Coble Cottage across Main Street is on the Historic Environment Record. The Bamburgh Castle Inn dates in part to the early C19 but has been extensively altered through C20 alterations

7.27 The legislative framework has regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCCA) which imposes a duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

7.28 Policy 10 of the NNCNP states: *'Within the Seahouses and North Sunderland Conservation Areas development proposals will be required to preserve or enhance the character or appearance of the area Development proposals, including extensions and alterations to existing buildings and structures, will be required to make a positive contribution to local character and distinctiveness. In particular,*

*assessment of proposals should take into account their impact on the following specific elements identified in the North Sunderland and Seahouses Conservation Area Character Appraisals:*

- a) key buildings or landmarks in the Conservation Area and the impact of the proposal on them;*
- b) significant view-points into and out of the Conservation Area as defined in the Conservation Area Character Appraisals;*
- c) open space which contributes positively to the public realm; and*
- d) how the proposal relates to the 'group value' of buildings where these are defined in the North Sunderland and Seahouses Conservation Area Character Appraisals Maps."*

7.29 Development of poor design that fails to take opportunities available for improving the character and quality of the Conservation Area and the way it functions will be refused.'

7.30 Chapter 16 of the NPPF sets out the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.31 The Council's Building Conservation Officer was consulted on the proposal and made the following comments:

*We are in broad agreement with the Solstace Heritage Impact Assessment insofar as successive alterations to the Bamburgh Castle Inn have limited its potential to contribute positively to the character or appearance of the Seahouses Conservation Area. The widespread presence of upvc windows across most elevations combined with ad hoc flat roofed extensions are not alterations that have respected the character of the traditional and vernacular buildings from which the Inn developed.*

*We were encouraged therefore to read in the application form that proposed materials would include stone, timber and slate. However, looking at the proposed plans the materials differ considerably from those stated on the application form. In place of high quality natural materials further upvc windows, synthetic "Cedral" boarding and ppc aluminium are proposed. At 4.2.1 the HIA states: The principal aspects of significance of the conservation area to which the proposed development area contributes are the use of traditional materials and style of Coble Cottage..."*

*We therefore urge that the materials palette be realigned with that stated in the application form. Coble Cottage retains some elements of traditional fenestration. We consider it important this is retained as a now comparatively rare survival in the conservation area.*

*The flat roofed link extension between the Inn and Coble Cottage fronts Main Street with a design to mimic the wide cart arch to the south but with an infill. If this is to be an in keeping addition to the vernacular style of the existing elevation on Main Street the window/door set should be in timber painted white, not grey ppc aluminium.*

*With regard to the decking terracing, we note that large parts of the grass mound within the mapped limits of the listed building are already occupied*

*with outdoor seating. The paraphernalia of outdoor recreation has the potential to detract from the simplicity of the listed structure. However, we accept this proposed addition would be to the side and below the main terrace such that further impact on the setting of the listed lime kilns would be marginal. However, we are concerned by notes on the proposed block plans that refer to “low pergola with motorized fabric cover” and “plexiglass screens”. As these notes are partly obscured by a large label it's not clear if they are part of the current proposals. If they are, full details should be supplied prior to determination so their impact of the listed limekilns can be properly assessed.*

7.31 In terms of their position the Building Conservation Team have commented *“We will raise no objection to the proposal if the materials palette is amended in line with our comments above. Existing traditional timber fenestration in Coquet Cottage must be maintained. Clarification on the structures associated with the decking terracing must be obtained. Should amendments and clarification not be forthcoming we consider the application in its current form would give rise to less than substantial harm within the terms of paragraph 196 of the Framework resulting in our objection to the proposals.”*

7.32 Following comments from Conservation, the applicant has agreed to amend the proposed materials and has submitted amended plans. The materials have been amended as follows: Bedroom windows in Coble Cottage to be timber, painted white; revised material choice for the first floor extension to Coble Cottage to a render finish Shopfront to carpark side of extension to be timber, painted white; Shopfront to main road side of extension to be stained hardwood timber; Roof light to extension should be dark grey aluminium. This is not visible from the street scene and given the coastal location, the Applicant would be nervous of using timber which may rot and cause a leak; and, in terms of the new terrace, the Applicant will only be placing loose tables and chairs on the terrace and the balustrade to the perimeter will be clear glass. Therefore, it is considered that following these amendments the Building Conservation Team would no longer hold an objection to the proposal.

7.33 It is considered that the proposal in its current form, following these amendments, Conserves and Enhances the Conservation Area in which it sits, by virtue of its form and character. Therefore, following the comments above, it is considered that the proposal is acceptable in relation to the impact this will have on heritage assets, and this would therefore not form a suitable reason for refusal in relation to this scheme.

7.34 With specific reference to the policies of the emerging Northumberland Local Plan, policy ENV7 are relevant to this application with respect to the historic environment, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.35 Subject to the above, the proposal is deemed to be in compliance with the relevant development plan policies and material considerations e.g. NPPF, emerging plan and the National Design Guide.

#### Highways and Transport Matters

7.36 This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around



Highways and Transport matters in relation to Tourism Developments and Hotels in Town Centres, such as this, are Car Parking and Sustainable Transport options. Consultation has been undertaken with the Highways Development Management Team and their comments are considered below.

7.37 When assessing this application, the Highway Authority assesses that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.

7.38 Policy M14 from the Berwick Local Plan is relevant to Highways and Transport considerations in relation to this application.

7.39 Paragraph 110 of the NPPF states *“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; and c) 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.”*

7.40 Paragraph 111 of the NPPF states that *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

7.41 Paragraph 112 of the NPPF adds to this and states *“Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and, e) be designed to enable charging of plug in and other ultra low emission vehicles in safe, accessible and convenient locations.”*

7.42 The North Northumberland Coast Neighbourhood Plan does not include specific a specific policy in relation to Highways and Transport Matters, however policy 8 does require *“sufficient car parking space is provided within the curtilage of the proposed development to ensure no additional on-street parking on nearby streets”*

7.43 The proposed development is town centre located and benefits from existing pedestrian and public transport links. There are 2 bus stops located within approximately 230 metres of the site providing links to Berwick, Belford, Alnwick, Alnmouth and Newcastle. The surrounding roads can be utilised by cyclists. The proposed development will not impact on these existing links.

7.44 The applicant proposes to utilise the existing access into the site, visibility from the site access is considered acceptable. The site currently has 22 car parking

spaces and there is nearby town centre car parking available when the car park reaches its capacity. The site also benefits from nearby public transport links, which is considered acceptable for a town centre located development.

7.45 No details of cycle parking have been submitted as part of this planning application. To help promote cycle use the amount of good quality cycle parking needs to be increased, it is important therefore that secure cycle parking is provided as an integral part of new development. This should be secure, covered and overlooked. A block plan giving details of this is required which can be dealt with by way of planning condition imposed on any planning permission granted.

7.46 The applicant proposes to increase the bedroom capacity of the site from 32 rooms to 49 rooms and proposes to increase the floor space of the pub/restaurant by 120sqm. The applicant proposes to utilise the existing access into the site and there are no proposed changes to this, visibility from the site access is considered acceptable. As mentioned earlier, the site currently has 22 car parking spaces and there is nearby town centre car parking available when the car park reaches its capacity, this is considered acceptable for a town centre located development. The traffic expected to be generated from the proposed development is not considered to have a harmful impact on the highway network.

7.47 Subject to conditions and following receipt of the further information, the Highways Development Management Team have not raised any concerns in relation to this planning application that cannot be dealt with via planning conditions. Although this may appear contrary to policy 8 of the Neighbourhood Plan, the Highways Development Team consider that nearby car parks are sufficient to cater for any excess parking that may overflow from the proposal. It is understood, that on the basis of this assumption the proposal is compliant with policy 8 of the Neighbourhood Plan. The proposed development is therefore considered acceptable in highway terms with the development plan and relevant policy and material considerations, subject to conditions. Therefore, the proposed development can be suitably conditioned to ensure acceptability on behalf of the Highway Authority.

7.48 It is therefore deemed that the proposal is considered to be compliant with NPPF Paragraph 110, 111 and 112.

7.49 Comments have been received from nearby occupiers in relation to local parking issues which are either in relation to the existing users of the premises or which would potentially be caused by the expansion of the business. North Sunderland and Seahouses Parish Council have also commented and *“are strongly opposed to this application. The Council feels this is an over development of the property and the car parking arrangements at present are inadequate for the number of vehicles using the premises. The additional vehicles that will inevitably arrive with additional bedrooms and extended dining facilities will have a hugely negative impact on the surrounding area. This will have a huge impact on the already stretched on street parking and cause great disturbance to the residents of the Crumstones area.”*

7.50 Further to this the Northumberland Coast AONB Partnership have commented that *“problems with parking in the villages of the AONB is one of the most significant issues within the designated landscape and faced by communities living within the AONB. The increase of 18 bedrooms and pub / restaurant floor space with no additional dedicated parking is of concern as this is very likely to have*

*knock-on effects on the parking problems experienced in Seahouses. Whilst there is a large public car park near the hotel, in the holiday season this car park is regularly full, and parking inevitably spills over into the village. The Conservation Area appraisal, written in the early 2000s, notes how the increasing vehicular traffic has "resulted in the erosion of the quality of the streets and open spaces in Seahouses by the intrusion of parked cars". This situation has amplified rather than abated since the appraisal was written and the North Northumberland Coast Neighbourhood Plan responds to this concern specifically in that Policy 8, section C requires sufficient car parking space to be provided within the curtilage of a development to ensure no additional on-street parking."*

7.51 As can be seen from the commentary above, and the consultation response provided by NCC Highways Development Management, it is considered that this can either be dealt with via on-site parking provision, or the use of nearby Town Centre Car Parks. It is therefore considered that, in this location, a lack of parking provision, would not form a suitable reason for refusal in this instance.

7.50 Further to this, comments have also been received commenting on the potential difficulties the emergency services may have in accessing the site or properties in the vicinity as a result of the proposal being implemented. The comments of the Fire and Rescue Service, and the Northumbria Police Service have been sought in relation to this application, and they have confirmed that they have no comments/objections to the proposal. It is therefore not deemed that this matter would form a reasonable reason for the refusal of the application.

7.51 In relation to matters relating to the Emergency Services, comment has been received in relation to potential vehicular damage that has been potentially caused by users of the Bamburgh Castle Inn to vehicles belonging to (or used by) nearby occupiers. Northumbria Police have not raised an objection to the proposal, nor have NCC Highways Development Management raised issues in relation to road safety, and it is therefore not deemed that this should be a suitable reason for withholding planning permission for the proposal.

7.52 Further to the above, and following consultation with the Highways Development Management Team, the proposal is deemed to be in compliance with the relevant local and national policy from a highways and transport perspective, in particular paragraphs 110-112 of the NPPF and policy M14 of the BLP, and those of the emerging Northumberland Local Plan, where these can be given weight in the decision-making process.

### Ecological Matters

7.53 NPPF, Chapter 15, Paragraph 174 requires the planning system to contribute to and enhance the natural and local environment . Paragraph 180 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.

7.54 Policy 3 of the NNCNP is the relevant local policy in relation to Ecology. The County Ecologist advises that the site is located within the Impact Risk Zone for the protected coastal sites and will require mitigation for impacts. This has been discussed with the agent and it has been agreed that mitigation will be in the form of a financial contribution to the Council's Coastal Mitigation Service. The contribution

will be secured via a S106 Unilateral Undertaking along with the principle occupancy requirement.

7.55 Further to the above, the proposal has been submitted with appropriate ecology surveys, the County Ecologist and Natural England have been consulted

7.56 Therefore, the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with Policy 3 of the NNCP and the NPPF.

7.57 The appropriate policy in the emerging NLP in relation to this matter is Policies ENV1 and ENV2 weight has been apportioned with regards to these policies in line with paragraph 48 of the NPPF.

7.58 Subject to the above, the proposal is deemed to be in compliance with the relevant development plan policies and material considerations e.g. NPPF, emerging plan and the National Design Guide.

#### *Off Site Ecological Matters*

7.59 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) /Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC which are internationally designated sites as well as further nationally designated sites which are; Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernoise Point SSSI.

7.60 When developers apply for planning permission for new residential or tourism development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.

7.61 The NPPF sets out that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

7.62 There is consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. Recreational pressure is also adversely affected dune grasslands which are also protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.

7.63 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either

through their own schemes or by funding relevant coastal wardening activity by the Council.

7.64 Contribution to the Coastal Mitigation Service enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly, it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is set at £615 per unit within 7km of the coast. However, to calculate the contribution of hotels the number of rooms is converted into an equivalent number of dwellings by taking a standard 2 guests per hotel room and dividing the total number of guests by 2.4, which is the ONS figure for the average size of a household. A discount is then applied to reflect hotel occupancy, based on a running mean of Northumberland Tourism's average occupancy data for the past 3 years (currently 56%) - so a household equivalent in a hotel pays 56% of the amount that is paid for a dwelling house. Therefore, for this development of 18 additional hotel rooms a contribution of £5,166 is required.

7.65 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed. The needs of the Habitats Regulations can therefore be deemed to be satisfied.

#### Equality Duty

7.66 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

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

#### Human Rights Act Implications

7.68 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.

7.69 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.

7.70 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 main planning considerations in determining this application have been set out and considered above stating accordance with the relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 It is therefore considered that the proposal will result in an acceptable form of development that will be consistent with the appearance and character of the existing host property and surrounding area, without causing unacceptable detriment on amenity or on the appearance of the surrounding area. As such the proposal is considered to be in accordance with the National Planning Policy Framework and policies of the North Northumberland Cost Neighbourhood Plan and saved policies Berwick upon Tweed Borough Local Plan

## **9. Recommendation**

That this application be GRANTED subject to the following conditions and a legal agreement for £5,166:

### Conditions/Reason

01. 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)

02. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plans:

Combined Proposed Layout and Elevations Dwg No. 712-(P)-02 Date November 2020 Rev B Dated 05/07/21

Proposed Elevations Dwg No. 712-(P)-09 Date November 2020 Rev A Dated 05/07/21

Proposed Overall Roof Plan Dwg No. 712-(P)-11 Dated November 2020

Proposed Block Plan Dwg No. 712-(P)-13 Dated November 2020

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. The development shall not be brought into use until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. 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 the National Planning Policy Framework.

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

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

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

05. Notwithstanding any description of the materials in the application, no installation of materials shall occur until precise details, to include samples, of the materials to be used in the construction of the external walls and / or roof(s) of the building(s), windows and their frames, and balustrade have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and / or external facing materials, windows and their frames, and balustrades used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development and in accordance with the provisions of NPPF.

### **Informatives**

1. 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.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

3. 'All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

If protected species such as bats or nesting birds are encountered during development, then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice on bats by telephoning Natural England's bat advice line on 0345 1300 228.'

