



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 11 May 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held in **MEETING ROOM 1, BERWICK LEISURE CENTRE, NORTHUMBERLAND RD, TWEEDMOUTH, BERWICK-UPON-TWEED TD15 2AS** on **THURSDAY, 19 MAY 2022 at 2.00 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

AGENDA

PART I

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

1. MEMBERSHIP AND TERMS OF REFERENCE

The committee is asked to note the following membership and terms of reference for the North Northumberland Local Area Council which were agreed by Council on 4 May 2022.

The membership is made up of the county councillors who represent the 13 electoral divisions in the North Northumberland area:

Chair: G Castle

Vice Chair: S Bridgett; Vice Chair (Planning): C Hardy

Quorum - 4

Conservative	Labour	Green Party	Liberal Democrat	Independents (Non-grouped)
G Castle	T Clark	M Swinbank	I Hunter	S Bridgett
C Hardy				G Hill
M Mather				
W Pattison				
G Renner-Thompson				
C Seymour				
T Thorne				
J Watson				

Terms of reference

- (1) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (2) To advise the Cabinet on budget priorities and expenditure within the Area.
- (3) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (4) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti- social behaviour and environmental crime.

- (5) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (6) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (7) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (8) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (9) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (10) To make certain appointments to outside bodies as agreed by Council.
- (11) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.
- (12) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.
- (13) To exercise the following functions within their area:-
 - (a) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
 - (b) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
 - (c) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
 - (d) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007.
 - (e) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

2. MEMBERSHIP AND TERMS OF REFERENCE - NORTH NORTHUMBERLAND LOCAL AREA COUNCIL (RIGHTS OF WAY) SUBCOMMITTEE

Members are asked to nominate **six** members drawn from the membership of the North Northumberland Local Area Council. Balance 4:1:1(4 Conservative, 1 Independent, 1 Labour/Liberal Democrat/ Green Party).

Terms of reference:

To exercise functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way in the north Northumberland area, on behalf of the North Northumberland Local Area Council.

3. APOLOGIES FOR ABSENCE

4. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room. NB Any member needing clarification must contact the monitoring officer by email at monitoringofficer@northumberland.gov.uk . Please refer to the guidance on disclosures at the rear of this agenda letter.

5. MINUTES

(Pages 1
- 18)

Minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 24 February 2022 and Thursday, 24 March 2022, as circulated, to be confirmed as a true record and signed by the Chair.

6. DETERMINATION OF PLANNING APPLICATIONS

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>

7. 21/01355/FUL

(Pages
19 - 48)

**Resubmission: Re-development of a brown field site to create 30 new homes. A mix of apartments houses.
Land East of Lifeboat House, Dock Road, Tweedmouth,
Northumberland**

8. 21/00346/OUT

(Pages
49 - 72)

**Outline Application with all matters reserved for demolition of existing cottage and construction of up to 4no, residential dwellings (Use Class C3)
Braemar, Beach View, Boulmer, Northumberland, NE66 3BW**

9. TREE PRESERVATION ORDER

(Pages
73 - 80)

Land at Bank House Farm, Acklington, Northumberland

10. APPEALS UPDATE

(Pages
81 - 92)

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
93 - 96)

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. PUBLIC QUESTION TIME

To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)

As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.

Please note however that a question may possibly be rejected if it requires the disclosure of any categories of confidential or exempt information, namely information:

1. Relating to any individual;
2. Which is likely to reveal the identity of an individual;
3. Relating to the financial or business affairs of any particular person ;
4. Relating to any labour relations matters/negotiations;
5. Restricted to legal proceedings
6. About enforcement/enacting legal orders
7. Relating to the prevention, investigation of prosecution of crime.

And/or:

- Is defamatory, frivolous or offensive;
 - It is substantially the same as a question which has been put at a meeting of this or another County Council committee in the past six months;
- The request repeats an identical or very similar question from the same person;
- The cost of providing an answer is disproportionate;
- It is being separately addressed through the Council's complaints process;
- It is not about a matter for which the Council has a responsibility or which affects the county;
- It relates to planning, licensing and/or other regulatory applications
- It is a question that town/parish councils would normally be expected to raise through other channels.

If the Chair is of the opinion that a question is one which for whatever reason, cannot properly be asked in an area meeting, he/she will disallow it and inform the resident of his/her decision.

Copies of any written answers (without individuals' personal contact details) will be provided for members after the meeting and also be publicly available.

Democratic Services will confirm the status of the progress on any previously requested written answers and follow up any related actions requested by the Local Area Council.

13. PETITIONS

This item is to:

(a) Receive any new petitions: to receive any new petitions. The lead petitioner is entitled to briefly introduce their petition and a response to any petitions received will then be organised for a future meeting.

(b) Consider reports on petitions previously received - None

(c) Receive any updates on petitions for which a report was previously considered: any updates will be verbally reported at the meeting.

14. LOCAL SERVICES ISSUES

To receive a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of members of the Local Area Council, who will also then have the opportunity to raise issues with the Area Managers.

The Area Managers have principal responsibility for highway services and environmental services, such as refuse collection, street cleansing and grounds maintenance, within the geographic boundaries of the Local Area Council.

15. TWEED VALLEY RAILWAY CAMPAIGN

To receive a presentation on the Tweed Valley Railway Campaign.

16. OUTSIDE BODIES

(Pages
97 - 98)

To make appointments to outside body organisations within the Local Area Council's remit. A list of outside bodies is attached to the agenda for consideration.

17. MEMBERS LOCAL IMPROVEMENT SCHEMES 2021-2025

(Pages
99 - 126)

Details of the North Northumberland Members Local Improvement Schemes for the period 2021-22 are provided for information only.

18. LOCAL AREA WORK PROGRAMME

(Pages

Details of the North Northumberland Members Local Improvement Schemes for the period 2021-22 are provided for information only.

19. 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.

20. DATE OF NEXT MEETING

The next meeting of the North Northumberland Local Area Council is scheduled for Thursday, 23 June 2022 at 3.00 p.m. at St James's URC, Pottergate, Alnwick, NE66 1JW

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

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

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

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

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

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

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

The following are other Registerable Personal Interests:

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

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

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

3. Non-participation in Council Business

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

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

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

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Public Document Pack Agenda Item 5

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held in the Meeting Space - Block 1, Floor 2 - County Hall on Thursday, 24 February 2022 at 2:00 p.m.

PRESENT

C Hardy
(Vice-Chair Planning - In The Chair)

MEMBERS

T. Clark
G. Hill
I. Hunter
G. Renner-Thompson

C. Seymour
M. Swinbank
W. Pattinson
T. Thorne

OFFICERS

M. Bulman
V. Cartmell
P. Jones
R. Kain
R. Little
D. Love
T. Lowe
R. McCartney

Solicitor
Planning Area Manager
Service Director - Local Services
Built Heritage and Design Officer
Assistant Democratic Services Officer
Senior Planning Officer
Principal Planning Officer
Local Services - Infrastructure Manager

102 **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE**

RESOLVED that this was noted.

103 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors: Bridgett, Castle and Mather

104 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Hunter advised that she was the Clerk for Beadnell Parish Council but had taken no part in the discussion at the Parish Council for agenda item 9 and would be taking part in the debate and vote.

Councillor Clark advised the committee that he had a personal interest in items 6 and 7 of the agenda and would be leaving the room and taking no part in determination of the applications.

Councillor Watson advised that he had applied for the Tree Prevention Order - item 10 on the agenda and would not take part in any discussion or vote and would leave the room whilst it was being discussed.

105 **MINUTES**

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 20 January 2022 as circulated, be confirmed as a true record and be signed by the Chair.

106 **DETERMINATION OF PLANNING APPLICATIONS**

The report requested the Committee to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

It was noted that item 6 and 7 would be introduced and presented as the same application but would be debated and voted on separately.

RESOLVED that this was noted.

Councillor T. Clark left the room.

107 **21/03038/VARYCO**

Councillor Patterson arrived after D. Love had began the presentation, the presentation was restarted to allow Councillor Hunter to take part in the debate and subsequent vote

D. Love – Senior Planning Officer, addressed the committee and gave the following updates:

- The Independent examination of the Northumberland Local Plan (NLP) had concluded, and the inspector considered that subject to

a number of recommended Main Modifications, the NLP was “sound” and provided an appropriate basis for the planning of the County. The plan was on the final stage of preparation, with no unresolved objections. The plan was consistent with the national policy, therefore significant weight could be given to the policies in the NLP.

- Paragraph 7.5 on both reports read “The principle of replacing historic windows is accepted where it can be demonstrated that there is some benefit to the building for doing so”. Although the act provided generalised support in principle for sustainable development, the loss of historic windows in a listed building and replaced with modern replicas would be assessed on a case-by-case basis to evaluate whether removing the windows would be harmful to the building’s significance.

Following the PowerPoint presentation, it was explained that applications 21/03038/VARYCO and 21/03039/VARYCO were both recommended for refusal with R. Kain – Built Heritage and Design Officer, explaining that the building was 225 years old, with Georgian windows which should be retained and repaired.

It was noted the Councillor Swinburn arrived during the presentation and would not be able to take part in any debate or vote for applications 21/03038/VARYCO and 21/03039/VARYCO

Guy Munden, spoke in support of the application and gave the following information to the committee:

- The original planning application for the development was submitted in April 2020 and approved in April 2021.
- The original scheme was intended to repair the existing windows where possible.
- When the building was a school, it had lacked proper maintenance and the building was in urgent need of repair, as windows had been vandalised and dry rot had spread significantly.
- The windows were beyond repair as dry rot had spread to the original window frames.
- The replacement window frames were proposed to be a like-for-like hand-made timber frame, replicating the exact form of the historic windows.
- The replacement glass would be cylinder glass, replicating the reflective quality of the historic glass.
- Secondary glazing was deemed inappropriate as would cause greater harm to the internal appreciation of the building.
- Double glazing would improve the thermal efficiency of the building.
- The benefits of the site included: bringing back into use a vacant Listed Building, tourism, investment into the local economy and numerous job opportunities.

Following members questions to the Planning Officers and the Built Heritage Officer, the following information was provided:

- The building had many of its original shutters, but officers were unable to confirm if they were in working condition.
- Some of the windows on the rear of the building were showing signs of dry rot however the Built and Heritage Officer did not agree that all the windows were beyond repair.
- Historic England guidance stated that thermal upgrading should be approached as a whole building, not only windows, this included: loft insulation, draught proofing and efficiency of heating systems.

Councillor Hill proposed to accept the officers recommendation to refuse the application, and this was seconded by Councillor Seymour.

Councillor Thorne explained that he would be voting against the motion as he believed that fit for purpose double glazed windows would benefit the development, this was agreed by Councillor Watson and Councillor Renner-Thompson.

A vote was taken as follows: FOR 4; AGAINST 3, ABSTAIN 1.

RESOLVED that the application be **REFUSED** as the proposal would lead to “less than significant harm” to a Grade II listed heritage asset and it had not been demonstrated as necessary or justified. The proposal would not therefore accord with the Core Strategy Policy S15, advice from Historic England or the paragraph 202 of the NPPF and plan or paragraph 196 of the National Planning Policy Framework. The proposes would also be contrary to sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

108 **21/03039/VARYCO**

An introduction to the report had been provided as part of the previous application.

Councillor Hill proposed to support the officers recommendation to refuse the application and this was seconded by Councillor Seymour.

A vote was taken as follows: FOR 4; AGAINST 3, ABSTAIN 1.

RESOLVED that the application be **REFUSED** as the proposal would lead to “less than significant harm” to a Grade II listed heritage asset and it had not been demonstrated as necessary or justified. The proposal would not therefore accord with the Core Strategy Policy S15, advice from Historic England or the paragraph 202 of the NPPF and plan or paragraph 196 of the National Planning Policy Framework. The proposes would also be contrary to sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Councillor T. Clark then returned to the meeting.

T. Lowe – Principal Planning Officer, addressed the committee and gave the following updates:

- The Independent examination of the Northumberland Local Plan had concluded, and the inspector considered that subject to a number of recommended Main Modifications, the NLP was “sound” and provided an appropriate basis for the planning of the County. The plan was on the final stage of preparation, with no unresolved objections. The plan was consistent with the national policy, therefor significant weight could be given to the policies in the NLP.
- Officers had assessed the proposal against the policies of the Local Plan and confirmed that the change in weight of the Plan did not result in a change to the recommendation.

Following a Powerpoint presentation, the Planning Officer confirmed that no other houses on the street had dormers and that the conservation officer had not been consulted.

Councillor Clark proposed to accept the officers recommendation to approve the application, which was seconded by Councillor Watson.

A vote was taken as follows: FOR 9; AGAINST 0, ABSTAIN 1.

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

T. Lowe – Principal Planning Officer, addressed the committee and gave the following updates:

- The Independent examination of the Northumberland Local Plan had concluded, and the inspector considered that subject to a number of recommended Main Modifications, the NLP was “sound” and provided an appropriate basis for the planning of the County. The plan was on the final stage of preparation, with no unresolved objections. The plan was consistent with the national policy, therefor significant weight could be given to the policies in the NLP.

Geoff Martindale, spoke on behalf of the Beadnell Parish Council and gave the committee the following information:

- The application site was part of 36, L-shaped chalets in Longstone Park.
- At the time of construction, the chalets were subject to an agreement, dated 25 June 1968 between the estate developers and Northumberland County Council, prohibiting the erection of any building or structure on the amenity areas.
- The AONB Officer had not been consulted on the Sunrise Cottage

- planning application but had been consulted on the Beach Lea Bungalow, which they did not support.
- The Parish Council were concerned that a precedent was set by Sunrise Cottage.

Following questions from members to the Planning Officers, the following information was provided:

- The planning officer did not agree with the AONB Officer, explaining that the visual impact was acceptable due to the application being a small extension and it would not impact the wider area.
- No additional car parking would be required.

Councillor Renner- Thompson proposed to refuse the application, based on policy 5 of the North Northumberland Coast Neighbourhood Plan, stating the application failed to respect the local context and character of the area. This was seconded by Councillor Seymour.

A vote was taken as follows: FOR 8; AGAINST 1, ABSTAIN 1.

RESOLVED that the application be **REFUSED**.

Councillor Watson left the room.

111 **NEW TREE PRESERVATION ORDER: PKT 0686**

T. Lowe – Principal Planning Officer, introduced the preservation order and informed members that there had been an error in the report regarding paragraph numbers.

Following the presentation, members were informed that a public right of way did not affect any tree preservation orders.

Councillor Thorne proposed to move the officer's recommendation to approve the Tree Preservation Order, which was seconded by Councillor Patterson.