**Date of Report:**

**Background Papers:** Planning application file(s) 20/03697/FUL



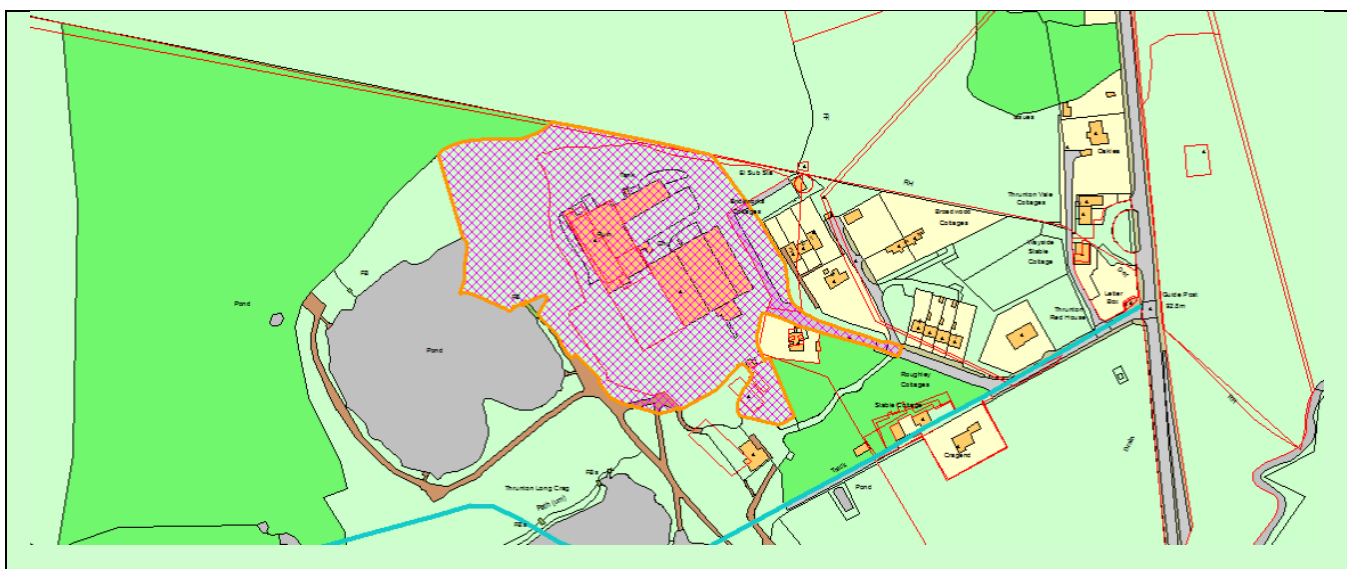


**Northumberland**  
County Council  
**North Northumberland Local Area Council**  
**19<sup>th</sup> August 2021**

<b>Application No:</b>	21/00904/FUL		
<b>Proposal:</b>	Proposed redevelopment of former Brickworks, including 14no. dwellings, 3no. tourism units, car parking and amenity space.		
<b>Site Address</b>	Land West Of Brick Work Cottages, Brick Works, Thrunton, Northumberland NE66 4SD		
<b>Applicant:</b>	Mr & Mrs Blythe Land At Thrunton, Thrunton, NE66 4SD	<b>Agent:</b>	Miss Hannah Wafer 4-6 Market Street, Alnwick, NE66 1TL,
<b>Ward</b>	Rothbury	<b>Parish</b>	Whittingham
<b>Valid Date:</b>	7 April 2021	<b>Expiry Date:</b>	7 July 2021
<b>Case Officer Details:</b>	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED, subject to conditions, and a S106 Legal Agreement for:

- 3 Shared Ownership Dwellings (Affordable Housing) on-site, within the scheme, with appropriate clause for off site contribution, should these not sell within a prescribed time.
- Clause stating all dwellings no longer have use of a motor vehicle with an internal combustion engine by 2050.



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee following referral to the Director of Planning and the Chair and Vice Chair of the North Northumberland Local Area Council (NNLAC).

## 2. Description of the Site and the Proposal

2.1 This planning application is for the proposed redevelopment of the former Thrunton Brickworks west of Alnwick. The approximately 2.5 Hectare proposed development site is located on the previously developed Thrunton Brick Works site. The site is located approximately 11km to the west of Alnwick and 12km north of Rothbury and lies approximately 250m to the west of the strategic A697 road on the western edge of a small hamlet of residential cottages and houses, and about 700m to the east of Thrunton Woods. The development site sits low in the valley and the proposal seeks to replace the derelict industrial buildings.

2.2 It is understood that the Brickworks is no longer operational following the 2008 recession, and the interim use for a carpet disposal business is also no longer operational following a fire on site in 2013. It is understood that due to the fire at the carpet disposal business neither business is now viable at the site, as the kilns used for brick production were destroyed during the fire. The former Brickworks site has been left redundant for approximately 8 years, according to the applicant's Planning Statement.

2.3 It is proposed to redevelop the site as a mixed use residential and tourism development, comprising 14no. detached 2-storey dwellings and 3no. detached single-storey 3-bedroom tourism units, together with a small central area of 'shared green' open space and planting. It is proposed to utilise the existing access off the A697 leading to a shared access serving the development. The proposed development also seeks to provide a storage building and formal parking area to be used in association with the adjacent fishery business (Thrunton Long Crag Trout Fishery).

2.4 The applicant acknowledges that the proposal is not entirely policy-compliant (see planning history below) and makes the case that residential development of this scale is required to generate sufficient value to remediate the site. It is also stated that the tourism units would support Thrunton Fisheries, which is also owned by the applicant.

## 3. Planning History

**Reference Number:** A/90/A/430

**Description:** Extensions,

**Status:** PER

**Reference Number:** 12/01797/DISCON

**Description:** Discharge of condition 35 relating to planning permission 11/00084/MRVEIA (Periodic Review under the Environment Act 1995 of Planning Permission C/IDO/A/2 for the determination of modern working conditions)

**Status:** PER

**Reference Number:** A/92/HAZ/0003

**Description:** Storage of 40 tonnes of liquid petroleum gas (propane)

**Status:** PER

**Reference Number:** A/92/A/230  
**Description:** Water Tank Storage for Sprinkler System,  
**Status:** NOOBJ

**Reference Number:** C/96/CC/15  
**Description:** Construction of clay processing plant  
**Status:** PER

**Reference Number:** C/94/CC/124  
**Description:** Single storey extension to existing office to include office, kitchen, wc an LPG tank  
**Status:** PER

**Reference Number:** C/94/CC/101  
**Description:** Installation of a septic tank and ancillary drainage  
**Status:** PER

**Reference Number:** C/89/A/581  
**Description:** Extension to industrial building  
**Status:** NOOBJ

**Reference Number:** 15/01427/FUL  
**Description:** Conversion and extension to former brickwork office to provide 1no. two bedroom residential unit for holiday and long term letting use.  
**Status:** PER

#### 4. Consultee Responses

Public Protection	No objection, subject to conditions.
Lead Local Flood Authority (LLFA)	No objection, subject to the inclusion of 'JCC20-233-C-02 Drainage Strategy Rev 03' within the approved plans condition.
County Ecologist	No objection, subject to conditions.
Environment Agency	No objection, advice suggested for applicant.
Highways	The development is in an unsustainable location that cannot be mitigated with a 'positive' range of measures that encourage sustainable modes at this time.  As such a range of measures that resist sustainable trips for outbound journeys are proposed to minimise single occupancy trips.  These measures are proposed at the absolute discretion of the highway authority and should not be interpreted as a resolution in principle for areas that are not sustainable.
Whittingham, Callaly And Alnham Parish Council	The Parish Council Supports this application
Northumbrian Water Ltd	We have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Drainage Strategy Revision 1 February2021". This document proposes connection of foul flows to the combined sewer in the main highway opposite Thrunton Red House. Surface water

	<p>flows will be discharged to a local watercourse. We further note that the applicant has separately submitted the Northumbrian Water pre-planning enquiry response confirming this.</p> <p>Condition Suggested by NWL for inclusion.</p>
Fire & Rescue Service	<p>The Fire and Rescue Service have no objection in principle to the above proposals.</p> <p>More detailed comment can be given once plans of the development have been finalised.</p>
Architectural Liaison Officer - Police	<p>Northumbria Police support the principle of brownfield development and consider the site in question to be at low risk of crime, we do however have some observations.</p> <p>1. Whilst we recognise the rural setting and the desire not to create light pollution, we are sceptical about the suggestion that there will not be any street lighting in the new hamlet. The advent of LED luminaires means that lighting schemes can be designed to enhance an area and make it safer without excessive light spillage. To have no lighting would likely encourage householders to make their own arrangements and lead to a much less co-ordinated, ad hoc and inefficient arrangement. We would therefore encourage the Applicant to reconsider the street lighting at least around the shared green.</p> <p>2. Given the rural setting we consider that 1800mm horizontal slat fencing is perhaps incongruous and even perhaps unnecessary. A slat fence is easily scalable and would normally require a sacrificial topping like trellis. If the desire is for privacy we would recommend a 1500mm fence with a 300mm trellis topping, such an arrangement would be less intrusive and more efficient in terms of deterring intruders.</p> <p>3. I would also like to take this opportunity to promote the Secured by Design (SBD) scheme, which is designed to prevent crime and reduce the opportunities for crime to occur. In addition to the layout of the development, SBD also specifies what type of doors and windows should be used and also covers other security measures which will help achieve the objectives which the scheme promotes. Further information can be found on their website <a href="http://www.securedbydesign.com">www.securedbydesign.com</a> or by contacting our office.</p>
Northumbria Ambulance Service	No response received.
Open Spaces - North Area	No response received.
Waste Management - North	No response received.
Education - Schools	No response received.
County Archaeologist	There are no objections to the proposed development on archaeological grounds. No archaeological work is recommended.

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## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	21
Number of Objections	2
Number of Support	0
Number of General Comments	0

### Notices

General site notice, 28th April 2021

Northumberland Gazette 15th April 2021

### Summary of Responses:

2 representations forming objections have been received in relation to the application. To summarise, these relate to the following matters:

- The proposal not being in keeping with the location in which it is set e.g. out of character in terms of scale and form.
- Negative impact the proposal will have on local infrastructure.

The above is a summary of the comments. The full written text is available on our website.

## 6. Planning Policy

### 6.1 Development Plan Policy

Alnwick Core Strategy 2007 (ACS)

S1 – Location and Scale of New Development

S2 – Sequential Approach to Development

S3 - Sustainability Criteria

S4 - Phased Release of Housing Land

S5 - Housing Density

S6 - Provision of Affordable Housing

S11 - Accessibility and Minimise Impact from Travel

S12 - Protecting and Enhancing Biodiversity and Geodiversity

S13 - Landscape Character

S14 - Development in the Open Countryside

S16 - General Design Principles

S23 – Planning Obligations

Alnwick District Wide Local Plan 1997 (Policies Saved through ACS 2007) (ADWLP)

BE8 – Design Criteria for New Dwellings

TT5 – Car Parking

CD32 - Amenity or Environmental Impacts

### 6.2 National Planning Policy

National Planning Policy Framework (NPPF) 2021

National Planning Policy Guidance (PPG), 2014 as amended.

### 6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021).

STP1, STP2, STP3, STP4, STP5, STP6, ECN12, ECN15, HOU2, HOU5, HOU6, HOU9, QOP1, QOP2, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT1, ICT2, ENV1, ENV2, ENV3, ENV4, WAT1, WAT2, WAT3, WAT4, POL1, POL2, INF1, INF6.

## 7. Appraisal

7.1 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 comprises policies in the Alnwick District LDF Core Strategy (2017) and the Alnwick District Wide Local Plan (1997). as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 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 Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF.

7.4 The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.5 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

- Principle of the Development;
- Affordable Housing (and Viability Matters)
- Landscape Impact;
- Design and Visual Impact;
- Highways and Transport Matters
- Amenity Impact;
- Drainage Matters; and,
- Ecological Matters

### Principle of Development

*Principle of Residential Development Element of the Scheme*

7.6 Policy S1 identifies the proposal site as being in 'The Countryside', the last tier in the hierarchy as set out in the ACS. ACS policy S2 provides for a sequential test for new development, however, whilst the NPPF encourages the use of previously developed land it does not set a strict hierarchy, therefore, ACS policy S2 is afforded little weight in the determination of the application. ACS policy S3 outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops services, the transport network and modes of transport other than the private car; that there is adequate existing or planned capacity in the physical and community infrastructure and environmental needs can be mitigated; potential implications of flood risk have been assessed. It is not considered that the proposal in principle, complies with these policies as set out.

7.7 Policy S14 is also relevant to development in the open countryside. It states that "*Applications for new development in the open countryside will only be permitted where the development is likely to be sustainable in the context of policy S3 and where the development is essential to support farming and other countryside-based enterprise and activity, promote recreation and support the retention of sustainable communities or support the conservation and enhancement of the countryside. An applicant must demonstrate that they have carried out the Sequential test in Policy S2, that no other suitable site is available and that where the proposal involves significant development of the best and most versatile agricultural land, the loss of land is unavoidable.*" It is not considered that the proposal would comply with this policy, or the development plan 'in principle'. Further to this it is however recognised that this is not fully compliant with the NPPF. However, the material considerations associated with the restoration of the site may make the proposal acceptable in principle.

7.8 The NPPF (2021) and Planning Practice Guidance (PPG) are material considerations in planning decisions. The NPPF generally supports the planned provision of rural housing responsive to local needs and circumstances. Paragraph 84 of the NPPF supports the sustainable growth and expansion of all types of businesses in rural areas both through the conversion of existing buildings and well-designed new buildings.

#### *Principle of Development of the Tourism Element of the Proposal*

7.9 In terms of the tourism aspect of the proposal. The following is considered to be relevant. Policy S14 is relevant to development in the open countryside, such as this, including tourism uses. It states that "*Applications for new development in the open countryside will only be permitted where the development is likely to be sustainable in the context of policy S3 and where the development is essential to support farming and other countryside-based enterprise and activity, promote recreation and support the retention of sustainable communities or support the conservation and enhancement of the countryside. An applicant must demonstrate that they have carried out the Sequential test in Policy S2, that no other suitable site is available and that where the proposal involves significant development of the best and most versatile agricultural land, the loss of land is unavoidable.*" It is not considered that the proposal would comply with this policy, it is however recognised that this is not fully compliant with the NPPF, it is considered that the proposal will support the conservation and enhancement of the countryside, through the ability of the scheme to contribute to the restoration of the site, and is compliant with the elements of this policy, which are compliant with the NPPF, as it currently stands.

7.10 T5 of the ADWLP states “*applications for new chalet developments will be determined against the following criteria: 1. The extent to which the siting of the development minimises its visual and environmental impact; 2. The capability of the local road network to support the potential traffic generated; 3. The suitability of the colouring of the proposed units and the landscaping of the site; 4. Whether the proposed development adversely affects the amenity or services enjoyed by neighbouring residents; 5. whether water supply, sewerage and refuse disposal can satisfactorily be provided for.*” It is considered that the tourism unit element of this proposal complies with this policy and is therefore deemed to be compliant with the development plan, as far as a ‘chalet’ development is considered. Further to this, the proposal has been sensitively designed with its setting in mind. Appropriate materials conditions have been appended to control the appearance of the units (and the residential housing) within the scheme.

7.11 Paragraph 84 of the NPPF supports the sustainable growth and expansion of all types of businesses in rural areas both through the conversion of existing buildings and well-designed new buildings. Paragraph 83 further supports sustainable rural tourism and leisure development which respects the character of the countryside.

*Planning Balance in relation to the principle of development.*

7.12 The proposal as a whole is not considered to ‘in principle’ be in conformity with the development plan, with only the tourism element considered to be in compliance with the development plan. It is however considered that the sensitively designed proposal as put forward would allow the remediation of the site to proceed, and therefore enhance the countryside given the previous uses on the site. The proposal is potentially able ‘in principle’ to enhance the landscape in the vicinity of the site, through the securing of a long term, viable use for the currently disused site. Whilst it is considered that it would be difficult to assimilate the proposal into the landscape entirely, given its relatively open setting, it is considered that the restoration of the site would be of a large benefit to the local landscape.

7.13 The tourism element is supported by ECN12 which encourages the growth of the rural economy, Policy ECN13 and policy ECN15 given the proposed development’s proximity to the existing settlement and the tourism development at the Trout Fishery. Policy STP 3 seeks to build a strong, responsive and competitive economy across Northumberland, however it seeks to protect and enhance the vitality and viability of Northumberland’s town centres and other important economic sectors and could therefore be deemed to be compliant with this in principle. It is however noted that neither full nor significant weight can be given to the emerging Local Plan at this stage. With regards to the housing element of the scheme this is not deemed to be fully compliant with the policies in the emerging Northumberland Local Plan, however full or significant weight cannot be given to the policies within this plan at present.

7.14 Whilst the proposal is not deemed to be compliant with the development plan, it is considered that the material consideration of remediating the former Brickworks Site outweighs these factors, and it is therefore considered that the proposal is acceptable in principle.

Affordable Housing (and Viability Matters)



7.15 Northumberland County Council's Corporate Plan and Housing Strategy both identify the delivery of affordable housing as a key strategic priority. This application as 'major development' is deemed appropriate to contribute to the affordable housing delivered in the county. Policy in relation to this is set by the ACS (policy S6) and the NPPF, with evidence about up to date requirements taken from the evidence base of the emerging Local Plan. The current requirement, based on evidence from the most recent SHMA is that a contribution equivalent to 17% of the site should be provided.

7.16 Policy S6 of the ACS seeks an appropriate level of affordable housing provision on all sites of 10 units or more or with an area of 0.33 hectares or in Alnwick; the proportion of affordable housing and its type sought on each site will depend on the assessment of affordable housing need in the housing market area and in the local area.

7.17 Chapter 5 of the NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need.

7.18 Following this, although the proposal does not propose the level of affordable housing set out in the ACS policy S6, this is satisfactory given current national policy in the NPPF, and the up to date evidence considered at the point of preparing this report. It is deemed that the proposal is in compliance with the appropriate elements of the development plan and the relevant elements of the NPPF.

7.19 The appropriate policy in the emerging NLP in relation to this matter is Policy HOU6. In line with paragraph 48 of the NPPF only some weight can be given to this policy, however, the evidence which backs this policy up can be given weight in the decision making process, this is where the 17% request for Affordable Housing is sought from.

7.20 The SHMA for the county-wide strategic housing market area is generally reviewed and updated every 3-5 years. The latest Northumberland SHMA Update (June 2018) identified the county's strategic housing mix and affordable housing needs, as reflected in the draft Local Plan (see above).

7.21 As regards the SHMA Update's housing market sub-areas, this site is within the North Delivery Area and is in the Alnwick and the tourist coast sub-area. Within this sub-area it was highlighted by local estate agents that older people are relocating from the villages into the towns for access to services. The estate agents suggest that this in part along with the retiring age population returning the area are putting very specific demands on the sub-area with premiums on bungalows and other single storey dwellings.

7.22 Unlike the other sub-areas the estate agents have suggested a large increase in the holiday let market which is pricing out some of the permanent residents of the area with the reliance on social housing providers to keep up with the rented demand in the area.

7.23 Local assessments of housing needs have been carried out for various parts of the county, albeit it is impractical to undertake and keep up-to-date locally-specific housing needs studies for every part of the county. There is no recent local housing needs assessment covering the location of this planning application.

7.24 Northumberland Homefinder is the Council's choice-based lettings policy for allocating the majority of affordable rented properties in the county in partnership with other local affordable housing providers. While providing a reasonably up-to-date indication of the scale of affordable rented housing needs only in different parts of the county to help supplement the housing needs information set out above, it should not be regarded as a definitive register for identifying local housing needs at the parish or neighbourhood area level. Applicants can live both within and beyond the county, with a local connection determined on a countywide basis (including employment/business in the county) and additional rural allocations criteria prioritisation applying for parishes with less than 3,000 population, while it is also known that some households in housing need may only register when they see that a development of affordable rented homes in their local area is nearing completion. Once registered, applicants can then bid on up to three properties a week all across the county. However, there are no affordable rented units in the area to allow the affordable housing team to gauge the need for affordable homes within Thrunton.

7.25 Information from the Registered Providers (RPs) managing affordable housing stock in the area additionally provides a useful indication of the level of demand for affordable homes in the area, including affordable/social rented as well as intermediate shared ownership tenures. RPs will only seek to take on additional affordable housing stock if they consider there to be a sufficient demand for them in the area in question, avoiding an oversupply. As above, some stock may also be restricted for occupation by older people over a certain age or by households with someone with disabilities or adaptation needs, and thus not available to all applicants.

7.26 With the viability of the site showing it is able to sustain affordable units the Affordable Housing Enablers have contacted RP's to get an indication of interest in the area. There has been some potential interest in shared ownership units if there was no obligation to purchase them after a period of time if they did not sell. It has therefore been discussed with the agent whether they would be amenable to this, in the context of discussions on this site. They have confirmed they would be amenable to a legal agreement to provide 3 of the dwellings within the scheme as Shared Ownership Properties, subject to a satisfactory clause to convert this to an off site contribution, should no parties be interested in the properties.

7.27 It would be proposed that there is a set time period to allow the applicant to explore the option with interested parties. If evidence can be provided that the applicant has explored all options, a clause within the section 106 can be added which would allow them to convert the shared ownership into open sales units.

7.28 It is suggested that the time period be 6-12 months to allow productive discussions but will not hinder the development of the site. To assist in the build out no trigger for affordable units to be provided should be added.

7.29 The applicant has submitted a viability appraisal suggesting that it would not be viable to deliver affordable housing provision as part of the development. This has been independently reviewed by CP Viability on behalf of the Council. Officers

have since been advised that a scheme fully compliant with planning policy is viable on this site. Following this advice and further discussions, the applicant has agreed to provide the required affordable housing contribution. Based on the relevant policy and the latest evidence base, in this instance the affordable housing enablers at NCC have advised that 3 shared ownership dwelling units, should be provided on the site, with a clause for an off site contribution in line with the AH protocol, should these not sell.

7.30 The S106 agreement should include a requirement for an Affordable Housing Statement to be submitted to the Council for approval before development commences. This should set out the agreed tenure mix and plots for affordable homes (house types and sizes), any alternative tenure options, the timing of their delivery in the context of the overall housing development, arrangements for their transfer to a Registered Provider and for them to remain as affordable housing in perpetuity (where applicable), any arrangements for the marketing of affordable home ownership products, and the basis on which the affordable homes will be occupied.

7.31 Subject to completion of such a legal agreement the proposal is considered to be policy compliant, after taking into account relevant material considerations and the provisions and intentions of the NPPF; where these can be given weight. The applicant has agreed to this contribution.

7.32 Subject to the provision of this, the proposal, as amended and including this affordable housing contribution, is deemed to be compliant with the relevant policy and material considerations.

### Landscape Impact

7.33 This section seeks to appraise the landscape impact of the proposal against the wider landscape and its landscape character.

7.34 With regard to landscape, the proposal sits in a 'bowl', nestled between the A679 and Thrunton Woods. The existing Brickworks site has long been a significant feature in this local landscape, during its period as an operational brickworks, carpet recycling business, and post this following the fire which is understood to have started circa 2013.

7.35 The proposal seeks to retain existing landscape features, where possible, with new landscape features, e.g. trees and hedgerows being installed as part of the proposed scheme. The proposed development site sits low in the valley and seeks to replace the unsightly and dilapidated industrial buildings. The old clay pits of the brickworks have been landscaped and repurposed as a trout fishery, and there are mature wooded areas and planting to the west of the lakes and to the east of the site.

7.36 Due to the site sitting low in the valley with a gentle rise immediately to the north, the site is not readily visible from the north on the A697. From the south the site is visible from the A697, although as you move closer the site is screened by the existing mature trees which densely cover the area immediately to the east. The proposal for substantial planting to the southern edge of the houses would completely screen them as the greenery matures. From the unclassified road/ track to the west; due to the undulations of the fields, the site can be seen from the south,

and becomes visible further up as the road climbs to the point of being due west (at the car parking area for the woods), then for approximately 500m along this road to the north, although the site is distant and sits lower in the valley.

7.37 Policy S16 is also relevant in terms of landscape. This specifies *"proposals should take full account of the need to protect and enhance the local environment having regard to their layout, scale, appearance, access and landscaping and new development must apply the principles of: ..... Provision and maintenance of high quality designed open space for recreation, amenity and environmental enhancement."* It is considered that the proposal is in compliance with this policy in terms of the elements considered appropriate to landscape and landscaping on the site, given the plans submitted with the application.

7.38 Specifically with regards to landscaping BE8 of the ADWLP is relevant and links through to Appendix A of the ADWLP, this specifies the following: *"A scheme for landscaping, incorporating existing features and proposed soft and hard landscaping, should accompany the detailed submission; Existing trees and hedgerows should normally be incorporated in the scheme to give the site a mature appearance; and, any tree or other planting should normally be carried out in the first planting season following the completion of the development"* .

7.39 It is considered that the proposed development will offer a significant improvement to the overall views and landscape in several ways; by replacing the large scale industrial blocks with smaller and lower volumes; by using high quality natural materials (predominantly stone, timber and slate) instead of inappropriate industrial materials; and, by providing substantial new planting which will screen the development edges, along with substantial new planting through the development. The applicant has sought to improve the scheme adding additional planting on the site to improve the amount of vegetation within the site. This in turn will allow the landscape impact of the site to lessen over time.

7.40 Whilst not directly related to landscaping and landscape matters, the County Ecologist has raised no objection to the proposal, providing the inclusion of any conditions as included in the conditions list below relating to this being applied upon any approval.

7.41 Therefore, further to the above, the proposal, will appear as an improvement in terms of landscape impact from the disused Brickworks, which at present would appear as a 'scar' on the landscape. Whilst the appearance of the site as a housing development would initially appear alien in this landscape, this would lessen overtime as the vegetation and arboricultural assets of the proposal mature. It is considered that over time this will then be viewed in the context of the other residential properties near the site and eventually be viewed as part of the settlement of Thrunton.

7.42 The proposal is therefore deemed to be compliant with the relevant development plan policy and the relevant elements of the NPPF, and the emerging NLP where these can be given weight.

### Design and Visual Impact

7.43 This section seeks to appraise the design and visual of the proposal against the impact this may have on the character and appearance of the local area.

7.44 The application proposes a development close to the existing settlement of Thrunton, the proposed layout comprises of 14 detached 2-storey dwellings and 3no. detached single-storey 3-bedroom tourism units, together with a small central area of 'shared green' open space and planting. The Chimney of the Brickworks is to be retained within the development, as a design feature, and to demonstrate the site's previous use. It is understood that a structural survey has confirmed that the chimney is suitable to be retained, and so can serve as a marker in the development and wider context. The green space around the chimney will provide an area which residents can use for recreation and will engender a sense of community and to encourage community spirit and activities. The proposal is of a low density, which would be expected in a rural location such as this, with provision made for this within Policy S5 of the ACS, which relates to density matters.

7.45 A combination of boundary treatments are proposed to help to maintain privacy between dwellings whilst also preserving the feel of a small rural hamlet. Natural stone walls are kept low and predominantly to the frontages of the 'cottage' types to create the feel of a village. Natural timber fences will be used to separate neighbouring gardens, and hedges will be planted to maintain the natural feel of the site and enhance sustainability and biodiversity. Street lighting is not proposed in order to maintain the rural feel of the site.

7.46 In terms of scale, the details submitted show dwellings situated upon large plots of land. It is considered that the types of dwellings shown within the submitted details are compatible with this location and the general area. The scale of the dwellings is considered appropriate within the overall scheme and in the locality. With regards to appearance, the dwellings proposed would be of a traditional design constructed of traditional housebuilding materials and roof tiles. It is therefore considered that the design and use of the materials included within the submitted details is considered acceptable in this location. The development site sits low in the valley and seeks to replace the unsightly and dilapidated industrial buildings. The old clay pits of the brickworks have been landscaped and repurposed as a trout fishery, and there are mature wooded areas and planting to the west of the lakes and to the east of the site, which have helped to improve the local setting.

7.47 Policy S16 of the ACS is a General Design Principles Policy *'All development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials. Proposals should take full account of the need to protect and enhance the local environment having regard to their layout, scale, appearance, access and landscaping AND new development must apply the principles of: Sustainable design and construction; Energy efficiency in construction; Designing to reduce crime and the fear of crime; Effective waste reduction and management; Sustainable urban drainage and sustainable water supply; Provision and maintenance of high quality designed open space for recreation, amenity and environmental enhancement.'* As a general policy it is considered that the proposal follows these principles and complies with this policy due to the design and layout approach employed as well as the materials proposed in the scheme.

7.48 The most relevant policy in relation to this BE8 of the ADWLP which provides a hook to Appendix A *'Design and Layout of New Dwellings'*, the design section is the most relevant to this section, This specifies that *'New Dwellings should be designed to take account of traditional vernacular architectural style which may*

*predominate in the locality. In general these should exhibit a single robust shape and have a clear predominance of wall surface over openings. The importance of architectural detail should not be underestimated in achieving an acceptable solution. New dwellings should take full account of the overall heights of surrounding dwellings and must take account of site levels.*

7.49 Chapter 12 of the NPPF sets the context from a national policy perspective. This identifies that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, and that 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 127 specifically refers to how planning applications should be determined in relation to design, this specifies that "*Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*" In line with that mentioned elsewhere in this section of the report it is considered the proposal would comply with this element of the NPPF.

7.50 Many of the villages and settlements in Northumberland's rural areas have historically developed through traditional agricultural development and evolution of that industry. The proposal site at Thrunton is unusual because it stems from a recent industrial use, associated with the clay pits. This has resulted in a current series of buildings and hard landscaping elements which are out of place and have a negative impact on the physical environment and also now offer no contribution to the area in terms of economy or community in their present condition. The proposal has been developed to create a positive sense of place and has appeared to have stemmed from analysis and understanding of the local context, both current and historic. It offers the opportunity to add to an existing community on the site and to serve as an example of how difficult sites can be positively developed to enhance their immediate surroundings and the wider context. The buildings are therefore integrated into their surroundings and respond positively to local history, culture and heritage to integrate the development into the context and enhances the surroundings.