A vote was taken and was unanimous, it was:

RESOLVED that it was recommended that the Tree Preservation Order was confirmed with modification.

Councillor Watson re-joined the meeting.

112 **APPEALS UPDATE**

RESOLVED that this was noted.

113 **SECTION 106**

RESOLVED that this was noted.

A comfort break was announced to allow officers to change over.

114 **LOCAL TRANSPORTS PLAN PROGRAMME 2022-23**

A comprehensive introduction to the report was provided by P Jones, Service Director, Local Services with R McCartney, Infrastructure Manager also in attendance. The report set out the details of the Local Transport Plan (LTP) programme for 2022-23 for consideration and comment by the Local Area Council prior to final approval of the programme by the Interim Executive Director of Planning and Local Services in consultation with the Cabinet Member for Environment and Local Services.

In response to questions from Members the following information was noted:

- Northumberland County Council was oversubscribed in the level of demand for schemes to be included in the programme compared to the funding allocated.
- There had been additional funding of £2 million made available to undertake an additional programme of maintenance schemes on U&C roads and footways, as part of the County Councils Medium-Term Financial Plan.
- Schemes that were in the 2021-22 LTP that had not been delivered, would roll forward and would be completed during the 22-23 LTPP using the previously allocated monies.
- EV chargers had a separate funding allocation.

Members requested a report to be presented to the North Northumberland Local Area Council in three or four months on progression of members small schemes and the timescales for completion.

Members thanked Paul and the team for their continued hard work.

RESOLVED that this was **NOTED**

115 **DATE OF NEXT MEETING**

RESOLVED that this was noted.

CHAIR.....

DATE.....

Ch.'s Initials.....

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NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held in the Meeting Space - Block 1, Floor 2 - County Hall on Thursday, 24 March 2022 at 2:00 p.m.

PRESENT

Cllr S. Bridgett
Vice-Chair – In the Chair

MEMBERS

G. Hill
I. Hunter
M. Mather
W. Pattison

G. Renner-Thompson
S. Swinbank
T. Thorne
J. Watson

OFFICERS

G. Bucknall
M. Bulman
V. Cartmel
A. Deary-Francis
D. Francis
R. Johnstone
J. Hitching
B. Hogson
S. Imrie
R. Little
T. Lowe
G. Park
L. Sinnamon

Lead Highways Delivery Manager
Solicitor
Planning Area Manager
Ecologist
Lead Office – Wellbeing
Deputy Lead Officer - Wellbeing
Senior Sustainable Drainage Officer
Neighbourhood Services Area Manager
Principal Highways Development Officer
Assistant Democratic Services Officer
Principal Planning Officer
Environmental Health Officer
Development Service Manager

There were 7 members of the press and public present.

116 **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE**

RESOLVED that this was noted.

117 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors: Castle, Clark, Hardy and Seymour

118 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Hunter explained that she had a personal and prejudicial interest on item 7 of the agenda and would be speaking as the local member in the public speaking slot but would take no part in the debate or vote.

119 **MINUTES**

Councillor Hunter advised that there was an error with the name Scremerston.

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Council held on Monday, 24 January 2022 as circulated, be confirmed as a true record and be signed by the Chair with the above amendment noted

Councillor Bridgett proposed that Councillor Thorne chair the planning section in the absence of the planning chair, seconded by Councillor Hill, this was unanimously agreed.

Councillor Thorne then took the Chair

120 **DETERMINATION OF PLANNING APPLICATIONS**

The report requested the Committee to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

RESOLVED that this was noted.

121 **19/01687/FUL**

T. Lowe – Principle Planning Officer, introduced the application and gave the following updates:

- There was an error on condition 2 where it referred to Plans, the Planting Strategy drawing and should read P07 and not P06.
- In paragraph 8.75 and in the recommendation in paragraph 9.1, the Coastal Mitigation service should read £10,080 and not £10,040.
- 3 late representations had been received and had been circulated to members

Following a PowerPoint presentation, Councillor Thorne introduced the public speaking section.

J. Stent spoke in objection to the application and gave the following information:

- There was no restaurant, church or pub in Swarland and the full-time shop and post office had closed several years ago.
- No public transport.
- It was stated in the report that the development was self-contained within the existing golf course and holiday park, however the proposed site was not near the other caravans and lodges already on site but on the periphery of the golf course.
- Proposed screening on the eastern boundary was indistinct and non-existent on the southern side of the boundary.
- There was no information regarding the supply of the caravans or the design, shape, size or how environmentally friendly the caravans would be.
- There were issues regarding drainage, sewerage, and flooding in the area with no consideration to a long-term solution.

S. Stanley spoke on behalf of Newton on the Moor and Swarland Parish Council and gave the following information:

- The proposed site would be immediately outside the new Northumberland Local Plan's settlement boundary for Swarland.
- The development would intrude on the existing long-established community and merged holiday accommodation with regular housing.
- The planned site would be a higher density than the rest of the holiday park.
- The inappropriateness of 60 holiday lets so close to existing and planned housing.
- The parish council questioned the need for further such developments in Swarland and had no confidence in the proposed arrangements for foul and surface water.

H. Elms spoke in support of the application and gave the following information:

- The application had been submitted for over two years, and there had been a series of meetings with the Parish Council, residents, and the adjacent land owner.
- The drainage scheme within the application provided localised betterment in terms of drainage into the network, confirmed by Northumbrian Water and the Flood Authority.

- Highways had withdrawn their concerns and the entrance to the extension would be through the main gates.
- The issues around ecology had been accepted and would be controlled by planning conditions.
- There was no reserved matters application so far.

Following members questions to the planning officers, the following information was provided:

- There were plans to enlarge the existing ditch's width from 1m-1.5m to 5m-7m
- With the mitigation measures in the application, the risk of flooding from surface water drainage would be reduced.
- The drainage officer was content with the mitigation and stated that the measures put forward would not increase the risk of flooding.
- There were no Great Crested Newt breeding ponds affected by the development, but they were present on the site. There was a requirement for a Natural England licence for works to terrestrial habitat and all works must be supervised by an ecologist.
- There was no restriction with length of stay at the site.
- The caravans would rest against the wooded area and screening would affect the visual amenity along with boundary screening.
- The planning officers were not aware of any EV charging points to be implemented with the development.
- There had been no objection from Northumbrian Water.

Councillor Hill proposed to defer the application to allow for further mitigation saying that there could be further consultation carried out and to allow more conditions to be added to the application. There was no seconder and the motion failed.

Councillor Thorne proposed to refuse the application and explained the reasons, including; adverse visual impact and cumulative impact in that adding another 60 caravans would take the site to over 400 caravans total, the site was not well landscaped, there was issues around draining and flooding, there was no local amenities close by with no public transport, and the application had not specified the type of caravans which would be on the site. Councillor Bridgett seconded the motion, stating that he disagreed with the comment from Northumbrian Water and that in the past they had been fined by the environmental agency at peak times.

L. Sinnamon gave advice regarding the proposed reasons for refusal and addressed the committee in respect of policies relevant to the application.

Councillor Thorne agreed for the exact wording of the reasons for refusal be delegated to the Director of Planning in conjunction with the chair.

A vote was taken as follows: FOR 7; AGAINST 0, ABSTAIN 2.

RESOLVED that the application be **REFUSED** for adverse visual impact and cumulative impact in that adding another 60 caravans would take the site to over 400 caravans total, with the exact wording delegated to the Director of Planning in

conjunction with the chair.

122 **21/02169/REM**

Councillors Bridgett, Renner-Thompson and Watson declared an interest in the application as they are directors of Advance Northumberland and left the meeting.

V. Cartmell – Planning Area Manager, introduced the application with a PowerPoint presentation and gave the following updates:

- In condition 5, the Bat and Bird nesting features at a ratio of one per dwelling would be a total of 30.

Councillor Hunter spoke as the local member on this application and gave the following information:

- The application should be considered against the NPPF and emerging Northumberland Local Plan.
- Ord Parish Council would welcome the 15% affordable housing but were concerned that these would still be unaffordable to local families.
- There were concerns around the speed limit on the entrance to the development and Ord Parish Council had requested if the speed could be reduced.
- Concerns over a popular Public Right of Way along the edge of the A698
- Concerns with water supply into Berwick and surrounding areas and issues with new developments.

Councillor Hunter took no further part in the application.

Lee Fulcher spoke on behalf of the applicant and in support of the application and gave the following information:

- The application would assist with a range of local needs.
- There were 5 affordable houses with 70% Open Market Value which was required by Northumberland County Councils Affordable Housing Officer
- As part of the proposal, the applicant would upgrade the Public Right of Way, to a standard suitable for increased use and shared with cyclists. Including lighting and the removal of the access gate to promote accessibility.
- EV charger points would be provided in accordance with Northumberland County Council Sustainability Policies.
- The application would provide 30 Bird and Bat box nests, gaps in fences for small wildlife and wildflower meadows.

Following questions from Members to the Planning Officers, the following information was provided:

- The application was a reserved matters application, therefore Members could not discuss speed limits.
- The management company would be in charge of dealing with the communal land in terms of grass cutting.

Councillor Pattison proposed to grant planning permission with the conditions set out in the report, this was seconded by Councillor Hill.

Councillor Mather supported the application but mentioned that the speed limit needed to be re-evaluated and reduced to 30mph with the covering costs funded by the applicant.

A vote was taken, and it was unanimously:

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

Councillor Bridgett and Councillor Renner-Thompson returned to the meeting.

123 **APPEALS UPDATE**

Resolved that this was noted.

124 **SECTION 106**

RESOLVED that this was noted.

A comfort break took place at this point.

Councillor Bridgett returned to the Chair.

125 **PUBLIC QUESTION TIME**

No questions had been received.

126 **PETITIONS**

(a) There had been two new petitions received:

- To declare Berwick-Upon-Tweed a smoke control area to help mitigate against emissions
- Extend 20 mph speed limit areas in Berwick to help combat air pollution and increase safety for pedestrians and cyclists.

(b) There were no petition reports for the committee to consider.

(c) There were no updates from previous petitions.

Highways

G. Bucknall – Lead Highways Delivery Manager provided a verbal update on North area highways. The update and subsequent questions included information on the following:

- 30 out of 31 major resurfacing schemes had been completed, Swansfield Park Road footpath would be the last scheme to be completed.
- 2022-23 surfacing schemes were due to start with Swansfield Park Road carriageway.
- Since the last meeting, resurfacing had been carried out at Rennington, Embleton and Sunnyside – Berwick.
- Berwick Leisure Centre had been completed.
- Beadnell, Bambrough and The Braid car parks were taking part in the Motorhome pilot scheme.
- Highways inspectors had been out completing routine maintenance and addressing complaints.
- Storm Arwen & Malek recovery was ongoing.
- Winter Services had ended and had gone well in the mild Winter.
- Northumberland County Council had still not received new Gully Wagons, as these were currently in Stakeford being set up.
- The new bus shelter at Shilbottle had been vandalised

Councillor Mather queried if Northumberland County Council could complete a press-release to educate land owners of their responsibilities regarding fallen trees, leaning trees, hedges, and debris from Storm Arwen.

Councillors thanked Graham and the team for their ongoing hard work.

Neighbourhood Services

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

- Ground teams had recovered slightly from Storm Arwen and Malek due to milder weather and were on target with scheduled Winter Works.
- The teams were on the final stages of preparation for grass cutting, with all the equipment serviced.
- There had been changes to routes in Alnwick, Berwick and outlying areas to increase efficiency.
- The final stages of seasonal recruitment for grounds maintenance positions were underway.
- Weed control would be taken by Northumberland County Council for the upcoming Summer due to the success of previous years and teams would be using the blue dye again following positive feedback pre-pandemic.

- Two small new sweepers had been purchased for gully cleaning.
- Two additional waste collection vehicles would be received due to an increase of funding.

Councillors thanked Bob and the team for their ongoing hard work.

128 **MUSIC PARTNERSHIP NORTH**

D. Francis and R. Johnstone introduced themselves to the committee and gave a brief presentation on the Music Partnership North.

D. Francis explained the purpose and mission of the Music Partnership North was to support children learning about music and unlocking potential and the commitment to enrich the lives of all children and young people in Northumberland and Newcastle through engagement and participation in quality music activities and explained that inclusion was incredibly important part to the scheme.

The funding for the Music Partnership was from the Department for Education through the Arts Council.

The core and extension roles of the Music Partnership were:

- Ensure that every child aged 5-18 has the opportunity to learn a musical instrument through whole-class ensemble teaching programmes for ideally a year of weekly tuition on the same instrument.
- Provide opportunities to play in ensembles and to perform from an early stage.
- Ensure that clear progression routes were available and affordable to all young people.
- Develop a singing strategy to ensure that every pupil sings regularly and that choirs and other vocal ensembles were available in the area.
- Offer CPD to school staff, particularly in supporting schools to deliver music in the curriculum.
- Provide an instrument loan service, with discounts or free provision for those on low incomes.
- Provide access to large scale and/or high-quality music experiences for pupils, working with professional musicians and/or venues. This may include undertaking work to publicise the opportunities available to schools, parents/carers, and students.

Covid-19 had been a huge challenge to the partnership, from which the scheme had to adapt and move to an online for a period of time, with support from Northumberland County Council and had gained positive feedback from parents and students who were home-schooling during lockdown around wellbeing and mental health.

The next steps for the Music Partnership were to reach out to non-engaged schools, review progression, develop SEND provision and develop an online or

hybrid offer to overcome geographical difficulties.

A large-scale concert had been discussed with members and the difficulties with organising such an event, including finding venues that were large enough to cater for all the students from different schools as well as high costs of transportation from schools closer to Berwick. The Music Partnership has had an online event for the past few years known as the “Big Gig” which schools joined in virtually but were currently looking at doing smaller concerts in areas of Northumberland and had previously used venues such as Concordia Leisure Centre – Cramlington and Alnwick Garden and Alnwick Playhouse.

Councillors thanked D. Francis and R. Johnstone for their work with the Music Partnership.

129 MEMBERS LOCAL IMPROVEMENT SCHEMES

RESOLVED that this was noted.

130 LOCAL AREA COUNCIL WORK PROGRAMME

RESOLVED that this was noted.

131 DATE OF NEXT MEETING

RESOLVED that this was noted.

CHAIR.....

DATE.....