7.51 The proposal is considered attractive and appropriate to the context whilst also being distinctive, drawing on local influences to create a place which fits in with its surroundings, contributing to creating a sense of community which integrates with the existing houses adjacent to the site to help inclusion and social cohesion. Further to this, the design builds on this approach and develops some more contemporary features. This creates a distinctive identity to the development; the design is

influenced by the past but does not seek to be a 'pastiche' it but rather build on the site's history.

7.52 The buildings have been designed together with the overall site to create an appropriate and coherent pattern of development within the site. The roads and spaces within the development have edges which are clearly defined by buildings, particularly around the shared green space where the chimney is located. This aids navigation, promotes safety and accessibility and helps to create the distinctive identity of place.

7.53 The quality of spaces between and around the buildings are as important as the buildings themselves, and this has been considered throughout the layout of the development. The green space at the heart of the scheme provides a safe, social and inclusive destination where people can come together as families and as a community, and of course also adds to the gain in biodiversity. Physically the chimney adds to this sense of place which further enhances community and the distinctiveness of the development, whilst the position of the houses creates a sense of enclosure and security with active frontages and natural surveillance.

7.54 Materials have been chosen and carefully integrated into the design. The houses are intended to use a combination of high-quality natural materials. Natural stone sourced from local Northumberland quarries will be used in all of the proposed buildings, along with brick which picks up on the warm natural tones of the stone as well as referencing the former use of the site. All roofs are understood to be natural slate which is a hard-wearing material found on the majority of the buildings in the area. A materials condition is appended to this report to ensure that the LPA retains control over the materials used within the scheme.

7.55 Comments have been made by the Police Architectural Liaison Team suggesting an approach in terms of lighting the green. It is not considered that this would be appropriate in this rural location, whilst the comments are understood, the comments regarding lighting can be controlled by condition. An appropriate condition to control any future external lighting of the proposal is appended to this report; and is recommended for inclusion in any future grant of permission.

7.56 Comments have also been made by the Police Architectural Liaison Team suggesting an alternative approach to fencing, it is not considered that the approach suggested by the applicant is sufficiently detrimental to the scheme as to warrant withholding permission on these grounds. It is also deemed appropriate to condition the boundary treatments used, as full details of these have not been provided at this stage. It is considered important to note that the site is considered to be classed by the Police Architectural Liaison Team to be 'low risk'.

7.57 The proposal strongly aligns to the QOP Policies in the emerging local plan. The proposal is designed to make a positive contribution to local character, it would create a strong sense of place and it seeks to incorporate high quality aesthetics which will replace a current scar on the landscape, which is caused by the condition of the former Brickworks site.

7.58 To conclude in design and visual impact matters, it is considered that the proposal adds to the existing community and provides a positive contextual enhancement. The preservation of the of historic chimney forms associated with the brickworks provides a sensitive reminder of the history of the site and helps retain

identity. Local vernacular typologies (cottage, barn, lodge), materials (stone, brick, slate, timber) and details (proportions, material uses, etc.) create harmony with the context and it is therefore considered that a satisfactory design solution has been provided for this site.

7.59 Comments have been received from nearby occupiers in relation to the proposal appearing out of character with the nearby settlement, whilst these comments are understood, it is considered that the proposal provides a satisfactory design solution for the site.

7.60 The proposal is therefore deemed to be compliant with policy S16 of the ACS, Saved Policy BE8 of the ADWLP, Appendix A of the ADWLP, the NPPF and the emerging NLP, where these can be afforded appropriate weight.

### Highways and Transport Matters

7.61 This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around Highways and Transport matters in relation to Rural Residential and Tourism Developments, such as this, are Highway Safety, Access, Car Parking and Sustainable Transport Options. Consultation has been undertaken with the Highways Development Management Team and their comments are considered below.

7.62 Paragraph 110 of the NPPF states *“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; and c) 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.”*

7.63 Paragraph 111 of the NPPF states that *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

7.64 Paragraph 112 of the NPPF adds to this and states *“Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and, e) be designed to enable charging of plug in and other ultra low emission vehicles in safe, accessible and convenient locations.”*

7.65 Highways Development Management have commented on the Sustainability of the Site and have stated *“The development is in an unsustainable location that*



*cannot be mitigated with a 'positive' range of measures that encourage sustainable modes at this time. As such a range of measures that resist sustainable trips for outbound journeys are proposed to minimise single occupancy trips. These measures are proposed at the absolute discretion of the highway authority and should not be interpreted as a resolution in principle for areas that are not sustainable”*

7.66 When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets. The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, however, it is an unsustainable location for a residential development.

7.67 The Transport Statement, Technical Note and Appendices have all been assessed and it should be noted some of the distances set out do not truly reflect the travelling distance to local amenities, i.e. shops, schools and medical facilities. The correct distances fall out with the accepted walking and cycling distances which could make the development sustainable. As the development will require the residents to be reliant on car borne journeys, it is considered that the proposal is not sustainable and is not in accordance with Chapter 9 of the NPPF in highways terms.

7.68 Residential development in an area such as this causes a level of concern that conflicts with a number of ambitions that have been clearly outlined on a road map for greener travel. By 2030 no new petrol or diesel vehicles will be available for sale and by 2035 new hybrids will be available. All of which coincides with 'The Road to Zero' which seeks that by 2050 it wants almost all cars to be zero emission. Development in rural locations is likely to be one of the last bastions of the internal combustion engine, for a number of factors including confidence, cost and access to high quality / rapid EV infrastructure.

7.69 It is considered that this location does not offer a genuine choice for accessing local amenities, by walking, due to a lack of dedicated infrastructure, cycling by road, or dedicated cycleway, both due to a lack of infrastructure and design guidance that puts cycling on high speed routes as high risk or public transport due to a lack of frequency of service and travel location.

7.70 The predominant mode of travel from this location will be the private motor car until such time that the proposed initiatives come into effect. The NCC HDM position on a sustainable location accords with the exact wording of the NPPF which is 'encouraging a genuine choice of transport modes'. We see no genuine choice in walking or cycling on the carriageway in high speed locations as it does not fulfil the criteria of being attractive or well-designed.

7.71 However, the planning process is considerate of sustainability and the NPPF states *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'*

7.72 It is clearly identified that this type of development in this location is not a repeatable pattern. The site can also not be made sustainable by a traditional suite of mitigation or planning conditions. However, the sustainable transport solutions can be maximised, albeit with some non-standard provisions. There are some clear opportunities to address the car nature of the development as follows: Ensure all private trips are zero emission as soon as practicable and reasonable; Reduce the need for all trips as far as possible; Education & support. A Transport Statement has been provided which is not considered acceptable, as the information does not truly reflect the travel distances to amenities in Rothbury and Alnwick. The location of the development is not considered sustainable for residential dwellings as there are no amenities, i.e. shops, schools or medical services within a reasonable distance of the site, and it is likely that all trips to the site will be by vehicle.

7.73 It is important to note the following travel distances to amenities: Whittingham C of E Primary (Escorted Trips) 4.8km - It is likely that all children under 8 would be entitled to travel assistance due to the nature of the walking route; Duchess's Community High School 15km – It is likely that all children over the age of 11 will be entitled to travel assistance due to the nature of the walking route; Alnwick Town Centre 15km – nearest urban location providing range of supermarkets, retail and leisure.

7.74 The proposed development is located at Land West of Brick Work Cottages Brick Works Thrunton. There is an existing substandard footway on one side of road along the U4092 for approximately 155m from the A697, beyond this there are no footpaths, there are also no amenities within the accepted thresholds for walking. There are transport links in place along the A697, which provide services to Kelso to the North and Newcastle via Morpeth to the South, however these are only twice a day on a Wednesday and once on a Saturday. As for cycling there are no amenities within the accepted cycle distance thresholds. Thus, it is likely that all trips to the site will be car borne, further reinforcing the unsustainability of the location.

7.75 The size of the development would not usually warrant a Travel Plan. However, the goal of a travel plan is to encourage education in relation to modal shift. This site has an opportunity to minimise outbound car trips, by promoting a range of services that can be brought to site and also ensuring all households have the appropriate safety information should they intend to walk or cycle. We would encourage each dwelling to be delivered with working from home in mind.

7.76 Amendments to the internal layout of the scheme have been made following officer requests and car parking for the development shall be provided in accordance with the Parking Standards contained within the Northumberland Local Plan Publication Draft Plan (Regulation 19). All parking places in curtilage and on-street must be provided with EV infrastructure and each dwelling must provide at least 1 rapid charge facility.

7.77 Cycling by road from this location to access local amenities is currently not supported, however the development may in future benefit from a better level of local infrastructure. Details of cycle parking should be clearly indicated.

7.78 Given the rural nature of the location the internal arrangement can remain unlit and still be considered safe in highways terms subject to a 20-mph design speed. Further to this, the applicant will need to provide a detailed design for the

provision of street trees to enhance the rural character of this development. This will be secured by condition, with a suitable condition appended to this report.

7.79 Whilst it is understood that Highways Development Management are not supportive of the scheme, and it is not considered acceptable when assessed against paragraph 110-112 of the NPPF or the sustainable transport elements of the Development Plan, the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety and it is not considered that there would be an unacceptable impact on highway safety in this instance.

7.80 Comment has been received from nearby interested parties in relation to highway safety regarding the access to the proposal, however an appropriate condition is recommended for inclusion, it is therefore considered that this can be made acceptable, though the compliance with this condition. Concerns have also been raised around the provision of access to bus services on the A697 and the distance to nearby amenities. It is recognised that the proposal site, does not have good access to sustainable transport links, and nearby amenities, however given the other merits of the proposal, it is not considered a suitable reason for withholding planning permission in this instance.

#### Amenity Impacts

7.81 The assessment of amenity seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use. Issues raised over the consultation period in respect of this have been considered in this section.

7.82 Paragraph 130 of the NPPF states that planning decisions should; *“f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

7.83 Given the position, size and orientation of the proposed dwellings and their distance from neighbouring properties, it is considered there would not be any significant issues regarding overshadowing, overbearing, loss of light, outlook or privacy as a result of the proposed works and that an adequate level of amenity would be provided for future residents. As such the proposal is considered to be in accordance with the relevant development plan policy and the NPPF in this respect

7.84 Some elements of disturbance due to noise, dust and vehicle movements etc. is considered an inevitable part of the development process. Highways Development Management (HDM) have been consulted on the application. HDM have requested a planning condition for the submission of a construction method statement, that secures details of onsite operations during the construction period. This enables a level of control during the construction phase, having regard to amenity issues for nearby occupants and prior to completion of the development.

7.85 Subject to the requested conditions the proposal is considered to be acceptable and will accord with the development plan, the provisions and intentions of the NPPF where appropriate, and with the emerging NLP, where this can be given weight.

## Drainage Matters

7.86 Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 'Water Environment' of the emerging Northumberland Local Plan also being relevant to this section.

7.87 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Drainage and Water Matters, these would be 'Resilience', and 'Resources'.

7.88 Consultation has taken place in relation to drainage and foul sewage with Northumbrian Water (NWL) and the council's Lead Local Flood Authority Officer (LLFA).

7.89 Initially the LLFA raised some concerns over the proposed development from a flood risk and drainage perspective. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter. NWL have requested that revision 1 of the drainage strategy is included in the 'approved plans' condition, however following amendments made at the request of the LLFA it is deemed more appropriate to condition the later, revision 3 of the drainage strategy. This is now included in the recommended approved plans condition.

7.90 The appropriate policy in the emerging NLP in relation to this matter is Policy WAT3 and WAT4. These have been given appropriate weight with regards to paragraph 48 of the NPPF.

7.91 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations in relation to drainage, where these can be apportioned weight.

## Ecological Matters

7.92 NPPF, Chapter 15, Paragraph 174 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 180 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.

7.93 Further to the above, the proposal has been submitted with appropriate ecology surveys, the County Ecologist and Natural England have been consulted

7.94 Therefore, the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance Policy S12 and the NPPF, subject to compliance with the conditions suggested.

7.95 The appropriate policy in the emerging NLP in relation to this matter is Policies ENV1 and ENV2 weight has been apportioned with regards to these policies in line with paragraph 48 of the NPPF.

7.96 Subject to the above, the proposal is deemed to be in compliance with the relevant development plan policies and material considerations e.g. NPPF, emerging plan and the National Design Guide.

### Contaminated Land

7.97 This site is a former Brickworks, which has also had a former life as a 'Carpet Recycling Plant'. It is understood that there was a fire at the Site circa 2013, and that this business is therefore no longer viable. This has been problematic for the site in terms of finding a future use for the site. It is understood that remediation will need to occur to bring the site forward for the proposed use.

7.98 Paragraph 183 of the NPPF states *"Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments."*

7.99 Policy S3 of the ACS is relevant to this area as this explains that a number of sustainability criteria must be met, some of these relate to Land Contamination and Land Stability matters.

7.100 Policies POL1 are POL2 from the emerging NLP are relevant to this element of the report.

7.101 Public Protection have provided comment on the proposal and have advised they do not object to the proposal, subject to conditions as suggested. These have been appended to this report. The Environment Agency have also commented in relation to these matters and have no objection to the proposal and have provided some information for the applicant.

7.102 Therefore, from a Contamination perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

### Water Provision

7.103 Outside of urban areas, some dwellings are not connected to the 'mains' water supply, this section seeks to appraise the proposal about the impacts it may have on the private water supply of nearby occupiers and land users. Public Health Protection are the relevant consultee in relation to matters regarding the quality of water supply. Concerns have been raised by the nearby occupiers in relation to this matter.

7.104 Public Protection are a main consultee in relation to these matters, they have stated they *"are aware that the proposed dwellings are to be on an existing private water supply line. We have concerns regard the sufficient and wholesome supply of*

*water to the proposed development, however the applicant has provided a statement via an email transmission which reads as follows:*

*In terms of PPs comments on the water supply. The applicant has confirmed the site will be served by the existing private supply at Thrunton which is within their land ownership. At present only ¼ of the water supply is used by the existing properties with the pump active for 5 hours a day.*

*As such the capacity can be increased to serve the development. The supply is regularly inspected by NCC and EA in line with the relevant legislation. An Infrared filter system is also in place to kill any potential bacteria.”*

7.105 Public Protection are of the opinion that that the risk of no supply provisions of a sufficient and wholesome supply of water to the proposed development is low, therefore we will recommend the appropriate PWS condition to the LPA. This is appended to this report.

7.106 It is therefore considered that the proposal would be appropriate in respect of private water supply matters and would comply with relevant policies of the ACS, relevant sections of the NPPF in respect of how the proposal responds to its context.

7.107 Further to this, due to the aforementioned issues, the proposal is deemed to be compliant with relevant policies from the emerging NLP in relation to the impact the proposal would have on the private water supplies in the immediate vicinity of the site.

7.108 Comments have been received from an interested party regarding the impact of the aquifer, from which nearby dwellings source their water. It is important to note the comments above from Public Protection, and that Public Protection have no objection to the proposal, subject to conditions (including a condition detailing water provision to the proposal). It is therefore not considered appropriate to withhold permission for the proposal on this basis.

### Other Matters

7.109 A condition has been suggested by the Public Protection Team in relation to potential construction amenity impacts, however it is not considered these are appropriate given these are covered by other areas of legislation or the construction method statement requested by other consultees.

### Equality Duty

7.110 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

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

## Human Rights Act Implications

7.112 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.

7.113 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.

7.114 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 proposal would replace an unattractive redundant industrial site with a small scale, innovatively designed scheme which prioritises sensitivity to the landscape and the community. The scale, position, materiality and form of the development have all been carefully considered to be appropriate within the wider context, and care has been taken to design the buildings to minimise the impact on the site physically and visually, the buildings draw on influences from the historic context whilst remaining sensitive to it in order to enhance and continue the character of the area. The application represents a rare opportunity to make a dramatic improvement to the Northumberland landscape.

8.2 The main planning considerations in determining this application have been set out and considered above stating the level of accordance with relevant Development Plan Policy (ACS and saved ADWLP policies). The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF), and those of the emerging Northumberland Local Plan.

8.3 In terms of the development plan, the proposal is not in compliance with the development strategy as set out within this report, however, the scheme as proposed would provide a range of benefits e.g. Regeneration of the Former Brickworks, Remediation of the Site, a landscape and design sensitive long-term use for the site, affordable housing (in the form of on-site shared ownership units).

8.3 The technical issues affecting the proposal have been suitably addressed subject to conditions set out in the recommendation.

8.4 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval is requested from the committee.

## **9. Recommendation**

That this application be GRANTED, subject to conditions, and a S106 Legal Agreement for:

- 3 Shared Ownership Dwellings (Affordable Housing) on-site, within the scheme, with appropriate clause for off site contribution, should these not sell within a prescribed time.
- Clause stating all dwellings no longer have use of a motor vehicle with an internal combustion engine by 2050.

### Conditions/Reason

01. 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)

02. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plans:

Location Plan Dwg No. 04 Dated 30.04.21

Proposed Site Layout Project No. 333 Sheet Number 1002 Rev C Dated 05.08.2021

Proposed Plans Unit A - Project No. 333 Sheet Number 1003 Rev B Dated 04.05.2021

Proposed Elevations – Unit A Project No. 333 Sheet Number 2003 Rev B Dated 04.05.2021

Proposed Plans - Unit A.1 Project No. 333 Sheet Number 1004 Rev B Dated 04.05.2021

Proposed Elevations - Unit A.1 Project No. 333 Sheet Number 2004 Rev B 04.05.2021

Proposed Plans – Unit B Project No. 333 Sheet Number 1005 Rev B Dated 04.05.2021

Proposed Elevations – Unit B Project No. 333 Sheet Number 2005 Rev B Dated 04.05.2021

Proposed Plans – Unit B.1 Project No. 333 Sheet Number 1006 Rev B Dated 04.05.2021

Proposed Elevations B.1 Project No. 333 Sheet Number 2006 Rev B Dated 04.05.2021

Proposed Plans – Unit C Project No. 333 Sheet Number 1007 Rev A Dated 22.03.2021

Proposed Elevations – Unit C Project No. 333 Sheet Number 2007 Rev B Dated 22.03.2021

Proposed Plans – Unit D Project No. 333 Sheet Number 1008 Rev B Dated 22.03.2021



Proposed Elevations – Unit D Project No. 333 Sheet Number 2008 Dated 22.03.2021  
Proposed Plans – Unit D.1 Project No. 333 Sheet Number 1009 Rev Rev B 22.03.2021  
Proposed Elevations – Unit D.1 Project No. 333 Sheet Number 2009 Rev B Dated 22.03.2021  
Proposed Plans Unit E Project No. 333 Sheet Number 1010 Rev B Dated 01.04.2021  
Proposed Elevations Unit E Project No. 333 Sheet Number 2010 Rev B Dated 01.04.2021  
Proposed Plans – Double Garage Project No. 333 Sheet Number 1011 Rev A Dated 04.03.2021  
Proposed Elevations – Double Garage Project No. 333 Sheet Number 2011 Rev A 04.05.2021  
JCC20-233-C-02 Drainage Strategy Rev 03

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development and a homeowner guide on private soakaway management and maintenance shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

04. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:  
\* As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);  
\* Construction details (component drawings, materials, vegetation);  
\* Health and Safety file; and \* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non technical standards.

05. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

06. No part of the development shall be occupied until details of all car parking areas in curtilage and on-street and including carparks have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking areas shall be retained in accordance with the approved details

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

07. No development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework

08. No part of the development shall be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development/ each dwelling is occupied. 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 the National Planning Policy Framework

09. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water runoff in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

10. The development shall not be occupied until details of a Framework Travel Plan in respect of each of the occupiers of any building on the application site have been submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Framework Travel Plan shall be implemented in accordance with the approved details. This Framework Travel Plan must include: i. the contact details of a suitably qualified Travel Plan Co-ordinator; ii. an implementation programme; iii. an on-site assessment including details of transport links to the site, on-site facilities and any transport issues and problems; iv. Assistance with escorted school trips  
v. Provision of safety information and livery  
vi. Details relating to all activities that can be brought onto site & access to high speed broadband information services  
vii. Working from Home support

Reason: In the interests of safe and sustainable Development, in accordance with the National Planning Policy Framework

11. No part of the development shall be occupied until details of street trees have been submitted to and approved in writing by the Local Planning Authority. The

approved street trees shall be implemented prior to first occupation. Thereafter, the street trees shall be incorporated to the management strategy.

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

12. No part of the development shall be brought into use until such time that a parking strategy has been submitted and approved in writing by the Local Planning Authority. The approved parking strategy shall be implemented prior to first occupation.

Reason: To ensure the design quality and residential amenity of the development are delivered in accordance with the NPPF

13. Prior to occupation details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority for all residential parking spaces including visitor parking. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development , in accordance with the National Planning Policy Framework

14. The development shall not be occupied until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

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

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

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. measures to control the emission of dust and dirt;

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

16. No dwelling or tourism unit shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development

is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework

17. The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the reports by E3 Ecology

- o Great Crested Newt Survey, Swarland Brick Works, February 2021

- o Bat Survey, Swarland Brickworks, August 2020

- o Ecological Impact Assessment, Swarland Brickworks, August 2020

which detail the methods for maintaining the conservation status of great crested newts and 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 European Protected Species in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).

18. No development will take place unless in accordance with the avoidance, mitigation and enhancement measures detailed in the report Ecological Impact Assessment, Swarland Brickworks, August 2020, E3 Ecology, with the measures implemented in full as approved, as shown on the plan Proposed Site Layout (submitted as Site Ecology Mitigation - Proposed dated 15th June 2021) including:

- o Highest value open mosaic habitats will be retained

- o Habitat creation and enhancement works associated with the newt licence will be undertaken prior to the start of development.

- o Demolition of buildings will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.

- o Prior to works commencing a site induction meeting will be held, attended by the project ecologist and lead contractors. This may involve two inductions for both the GCN licence and the bat licence.

- o Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

- o The roots and crowns of retained and adjacent trees will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

- o A pre-works badger check will be undertaken 1 month prior to the start of works of the site and a 30m buffer maintained to any active sett.

- o All works will be undertaken to a small mammal, badger and reptile method statements

- o in order to address the residual risk of works causing harm or disturbance to these species. This could be included within a detailed CEMP to be conditioned.

- o Close boarded fences between gardens will be avoided, or gaps 13cm x 13cm will be provided in fences between each garden to allow hedgehog to forage across the site.

- o 6 crevice roosting bat boxes will be provided on trees elsewhere within the land ownership prior to works commencing to provide roosting opportunities during the works. At least some of these will be suitable for hibernation usage.

- o Crevice roost sites will be created on 20% of the buildings post development. These will be in the form of Bird Brick House-Bat Box internal incorporated designs or similar. These will be sited within the properties at the west and north of the site adjacent to neighbouring waterbodies and scrub habitats.
- o Barn swallow nest boxes will be incorporated onto the new residential housing. The number of boxes installed will be approximately 20% of the number of new houses.
- o Site design will incorporate areas of coarse grassland strips in order to create/enhance terrestrial newt habitat and create additional connectivity. These could be created by allowing amenity grassland areas to succeed to coarse grassland.
- o Three new amphibian pools/ponds will be created in the core habitat for great crested newt to the west of the development site to deliver net gain.

Reason: to maintain and enhance the biodiversity value of the site in accordance with the NPPF.

19. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP must include measures to restrict public access to the countryside to the north west of the development area.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: to conserve and enhance the natural environment in accordance with the NPPF.

20. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction including all pollution prevention measures
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.

- f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.
  - i) details of temporary traffic management measures, temporary access, routes and vehicles;
  - j) vehicle cleaning facilities;
  - k) the parking of vehicles of site operatives and visitors;
  - l) the loading and unloading of plant and materials;
  - m) storage of plant and materials used in constructing the development
  - n) measures to control the emission of dust and dirt;
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: to conserve and enhance the natural environment in accordance with the NPPF, and to prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

21. Prior to first use, a sensitive lighting scheme for all areas of the site (e.g. car parking, footpath, buildings) shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall:

Be designed in consultation with the project ecologist and follow guidance set out in Institution of Lighting Professionals (2018) Advice note 08/18 (<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>).

Show how and where external lighting will 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 disturb or prevent bats using their territory (e.g. for foraging and commuting) or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications agreed. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: to conserve and enhance the natural environment in accordance with the NPPF.

22. No development shall take place until an emergency contact telephone numbers in the event of a dust complaint being received and a scheme specifying (Dust Management Plan) the provision to control/mitigate dust emanating from the site, shall be submitted to the Local Planning Authority. The agreed scheme shall be implemented in full and maintained until the construction process has been completed.

(Guidance on the assessment of dust from demolition and construction can be found at the following: [www.iaqm.co.uk](http://www.iaqm.co.uk)).

Reason: To Safeguard the amenity of neighbouring residential properties.

23. No flood lighting shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. The floodlighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: To retain control over floodlighting in the interests of visual amenity.

24. No development shall take place until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A supplementary site investigation as stated in the Phase II Environmental Site Investigation and Risk Assessment, dated Feb 2021, Ref: 200918.02.R.001, shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters.

It 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 sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

b) Thereafter, 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 and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

#### 5) Verification Report

Two full copies of a full closure (Verification Report) report shall be submitted to and approved 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 and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

25. If during 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. No building shall be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that any contaminants not previously considered within the site are dealt with in an appropriate manner to afford protection to the end user.

26. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties

27. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 26, which has been approved in writing by the LPA (Local Planning Authority).

Reason: In order to prevent any accumulation of ground gases, which may potentially be prejudicial to health of the future occupiers.

28. No development shall be commenced until a scheme for the provision of a sufficient and wholesome supply of water to the development has been submitted to and agreed in writing by the local planning authority.

The scheme shall specify the provisions to be made to ensure that there will be a sufficient quantity and quality of water to serve both the new development and existing consumers already on the supply (based on an average household consumption of 200 litres per person per day or such other quantity as may be required by any non-domestic water usage).

Thereafter, no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented.

Reason: In the interest of public health and to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirement of the development.

29. No dwelling or tourism unit shall be occupied until a scheme of boundary treatments have been approved in writing by the Local Planning Authority.

Reason: in the interest of visual amenity and security.

30. Notwithstanding any description of the materials in the application, no development shall be commenced above damp course level until precise details, to include samples, of the materials to be used in the construction of the external walls and / or roof(s) of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of Policy S16 of the Alnwick Core Strategy.



31 Notwithstanding details contained within the approved documents, prior to commencement of development hereby approved, details to include;

- a) Existing site levels;
- b) Proposed site levels; and
- c) Proposed finished floor levels

Shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall subsequently be constructed in accordance with the approved levels.

Reason: To ensure that the development is delivered in accordance with the submitted documents in the interests of good design, good planning, visual amenity and to preserve the local landscape setting in accordance with the NPPF, Policy S15 and S16 of the Alnwick LDF Core Strategy.

32. Plot 15, 16, and 17 must only be occupied as 'holiday let' properties and must not be occupied as 'principle residence' dwellings, whereby they are the occupant's primary residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of proper planning and to ensure the implementation of the proposal as described in this application.

**Background Papers:** Planning application file(s) 21/00904/FUL

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**Northumberland**  
County Council

**North Northumberland Local Area Council**  
**19<sup>th</sup> August 2021**

<b>Application No:</b>	20/02132/FUL		
<b>Proposal:</b>	Extension to an existing caravan park to provide an additional 36 static caravan pitches		
<b>Site Address</b>	Land South East Of Tindles Hill Caravan Park, Longhorsley, Northumberland,		
<b>Applicant/ Agent</b>	Mrs Helen Bell Swarland East House, Road To Swarland East House, Longhorsley, Morpeth NE65 9HZ		
<b>Ward</b>	Shilbottle	<b>Parish</b>	Brinkburn & Hesleyhurst
<b>Valid Date</b>	23 July 2020	<b>Expiry Date</b>	30 March 2021
<b>Case Officer Details</b>	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

**Recommendation:** That this application be approved, subject to conditions.



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee following receipt of a valid objection from the Parish Council.

## 2. Description of the Site and the Proposal

2.1 The site to which the application relates is currently in use as agricultural land. The proposed development is for an extension to the existing caravan park at Tindles Hill which is bordered on the other three sides by further agricultural land. The site first gained planning permission for caravans in 1995. Since then, applications have been submitted for additional pitches in 2001, 2005, 2008 and 2014 with all apart from the 2001 application permitted.

2.2 The proposal to which the application relates seeks to add an additional 36 static caravans which would extend the pitches available at an established caravan site which benefits from mature planting and landscaping. The development is proposed on land directly adjoining the existing site. This proposed new section will be accessed from the existing park access and will bring the total number of Caravans on the Site to 88 units.

## **3. Planning History**

**Reference Number:** 14/02242/FUL

**Description:** 8 pitch extension to existing caravan park

**Status:** PER

**Reference Number:** 17/02637/DISCON

**Description:** Discharge of conditions 3 (holiday accommodation), 4 (colour), 6 (planting), and 8 (compound and storage) on approved planning application 14/02242/FUL (As amended 24.08.2017).