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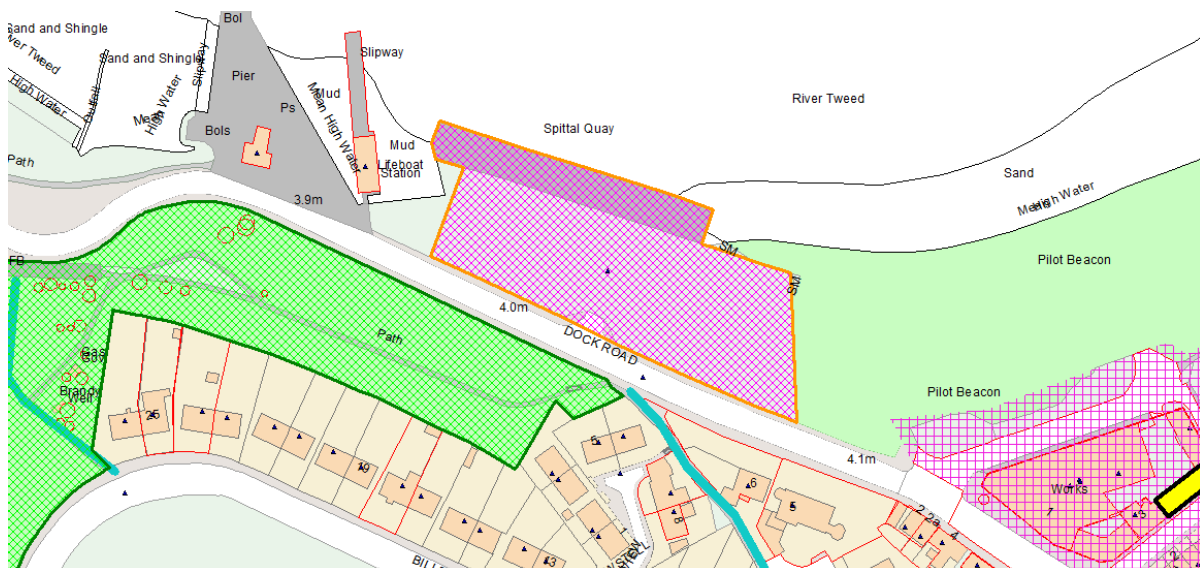


Northumberland County Council

North Northumberland Local Area Council Planning Committee 19 May 2022

Application No:	21/01355/FUL		
Proposal:	Resubmission: Re-development of a brown field site to create 30 new homes. A mix of apartments and houses.		
Site Address	Land East of Lifeboat House, Dock Road, Tweedmouth, Northumberland		
Applicant/ Agent	Mr Neil Craig 1 Longstone Court, Windmill Way West, Ramparts Business Park, Berwick Upon Tweed Northumberland TD15 1FA		
Ward	Berwick East	Parish	Berwick-upon-Tweed
Valid Date	29 April 2021	Expiry Date	1 December 2021
Case Officer Details	Name: Mr David Love Job Title: Senior Planning Officer Email: David.love@northumberland.gov.uk		

Recommendation: That this application be approved, subject to conditions and section 106 agreement for the contribution of £79,705.47 towards, health, open space, education and coastal mitigation and on-site affordable housing provision.



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the North Northumberland Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

2. Description of the Proposals

2.1 The application site sits to the south bank of the River Tweed located between Spittal and Tweedmouth. The land is currently cleared, used as a site compound for storage associated with a construction firm. The site is of a flat gradient with no significant defining features other than the dilapidated jetty that fronts the river to the north side which has been subject to some remedial stabilizing works. The land is flat to the east and west, the land to the south however rises in height affording properties along Billendean Road.

2.2 There is no built development to the West however there is the lifeboat house to the west. Otherwise, the site currently is of limited prominence within Spittal and Tweedmouth but is of a far greater visibility when viewed from Berwick

2.3 The proposal to which the application relates to a contemporary design with local historic references and materials:

- The layout has been resolved into 3 separate buildings, each with apartments flanked by town houses.
 - Set A to the east is 3 storeys facing Dock Road whilst Sets B & C are 4 storeys.
- The proposed buildings include larger areas of glazing and balconies facing north, overlooking the river and the view towards Berwick upon Tweed.
- To the South, facing Dock Road, each building has a centre of local stone marking the apartments
- Town houses and ground floor apartments also have gardens.
- Access is off Dock Road.
- The dwellings all share a communal garden as well as the use of the restored deck.

2.4 The site is re-claimed land and has a history of industrial workings.

3. Planning History

Reference Number: 19/00474/FUL

Description: Re-development of a brown field site to create 35 new homes. A mix of apartments and houses.

Status: REF

4. Planning Policy

4.1 Development Plan Policy

- Northumberland Local Plan 2016 - 2036
-
- STP1 Spatial strategy (Strategic Policy)
- STP2 Presumption in favour of sustainable development (Strategic Policy)
- STP3 Principles of Sustainable Development (Strategic Policy)
- STP4 Climate change mitigation and adaptation (Strategic Policy)
- STP5 Health and Wellbeing (Strategic Policy)
- STP6 Green Infrastructure (Strategic Policy)
- HOU2 Provision of New Residential Development (Strategic Policy)
- HOU5 Housing types and mix
- HOU6 Affordable Housing Provision (Strategic Policy)
- HOU9 Residential Development Management
- HOU 11 Homes for older and vulnerable people
- QOP1 Design Principles (Strategic Policy)
- QOP2 Good Design and Amenity
- QOP4 Landscaping and Trees
- QOP5 Sustainable Design and Construction
- QOP6 Delivering Well Designed Places
- TRA1 Promoting Sustainable Connections (Strategic Policy)
- TRA2 The Effects of Development on the Transport Network
- TRA4 Parking Provision in New Development
- ENV1 Approaches to Assessing the Impact of Development on the Natural, Historic and Built Environment (Strategic Policy)
- ENV2 Biodiversity and Geodiversity
- ENV7 Historic Environment and Heritage Assets
- ENV9 Conservation Areas
- WAT3 Flooding
- WAT4 Sustainable Drainage Systems
- WAT5 Coastal erosion and coastal change management
- POL1 Unstable and Contaminated Land
- POL2 Pollution and Air, Soil and Water Quality
- ICT2 Broadband Connectivity

4.2 National Planning Policy

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (2019, as updated)

4.3 Other Documents/Strategies

- National Design Guide 2019 (NDG)

5. Consultee Responses

Berwick-upon-Tweed Town Council	Objection to the original design proposals.
NCC (Northumberland County Council) Lead Local Flood Authority (LLFA)	No objection but should be considered alongside CPA (Coast Protection Authority) comment.

Historic England	No objection on heritage grounds.
Environment Agency	No objection.
NCC Public Protection	No objection subject to conditions.
NCC Building Conservation	Initially raised concerns with the original design proposals. However, there is no objection to the amended plans subject to this decision.
NCC County Archaeologist	No objection.
NCC County Ecologist	No objection subject to CMS (Coastal Mitigation Strategy) payment of £18,450 and conditions.
Natural England	No objection.
NCC Highways	Requested amendments to parking details.
NCC Health Care CG	Contribution of £15,900
NCC Affordable Housing	No comments received but comments on AH has been received by the policy team who raise no objection to this element of the proposals.
NCC Waste Management - North	No response received.
NCC Education - Schools	No contribution required.
Northumbrian Water Ltd	No objection subject to condition.
The Coal Authority	No objection.
Coastal Protection Agency	No objection subject to conditions relating to mitigation and management.
Marine Management Organisation	No objection.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	82
Number of Objections	13
Number of Support	4
Number of General Comments	2

Notices

Summary of Responses:

- Each objection raises comments in relation to the original design submission.
- The land should be used for a community project.
- The proposal will result in an impact on the views out from the existing properties to the rear.
- The construction methods could impact on the qualifying interests of the Tweed Estuary SSSI (Sites of Special Scientific Interest).
- Potential for adverse impact on the heritage of Spittal, Tweedmouth and Berwick.
- The proposal is essential for the regeneration of the wider area and the design is far superior to the original.
- There are not enough electric car charging points.
- Repair and retention of the timber jetty is welcomed.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QNUBPTQSL OD00>

7. Appraisal

7.1 All applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

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

7.4 Whilst a Neighbourhood Area for the purposes of preparing a Neighbourhood Development Plan for Berwick has been designated, the plan itself has not yet progressed to a state where it would be considered to have weight in the determination of a planning application.

The key issues with this application are as follows:

- Principle of Development.
- Townscape Impact.
- Impact on the Historic Environment.
- Highways and Transport Matters.
- Impacts on Amenity.
- Drainage and Coastal Erosion Matters.
- Design Matters.

- Ecology & Biodiversity Matters; and,
- Other Matters.

Principle of Development

7.5 The Local Plan's Policies Map identifies that the application site excluding the quayside jetty is within the proposed settlement boundary for Berwick-upon-Tweed, under Policy STP1, which defines it as one of the county's top-tier Main Towns where new development should be focused.

7.6 Policies STP3 and HOU2 support the redevelopment of previously developed 'brownfield' sites, in accordance with the NPPF objective of making the best use of land.

7.7 The National Design Guide is also relevant to this section of the report, specifically the section relating to 'uses'. Uses are one of the ten characteristics to be utilised when assessing proposals in design terms. This states that:

"Well designed neighbourhoods need to include an integrated mix of tenures and housing types that reflect local housing need and market demand. They are designed to be inclusive and to meet the changing needs of people of different ages and abilities. New development reinforces existing places by enhancing local transport, facilities, and community services, and maximising their potential use."

7.8 It is considered that as the proposal is for a mix of housing types and tenures required in the local community, this proposal responds well to this area of the NDG.

7.9 Subject to the above, the proposal is deemed to be consistent with the relevant development plan and material considerations as the proposal is for a residential development within the built-up area of Berwick/Tweedmouth and Spittal e.g., NPPF and the Northumberland Local Plan, as far as it is a residential development within the built-up area of the town.

Townscape Impact

7.10 Policies STP3, HOU9, QOP1, QOP2, QOP6, ENV1, ENV3, ENV7, ENV9 are relevant to matters relating to townscape and the context in which a proposal will be viewed.

7.11 The National Design Guide (September 2019) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to townscape, these would be 'Context', 'Identity' and 'Built Form'. The use of the proposal is deemed to be appropriate.

7.12 The first of the ten characteristics is 'Context'. The national design guide clarifies that

"Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones."

7.13 It is considered that the proposal offers a well-informed design solution to a challenging site. The site requires remediation, is juxtaposed between three

conservation areas and the timber jetty requires significant works. The blocks are well spaced and takes account of similar scale schemes approved elsewhere in the locality. Through views are maintained by virtue of the three separate blocks with landscaping and boundary treatments offering a softening of the development that ties in with the woodland to the rear.

7.14 'Identity' is also a key characteristic. It is considered that well designed new development is influenced by an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape, and local architectural precedents; the characteristics of the existing built form; the element of a place or local places that make it distinctive; and other features of the context that are particular to the area. Further to this the NDG states

"well designed places are visually attractive and aim to delight their occupants and passers-by. They cater for a diverse range of residents and other users. All design approaches and architectural styles are visually attractive when designed well" and goes further to state *"Well designed places appeal to all our senses. The way a place looks, feels, sounds, and even smells, affects its enduring distinctiveness, attractiveness, and beauty"*

7.14 'Built Form' is a further key characteristic relevant to this section. The NDG states

"Well designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context. Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context accessibility, the proposed building types, form, and character of the development."

7.15 The proposal fits within the landscape character, being in an urban location, and unlikely to be visible beyond the Tweed Estuary area. Given recent permissions along the estuary's urban boundary the proposal will add a positive addition to Dock Road which has a significant industrial heritage. The site also acts as a gateway to Spittal and this proposal will enhance the approach to the village. The design of the proposal will complement the existing built environment and set a positive identity to the wider area.

7.16 The proposal is deemed to be compliant with STP3, HOU9, QOP1, QOP2, QOP6, ENV1, ENV3, ENV7 and ENV9 from the NLP (Northumberland Local Plan) in relation to the impact the proposal would have on the townscape of the area.

Impact on the Historic Environment

Listed Buildings, Conservation Area and Archaeological Matters

7.17 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.18 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to

grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.19 The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.20 The National Planning Policy Framework (NPPF) is a material Planning consideration in the assessment of the application, with Chapter 16 particularly relevant to the historic environment. Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of several criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.21 Policies STP3, QOP1, QOP2, QOP6, ENV1, ENV7 and ENV9 from the Northumberland Local Plan are relevant to the assessment of the proposal in terms of its impact on the Historic Environment.

7.22 The application has been considered in line with paragraphs 8, 11, 184, 185, 187, 189, 190, 194, 195, 196, 197 and 199 and footnote 63 of the National Planning Policy Framework (NPPF).

7.23 The National Design Guide (September 2019) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to townscape, these would be 'Context' and 'Identity'. 'Context' is:

"the location of the development and the attributes of its immediate, local and regional surroundings". and "Well-designed places are: based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design; integrated into their surroundings so they relate well to them; influenced by and influence their context positively; and, responsive to local history, culture and heritage." 'Identity' refers to "The identity or character of a place comes from the way that buildings, streets and spaces, landscape and infrastructure combine together and how people experience them. It is not just about the buildings or how a place looks, but how it engages with all of the senses. Local character makes places distinctive. Well-designed, sustainable places with a strong identity give their users, occupiers and owners a sense of pride, helping to create and sustain communities and neighbourhoods."

and

"Well-designed places, buildings and spaces: have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion; have a character that suits the context, its history, how we live today and how we are likely to live in the future; and are visually attractive, to delight their occupants and other users."

7.24 The following listed buildings are within the setting of the proposed development:

- PAIR OF SMOKEHOUSES Grade II - 150m to the east.
- FISHING SHIEL Grade II - 200m to the east.
- BELL TOWER AND REMAINS OF TOWN WALLS Grade I - 500m to the north

7.25 The Lifeboat House at Tweedmouth is a non-designated heritage asset adjacent to the proposed development. It was built in 1901 and moved to its current location in the 1930s. The site lies approximately 500m south of Berwick upon Tweed Conservation Area. It lies approximately 300m southeast of the Tweedmouth Conservation Area. It lies approximately 90 m northwest of the Spittal Conservation Area. The medieval and post-medieval fortifications at Berwick upon Tweed, a Scheduled Ancient Monument lie 500m to the north.

7.26 Historic Ordnance Survey map evidence appears to show that there were no obvious structures on the site until the early 20th century when the Fish Quay was constructed. In addition, borehole data from the site shows that there is a significant build-up of deposits containing brick, ash and other modern finds which reflect the build-up of deposits across the site during the construction and use of the Fish Quay.

7.27 The County Archaeologist has been consulted and has commented that the following

The proposed development comprises three blocks ranging from 3 to 6-storey in height on the site of the 20th century fish quarry, c.500m south of Berwick's medieval and post-medieval fortifications which have been designated as a scheduled monument due to their national significance. The site is also located in proximity to conservation areas and listed buildings but assessing this application from an archaeological perspective, I have focussed on the potential indirect (visual) impact of the development on the scheduled monument to the north and direct (physical) impact on below ground archaeological remains. I will deal with each of these issues in turn.

"The information originally submitted included a number of photomontages / wireframes simulating views from a number of locations identified by the applicant. Based on this information, it was not considered that the proposed development would significantly alter the skyline in views from the town walls (as a scheduled monument) or compete with the chimney at Spittal Point (a non-designated heritage asset)."

"A development of this scale and in this location has potential to engage with and effect the setting of designated and undesignated heritage assets (including but not limited to the Berwick Town Walls) and the contribution that 'setting' makes to their heritage significance."

7.28 To summarise, the County Archaeologist states *"there are no objections to the application as currently proposed on archaeological grounds. No archaeological work is recommended in connection with the application in its present form."*

7.29 The Building Conservation Officer has been consulted and originally objected. However, since the submission of the amended plans they have commented:

"Whilst pedestrians and road users would experience some change in their outlook from Dock Road, a view through the residential blocks would remain through the wider

communal garden - and over the side gardens of the terraced houses which would form the two ends of each of the three blocks. The scale of the development adjacent to the Lifeboat House has been stepped down and would not overshadow the view from Tweedmouth Conservation Area (riverside sub area) towards Spittal Point to the same extent.

Whilst the proposal would still result in 'less than substantial harm' to the wider setting and appreciation of the Conservation Areas, this is now classed as negligible and would be alleviated by the heritage gain brought about by the restoration of the jetty and the inclusion of a riverside vantage point at the end of the communal garden, with views over the river to the Berwick townscape, east towards Spittal Point and the sea, and west along the river towards the listed bridges. Interpretation (panel or public artwork) of the historic use and views out from the site, should be incorporated into the landscaping scheme, and secured by condition."

7.30 Historic England have also commented on the proposal and have offered that they have no objection to the proposal and consider the design direction to be appropriate.

7.31 The proposal offers a suitable design solution to a Brownfield site with appropriate levels of public benefit. This includes the remediation of any contamination resulting from the historic use and the restoration of Spittal Quay jetty, which is a non-designated heritage asset. This has been welcomed by officers.

7.32 With specific reference to the policies of the Northumberland Local Plan, policy STP3, QOP1, QOP2, QOP6, ENV1, ENV7 and ENV9 are relevant to this application with respect to the historic environment, it is considered that this proposal does comply these policies for the reasons mentioned above.

7.33 Subject to the above, the proposal is deemed to consistence with the relevant development plan policies and material considerations e.g., NPPF, NLP and the National Design Guide.

Highways and Transport Matters

7.34 The proposed development site is located on the C426, Dock Road, a section of adopted highway which provides a link route between Tweedmouth and Spittal, and access to the neighbouring properties, dwellings, facilities, and businesses.

7.35 The National Design Guide (September 2019) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Highways and Transport matters, these would be 'Movement' and 'Built Form.'

7.36 In terms of movement the NDG states:

"A well-designed movement network defines a clear pattern of streets that: is safe and accessible for all; functions efficiently to get everyone around, takes account of the diverse needs of all its potential users and provides a genuine choice of sustainable transport modes; limits the impacts of car use by prioritising and encouraging walking, cycling and public transport, mitigating impacts and identifying opportunities to improve air quality; promotes activity and social interaction, contributing to health, well-being, accessibility and inclusion; and incorporates green infrastructure, including

street trees to soften the impact of car parking, help improve air quality and contribute to biodiversity.”

7.37 Policies STP3, HOU2, HOU9, QOP1, QOP2, QOP5, QOP6, TRA1, TRA2, and TRA4 from the Northumberland Local Plan are also relevant to this application.

7.38 The Council’s Highways Development Management Team (HDM) have been consulted on this application; they have commented that:

“Pedestrian and vehicular access to the site can be accommodated via the existing access onto the C426, Dock Road, which has existing footways and street lighting; bus stops are located within 200 metres of the site access providing links within the Berwick area, the C426 forms part of National Cycle Route, and cyclists are able to utilise the existing highway carriageway.

Due to the location of this site, and that the C426, Dock Road, forms part of NCR1, it is recommended that as a result of this proposed development, a section of 3-metre-wide shared cycleway/footway is provided along the frontage of the development site, which will in future be extended to the east and west. It is considered that the provision of this cycleway/footway will tie-in with the Local Cycling and Walking Infrastructure Plan for Berwick-Upon-Tweed, which is currently being reviewed, as well as the sustainable transport principles of NPPF (2019).

Details of these works will be required as part of this development and will be secured by condition. The information must include details of a coloured surface across the access to the new development to highlight the presence of cyclists on the carriageway.

It is noted from the submitted Design & Access Statement, section 5.4, that the internal layout of the site is to be designed around shared vehicular and pedestrian use, providing sloping paths to the units which do not exceed 1 in 20, and ramped access route from one unit to the car parking area which does not exceed 1 in 15.”

7.39 In terms of road safety, the following is offered

“The proposed development site is to be accessed from an existing vehicular access onto the C426, Dock Road, in Tweedmouth, which has a 30mph speed limit, no current parking restrictions, and existing street lighting and footways. It is noted that there have been no recorded road traffic incidents within the vicinity of the development site within the previous five-year period.

It is advised that as a result of this development engineering details of the access arrangements from the C426, Dock Road, will be required, and can be secured by condition. This information must include details of the access entry width, raised table area (longitudinal and cross sections), visibility splays, and any proposed boundary treatments along the frontage of the development site.

It is considered that the internal road layout of this development site will not be adopted by Northumberland County Council and will remain maintainable by owner/occupiers’ expense.”

7.40 For all sites, developers are expected to provide the minimum level of car parking, unless it can be demonstrated that the parking provision is considered appropriate. The following has been offered in relation to car parking

“Details of car parking has been given as part of the application, Design & Access Statement section 5.6, and car parking arrangements have been shown on the submitted site layout plans.

It is noted that the internal layout of the site is to remain private, for residents' access and parking only, and it is advised that the car parking provision must be in accordance with paragraph 105 of the NPPF (2019) and Northumberland County Council's car parking standards. Due to the layout and type of residential development proposed, it is advised that communal car parking standards are applied to this site.

The submitted car parking area has been reviewed, and it is considered the proposals are acceptable and appropriate for a development of this type and scale. The applicant is advised that in accordance with paragraph 110 of the NPPF (2018) the development should incorporate facilities for charging plug-in and other ultra-low emission vehicles, and this is noted in section 6.4 of the submitted Design & Access Statement, and details will be secured by condition.

The applicant is advised that no dwelling shall be occupied until the car parking provision has been implemented and shall thereafter be retained at all times for the parking of vehicles associated with the development.”

7.41 In terms of cycle parking the proposal includes access to storage areas for cycles, this is acceptable for the storage of bicycles with a condition recommended to secure this to be appended to the report and any grant of permission in relation to this proposal.

7.42 In terms of Highway Works the following comments are offered

“It is considered that the applicant will be required to enter a S184 Agreement with the Highway Authority to make modifications to the existing access on to the C426, Dock Road. The access must be constructed to Northumberland County Council's standards, with the first fifteen metres hard surfaced, appropriate surface water drainage measures to prevent run off onto the adopted highway, and visibility splays in accordance with the speeds of vehicles using this section of road.

As a result of this development the applicant will be required to enter a S278 Agreement with the Highway Authority to construct the 3-metre-wide shared cycleway/footway route along the frontage of the development site. Full details of these works will require technical approval through the S278 Agreement process and will be secured by condition.

It is noted from the submitted Design & Access Statement, section 5.3, that the applicant intends to provide a 4.5-metre-wide access, with 4.5 metre radius, together with 2.6-metre-wide footways. These details will require minor amendments to accommodate the 3-metre-wide shared cycleway/footway. In addition to this, the site access is to be gated with the entrance gates set back 11 metres from the highway and 2.4 by 40 metre visibility splays at the junction with Dock Road.

It is considered that the internal road layout will remain under private ownership, and not maintainable at public expense.”

7.43 In terms of Highway land and property issues it is understood there are no highway land or property issues to address as a result of this application. It is noted that a private management company will maintain the internal layout of the site, including landscaping/planting and refuse servicing/collection requirements.

7.44 In terms of refuse storage, the following is offered

“Details of refuse storage and servicing have been provided as part of the application, the submitted Design & Access Statement section 5.7, and shown on the submitted plans. It is considered that the proposed refuse storage facilities for this residential development, and the servicing scheme for the site, are acceptable and appropriate for a development of this type and scale.”

7.45 In terms of lighting, limited details have been submitted at this time. It is noted that low level lighting is referred to on the application form, however this has not been identified on the submitted plan. It is considered that any standard external residential lighting may not have an adverse impact on highway safety at this location, however the applicant is advised to provide details of any required lighting. These details will be secured by condition.

7.46 This proposal is deemed acceptable from a movement perspective. The proposal provides sufficient parking, with scope for adequate pedestrian and cycle movements and potential for cycle storage, the high-density approach enables a concentration of residential development within the built-up town, which public transport can be accessed.

7.47 To summarise the above, the HDM team have not raised any objection to the proposal, subject to the conditions suggested. HDM have confirmed that they consider the proposal to comply with relevant highways planning policies and appropriate material considerations. The proposal is therefore considered to be in accordance with relevant policies of the NLP and other material considerations such as the relevant elements of the NPPF.

Impact on Amenity

7.48 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.

7.49 NPPF Chapter 12 requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive, and safe places.

7.50 Policy QOP2 from the Northumberland Local Plan is also relevant to this application, and it is considered that the proposal is in general conformity with these.

7.51 The National Design Guide (September 2019) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to amenity matters, these would be 'Built Form', 'Homes and Building'.

7.52 The 'Built Form' section of the NDG states that *“well-designed places have compact forms of development that are walkable, contributing positively to well-being and placemaking”*

7.53 The 'Homes & Buildings' section of the NDG states that

“Well-designed homes and buildings: provide good quality internal and external environments for their users, promoting health and well-being; relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion; and resolve the details of operation and servicing so that they are unobtrusive and well-integrated into their neighbourhoods.”

7.54 On this basis the impact on amenity is considered acceptable as there are open spaces within 5 minutes walking distance of the site, as assessed by the case officer. Additionally, the area of woodland to the rear of the site is filled with footpaths and easily accessible.

7.55 Comments regarding amenity concerns have been received from nearby occupiers and whilst the concerns raised have been taken into consideration in this recommendation, it is not considered they represent an appropriate reason for refusal in this instance. Officers are satisfied that the distances between properties and the new development are of such significance as to not impact on privacy, sun and day lighting.

Design Matters

7.56 Chapter 12 of the NPPF relates to Design Matters, with paragraph 127 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in developments. Paragraph 132 also adds to this by stating that the Design quality should be considered throughout the evolution and assessment of individual proposals. In this instance the applicant has worked closely with the planning authority to develop the proposals and they have, where possible, taken account of the comments from third parties.

7.57 High quality design supports the creation of good places and has a positive impact on health, wellbeing, and happiness. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe, and pleasant, easy to move around, welcoming, adaptable, and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located.
- demonstrate an understanding of the historical development of the site.
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape.
- provide appropriate densities depending on their existing characteristics; and,
- incorporate and use features worthy of retention, including natural features, buildings, and views

7.58 Policies STP3, STP4, STP5, HOU2, HOU5, HOU9, QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ENV1, ENV2, ENV3, ENV4, ENV7, ENV9, WAT1, WAT2, WAT3, WAT4, WAT5, POL1 and POL2 from the Northumberland Local Plan are also relevant to this application in relation to design matters.

7.59 The National Design Guide (September 2019) is also relevant to this element of the report. All the ten characteristics are relevant to this section of the report. These include: *'Context,' 'Identity,' 'Built Form,' 'Movement,' 'Nature,' 'Public Spaces,' 'Uses,' 'Homes and Buildings,' 'Resources,'* and *'Lifespan.'* The vast majority of these are relevant to assessing the design impact of the proposal. It is considered that context and impact on amenity are the key matters in relation to this proposal.

7.60 Well-designed new development responds positively not only to a site itself but to the surrounding context, including any designated heritage assets that exist. Development should enhance positive qualities and, importantly, improve negative ones and the applicants have shown a desire to respond and create a building that attempts to acknowledge and reflect the settlement within which it would sit.

7.61 Comments raised in earlier sections of this report cover many distinct aspects of design as this is a cross cutting area, which affects how a proposal is put together. This section attempts to bring those considerations together. The proposal proposes to introduce a residential use to a long vacant industrial, waterfront site, this, as identified earlier in the report is acceptable, with the proposal also deemed to be acceptable in respect of *'Movement'* (Highways and Transport related matters). This section focuses on other factors such as *'Context,' 'Identity,' 'Built Form'* and *'Homes and Buildings'.* Whilst other later sections address issues such as *'Nature,' 'Resources'* and *'Lifespan'* in greater detail.

7.62 The building would add positively to the existing character of this area and the mouth of the River Tweed and result in a development that will complement three wider historic environments through a contemporary design solution. The importance of the site lends itself to a statement building and a gateway feature and this development is considered to meet with this aspiration. It is therefore considered that the proposal builds on the *'identity'* of its locality, with the *'built form'* appearing adding positively with its surroundings.

7.63 On this basis the design and visual impact is considered acceptable and takes the opportunity to improve the character and quality of an area and the way it functions. It therefore is in accordance with relevant policies from the development plan, the relevant sections of the NPPF and the relevant policies from the Northumberland Plan and other material consideration e.g., National Design Guide.

Drainage Matters

7.64 The relevant policy in relation to Drainage matters are Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 'Water Environment' of the Northumberland Local Plan also being relevant to this section.

7.65 The appropriate policy in the 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.

7.66 The National Design Guide (September 2019) is also relevant to this element of the report, particularly the section relating to ‘resources’

7.67 In relation to ‘resources’ the NDG states “*Well designed places: have a layout, form, and mix of uses that reduces their resource requirement, including for land, energy, and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact*”

7.68 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), and the Environment Agency.

7.69 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. There are no other objections from the relevant bodies in relation to this matter.

7.70 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan and the NPPF

Coastal Protection Matters

7.71 This proposal is on the coast, and it is therefore deemed appropriate to appraise the proposal against its impact on Coastal Protection.

7.72 Paragraph 168 of NPPF states

“Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that: a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change; b) the character of the coast including designations is not compromised; c) the development provides wider sustainability benefits; and d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast.”

This is further supported by PPG (Planning Practice Guidance) Flood Risk and Coastal Change paragraphs 73, 74 and 75.