**Status:** PER

**Reference Number:** A/95/A/342

**Description:** Static Caravan Site,

**Status:** PER

**Reference Number:** A/94/A/150

**Description:** Certificate Of Lawful Use Of Land For The Siting Of, 8 Caravans

**Status:** PER

**Reference Number:** A/2008/0501

**Description:** Change of use from agricultural land to static caravan park, extension to existing caravan park

**Status:** PER

**Reference Number:** A/ENQ/2007/0457

**Description:** Extension of existing caravan park with 39 additional pitches

**Status:** REPLY

**Reference Number:** A/2006/0138

**Description:** Septic tank (capacity 7500 ltr) and soakaway to serve existing caravan park.

**Status:** PER

**Reference Number:** A/ENQ/2005/0275

**Description:** 20 units at caravan park

**Status:** REPLY

**Reference Number:** A/2005/0486

**Description:** Extension to caravan site to provide for nine additional pitches

**Status:** PER

## **4. Planning Policy**

### 4.1 Development Plan Policy

Alnwick LDF Core Strategy 2007 (ACS)

S1 Location and scale of new development

S2 The sequential approach to development

S3 Sustainability criteria

S8 Economic regeneration

S10 Tourism development

S11 Locating development to maximise accessibility and minimise impact from travel

S12 Protecting and enhancing biodiversity and geodiversity

S13 Landscape character

S14 Development in the open countryside

S16 General design principles

Alnwick District Wide Local Plan 1997 (Policies Saved in through the ACS)

RE20 Rural diversification proposals

TT5 Controlling car parking provision (and Appendix E)

T4 Criteria based policy to assess static and touring caravan developments

T5 Criteria based policy to assess chalet developments

CD32 Controlling development that is detrimental to the environment and residential amenity

### 4.2 National Planning Policy

National Planning Policy Framework (2021)

National Planning Practice Guidance (2014, as updated)

### 4.3 Other Documents/Strategies

Northumberland Landscape Character Assessment

Alnwick Landscape Character SPD

### 4.4 Emerging Planning Policy

Northumberland Local Plan – Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP1, STP2, STP3, STP4, STP5, STP6, HOU2, HOU3, HOU5, HOU6, HOU9,

QOP1, QOP2, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT2, ENV1, ENV2,

ENV3, ENV4, ENV7, WAT2, WAT1, WAT3, WAT4, POL1, POL2, INF1, INF5, INF6.

## **5. Consultee Responses**

<p>Brinkburn And Hesleyhurst Parish Council</p>	<p>The Parish Council wishes to object to this planning application. You will see from your files that we have consistently opposed the creeping expansion of this site which has occurred since the original application was approved. At each stage, we have been given assurances that there will be no further expansion. A request for further expansion then seems to appear a few years later.</p> <p>As you will see from the files, our arguments against the expansion of the site have been documented on a number of occasions. I have attached our letter of objection from 2008, which outlines our objections to the planning application at that time, and which are the basis for our objection to the latest proposal.</p> <p>To summarise some key issues:</p> <ul style="list-style-type: none"> <li>• High landscape value of the site and surrounding area.;</li> <li>• Prominent location which is visible from many locations</li> <li>• Road safety concerns with respect to increased traffic on the narrow class C road;</li> <li>• Large existing caravan sites within a few miles of Tindles Hill.</li> </ul> <p>I would be grateful if you would take our views into consideration when reviewing this planning application and keep me informed of progress.</p>
<p>Highways</p>	<p>No objection, subject to conditions and s278 agreement.</p>
<p>Lead Local Flood Authority (LLFA)</p>	<p>Following receipt of additional information, the LLFA has no objection, subject to conditions.</p>
<p>Public Protection</p>	<p>The caravans will be raised above ground level and therefore Public Protection has no objections to the proposal on the basis of ground gas. Historic Ordnance Survey mapping indicates that the proposed site is greenfield and therefore the soil contamination risk to human health from the proposed commercial use (a non-sensitive receptor) does not require control by a suitably worded condition.</p> <p>The extension would be within the same ownership as the existing caravan park - conditions relating to construction hours are therefore unnecessary as all potentially affected persons by noise / dust etc have a direct role in managing the construction phase.</p> <p>The quality and supply of fresh drinking water to the site is sufficient as the water will be sourced from a mains supply.</p> <p>The site is located within a rural location. A lighting condition is recommended for inclusion within a decision notice to ensure that the proposal adheres to Paragraph 180 (c.) of the National Planning Policy Framework: "Planning policies and decisions should.....limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation"</p>

County Ecologist	No objection, subject to conditions
Architectural Liaison Officer - Police	Tindles Hill Caravan Park is located in a rural location and close to Longhorsley, whilst we do not object to the proposed planning application, we do have a concerns around the siting of the cycle shelter, especially the shelter located on the South East boundary of the site, which due to its position, benefits from little natural surveillance and cycles stored there could be a target for theft.
Tourism, Leisure & Culture	No response received.
Northumbrian Water Ltd	Having assessed the proposed development against the context outlined above I can confirm that we have no comments to make as no connections to the public sewerage network are proposed in the application documents. The application indicates that surface water will be managed via soakaway and foul water will be directed to a private package treatment plant.
Environment Agency	No objection.
Natural England	No objection.
County Archaeologist	Taking account of the known archaeological baseline and the Information submitted with the pre-application enquiry, i t will not be necessary for an archaeological assessment to be undertaken or submitted with the application.  There are no objections to the proposed development on archaeological grounds. No archaeological work is recommended.

## 6. Public Responses

### Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	1
Number of General Comments	0

### Notices

General site notice, 18th September 2020  
Morpeth Herald 6th August 2020

### Summary of Responses:

One comment of support has been received; this relates to the boost to the local economy the proposal may have in terms of supporting existing services near to the site.

## 7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires

applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the Alnwick Core Strategy 2007 and the saved policies from the Alnwick District Wide Local Plan 1997.

7.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

7.3 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. 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 Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.4 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.5 Brinkburn And Hesleyhurst Parish Council have not designated a neighbourhood area for the purposes of neighbourhood plan preparation, and therefore there is no Neighbourhood Plan which relates to this parish at the time of preparing this report.

7.6 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are:

- Principle of Development;
- Landscape Impact and Design;
- Drainage Matters;
- Ecology and Biodiversity Matters; and,
- Highway and Transport Matters.

#### Principle of Development

7.7 The NPPF supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the



character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

7.8 Policy S1 of the Alnwick Core Strategy sets out a settlement hierarchy to guide the location and scale of development. The proposal is categorised as open countryside, which denotes that development should generally be limited to the reuse of existing buildings. The development would therefore need to be assessed against Policy S10 – Tourism.

7.9 Policy S3 sets out the key sustainability criteria the proposal should be assessed against. Criteria 1 and 5 relating to access and potential impact on the environment are the key consideration for the application and are discussed later in the report. In relation to criterion 6, addressing the need to contribute to building sustainable communities, consideration should focus on the potential economic gain for the local community, in terms of local job creation and potential additional spend in local businesses from increased visitor numbers. In considering this, the policy also states that in exceptional circumstances when economic benefits clearly outweigh sustainability shortcomings development may be allowable if adequate mitigation measures can offset negative impacts.

7.10 Alnwick District Core Strategy Policy S10 relates to Tourism development. Tourism development in the open countryside will be considered against Policy S14. Policy 14 supports applications for new development in the open countryside where the development is likely to be sustainable in the context of policy S3 and where the development is essential to support farming and other countryside based enterprise and activities, promote recreation and supports the retention of sustainable communities or supports the conservation and enhancement of the countryside.

7.11 In this instance, it is considered that the proposal for 36 additional pitches would conform with Policy S14, as it would support the conservation and enhancement of the countryside as well as an existing countryside based enterprise and activity.

7.12 The principle of development is therefore considered acceptable and in accordance with the provisions of the Alnwick Core Strategy and the NPPF, and other material considerations where these can be given weight.

#### Landscape Impact and Design

7.13 Policy S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district.

7.14 Policy S16 of the ACS states that proposals should take full account of the need to protect and enhance the local environment.

7.15 The site relates to an existing Caravan Park. The proposal seeks to increase the pitches on site from 52no. to 88no. The pitches are well contained, within existing hedgerow planting and other vegetation, as demonstrated through supporting documents. Further to this, where the additional units will be viewed, these will be viewed in the context of the existing Caravan Park. As such, the proposal will not have a detrimental impact on landscape character.

7.16 It is considered the proposal would lead to an enhancement of the immediate surroundings in accordance with Policies S13 and S16 of the ACS and the NPPF.

### Drainage Matters

7.17 Consultation has taken place in relation to drainage and foul sewage the Council's Lead Local Flood Authority Officer. The relevant policy in relation to this is within Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 'Water Environment' of the emerging Northumberland Local Plan also being relevant to this section.

7.18 Northumbrian Water have been consulted in relation to foul drainage matters and have commented that "*Having assessed the proposed development against the context outlined above I can confirm that we have no comments to make as no connections to the public sewerage network are proposed in the application documents. The application indicates that surface water will be managed via soakaway and foul water will be directed to a private package treatment plant.*" The application is therefore deemed compliant with relevant policy in relation to foul drainage matters.

7.19 The LLFA were consulted in relation to surface water drainage matters, they raised some concerns over the proposed development from a flood risk and drainage perspective. Further information has been received from the applicant, including revised plans and a drainage strategy. Following receipt and assessment of additional information, the LLFA have removed their objection to the scheme. The application is therefore deemed compliant with relevant policy in relation to foul and surface water drainage matters, subject to the conditions appended to this report.

7.20 The appropriate policy in the emerging NLP in relation to this matter is Policy WAT3 and WAT4. These have been given appropriate weight with regards to paragraph 48 of the NPPF.

7.21 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight in relation to drainage matters.

### Highway and Transport Matters

7.22 Policy S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.

7.23 Paragraph 110 of the NPPF states "*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; and c) 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.*"

7.24 Paragraph 111 of the NPPF states that “*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*”

7.25 Paragraph 112 of the NPPF adds to this and states “*Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and, e) be designed to enable charging of plug in and other ultra low emission vehicles in safe, accessible and convenient locations.*”

7.26 Access would be via the existing point of access from the U4039. The proposals indicate an intention to hard surface an additional 6.0m of the private access road in advance of the vehicular access to address issues with loose materials being dragged into the highway. This is generally acceptable and these works will be secured by conditions subject to permission being granted, with the retained geometries of the access acceptable for the extension of this site. A Section 184 Agreement will be required for delivery of these works.

7.27 The proposed site plan illustrates the extension of the internal private access roads southwards to facilitate access to the additional 36 No. static caravans which is acceptable and in keeping with previous submissions, with the existing site to the northern side incorporating 52 No. static pitches; 88 No. static caravans in total at the site. The locations of the 36 No. additional pitches have been reviewed and are not expected to lead to an obstruction to the highway or the safe operations of the development and there are no objections in principle to the extension of the existing caravan site.

7.28 Notwithstanding the above, the level of additional trips associated with the extension will increase the impact of the development upon the adopted highway, with evidence of damage to the carriageway edges and verges along the U4039 due to the over-run by vehicles and lack of passing facilities.

7.29 As part of the pre-application requirements the applicant was advised that at future application stages it would be necessary for localised widening / passing places to be provided on the approach roads. No details in this regard have been submitted alongside the application or included within the supporting submissions, with no discussions held with HDM in advance of any submissions, and therefore this requirement will be secured by conditions and be deliverable as part of a Section 278 Agreement pursuant to the Highways Act 1980.

7.30 The condition suggested will secure details of the number and location of any widening/passing places to mitigate the impact of the development along routes to/from the site and ensure safe routes to/from the development to mitigate any potential risks of collision associated with impaired access and subsequent and continued damage to the adopted highway and verges.

7.31 Although a Construction Method Statement is not required for a development of this scale, it is advised that, in the interests of highway safety and the amenity of the surrounding area, that no building materials or equipment shall be stored on the highway and no mud, debris or rubbish shall be deposited on the highway as outlined in the conditions.

7.32 The submitted plans illustrate car parking for vehicles alongside each of the static pitches which are generally acceptable to ensure that vehicles could park within these areas without impact upon the adopted highways. A condition is recommended to implement these details.

7.33 The proposed site plan includes details of cycle parking which shall comprise a "Mono pitch structure" with Sheffield Style Cycle Racks", providing a total of 36 No. storage spaces. A supplementary Proposed Cycle Store plan (Drawing 41/19 Sheet 4) has also been submitted which includes details of the storage area although does not indicate 36 No. spaces as stated on the proposed site plan, with this area only in dictating 12 No. sheffield stands, sufficient for 24 No. Bicycles. Notwithstanding this matter, this is considered to be acceptable and a condition is recommended to implement these details. Northumbria Police have commented in regards to the location of the cycle parking, with this potentially being an area which is lacking in terms of natural surveillance, however this is not considered a suitable reason for withholding planning permission in this instance.

7.30 As outlined, the existing vehicular access will require reconstruction / resurfacing to accord with NCC construction specification with an additional 6.0m of the private access road to be hard surfaced as per the submitted Plans. This shall accord with an NCC Type C (Heavy Vehicle Use) construction specification and require a Section 184 Agreement to undertake these works. In regards to the additional off site works for incorporation of passing places, this will require a Section 278 Agreement and be delivered to an adoptable Standard.

7.34 The proposed site plan includes details in regard to the refuse storage and management strategy which is acceptable to address any concerns with the Development. A condition is recommended to ensure that no waste is stored external to the development.

7.35 The Highways Development Management (HDM) team has responded to formal consultation accepting the development is in accordance with the NPPF, and other relevant policy, and that the development is acceptable in highway terms, subject to conditions recommended and separate s184/s278 agreements.

7.36 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight in relation to highways and transport matters.

#### Ecology and Biodiversity

7.37 Policy S12 of the ACS states All development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district, especially those areas designated as of international, national and local

importance. All proposals will be assessed in terms of their impact on the interests of the site and on habitats and species present.

7.38 Paragraph 117 of the NPPF advocates the need for planning to encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside and recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

7.39 NPPF, Chapter 15, requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity. Further to this Paragraph 180 requires Local Planning Authorities to apply the following principles when determining planning applications:

*“if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”*

7.40 Natural England and the County Ecologist have been consulted on this application and have offered the following.

7.41 The site is considered to be of low ecological value being a species-poor grassland with short sward. Semi-mature non-native conifer (primarily Spruce) trees provide a shelter belt along the south west and southern boundaries of the site. Immature conifers are present along the boundary of the proposed site and existing caravan park. An overgrown Hawthorn hedge is present along the south east boundary. Beyond this is Tindale’s Hill Plantation, non-native plantation woodland. There is limited potential for protected species, and no evidence of any was found.

7.42 The site is located c.1.1km south from the River Coquet and Coquet Valley Woodlands Site of Special Scientific Interest (SSSI). Natural England have been consulted on the application and responded with no objection; that it is considered that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

7.43 Foul water from the site will be managed through a package treatment plant discharging into a soakaway adjacent to Tindle's Hill Plantation. The ecology report assessed this as plantation woodland with poor/no understorey. Package treatment plants usually treat sewage to a higher standard than septic tanks. The Environment Agency has been consulted and confirmed that an environmental permit will be required for the proposed non-mains drainage system.