7.73 The National Design Guide (September 2019) is also relevant to this element of the report, particularly the section relating to ‘resources’

7.74 In relation to ‘resources’ the NDG states “*Well designed places: have a layout, form, and mix of uses that reduces their resource requirement, including for land, energy, and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact*”

7.75 At present the details included within the coastal vulnerability documentation submitted to the LPA (Local Planning Authority) are compliant with the 2019 NPPF or the PPG Flood Risk and Coastal Change. The vulnerability assessment has conclusively demonstrated that the proposed development will be safe over the lifetime of development from coastal erosion subject to the identified management and mitigation.

7.76 Further to this The Northumberland and North Tyneside Shoreline Management Plan - The Scottish Borders to River Tyne identifies the site to be within the Tweedmouth Estuary South. The policy here is to hold the line with defences to be raised in 50 years.

7.77 This is echoed with the requirement for a buffer zone with further details given in the Cell 1 Monitoring 2018 walk over.

“Beach levels continue to remain high to the face of the dunes through to Sandstell Point, with some repair of the erosion seen in 2016 over the central section. The northern end of the frontage remains healthy but has changed since 2016. The following images show the variation both by position and over time. These changes are linked to the change in the Sand Still Point bank across the mouth of the estuary and the associated movement of the channel. A comparison of this change based on 2015 and 2017 Lidar is shown following the images of the frontage. The SMP recommends that a buffer zone is recognised to allow for change.”

7.78 The supporting information details management and mitigation measures. The CPA has agreed with these, and they form part of the conditions.

7.79 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF (Chapter 14), and with those in the Local Plan.

Ecology & Biodiversity Matters

7.80 NPPF, Chapter 15, Paragraph 170 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 175 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 incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

7.81 Policies STP3, STP6, QOP1, QOP4 and QOP6 from the Northumberland Local Plan are relevant to assessing the impact of the proposal from an ecological and biodiversity perspective.

7.82 The National Design Guide (September 2019) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecology and Biodiversity, these would be the 'nature' section.

7.83 This states that:

“Well designed places: integrate existing and incorporate new natural features into a multifunctional network that supports quality of place, biodiversity and water management, and addresses climate change mitigation and resilience; prioritise nature so that diverse ecosystems can flourish to ensure a healthy natural environment that supports and enhances biodiversity; provide attractive open spaces in locations that are easy to access, with activities for all to enjoy, such as play, food production, recreation and sport, so as to encourage physical activity and promote health, well-being and social inclusion.”

7.84 The application has been submitted with an Ecology Survey which has been subject to assessment in consultation with the County Ecologist and Natural England.

7.85 There are no objections to the application from Natural England and the County Ecologist. The HRA has concluded that there will be no adverse impacts subject to a contribution towards the CMS.

7.86 Following the assessment of the above, it is considered that the proposal is compliant Chapter 15 of the NPPF and the relevant policies of the Local Plan.

Off Site Ecology and Biodiversity Matters

7.87 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC (Special Area of Conservation) 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 Cullernose Point SSSI.

7.88 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.

7.89 The site is of a quantum of development that requires financial contributions to make this acceptable in planning terms. In this instance in relation to Off Site Ecological Matters.

7.90 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.

7.91 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.

7.92 The applicant has agreed to pay in principle a contribution of £600 per residential dwelling for coastal warden work, secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation and has similarly concluded that there will be no significant harm to any SSSIs. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.93 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed.

Affordable Housing

7.94 The applicant intends to provide four units on site as discount market value (DMV) housing. This will allow local individuals to buy a primary property in the area. There is no identifiable issue with second homes in the market area as set out within policy HOU 10.

7.95 Policy HOU 6 sets out the requirements for affordable housing. In the first instance the LPA will always seek an on-site provision over a commuted sum. In this instance the site lies within an identified low value area therefore the policy only seeks 10% provisions. The applicant has agreed to provide four units as required by policy. The following comments have been provided by the policy team which backs up the above assessment:

“In terms of Policy HOU6, this area of Berwick falls within a low value area, for which a minimum 10% affordable housing provision would be required (involving 100% affordable home ownership products). This would require at least 3.1 units, rounded up to 4 affordable homes, as is now proposed in the amended scheme that would provide 4 DMV homes.”

7.96 Policy HOU11 additionally now requires 20% of new market homes and 50% of new affordable homes to meet the enhanced M4(2) accessibility and adaptability standards of the Building Regulations. The application does not set out details of how the proposal will seek an appropriate level of access for those with impaired mobility. However, the LPA has dealt with this issue via a condition.

7.97 In this regard the proposal is consistent with the affordable housing requirements of policy HOU 6 and the access requirements of HOU 11.

Other Matters

7.98 The site is of a quantum of development that requires financial contributions to make this acceptable in planning terms. In this instance in relation to Off Site Ecological Matters and Healthcare Contributions.

7.99 The National Planning Practice Guidance sets out that the healthcare infrastructure implications of any relevant proposed local development can be considered in determining planning applications.

7.100 Further to this INF6 of the NLP is also relevant to the determination of this application.

7.101 The NHS Northumberland Clinical Commissioning Group has advised the practices in Berwick are already experiencing capacity pressure for its existing patients at GP Surgeries in Berwick.

7.102 In this case, a single payment of £15,900 is required from the developer as a Section 106 contribution to allow a smooth implementation of the required surgery capacity expansion, and this should be on completion of the first dwelling to ensure the new health capacity is in place as the dwellings are occupied.

7.103 A contribution to the Council's Coastal Mitigation Service is also being sought, this is addressed further in the off-site ecological matter section of this report, however, for information purposes this contribution equates to £18,450.

7.104 Given the proposal falls below the threshold for which education contributions are sought and the capacity in the catchment area schools, no education contribution being sought.

Equality Duty

7.105 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

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

Human Rights Act Implications

7.107 The Human Rights Act requires the County Council to consider 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.

7.108 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.

7.109 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, 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 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 The application has addressed the main considerations and would accord with relevant policy framework as set out in the appraisal. The proposal is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Timescale

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)

Approved Details

02. The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans:

Location Plan

Revised Site Plan A 01

Block B/C - Elevations A 04

Block A – Elevations A 02

Revised Full Site Elevations A 08

Block A – Floorplans and Section A 03

Block B/C - Floorplans and Section A 05

Roof Plan – Block A A 06

Roof Plan – Block B/C A 07

Spittal Quay Design and Access Statement March 2021 revised December 2021

GMC Developments Ltd. (2019). Drainage Strategy. Berwick upon Tweed: GMC Developments Ltd.

GMC Developments Ltd. (2021a). Construction Methods Document - Spittal Quay, Berwick upon Tweed. Berwick upon Tweed: GMC Developments Ltd.

GMC Developments Ltd. (2021b). Works to timber deck & revetment - Spittal Quay, Berwick upon Tweed. Berwick upon Tweed: GMC Developments Ltd.

Spittal Quay Jetty, ELD Lighting Design, 02/08/21.

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

Construction Method Statement

03. 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.

Completion of highway works before occupation

04. Notwithstanding the details provided, no development above damp proof course level shall commence until details of the proposed highway works for both West

(exit only) and East (exit only) vehicular access points (amendments to the site access together with the provision of a 3 metre wide shared cycleway/footway along the frontage of the site, together with drainage, street lighting, signage and associated works) have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

External lighting

05. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

Implementation of car parking area

06. The development shall be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, 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.

Implementation of cycle parking

07. The development shall be occupied until cycle parking shown on the approved plans have been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be always kept available for the parking of cycles.

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

Surface water drainage (Private Land)

08. 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: To prevent surface water run-off 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.

Details of Electric Vehicle Charging to be submitted

09. Prior to occupation details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. 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 always kept available for the parking of electric vehicles.

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

Refuse

10. No external refuse or refuse container 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.

Foul Water Drainage

11. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

Ground Gas Protection

12. 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+A1:2019 Code of Practice for the Design of Protective Measures for Methane and Carbon Dioxide Ground Gases for New Buildings (or any subsequent version), 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: To prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the users/occupants of the proposed building.

Validation and Verification of Ground Gas Protection

13. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 11 which has been approved in writing by the LPA.

Reason: To prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the users/occupants of the proposed building.

Potentially Contaminated Land

14. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been 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 the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) 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.

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.

Contaminated Land Verification

15. The development hereby permitted shall not be brought into use or continue in use until 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.

Contamination not Previously Discovered

16. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a 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 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.

Noisy Working Hours

17. During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

- Monday to Friday - 0800 to 1800.

- Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

Construction Delivery / Collection Hours

18. Deliveries to and from the site during the construction phase of the development shall only be permitted between the hours:

- Monday to Friday - 08:00 to 18:00
- Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

Ecology

19. To ensure there is a net gain for biodiversity the following features will be included as part of the development:

- 15 built-in swift boxes (in total) to be constructed within the fabric of the new buildings on the eastern elevations at height under the eaves, grouped 5 together in a straight line away from windows.

Prior to first occupation of each block photographic evidence will be submitted to and approved by the LPA demonstrating that this work has been done.'

Reason: To enhance local biodiversity in line with the NPPF and Local Plan Policy ENV2.

Materials

20. Prior to the commencement of the above ground works the applicant shall submit details of proposed materials for the prior agreement of the planning authority. The development shall then be implemented as per the approved details.

Reason: In the interest of ensuring an appropriate level of design.

Landscaping

21. Prior to the commencement of development, a detailed landscaping scheme, showing both hard and soft landscaping proposals, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include, where required, [the planting of trees and shrubs including a planting schedule setting out species, numbers, densities and locations, the provision of screen walls or fences, the mounding of earth, the creation of areas of hard standing, pathways, etc., areas to be seeded with grass, and other works or proposals for improving the appearance of the development. The scheme shall be carried out in accordance with the approved drawings not later than the expiry of the next planting season following commencement of the development, or within such other time as may be approved with the Local Planning Authority. The landscaped areas shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any plants, or areas of seeding or turfing comprised

in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion.

Jetty Restoration

22. Prior to the commencement of works the applicant shall provide details of the maintenance of the non-designed timber jetty. Once approved the development shall be implemented as per these approved details.

Reason: In the interest of securing a non-designated heritage asset.

Communal Garden Space

23. Prior to the commencement of works the applicant shall provide details of the interpretation boards in the communal garden space that detail the history of the site and wider area. Such work shall include location, size, materials and content of these boards, and maintenance. Once approved the development shall be implemented as per these approved details.

Reason: In the interest of securing a non-designated heritage asset.

Broadband Connectivity

24. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

Climate Change

25. Notwithstanding the details submitted with the application, prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

Disability

26. Prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how at least 50% of the new dwellings will meet or exceed the enhanced accessibility and adaptability housing standards in compliance with Requirement M4(2) of the Building Regulations (or any equivalent successor standards) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken fully in accordance with the approved scheme.

Reason: To ensure that the new homes are accessible and adaptable to meet the needs of residents now and in the future, in accordance with Policy HOU 11 of the Northumberland Local Plan and the National Planning Policy Framework.

Informatives

Alterations to access

Agreement required for the construction of the improved site access/junction to the C426, Dock Road, for the exit only dropped kerb on footpath proposed at the east and west of the site on the Dock Road together with a 3-metre-wide shared cycleway/footway along the frontage of the site, including associated kerbing, drainage, and street lighting.

Alterations to vehicle crossing point (S184)

You should note that alterations to the existing vehicle crossing point(s) are required. This work should be carried out before the 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: northernareahighways@northumberland.gov.uk.

Highway works under Section 278 Agreement

The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980: construction of 3-metre-wide shared cycleway/footway along the frontage of the development site, together with drainage, street lighting, signage, and associated works.

Reminder to not store building material or equipment on the highway

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 licenses.

Contact Lighting Section

You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect to street lighting to ensure sufficient illumination levels of the public highway.

Reminder to not deposit mud/ debris/rubbish on the highway

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

Ground Gas Protection

Sealing and Verification of Service Ducts (should gas protection be required) The applicant should ensure that as well as the top-hat being secured to the membrane (tape or weld) that the internal annulus of the duct holding each of the service pipes and conduits (water, gas, electric etc.) should be filled with a closed cell expanding foam such as FILOseal+ or FILOseal+HD produced by Filoform UK Ltd: <https://www.filoform.co.uk/catalog/category/view/s/re-enterable-duct-sealing-system/id/9/>

The applicant should submit additional verification of how the annulus in the dwellings has been sealed, with what method and with photographic evidence. Materials Handling – Construction If any contaminated materials are to be reused onsite (or removed offsite) then The Definition of Waste: Development Industry Code of Practice (CL:AIRE Version 2 March 2011) may apply and the reuse of these onsite may require a specific license or permit from the Environment Agency. More information is available at: <https://www.claire.co.uk/projects-and-initiatives/dow-cop>

Burning Materials Onsite

There shall be no burning of any material associated with the construction phase on the site.

Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

In all cases, the Council retains its rights under Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

Marine Licensing

The applicant may need to seek permission from the National Marine Organisation prior to undertaking any identified maintenance or dredging works identified during regular maintenance checks.

The Coastal Cell survey should be reviewed as part of the inspections to of the structure and any works identified as required within this undertaken as deemed necessary. These reports can be found the via the North East Coastal Observatory website - <https://www.northeastcoastalobservatory.org.uk/>



Northumberland County Council

North Northumberland Local Area Council Planning Committee 19 May 2022

Application No:	21/00346/OUT		
Proposal:	Outline Application with all matters reserved for demolition of existing cottage and construction of up to 4no. residential dwellings (Use Class C3)		
Site Address	Braemar, Beach View, Boulmer, Northumberland, NE66 3BW		
Applicant:	Mr & Mrs Stanton Care of Agent, 1 Hood Street, Newcastle-upon-Tyne, NE1 6JQ	Agent:	Mr Daniel Puttick 1 Hood Street, Newcastle-upon-Tyne, NE1 6JQ
Ward	Longhoughton	Parish	Longhoughton
Valid Date:	2 February 2021	Expiry Date:	31 August 2021
Case Officer Details:	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to conditions and a Unilateral Undertaking by virtue of Section 106 of the Town and Country Planning Act 1990 (as amended) to secure a financial contribution towards the Council's Coastal Mitigation Service.



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1. Introduction

- 1.1 Under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the North Northumberland Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

2. Description of the Proposals

- 2.1 Outline planning permission with all matters reserved is sought for the demolition of the existing dwelling and for the construction of up to four dwellings at Braemar, Beach View, Boulmer. Matters relating to appearance, means of access, landscaping, layout and scale are all reserved for future applications on the site.
- 2.2 The application proposes to construct four new dwellings within the grounds of the existing dwelling, Braemar, with the existing dwelling proposed to be demolished. The application has been supported by an indicative proposed site plan which shows the siting of four dwellings (two sets of semi-detached dwellings) with associated car parking and amenity space. The proposed indicative site plan indicates that the proposed dwellings would have a ridge height of 7.2 metres. The existing access point in the eastern corner of the site would be removed and the proposed units would be accessed by two vehicular access points along the south eastern site boundary, with each vehicular access point serving two units. The layout shown on the proposed site plan has been submitted purely for indicative purposes only. The application has also been supported by a Design Code Document which indicates that each unit could be 2-bedroomed, traditional in form and massing and 1.5 to 2 storeys in height. The Design Code Document also indicates that the eaves and ridge heights of the units could reflect those of the neighbouring properties at Beach View and to the south west of the site. The Design Code Document indicates that the design cues have been taken from the architecture of the existing built form within Boulmer and surrounding the application site and thus the units could be constructed of natural coursed rubble stone, or potentially render, with a slate tiled roof. Whilst information has been provided regarding the design and appearance of the dwellings within the Design Code document, it is acknowledged this document has been submitted for indicative purposes only, as the application is in outline with all matters reserved.
- 2.3 The application site is located within a row of residential properties in the small village of Boulmer. The application site is within the Northumberland Coast Area of Outstanding Natural Beauty (AONB), is within a Coastal Mitigation Zone and is within the Heritage Coast. The application site is also within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI).
- 2.4 During the course of the application, the applicant has submitted additional and revised information and plans to address the initial concerns raised by the case officer, the Council's Highway Development Management (HDM) team, the

Northumberland Coast AONB Partnership and the Council's Ecology team. Full re-consultation has been undertaken as a result of the changes to the layout on the indicative proposed site plan.

3. Planning History

3.1 No planning history for this site.

4. Consultee Responses

Natural England	No objection subject to appropriate mitigation.
County Ecologist	No objection subject to conditions, informatives and a financial contribution to the Council's Coastal Mitigation Service.
Northumberland Coast AONB	<p>The AONB Partnership have no objection to the application; however, they raise some concerns over the style of the parking provision and request that any new housing on this site is restricted to principal residency.</p> <p>The revised design is a more appropriate response to the streetscape of Beach View, and the character and appearance of Boulmer than the original design. Detail for the scale, massing and materials of the houses has been set out in the Design Code Document and are considered acceptable, and the revised site plan demonstrates the new houses sit within the existing form and layout of Beach View.</p> <p>The proposed parking provision is off-street in front of the houses. Whilst this is not considered the most attractive way to provide parking (ideally parking would be to rear or to the side of the houses to avoid cluttering the front elevations and to provide a stronger boundary to the street), it is preferable to the original cul-de-sac layout proposed, and in consideration of the designated landscape, it would be a difficult case to argue undue impact from the off-street parking proposed here. Further, HDM has considered the parking provision for the revised layout and found it to be adequate.</p> <p>In light of the additional information submitted by the applicant and the most recent response from HDM, the AONB Partnership consider that a full planning application is not required in this instance.</p>
Longhoughton Parish Council	The Parish Council object and recommend refusal of the application. The Parish Council note the changes to the layout of the proposed dwellings on the revised site plan; however, the amended layout does not address the original comments made by the Parish Council in relation to the scale of the development, overdevelopment of the site, car parking, impact on the AONB, impact on the character of the area, access, design, tenure/ownership of the dwellings, removal of vegetation and inappropriate frontage onto the road. The Parish Council has also previously raised concerns over the lack of detail provided.
Highways	No objection subject to conditions and informatives. The parking proposed within this scheme does not meet NCC

	parking standards. However, based on assessment of local housing, population and general car ownership levels, HDM are reasonably confident that the proposed housing would be unlikely to generate worst case scenario parking which would require full accordance with the published parking standards.
Northumbrian Water Ltd	Northumbrian Water advises that it actively promotes sustainable surface water management.
Public Protection	No objection subject to conditions and informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	12
Number of Support	1
Number of General Comments	2

Notices

General site notice – Displayed on 29th April 2021
No press notice required.

Summary of Responses:

Twelve representations of objection have been received in relation to this application which have raised the following concerns:

- Impact on the rural character of the village.
- Impact on AONB.
- Impact on amenity.
- Noise.
- Light pollution.
- Impact on environment.
- Loss of open space.
- Urbanising development.
- Overdevelopment of the plot.
- Poor design/layout.
- Highway safety.
- Impracticable car parking.
- Lack of car parking for 4 dwellings.
- Traffic/congestion.
- Access.
- Drainage.
- The dwellings should be permanent homes/residencies, not second homes.
- Discrepancies with measurements on proposed site plan.
- Lack of detail.
- Dated photographs used in the Design Code Document which is inaccurate/misleading.
- The proposal is not in accordance with local planning policies and AONB Guidance documents.

The issue of discrepancies with the measurements on the indicative site plan has been raised with the applicant's agent who has checked this issue and has confirmed the measurements are correct.

One representation of support has been received in relation to this application and is summarised below:

- Support the application.
- These dwellings should be permanent homes/residencies, not second homes.

Two neutral representations have been received in relation to this application and are summarised below:

- No objection but the dwellings should be permanent residencies, not second homes.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QNUBPTQSL OD00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (March 2022)

Policy ENV 2 – Biodiversity and Geodiversity
Policy ENV 3 – Landscape
Policy ENV 5 – Northumberland Coast Area of Outstanding Natural Beauty
Policy HOU 2 – Provision of New Residential Development (Strategic Policy)
Policy HOU 5 – Housing Types and Mix
Policy HOU 9 – Residential Development Management
Policy POL 1 – Unstable and Contaminated Land
Policy POL 2 – Pollution and Air, Soil and Water Quality
Policy QOP 1 – Design Principles (Strategic Policy)
Policy QOP 2 – Good Design and Amenity
Policy QOP 4 – Landscaping and Trees
Policy QOP 5 – Sustainable Design and Construction
Policy QOP 6 – Delivering Well-Designed Places
Policy STP 1 – Spatial Strategy (Strategic Policy)
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)
Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)
Policy TRA 2 – The Effects of Development on the Transport Network
Policy TRA 4 – Parking Provision in New Development
Policy WAT 2 – Water Supply and Sewerage
Policy WAT 4 – Sustainable Drainage Systems
Policy INF 6 – Planning Obligations
Policy ICT 2 – New Developments

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021, as updated)
National Planning Practice Guidance (NPPG) (2019, as updated)

6.3 Other Documents/Strategies

Northumberland Coast AONB Management Plan (2020-2024)
Northumberland Coast AONB Design Guide for the Built Environment
Northumberland Coast AONB Landscape Sensitivity and Capacity Study (2013)

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, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations in determining this application.

7.2 The main considerations in the determination of this application are:

- Principle of the development.
- Design and impact upon the Northumberland Coast AONB.
- Amenity.
- Highway safety.
- Ecology.
- Coastal mitigation.
- Drainage and sewerage.
- Public Protection.
- Other matters.

Principle of the Development

7.3 As a starting point, Policy STP 1 of the Northumberland Local Plan relates to spatial strategy. This policy sets out the overall approach to the distribution of development across the county. Part (d) of Policy STP 1 states that *“in order to support the social and economic vitality of rural areas, and recognising that development in one village can support services and facilities in other nearby villages, Small Villages listed in Appendix A will support a proportionate level of development subject to Green Belt policy considerations, where relevant”*.

7.4 The application site is located within Boulmer, which is identified as a Small Village in Appendix A of the Northumberland Local Plan. It is acknowledged that Boulmer does not have a defined settlement boundary; however, it is recognised that the application site is wholly within the built form of this settlement. Therefore, Part (d) of Policy STP 1 is relevant in the assessment of this application.

7.5 It is clear, as set out above, that small scale development is generally acceptable in smaller villages. Paragraph 79 of the NPPF states *“to promote sustainable*

development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby". Policy STP 1 is therefore in line with the provisions of Paragraph 79 of the NPPF and settlements do not need to have sufficient local services to be considered sustainable locations for development, particularly where the development supports local services in nearby settlements.

- 7.6 Policy HOU 2 of the Northumberland Local Plan relates to the provision of new residential development. This policy is supportive of the delivery of new open market and affordable dwellings in a range of tenures, types and sizes where it is consistent with the spatial strategy for Northumberland, as set out in Policy STP 1 of the Northumberland Local Plan.
- 7.7 The application site is located within a built-up area, within a row of residential properties, and would be easily accessible to the limited services within the settlement of Boulmer. The proposal could deliver modest economic benefits through the provision of up to three additional dwellings at the site and could provide some support for existing services. The proposal could also provide some support for the services in other nearby villages and thus the application site is a sustainable location for the proposed development, which constitutes proportionate development and which could help to maintain the overall vitality of rural communities. The proposed development is therefore considered to be acceptable as a matter of principle.
- 7.8 Whilst Boulmer benefits from limited services, the policies within the development plan and the NPPF support development where it would support the sustainability of Boulmer and would also support services and facilities in nearby villages. The proposal would help to sustain the existing community and any associated services, in this and neighbouring villages. Overall, the proposal comprising of the construction of residential development, as a matter of principle, represents a sustainable form of development in this location in accordance with Policies HOU 2 and STP 1 of the Northumberland Local Plan and the principles of the NPPF.

Design and Impact upon the Northumberland Coast AONB

- 7.9 The application site is located within the small village of Boulmer and is within the Northumberland Coast AONB. Paragraph 176 of the NPPF advises that *"great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status protection in relation to these issues...The scale and extent of development within all these designated areas should be limited"*.
- 7.10 Policy QOP 1 of the Northumberland Local Plan sets out design principles which must underpin the design of any new proposed development in Northumberland. One of the design principles states development proposals should make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features. Other design principles state development proposals should create or contribute to a strong sense of place and integrate the built form of the development with the

site overall, and the wider local area and should respect and enhance the natural, developed and historic environment, including heritage, environmental and ecological assets, and any significant views or landscapes.

7.11 Policy QOP 2 of the Northumberland Local Plan relates to good design and amenity and requires a high standard of amenity for existing and future users of a development whilst not causing unacceptable harm to the amenity of those living, working and visiting the local area. Policy QOP 6 of the Northumberland Local Plan seeks to ensure places are well-designed.

7.12 Policy HOU 9 of the Northumberland Local Plan sets out criteria against which residential development applications will be assessed. The criteria seek to ensure residential development contributes to a sense of place, functions well, and is of a high-quality design.

7.13 Policy ENV 3 of the Northumberland Local Plan relates to landscape and seeks to ensure proposals conserve and enhance the landscape's character and gives great weight to the conservation and enhancement of the special qualities and statutory purposes of the Northumberland National Park and Northumberland's two AONBs.

7.14 Policy ENV 5 of the Northumberland Local Plan relates specifically to development within the Northumberland Coast AONB. This policy states *"the special scenic qualities of the Northumberland Coast Area of Outstanding Natural Beauty will be conserved and enhanced, having regard to the current AONB Management Plan and locally specific design guidance"*. Part (6) of Policy ENV 5 states *"where new building or engineering works are proposed, the Council will require the submission of detailed plans and will not grant outline planning permission, unless they contain sufficient supporting information by which the impact of the proposed development on the special scenic qualities of the AONB can be judged"*.

7.15 The application site lies wholly within the Northumberland Coast AONB. Therefore, the Northumberland Coast AONB Partnership has been consulted on this application. The AONB Partnership have no objection to the application; however, they raise some concerns over the style of the parking provision and request that any new housing on this site is restricted to principal residency. The AONB Partnership have reviewed the submitted Design Code Document and revised indicative proposed site plan and consider the revised design is a more appropriate response to the streetscape of Beach View, and the character and appearance of Boulmer than the original design. The AONB Partnership in previous responses considered that insufficient information had been submitted as part of the outline application and indicated that a full planning application was necessary in line with Part (6) of Policy ENV 5. However, following a further review of the submitted Design Code Document and given the position taken by the Council's HDM team, the AONB Partnership withdraws this previous recommendation as they do not consider the proposed development reaches the threshold in Part (6) of Policy ENV 5, where a full planning application is necessary. Detail for the scale, massing and materials of the houses has been set out in the Design Code Document (as described in Paragraph 2.2 of this report) and the AONB Partnership consider these details to be acceptable and consider the revised indicative proposed site plan demonstrates the new houses sit within the existing form and layout of Beach View.

7.16 The application has been accompanied by indicative layout proposals which indicate that the site could accommodate up to four dwellings (two sets of semi-detached dwellings) with two vehicular accesses (one vehicular access per two dwellings) from Beach View. These have been submitted purely for illustrative purposes only. During the course of the application, the indicative layout proposals have been amended to address the initial concerns raised by the case officer, the Council's HDM team and the AONB Partnership regarding the impact of the proposal upon the character of the area and the wider street scene, regarding the amount of outdoor, private amenity space per dwelling and regarding the layout of the car parking. The indicative layout proposals have been revised so the layout of the site would be similar to the semi-detached neighbouring properties to the south west, with the proposed dwellings matching the existing building line which fronts onto Beach View and with parking to the front and a long, narrow garden to the rear.

7.17 Whilst the AONB Partnership have raised no objection to the application, they have raised concerns within their response regarding the car parking provision. The proposed car parking would be off-street and in front of the proposed houses. Whilst the AONB Partnership do not consider this to be the most attractive way to provide parking (ideally parking would be to the rear or to the side of the houses to avoid cluttering the front elevations and to provide a stronger boundary to the street), it is preferable to the cul-de-sac layout originally proposed, and in consideration of the designated landscape, it would be difficult to argue undue impact from the off-street parking proposed in this scheme. The AONB Partnership raise wider concerns regarding parking and traffic in Boulmer; however, they acknowledge that the Council's HDM team consider the parking provision within the revised layout to be adequate and that the proposal is acceptable in highway safety terms.

7.18 It is considered that the current indicative layout could be acceptable. However, the application is in outline with matters relating to means of access, appearance, landscaping, layout and scale all reserved for future applications on the site. Therefore, precise details would be submitted and assessed as part of any future applications in relation to the reserved matters. Whilst several concerns have been raised by the parish council and within several representations of objection regarding the lack of detail submitted, it is acknowledged that this application is in outline and thus is solely to establish whether the principle of residential development is acceptable on the site.

7.19 The application site is located within a row of residential properties. The application site is bounded by open land to the north west and by the main road of Beach View to the south east with open land and the coast beyond. The application site is bounded by the residential properties known as The Croft and 5 Beach View to the north east and south west. The village of Boulmer is characterised by a thin strip of built development lining the main road which runs through the village in a north-south direction and parallel to the coast. The village does not have a settlement boundary established through the development plan ; however, the site is considered to be wholly within the built form of the village due to it being nestled within a long row of residential properties and due to it being in residential use at present.