7.44 The trees and hedgerow on the boundary of the site will be retained. The development will incorporate areas of native planting of Holly, Hawthorn, Blackthorn and Hazel on the site, as shown on the Proposed Site Plan. Using native species in landscaping schemes has many advantages. They are the most likely to support the most wildlife, and avoid the risk of the problems that invasive species bring. Many of them are just as attractive as ornamental varieties, and will bring a sense of local distinctiveness to planting schemes.

7.45 A Precautionary Working Method Statement has been recommended by the County Ecologist to avoid any impacts during construction and this should be secured through the suggested planning condition. This is recommended to be added to any grant of permission in relation to this scheme.

7.46 As mentioned above, the County Ecologist and Natural England have been consulted and have not objected to the proposal, with the County Ecologist suggesting conditions to be attached to the grant of permission.

7.47 On the basis of the above the application is therefore in accordance with Policy S12 of the ACS and the provisions of the NPPF.

7.48 In terms of the policies of the emerging Northumberland Local Plan, policy ENV1 and ENV2 are relevant to this application with respect to Ecology matters, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.49 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan.

#### Equality Duty

7.50 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

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

#### Human Rights Act Implications

7.52 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.

7.53 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.

7.54 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 main planning considerations in determining this application have been set out and considered above stating accordance with the relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 It is therefore considered that the proposal will result in an acceptable form of development that will be consistent with the appearance and character of the existing property without causing unacceptable detriment on amenity levels or on the appearance of the surrounding area. As such the proposal is considered to be in accordance with the National Planning Policy Framework and policies of the Alnwick Core Strategy and saved policies Alnwick District Wide Local Plan.

## **9. Recommendation**

That this application be GRANTED subject to the following:

### Conditions/Reason

01. 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)

02. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plans:

Location Plan Dwg No. 41/19 Sheet 1 Issue 1 Dated July 2019 Revision 0  
Proposed Site Plan Dwg No. 41/19 Sheet 2 Dated June 2019 Revision 0  
Proposed Plans and Elevations – Cycle Store Dwg No. 41/19 Sheet 4 Dated June 2019 Issue 1 Revision 0.

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. No caravan/lodge shall be placed on the land unless it is of a specification, colour and materials as identified in a scheme of details to be submitted to and approved in writing by the Local Planning Authority. The caravans/lodges shall thereafter continue to be sited in accordance with the approved scheme of details.

Reason: To retain control over the external appearance of the development in the interests of amenity and retaining the character of the site and local landscape.

04. The accommodation hereby approved shall be occupied for holiday purposes only, and no unit shall be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is retained for holiday use in accordance with the details submitted with the application.

05. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order), the following works shall not be carried out without the prior permission of the Local Planning Authority.

a) The construction of any fences, walls or means of enclosure around the holiday lodges/caravans hereby approved.

Reason: In the interest of the visual amenity of the area.

06. Prior to the first occupation of the proposal being granted the vehicular access from the U4039 shall be reconstructed / resurfaced in accordance with NCC Type 'C' construction specification to comprise hard surfacing with no loose or unbound materials permitted within this area extending 12.0m measured from the edge of the carriageway in accordance with the approval details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

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

07. The development shall not be occupied until the car parking area indicated on the approved plans, has been implemented in accordance with the approved plans.



Thereafter, the car parking area 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 development.

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

08. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity and sustainable development, in accordance with the National Planning Policy Framework.

09. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

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

10. Prior to the commencement of development, details of the proposed highway works to provide areas of localised widening / passing place(s) along the U4039 with the number(s) and location(s) together with associated works to an adoptable standard together with a timescale for implementation, have been submitted to and approved in writing by the Local Planning Authority. The localised widening / passing place(s) and associated works shall be implemented in accordance with the approved details prior to the first occupation of the proposal.

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

11. No external lighting shall be installed on site unless agreed in writing by the Local Planning Authority prior to installation. Any approved lighting equipment shall then be installed in accordance with the approved details and thereafter retained.

Reason: To ensure there would not be unacceptable light pollution within the dark night-time rural landscape.

12. The development hereby permitted shall be constructed in accordance with the Precautionary Working Method Statement set out in Appendix 1 of Preliminary Ecological Assessment (V1 Final 16/06/20) by RH Ecological Services.'

Reason: To prevent the risk of harm to protected, notable species and habitats during construction.

13. Prior to first use of the development, a verification report carried out by a qualified drainage engineer or a suitably qualified professional must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
- Construction details (component drawings, materials, vegetation);
- Health and Safety file; and,
- Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

14. No more than 36 caravans shall be on the application site the subject of this application at any one time.

Reason: To ensure that the use remains compatible with the surrounding environment and to ensure that the effects of any additional development upon the environment can be fully considered, in accordance with Policy S13 of the Alnwick District LDF Core Strategy.

## **Informatives**

1. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: [centralareahighways@northumberland.gov.uk](mailto:centralareahighways@northumberland.gov.uk)
2. You are advised that off site highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.
3. The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980: provision of passing place(s) along the U4039 with number and positions to be agreed
4. 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.
5. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
6. Historic Landfill Site - Advice to Applicant- A small section of the development site is located on a historic landfill site. The LPA should have a record of all historic (unpermitted) landfill sites through their contaminated land responsibilities (registers). A link is provided to the data held on historic landfills for reference here: <https://data.gov.uk/dataset/17edf94f-6de3-4034-b66b->

7. Land Contamination: Risk Management and Good Practice - Advice to Applicant -

We recommend that developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Refer to the contaminated land pages on gov.uk for more information

8. Non-Mains Drainage - Advice for the Applicant - The new package treatment plant will require an environmental permit from the Environment Agency for the discharge from the package treatment plant to the soakaway.

Under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply, spring or borehole.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

**Date of Report: 04.08.2021**

**Background Papers:** Planning application file(s) 20/02132/FUL

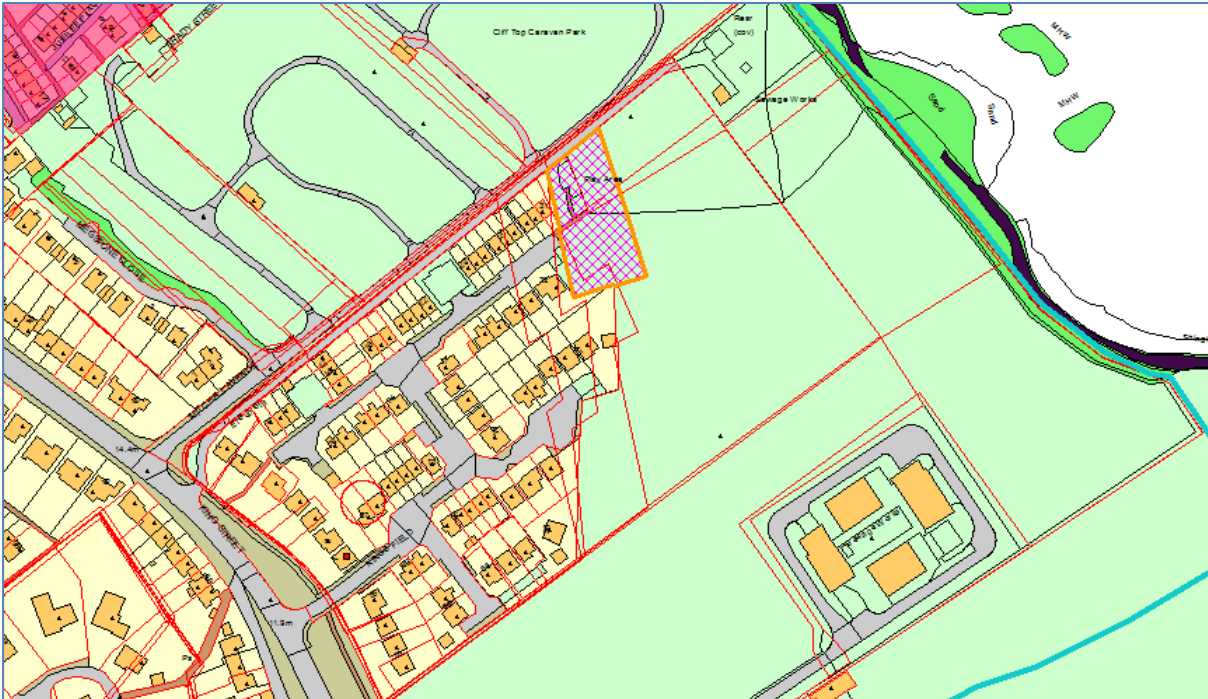


## Northumberland County Council

### NORTH NORTHUMBERLAND LOCAL AREA COUNCIL PLANNING COMMITTEE 19<sup>th</sup> August 2021

<b>Application No:</b>	20/01155/S106A		
<b>Proposal:</b>	Variation of S106 agreement pursuant to planning application N/99/B/0848 dated 19.02.2002		
<b>Site Address</b>	Land at Mitchell Avenue, Seahouses		
<b>Applicant</b>	Northumbria Leisure Ltd And Granger Homes Ltd		
<b>Agent</b>	Simon Kirkup Womble Bond Dickinson (UK) LLP St Ann's Wharf 112 Quaysidew Newcastle Upon Tyne NE1 3DX		
<b>Ward</b>	Bamburgh	<b>Parish</b>	North Sunderland
<b>Valid Date</b>	14.04.2020	<b>Expiry Date</b>	04.07.2020
<b>Case Officer Details</b>	Name: Mr Anthony Lowe Job Title: Senior Planning Officer Tel No: 01670 622 704 Email: tony.lowe@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



## 1. Introduction

1.1 Following a 'call in' request by a local Councillor and the concerns raised by the Parish Council the application was referred to the Director of Planning and Chairs of the North Northumberland Local Area Council (NNLAC) where it was decided that the application should be referred to the Planning Committee for determination.

1.2 The application was presented to the NNLAC on 24<sup>th</sup> June 2021 where it was resolved that the provisions and requirements of the Section 106 Planning Obligation relating to application N/99/B/0848 be varied. However, during the meeting the Ward Member raised a concern regarding notification letters to members of the public. On investigation, following the meeting, it was discovered that, due to an IT error, notification letters were not posted to all contributors; to address this error the application is again presented to committee for consideration.

## 2. Description of the site and proposals

2.1 The application site is located toward the east side of Seahouses, a village spatially associated with North Sunderland within the North Northumberland Coast. The application site specifically relates to an area of open space immediately adjacent the housing development at Kingsfield / Mitchell Avenue.

2.2 The original grant of planning permission granted permission for 77no. Houses on the site subject to a S106 Legal Agreement securing a legal obligation which required the provision of the following:-

- an area of open space (2041sqm)
- an equipped play area (not less than 400sqm)
- pedestrian access to above.

2.3 All of the above are in situ on site. A maintenance contribution for the above has also been paid to the Council to the sum of £7900.

2.4 The application seeks permission to modify the requirements of the S106 Legal Agreement forming part of a grant of planning permission under the provisions of Section 106A of the Town and Country Planning Act 1990 (as amended) attached to planning application N/99/B/0848 (as varied by N/02/B/0356) to allow for changes to the area of open space.

2.5 It is proposed that the area of open space will be the same in terms of its size (2041sqm), purpose / use and located at the edge of the housing as currently agreed however, it is proposed that it will be re - orientated on its plot from a broad horizontal east west axis (along Mitchell Avenue) to a vertical north south alignment adjoining the houses.

2.6 The reason given for the modification is:

*“The Original Agreement and Variation require the Owner to provide a dedicated means of access to the area of land to be provided as public open space under the terms of the Section 106 Agreement, as a hard surfaced pathway through or across the Development from the nearest public highway.*

*There is some ambiguity as to the ownership of the path that has been constructed and whether this falls outside of the development boundary. To provide clarity and ensure this obligation can be discharged, Northumbrian Leisure Limited, as adjacent landowner, has proposed an alteration to the location, but not the amount of land to be provided as public open space, so that this can be accessed directly from the Development, and there is no longer a need for a dedicated access route. The alternative area (2,041m<sup>2</sup>) being offered is shown on the plan attached to this application.*

*The modification would secure the provision of the land shown hatched red as a fenced play area in a condition suitable for use by the residents in lieu of the land edged in green in the original section 106 agreement and a £5,000 contribution for the maintenance of the open space.”*

2.7 No changes are proposed in terms of the equipped play and access arrangements.

### **3. Constraints**

3.1 The site is subject to the following policy constraints:

- Without allocation within the Berwick-Upon-Tweed Local Plan (white land)
- Outside the Seahouses & North Sunderland Settlement Boundary in the North Northumberland Coast Neighbourhood Plan (NNCNP).
- Within Designated Coastal Strip within the NNCNP.

3.2 The site is subject to the following environmental constraints:

- Within the Northumberland Coast Area of Outstanding Natural Beauty (AONB) and Heritage Coast
- Impact Risk Zone SSSI
- Ecologically designated sites of North Northumberland Dunes Special Area of Conservation.
- Low Risk Coal Area

## 4. Planning History

**Reference Number:** N/99/B/0848

**Description:** Outline - residential development with associated highways, landscaping and infrastructure works.

**Status:** Permitted subject to S106 Legal Agreement dated 19<sup>th</sup> February 2002

**Reference Number:** N/02/B/0356

**Description:** Reserved Matters - erection of 77 detached, semi-detached and terraced dwellings and associated garages, parking areas, roads, footpaths and landscape planting.

**Status:** Permitted subject to S106 Deed of Variation dated 20th June 2002

**Reference Number:** 13/00124/OUTES

**Description:** Outline: Mixed use development with market housing, affordable housing, new health village and self catering holiday accommodation (access, layout and scale to be considered).

**Status:** Withdrawn

**Reference Number:** 17/00931/FULES

**Description:** 32 Principal Occupancy Dwellings (100% Affordable) - Amended 16/08/18

**Status:** Refused

## 5. Planning Policy

### 5.1 Development Plan Policy

North Northumberland Coastal Parishes Neighbourhood Plan 2017 – 2032 (NNCPNP):

Policy 2: Landscapes and Seascapes

Policy 4: Coastal Management and the Coastal Strip

The Borough of Berwick-upon-Tweed Local Plan 1999:

Policy F2 Coastal Zone

Policy F6 Special Protection Areas, Special Areas of Conservation and Ramsar Sites

Policy F7 National Nature Reserves and Sites of Special Scientific Interest

### 5.2 National Planning Policy

The National Planning Policy Framework

Planning Policy Guidance

### 5.3 Other Documents/Strategies

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

ENV 2 Biodiversity and geodiversity



## 6. Consultee Responses

North Sunderland Parish Council	<p>North Sunderland Parish Council are very concerned about this proposal and feel that the 106 agreement should remain as it is.</p> <p>Berwick Council agreed this and received money for the original proposal and agreed to take over the play Park so surely the land is now owned by the Council.</p> <p>We would request this proposal goes to full committee due to this issue and the fact that so many proposals have been made for the land and the surrounding land all of which have been refused.</p>
Strategic Estates	<p>No objections.</p> <p>We have checked the areas and as best as we can tell from the drawing provided the exchange land is equivalent to the original site in area.</p> <p>Based on this and to resolve the long outstanding issues the County Council as proposed Landowner is prepared to accept the alternative site.</p>
Area of Outstanding Natural Beauty Partnership	No comment
County Ecologist	No comment

## 6. Public Responses

### Neighbour Notification

Number of Neighbours Notified	N/A
Number of Objections	20
Number of Support	0
Number of General Comments	0

### Notices

Site Notice posted at the site on 26<sup>th</sup> May 2020

### Summary of Responses:

21no. letters of objection have been received. The reason for objections can be summarised as follows:-

- Need for the change questioned;
- Change may cause nuisance to residents because it will bring the play space closer;
- Size of the play area, is it the same;
- Maintenance queries;
- Why is the open space being changed after all of this time;
- Residents have not been able to use the open space because it has not been maintained properly;

## **7. Appraisal**

7.1 Section 106A of the Town and Country Planning Act 1990 (as amended) allows the modification or discharge of any planning obligation, including by the developer making an application to the Local Planning Authority. Where an application is made, the authority may determine:

(a)that the planning obligation shall continue to have effect without modification;  
(b)if the obligation no longer serves a useful purpose, that it shall be discharged; or  
(c)if the obligation continues to serve a useful purpose but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.

7.2 The applicant seeks to modify the existing agreement and replace it with a new one. The existing Section 106 agreement provided for an equipped play area and an area of open space along with access.

7.3 The proposed change will provide an equipped play (already on site), and an area of open space that will be the same in terms of its size (2041sqm), purpose / use and located at the edge of the housing, however, it is proposed that it will be re - orientated on its plot from a broad horizontal east west axis (along Mitchell Avenue) to a vertical north south alignment adjoining the houses. A sum of £5,000 will also be provided, to help meet future maintenance costs.

7.4 Legal precedent has established that four questions need to be considered when considering an application to modify a planning obligation:

- What is the current obligation?
- What purpose does it fulfil?
- Is it a useful purpose?
- If so, would the obligation serve that purpose equally well if it was subject to the proposed modifications?

In addition, legal precedent has also provided that a “useful purpose” can be given its ordinary meaning and that it doesn’t necessarily mean a useful ‘planning’ purpose.

7.5 The current obligation provides for an area of open space of 2041sqm and requires the provision, layout and equipping of an area for children, of not less than 400sqm, along with a hard surfaced, dedicated access. This provision is of clear public benefit (‘useful purpose’), for local residents providing play areas for children and others alike. The proposed modification will continue to provide these spaces, but with the open

space reorientated north-south, this will provide for the same public benefit equally well and provide a 'useful purpose' in providing outdoor play areas for local residents.

7.9 The equipped play area and footpath access will remain in their current location and the proposed open space area will be adjacent to the rear of residential properties, in particular 32 and 46 Kingsfield, with potential amenity impacts from disturbance/ noise etc. This is balanced by the area being both physically and visually closer to existing development but better separated from the now defined Coastal Strip, set out within the NNCPNP and the potential for improved passive surveillance of the public areas, from nearby residents/ properties.

7.10 Since the initial grant of consent and the signing of the legal obligation the NNCPNP has been adopted. Policy 4 defines (Proposals Map) and sets out management principles for the 'Coastal Strip'; the subject site is set within this area and both the AONB and the County Ecologist have been consulted on the proposal - neither has provided comment. With regard to the existing requirements, the proposed modification will not have any greater adverse impact on the area. The £5,000 fee within the proposed, modified obligation will help ensure the maintenance of the areas into the future.

7.11 In the context of the above, the proposed modification is supported, and the application is acceptable in planning terms.

7.12 A number of neighbour objections have been received and the PC have objected to the modifications. The main reasons for objection are considered to be addressed within the report. The proposed change will meet the tests set out above, continuing to provide a public benefit.

#### Equality Duty

7.13 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

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

#### Human Rights Act Implications

7.15 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.

7.16 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.

7.17 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 proposed change will not have an increased impact on the Coastal Strip.

8.2 The impact of re-siting the open space area closer to residential properties is balanced against better separation between residential impact and the Coastal Strip/shoreline and potential improved passive surveillance of the area.

8.3 The proposal will not have any greater adverse impact on the AONB or, local and protected ecology.

8.4 The obligation continues to serve a useful purpose but would serve that purpose equally well if subject to the proposed modification to the obligation. The proposal is acceptable and is supported.

## **9. Recommendation**

That 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 be varied in the manner set out above.

**Background Papers:** Planning application file(s) 20/01155/S106A



# Northumberland County Council

## Appeal Update Report

Date: August 2021

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### Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

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#### **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?
20/02920/FUL	<p>Extensions to roof including hip to gable extension and full width flat roofed dormer – 5 Dilston Avenue, Hexham</p> <p>Main issues: proposals would not be in keeping with the character of the building or the surrounding area and would be detrimental to the visual amenity of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/02872/FUL	<p>Retrospective application for detached granny annex (amended description 17/11/20) - Moresby, Main Road, Stocksfield</p> <p>Main issues: the use of render results in harm to the character and appearance of the property, the surrounding area and the setting of a listed building.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused

## 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?
19/04938/FUL	<p>Resubmission of approved planning application 17/02932/FUL Erection of new building comprising of 12 self-contained 1 bedroom apartments (use class C3) for specialised independent supported living with associated external works and car parking – land between 86-90, Front Street East, Bedlington</p> <p>Main issues: appeal against non-determination due</p>	No

	to invalid application (no fee paid). Appeal against non-determination	
20/03046/FUL	Flat roof dormer to rear of property – 41 George Street, Amble  Main issues: the proposal would significantly detract from the character and appearance of the dwelling and the conservation area.  Delegated Decision - Officer Recommendation: Refuse	No
20/01649/FUL	Constuction of 1no. 4 bed dwelling to be used as primary residence. Unit to be 1.5 storey in height – land north west of The Granary, Tughall Steads, Chathill  Main issues: layout results in a harmful impact on the character and rural setting of Tughall, and new track and access would create an urbanising effect to the rural setting.  Delegated Decision - Officer Recommendation: Refuse	No – claim refused
20/01045/FUL	Barn conversion for holiday accommodation including three new build elements, a long lean-to to the long barn to the North of the site for corridor access, a middle single storey link between the north and south of the site, and the replacement of the hay barn for a sports hall facility (amended description) - land west of Townhead Farm, Tow House  Main issues: design and impact on the non-designated heritage asset; insufficient information relating to drainage; and insufficient information relating to ground gas protection and water supply.  Appeal against non-determination	No – claim refused
18/03435/VARYCO	Variation of condition 27 (noise) pursuant to planning permission 16/04622/FUL for amendments to boundary treatment plan – land at former Bates Colliery site, Cowpen, Blyth  Main issues: applicant has been unable to provide a long-term management and maintenance plan for the required acoustic fencing to specific plots and protection from noise to occupiers cannot be secured.  Delegated Decision - Officer Recommendation: Refuse	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
18/02239/FUL	<p>Redevelopment of the former Marley Tiles Factory to provide a residential development of 105 houses (Use Class C3) with associated access, parking, landscaping and infrastructure (AMENDED description and site layout) - Marley Tile Factory, Lead Lane, Newlands</p> <p>Main issues: isolated development in the open countryside; inappropriate development in the Green Belt by virtue of causing substantial harm to the openness of the Green Belt and very special circumstances have not been demonstrated to outweigh harm; and the design of the development would be out of keeping with the character and appearance of the locality and does not deliver an appropriate form of sustainable design or development for the site.</p>	<p>27 January 2021</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01794/VARYCO	<p>Retrospective: Variation of condition 2 (Approved Plans) pursuant to planning permission 17/00229/FUL to allow amendments made during construction – land north and east of Horsley Banks Farm, Horsley</p> <p>Main issues: inappropriate development in the Green Belt and very special circumstances do not exist to outweigh harm to the Green Belt as well as harm to the character of the area and amenity of residents.</p>	<p>23 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>



20/02548/FUL	<p>Construction of dwelling – land and building east of Ovington House, Ovington</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; harm to the setting of a non-designated heritage asset and the Ovington Conservation Area; and a Section 106 agreement has not been completed in respect of a contribution to sport and play.</p>	<p>19 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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>
20/02479/FUL	<p>Retrospective: Change of use from agricultural and construction of wooden shed - land north-west of 2 Linnels Cottages, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; visually intrusive and harmful impact upon the rural and open character of the site and surrounding area; and harmful impacts upon the amenity of neighbouring residents.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04883/FUL	<p>Proposed demolition of existing garage to be replaced with two-storey dwellinghouse - 2 Sandridge, Newbiggin-by-the-Sea</p> <p>Main issues: harm to non-designated and designated heritage assets and the identified harm would not be outweighed by public benefits.</p>	<p>27 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00574/ADE	<p>Retrospective: Advertisement consent for installation of 3no. signs that have been in place for over 2 years - ADS Caravan Storage, Remscheid Way, Jubilee Industrial Estate, Ashington</p> <p>Main issues: Sign 1 has an unacceptable</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Split Decision</p>

	impact on the visual amenity of the site and surrounding area due to its siting and scale.	
20/04234/FUL	Proposed two storey side extension and demolition of existing garage – 23 Ladbroke Street, Amble  Main issues: adverse impact on the street scene and the character and appearance of the conservation area due to scale, height and mass forward of the building line.	1 June 2021  Delegated Decision - Officer Recommendation: Refuse
20/04134/FUL	New sunroom – Outwood, Riding Mill  Main issues: alongside existing extensions the proposal would result in a disproportionate addition over and above the scale of the original building and would be inappropriate development in the Green Belt.	1 June 2021  Delegated Decision - Officer Recommendation: Refuse
20/00923/FUL	Erection of four no. dwellinghouses (C3 use) - land south of The Paddock, Longframlington  Main issues: proposal fails to protect and enhance the distinctive character of Longframlington; incursion into the open countryside; and insufficient information regarding surface water drainage and flood risk.	4 June 2021  Delegated Decision - Officer Recommendation: Refuse
21/00069/CLEXIS	Certificate of Lawful Development of an Existing Use of land as residential - land south of 4 Station Cottages, Longhirst  Main issues: insufficient evidence to conclude that the land has been used as stated for a period in excess of 10 years.	16 June 2021  Delegated Decision - Officer Recommendation: Refuse
20/00925/FUL	Outline permission for the construction of up to 9no dwellings including access, appearance, layout and scale – land north-west of Blue House Farm, Blue House Farm Road, Netherton Colliery  Main issues: harm to setting of a designated heritage asset; insufficient information in respect of potential risk from ground gas; and a section 106 agreement has not been completed in respect of a contribution to the ecology coastal mitigation scheme or off-site sport and play provision.	30 June 2021  Delegated Decision - Officer Recommendation: Refuse
21/00928/FUL	Part first floor extension to existing bungalow - 16 Lynwood Close, Darras Hall, Ponteland  Main issues: proportion, form, massing, siting, height, size, scale and design fails to be subordinate and respectful of the character and appearance of the property	7 July 2021  Delegated Decision - Officer Recommendation:

	and its surroundings.	Refuse
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## Recent Enforcement Appeal Decisions

### Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
18/01344/ENDEVT	Bridgend Caravan Park, Wooler  Main issues: one Enforcement Notice appealed by three parties in respect of operational development to provide extra bases for residential static caravans with associated services	No
18/00489/ENDEVT	Land at Moor Farm Estate, Station Road, Stannington  Main issues: unauthorised waste reclamation yard and siting of multiple shipping containers	Yes

### Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		No

## Enforcement Appeals Received

### Appeals Received

Reference No	Description and address	Appeal start date
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB  Main issues: material change of use of the land from agricultural for the siting of 4 caravans	1 February 2021

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>	1 February 2021
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## Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
19/00247/FUL	<p>Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth - land at Cold Law, Kirkwhelpington</p> <p>Main issues: development in the open countryside which fails to recognise the intrinsic character and nature of the countryside.</p>	<p>Inquiry date: 9 March 2021</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/02247/FUL	<p>Erection of a rural worker's dwelling – land south of Middle Coldcoats Equestrian Centre, Milbourne</p> <p>Main issues: fails to demonstrate the need for a rural worker's dwelling in the open countryside; inappropriate development in the Green Belt and there are no very special circumstances to outweigh harm; and fails to address pollution concerns with potential to affect protected species and failure to demonstrate ecological enhancement.</p>	<p>Virtual hearing date: 28 July 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

## Implications

<b>Policy</b>	Decisions on appeals may affect future interpretation of policy and influence policy reviews
<b>Finance and value for money</b>	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
<b>Legal</b>	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
<b>Procurement</b>	None
<b>Human resources</b>	None
<b>Property</b>	None
<b>Equalities (Impact Assessment attached?)</b> <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
<b>Risk assessment</b>	None
<b>Crime and disorder</b>	As set out in individual reports and decisions
<b>Customer consideration</b>	None
<b>Carbon reduction</b>	Each application/appeal may have an impact on the local environment and have been assessed accordingly
<b>Wards</b>	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

## June 2021

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**Report of the Executive Director of Regeneration, Commercial and Economy**

**Cabinet Member:** Councillor Colin Horncastle

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### **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 of the priorities included in the NCC Corporate Plan 2018-2021.

### **Key issues**

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of June and payment received in June 2021. Also Contact details for the S106 team



## New Agreements

June		New Agreements completed	
20/03155/FUL		Land North of North Farm, Embleton, Alnwick,	
20/03824/OUT		Land to the rear of 10 Hillside Road, Belford,	
19/01223/FUL		Land at Athol House, Callerton Lane, Ponteland,	
21/00274/ful		Eastfield House Corbridge	
20/02780/FUL		Land South and East of Crowden Hill Farm House, Ulgham	
20/01210/ful		Land NW Doxford, Newhouses	
20/03856/REM		Land South and West of White Hall Farm, Beacon Lane, Cramlington,	
19/03476/FUL		Land at The Old Rectory, Rectory Road, Howick, Alnwick	
20/01708/FUL		Land north and east of Ashlynd House, Church Lane, Wark,	

## Contributions Received June 2021

Development	Type of Contribution	Amounts Received
Gleeson Widdrington	Education	£33,000
Cramlington SWS Arcot	Sport	£73,000
Ulgham	Coastal Mitigation Service	£344
Alnwick	Coastal Mitigation Service	£600
Doxford New Houses	Coastal Mitigation Service	£2410
Redeford	Coastal Mitigation Service	£337
Lane End farm	Sport	£362
Lane End farm	Play	£458
Tynedale Scout	Play	£1388
Tynedale Scout	Sport	£788

Awards Paid Out	Project	Amount Paid
June		
None this month		



## S106 Team

Email: [S106@northumberland.gov.uk](mailto:S106@northumberland.gov.uk)



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S106 Officer  
**Andrea  
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01670 620294

# Implications

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

## Background papers

Planning applications and 106 Agreements

## Report author and contact details

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