7.20 Beyond the linear development within the built form of the village lies open countryside and agricultural fields. The proposal seeks to construct up to four residential properties, within the grounds of the existing dwelling, Braemar, with the existing dwelling proposed to be demolished. The site is contained within the linear built form of the village and thus it is considered that encroachment into the countryside would not occur. The proposed development would be read as part of the built form of the village due to its location within the long row of residential properties fronting Beach View, and thus it is officer opinion that the special scenic qualities of the Northumberland Coast AONB would not be significantly affected by the development of this relatively small site. The development would clearly be viewed in connection with the village. It is acknowledged that the proposal would increase the housing density of this plot, with up to three additional dwellings; however, the site would remain in residential use and the plot is considered to be of a generous size to accommodate up to four dwellings in total. As aforementioned, the revised indicative layout proposals show the site would follow a similar layout and density to the semi-detached dwellings to the south west and would be in keeping with the wider street scene. The proposals would therefore be integrated with the other residential development within this part of the village.

7.21 As the application is in outline, matters of means of access, appearance, scale, layout and landscaping are not for consideration. Appropriate conditions can be imposed to ensure that suitable standards of design and spacing are achieved within future application in the event that permission is granted. Details of materials can be secured by condition to ensure that the dwellings are in keeping with the character of Boulmer and reflective of development within the North Pennines AONB. A condition removing permitted development rights for development within the curtilage of any dwelling is considered to be necessary to ensure a sufficient amount of outdoor, private amenity space per dwelling is retained and to give the Local Planning Authority control over the appearance of any future development at the site. Subject to accordance, with such conditions, with the ultimate control remaining with the local planning authority in determining any application for reserved matters, it is considered that the development of the site can be achieved without compromising or harming the special scenic qualities of the North Pennines AONB. In this respect, the application is considered to be acceptable in accordance with Policies ENV 3, ENV 5, HOU 9, QOP 1, QOP 2, QOP 4, QOP 6, STP 2 and STP 3 of the Northumberland Local Plan, the principles of the Northumberland Coast AONB Design Guide and the principles of the NPPF.

Amenity

7.22 As aforementioned, the application site is located within a row of residential properties in the small village of Boulmer. To the north east of the application site is The Croft, a bungalow with living accommodation within the roof space, and to the south west is 5 Beach View, a semi-detached, two storey dwelling. The application has been accompanied by indicative layout proposals which indicate that the site could accommodate up to four dwellings with two accesses from Beach View. The indicative layout proposals and the Design Code Document show that the layout of the site could be similar to the semi-detached neighbouring properties to the south west, with the proposed dwellings matching the existing building line which fronts onto Beach View and with parking to the front and a long, narrow garden to the rear. The application Design Code

Document indicates that each unit could be 2-bedroomed, traditional in form and massing and 1.5 to 2 storeys in height. The Design Code Document also indicates that the eaves and ridge heights of the units could reflect those of the neighbouring properties at Beach View and to the south west of the site. It is acknowledged that the proposed layout of the site and design details of the scheme have been submitted purely for indicative purposes only.

7.23 It is considered that the proposed indicative layout of the site is acceptable, as is the scale/massing of the dwellings as set out in the Design Code Document. However, the application is in outline with all matters reserved for future applications on the site. Therefore, precise details would be submitted and assessed as part of any future applications in relation to reserved matters.

7.24 The Council's Public Health Protection (PHP) team has been consulted on this application and has raised no objection subject to conditions and informatives. The recommended conditions relate to contamination, which will be discussed further in the below sections of this report, and to delivery and collection hours and noisy working hours during construction in order to protect residential amenity and to provide a commensurate level of protection against noise.

7.25 Although limited details have been provided at this stage, it is considered that residential development could occur on the site that would not adversely affect the residential amenity of the neighbouring properties. The proposals are considered to be in accordance with Policies HOU 9 and QOP 2 of the Northumberland Local Plan and the principles of the NPPF in relation to impact upon residential amenity.

Highway Safety

7.26 The Council's HDM team has been consulted on this application and has no objection subject to conditions and informatives. During the course of the application, the applicant has submitted a revised indicative proposed site plan to address the initial concerns raised by the Council's HDM team. The recommended conditions relate to details of boundary treatment, details of car parking, details of cycle parking, details of electric vehicle charging, details of the means of vehicular access, details of surface water drainage, details of refuse storage facilities and strategy and the submission of a Demolition and Construction Method Statement.

7.27 It is acknowledged that the application is in outline with all matters reserved and that the proposed layout plans are only indicative at this stage. It is noted that the means of access to the highway and the layout of the site are reserved for future applications, thus will be considered in more detail at any subsequent reserved matters stage. Although the precise impacts are unknown at this stage, the Design Code Document indicates that each of the four dwellings could be two-bedroomed and the revised indicative proposed site plan indicates one parking space could be provided per dwelling and one visitor parking space could be provided per two dwellings, thus the application proposes a total of six parking spaces.

7.28 Parking standards for new development are set out within Appendix E of the Northumberland Local Plan, which supports Policy TRA 4. The parking standards indicate that for a two-bedroomed dwelling, two in-curtilage parking

spaces should be provided. There is also a parking standard requirement for one visitor parking space per four dwellings. In terms of meeting the parking standards, the proposed development, as set out within the submitted documents, should provide eight in-curtilage parking spaces and one visitor parking space, thus a total of nine parking spaces. As aforementioned, the proposed development proposes six parking spaces.

7.29 Policy TRA 4 of the Northumberland Local Plan, which relates to parking provision in new development, sets out the Council's expectations for off-street car parking in new development and requires adherence to parking standards set out in Appendix E. Part 2 of Policy TRA 4 states that where parking provision is not made in accordance with the relevant standards, it must be demonstrated how the amount of parking proposed takes into account several factors. The Council's HDM team have reviewed the most recent census data (2011) in terms of households and cars in the locality. 5.7% of households had no car, 37.8% of households had one car and 40.4% of households had two cars. The Council's HDM team have also reviewed other evidence bases, such as the Boulmer 2017 Housing Review which indicated that of the 81 properties in Boulmer, 49 of these are occupied full time, 13 are second homes, 18 are holiday lets and 1 is unoccupied. Beach View is fronted with development and the existing dwellings do not all provide in-curtilage parking and as such there is some degree of parking along this section of carriageway. It is also acknowledged that the Boulmer Beach Car Park is located within walking distance of the proposed housing.

7.30 Based on the assessment of local housing, population and general car ownership levels, the Council's HDM team are reasonably confident that the proposed housing is unlikely to generate worst case scenario parking that would require full accordance with the published parking standards. It is considered likely that the houses would generate a mixture of car ownership levels and would result in one or two vehicles per dwelling. This would require somewhere between 4 and 8 parking opportunities at any time. The Council's HDM team have also taken into consideration that on-street parking occurs in this location for residential amenity and whilst they note local concerns in relation to parking causing disruption to traffic, they see no evidence that parking is creating a safety issue, or that any delays from parking to vehicles would be unacceptable. The Council's HDM team note that parking on footpaths is detrimental to pedestrians and there is nothing that prevents such an action and as such cannot compel a planning justification to refuse this application on this matter. Whilst footway parking is not supported and any parking should be wholly in the carriageway, it occurs on occasion, and the Council's HDM team cannot see this proposal having an impact so great as to make it unacceptable. The Council's HDM team have given regard to this whilst noting that there are no parking measures in place in the vicinity of the site to suggest that any issues are so detrimental as to require mitigation although it is noted that measures to detract from verge use have been recently installed.

7.31 At this stage, the Council's HDM team can only comment on the principle of the development in this location regarding highway safety and having considered this matter they conclude that the principle of the development, in highway safety terms, could be acceptable subject to conditions and informatives. Based on the assessment of local housing, population and general car ownership levels, the Council's HDM team conclude that they are reasonably confident that the

proposed housing is unlikely to generate worst case scenario parking that would require full accordance with the published parking standards.

- 7.32 Subject to accordance with the conditions recommended by the Council's HDM team, the proposed development is considered to be in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the aims of the NPPF in relation to highway safety and car parking provision.

Ecology

- 7.33 A Bat Emergence Survey has been submitted during the course of this application to accompany the Preliminary Ecological Appraisal and to address the initial concerns raised by the Council's Ecologist. The Bat Emergence Survey indicates that on the date of the emergence survey, no bats were recorded emerging from the building with low levels of Common Pipistrelle bat commuting past the site and therefore the survey concludes that no further survey work or mitigation is necessary.

- 7.34 The Council's Ecologist has reviewed the ecological reports and raises no objection subject to conditions and informatives. The recommended conditions relate to securing mitigation measures and biodiversity enhancements and the submission of further ecological survey works if the demolition of the existing dwelling does not take place within two years of the granting of the outline permission. Natural England has been consulted on this application and has no objection subject to appropriate mitigation being secured.

- 7.35 The Council's Ecologist notes the application site is dominated by amenity grassland, which is of low ecological value. There are hedgerows to the boundaries of the site and within the site. Native species hedgerows are classed as a Habitat of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act (2006). Hedgerows provide habitat for nesting birds and small mammals, such as hedgehog. The Council's Ecologist indicates that the loss of hedgerows can be mitigated by creating new ones on site to the new plot boundaries; however, appreciates that this matter could be addressed at reserved matters through the landscaping scheme. The Council's Ecologist indicates within their response that a planning condition should be included at this stage regarding the provision of hedgerows within the development. A condition relating to the submission of a landscaping plan and the submission of details of boundary treatments is therefore considered to be necessary and reasonable to monitor this.

- 7.36 Subject to accordance with the recommended conditions, the application is considered to be in accordance with Policies ENV 2 and QOP 4 of the Northumberland Local Plan and the principles of the NPPF in this respect.

Coastal Mitigation

- 7.37 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as a 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.

7.38 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves; the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service (paid on occupation of the first unit) which will be used to fund coastal wardens who will provide the necessary mitigation.

7.39 The contribution per unit in this location would be £615. The total contribution sought is dependent upon the number of dwellings proposed. In this instance, the proposal seeks outline planning permission to construct up to four dwellings at the site. The application is in outline and only indicative plans have been provided at this stage, showing four dwellings. The number of residential dwellings is only indicative at this stage and will be finalised at reserved matters stage.

7.40 A contribution to the Coastal Mitigation Scheme can be secured by Unilateral Undertaking by virtue of Section 106 of the Town and Country Planning Act 1990 (as amended). In this instance, the applicant has agreed that they would be willing to contribute to the Coastal Mitigation Scheme and as such it is considered that the proposal is acceptable in this respect in accordance with Policy INF 6 of the Northumberland Local Plan.

Drainage and Sewerage

7.41 The application form indicates that surface water would be disposed of by mains sewer. No information has been provided regarding how foul sewage would be disposed of. Northumbrian Water have been consulted on this application and advises that they actively promote sustainable surface water management. It is acknowledged that there is an absence of detail within the application relating to drainage and sewerage. However, as this application is in outline and with all matters reserved, it is considered appropriate to recommend a condition be imposed to secure full details for the disposal of foul and surface water from the proposed development. Therefore, the proposal is considered to be acceptable in this respect in accordance with Policy WAT 2 of the Northumberland Local Plan.

Public Protection

7.42 A Phase 1 Desk Study Report has been submitted to accompany this application. The Phase 1 Desk Study Report recommends that further site investigations are required. The Council's PHP team has been consulted on this application and has considered matters such as contamination, ground gas and noise, which are within its remit. Based on the findings of the submitted Phase 1 Report, the Council's PHP team recommends conditions relating to contamination.

7.43 The application site is not within either a former identified legacy coal mining area, or a radon gas affected area, therefore the Council's PHP team has concluded that there is no requirement for gas protection to be included in any dwelling. The Council's PHP team also indicate within their response that the application site would not appear to be impacted by or introduce a source of

noise which would require assessment; thus, no noise assessment is required to accompany this application. The Council's PHP team have, however, recommended that conditions be attached relating to noisy working hours during construction and collection and delivery hours during construction in order to protect the residential amenity of dwellings which neighbour the site.

7.44 Overall, the Council's PHP team has no objection to the application subject to conditions and informatives. Subject to compliance with the recommended conditions, the application is acceptable in accordance with Policies POL 1, POL 2 and QOP 2 of the Northumberland Local Plan and the principles of Chapter 15 of the NPPF in this respect.

Other Matters

7.45 Twelve representations objecting to the application have been received and these comments have been summarised above (Section 5). The representations objecting to the application comment on issues such as the principle of the development, overdevelopment of the site, design/layout, impact on the AONB, impact on residential amenity, impact on the environment, impact on the character of the village, noise, light pollution, highway safety, access and car parking. These issues have been taken into consideration when compiling the above paragraphs of this report (Section 7).

7.46 Two neutral representations and one representation of support have also been received in relation to this application. These representations, as well as several of the representations of objection, indicate that the dwellings should be permanent residential homes and should not be second homes. Having reviewed the local planning policies relevant in this case, it is noted that there are no policies which seek to restrict new dwellings in Longhoughton parish area as principal residences in perpetuity. It is also acknowledged that there is no made neighbourhood plan for the Longhoughton/Boulmer area. Therefore, the Local Planning Authority would not be able to restrict the occupancy of the proposed residential dwellings by condition.

Equality Duty

7.47 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

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

Human Rights Act Implications

7.49 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.

7.50 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.

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

8. Recommendation

That this application be GRANTED permission subject to the conditions set out below and a Unilateral Undertaking by virtue of Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- A financial contribution towards the Council's Coastal Mitigation Service.

Conditions/Reason

1. Approval of the details of the means of access, appearance, landscaping, layout and scale hereinafter called the reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced. Thereafter, development shall not be carried out other than in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development hereby permitted relates to the following approved plans:

- Site Location Plan, Drawing No: 90 001
- Design Code Document – Braemar, Boulmer – Produced by Greatspace Architects

Reason: To ensure the development is carried out in accordance with the approved plans in the interests of proper planning and in line with the National Planning Policy Framework.

5. No development shall commence above damp proof course level until a plan for the landscaping of the site has been submitted to and approved in writing by the local planning authority in consultation with the Council's Ecology team. The plan shall detail the materials to be used in landscaping of the site and shall provide details of species and number of trees, hedgerows, shrubs, all of which shall be native to Northumberland. Thereafter, the landscaping of the site shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development in accordance with the approved details.

Reason: In the interests of the character of the area, to maintain and protect the landscape value of the area from the outset of development and to improve the biodiversity value of the site, in accordance with Policies ENV 2 and QOP 4 of the Northumberland Local Plan and the principles of the NPPF.

6. No development shall commence above damp proof course level until details of all boundary treatments and all hard surfaces have been submitted to and approved in writing by the Local Planning Authority in consultation with the Council's Ecology team and the Council's Highway Development Management team. Thereafter, all new boundary treatments and hard surfaces shall be constructed in accordance with the approved details and shall be implemented before the development is occupied.

Reason: To ensure the satisfactory appearance of the development from the outset and to ensure the inclusion of new hedgerows within the scheme in accordance with Policies QOP 1, QOP 4, HOU 9 and ENV 5 of the Northumberland Local Plan and the principles of the NPPF.

7. No development shall commence above damp proof course level until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

Reason: In the interests of visual amenity of the area, in accordance with Policy QOP 1 of the Northumberland Local Plan and the principles of the NPPF.

8. No development shall commence above damp proof course level until precise details, to include samples, of the materials to be used in the construction of the external walls and roof have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development from the outset in accordance with Policies HOU 9 and QOP 1 of the Northumberland Local Plan and the principles of the NPPF.

9. No development shall commence above damp proof course level until precise details of the windows and doors of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development from the outset in accordance with Policies HOU 9 and QOP 1 of the Northumberland Local Plan and the principles of the NPPF.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other subsequent order, no alterations, boundary treatments, hard surfaces or outbuildings shall be constructed within the curtilage of any dwelling hereby permitted without the prior granting of planning permission from the local planning authority.

Reason: To ensure the character of the development is maintained in the interests of the amenity of the area and the amenity of occupants of resulting properties, in accordance with Policies QOP 1, QOP 2 and HOU 9 of the Northumberland Local Plan and the principles of the NPPF.

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

- i) vehicle cleaning facilities.
- ii) the parking of vehicles of site operatives and visitors.
- iii) the loading and unloading of plant and materials.
- iv) 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 Policies QOP 2 and TRA 2 of the Northumberland Local Plan and the principles of the NPPF.

12. The development shall not be occupied until details of the car parking area 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 area shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policy TRA 4 of the Northumberland Local Plan and the principles of the NPPF.

13. 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 Policy TRA 2 of the Northumberland Local Plan and the principles of the NPPF.

14. The development shall not 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 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 Policies TRA 1 and TRA 2 of the Northumberland Local Plan and the principles of the NPPF.

15. No development shall commence until a scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Council's Highway Development Management team. No part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. Thereafter, the approved scheme shall be implemented and maintained in accordance with the approved details.

Reason: In order to ensure suitable drainage has been investigated for the development and implemented in accordance with Policies TRA 2 and WAT 2 Northumberland Local Plan and the principles of the NPPF.

16. Prior to the occupation of the development, details of Electric Vehicle Charging facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained and maintained 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 Policy TRA 1 of the Northumberland Local Plan and the principles of the NPPF.

17. The development shall not 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 arrangements 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: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste, in accordance with Policy TRA 2 of the Northumberland Local Plan and the principles of the NPPF.

17. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been 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 measures unless the Local Planning Authority dispenses with any such requirement in writing:

- a) Further site investigations are recommended in the Phase 1: Desk Study (Phase 1: Desk Study produced by Solmek Ltd, ref: S201121 (Final) and dated December 2020) and 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 SourcePathway-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.

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, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the NPPF.

18. The development hereby permitted shall not be brought into use or continue in use until 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, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the NPPF.

19. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a 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 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, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the NPPF.

20. During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800
Saturday - 0800 to 1300

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policies QOP 2, POL 2 and HOU 9 of the Northumberland Local Plan and the principles of the NPPF.

21. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policies QOP 2, POL 2 and HOU 9 of the Northumberland Local Plan and the principles of the NPPF.

22. The development hereby permitted shall be undertaken in accordance with the following, unless otherwise agreed in writing by the local planning authority:

- No tree felling or vegetation clearance shall be undertaken between 1st March and 31st August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.
- Prior to first occupation or use of the development 1no. integrated bird brick and 1no. bat box shall be constructed within the fabric of each of the new dwellings following best practice guidance.
- All garden boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehogs.

Reason: To conserve and enhance local biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and the principles of the NPPF.

23. If the demolition of the building hereby approved does not commence (or once commenced is suspended for more than 12 months) within 2 years from the date of this outline planning consent, a further ecology survey shall be undertaken to establish if there have been any changes in the presence of bats and identify any likely new ecological impacts that might arise. Survey results and required avoidance and mitigation measures will be submitted to and approved in writing by the local planning authority prior to the commencement of demolition works.

Reason: To take account of mobile protected species on site, in accordance with Policy ENV 2 of the Northumberland Local Plan and the principles of the NPPF.

24. Prior to the fixing of any external lighting in association with the development hereby permitted, details of the external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include:

- the specific location of all external lighting units;
- design of all lighting units;
- details of beam orientation and lux levels; and
- any proposed measures such as motion sensors and timers that will be used on lighting units.

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such thereafter, unless removed entirely.

Reason: In order to ensure that there is no harmful effect upon the visual amenity of the area and upon the special scenic qualities of the Northumberland Coast AONB, in accordance with Policies ENV 2, ENV 3, ENV 5 and QOP 1 of the Northumberland Local Plan and the principles of the NPPF.

25. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order to discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT 2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

Informatives

1. You should note that under the Highways Act 1980 a vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:
northernareahighways@northumberland.gov.uk
2. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
3. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
4. Any fixed, external lighting associated with the footbridge (but excluding normal street-lighting) installed as part of this development should have regard for the ILP Guidance on the Reduction of Obtrusive Light, 2012:
<https://www.theilp.org.uk/documents/obtrusive-light/>

The applicant should ensure that lighting does not cause annoyance to any nearby receptors.

Experience of lighting installations has shown that complaints about floodlighting normally arise from poorly designed or installed lighting schemes. It is recommended that the applicant ensures the lighting contractor installs the proposed lighting scheme in line with submitted proposals and that the ILP guidance is adhered to minimise the impact of lighting as part of this development.

In particular, the use of external up and down-lighters should be avoided in such a small village within the Northumberland AONB.

5. The Public Health Protection Unit would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice.

Failure to address issues of noise and dust at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

6. 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.

A list of plant species native to Northumberland can be found online
<https://www.northumberlandcoastaltrust.org/files/Downloads/Botanical%20species%20native%20to%20Northumberland%20-%20Google%20Docs.pdf>

A list of suitable trees is available online from Northumberland Wildlife Trust
<https://www.nwt.org.uk/what-we-do/news-and-publications/publications>
Please note Field Maple is not considered locally native to Northumberland and should not be widely planted.

A species-rich grassland mix is now produced in Northumberland from seed harvested within grassland SSSIs in the Northumberland National Park, which can be bought through British Wildflower Seeds. It has a high proportion of yellow rattle, which is helpful to its establishment in existing grasslands.
<https://britishwildflowermeadowseeds.co.uk/collections/wildflower-meadowseeds/products/northumberland-meadow-seed-mix>

The Royal Horticultural Society's Plants for Pollinators is also a useful reference for landscaping schemes.
<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>

7. Your attention is drawn to the Agreement under Section 106 of the Town and Country Planning Act 1990 affecting this site.

Background Papers: Planning application file(s) 21/00346/OUT



Northumberland County Council

**NORTHUMBERLAND COUNTY COUNCIL
NORTH LOCAL AREA PLANNING COMMITTEE
19TH May 2022**

ITEM FOR DECISION

**TREE PRESERVATION ORDER
TOWN AND COUNTRY PLANNING ACT 1990**

**Northumberland County Council
(Land at Bank House Farm, Acklington, Northumberland)
Tree Preservation Order 2021
(no. 4 of 2021)**

1. Introduction

1.1 The purpose of the report is to consider confirming the above Tree Preservation Order following expiry of the statutory period for objections.

2. Implications

2.1 Policy: Recommendation accords with Northumberland Local Plan (2016-2036) QOP4

Finance: There is a risk of a claim for compensation for refusal of consent under the TPO.

Personnel: Officer time assessing the proposal, preparing and serving documentation.

Property: No Council property is affected.

Human Rights: The individual's rights to the enjoyment of their property is affected.

3. Background

3.1 A provisional Tree Preservation Order (TPO) was made on a woodland of various species at Bank House Farm, Acklington on 15th December 2021 under delegated powers. The provisional TPO was made following a request from two local residents.

3.2 The residents made the request for the TPO on the basis that the trees are an integral part of the landscape and there was a perceived risk of removal because of potential future developments.

3.3 Officers visited the site and were aided by a professional Arborist from Tilia Tree Services to carry out an assessment of the suitability of the trees for protection through a TPO.

4. Planning History

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: A/2005/0312

Description: Erection of recreation/leisure building & managers house

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: 17/02046/FUL

Description: Extension of the existing 1 bed cottage into the rear garden to create an additional 2 no. bedrooms, bathroom and orangery/ living space

Status: PER

Reference Number: 18/02131/NONMAT

Description: Non-material amendment relating to planning application 17/02046/FUL. Works to north elevation to change one window from the bedroom to patio doors, replace orangery door with window and reposition 2no. windows

Status: PER

Reference Number: A/97/A/0357

Description: Convert Farm Building to Residential (Renewal),

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: 17/00265/FUL

Description: Side two storey extension

Status: PER

Reference Number: 17/03732/FUL

Description: Proposed side two storey extension

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: A/2005/0578

Description: Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages

Status: PER

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/97/A/0356

Description: Convert Farm Buildings To Residential (Renewal),

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: 16/02634/FUL

Description: Proposed single storey extension to form 2 no bedrooms with en suite bathroom & Lounge

Status: PER

Reference Number: 17/00822/NONMAT

Description: Non Material Amendment of application 16/02634/FUL - change window/door specifications from timber to UPVC.
Window/door styles to match (material change only).

Status: PER

Reference Number: 17/00830/NONMAT

Description: Non Material Amendment of application 16/02634/FUL - change window/door specifications from timber to UPVC.
Window/door styles to match (material change only).

Status: APPRET

Reference Number: 17/04660/VARYCO

Description: Variation of condition 2 (Plans) pursuant to planning permission 16/02634/FUL to allow an increase in size of the extension

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03097/VARYCO

Description: Removal of condition 3 of application A/2007/0544 (Conversion of 2 no. redundant out-buildings to form 1 no. holiday cottage) - permission allowed under A/2007/0544/A

Status: PER

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: A/ENQ/2010/0224

Description: Construction of 2no. Storage Buildings

Status: REPLY

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/97/A/0356

Description: Convert Farm Buildings To Residential (Renewal),

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: A/2005/0578

Description: Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages

Status: PER

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: 18/00098/FUL

Description: Construction of two storey side extension

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: 15/00341/FUL

Description: Proposed first floor bedroom extension

Status: PER

Reference Number: 15/01921/FUL

Description: Two storey extension to existing dwelling and construction of single storey extension

Status: PER

Reference Number: 16/01620/NONMAT

Description: Non Material Amendment to planning application 15/01921/FUL to allow change from wooden cream windows to UPVC wood effect cream windows

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

Reference Number: A/2010/0358

Description: Erection of 1 no. cycling/bin store and 1 no. general store building

Status: WDN

Reference Number: 13/03104/VARYCO

Description: Removal of condition 2 of application A/2006/0373 (Conversion, subdivision and alteration of vacant buildings to create 11 no. permanent holiday cottages)

Status: PER

5. Planning Policy

4.1 Development Plan Policy

Northumberland Local Plan (2016-2036)

QOP4 Landscaping

4.2 National Planning Policy

National Planning Policy Framework (2012)

National Planning Practice Guidance (2014)

4.3 Development Plan Policy

Northumberland Local Plan (2016-2036)

QOP4 Landscaping

4.4 Other Documents/Strategies

Planning Practice Guidance Suite: Tree Preservation Orders and Trees in Conservation Areas, 6th March 2014.

6. Representations

6.1 Letters have been received from two of the landowners notified of the TPO, The letters object to the creation of the TPO on the following points:

1. It is the view of both objectors that the woodland is of low value as it is mainly comprised of self-set trees of poor quality and the site itself has become overgrown and has been poorly managed in the past
2. Approximately 30 trees were blown over in recent storms and further work is required to clear these trees and others adversely affected by the storms.
3. Some trees within the woodland are showing signs of disease, such as Ash Dieback and need to be removed.
4. It is the view of one objector that the Council should not be seeking to preserve the woodland, but that it needs to be managed to allow stronger specimens to thrive. They note they have spent a considerable amount of money planting trees and beginning to manage the site to improve its quality.
5. It is also the view of one objector that only certain trees should be protected through the creation of individual TPO's rather than the application of a blanket TPO.

7. Assessment

7.1 Taking each of the points above in turn the response is as follows:

1. During the assessment of the site carried out by the Planning Technician and the Arborist employed by NCC, the group as a whole was considered to make a strong contribution to the visual amenity of the immediate and wider landscape. In addition to the group assessment a random sample of trees within the site were assessed individually, with the majority scoring a sufficiently high score to merit a TPO. Therefore, while the site is comprised of a large number of self-set trees, it is not the view of Officers that this translates to the trees within the group being of low value and by extension the group being of unworthy of protection through a TPO.
2. The legislation regarding TPOs has provision within it that allows for tree removal of trees that are required to be removed on the basis that they pose an immediate risk of serious harm due to their condition, whether that be storm damage or presence of serious disease. A 5 Day notice can be applied for in such circumstances and the Council seeks to be reasonable in its assessment of these requests. As has been evidenced across the county in the recent storms any group of trees is susceptible to damage during high winds, but that should not preclude the creation a TPO where one is merited by the amenity value the group.
3. As in point 2, If a tree has severe disease and poses an immediate risk of serious harm, then the 5-day notice procedure can be utilised. In the case of trees showing earlier stages of the disease, then removal of trees can be applied for and justified through a works to trees subject to a TPO application. Again, the Authority seeks to be reasonable in their assessment of such applications.

4. The management of the site is not prevented through the creation of the TPO, rather it allows for consideration to be given to the proposed methods of management to ensure the visual amenity of the landscape is protected. Appropriate management of the site would further improve the quality of the group and would serve to enhance the contribution it makes and would not be resisted without sound reasoning.

5. As with all large groups of trees, it is the case here that there are some trees that make a greater individual contribution to the site's visual amenity than others. However as stated in point 1 above the woodland as a whole is a key feature within the landscape and the cohesion of the group contributes to that. To protect only a few trees within the existing woodland with the others able to be felled without further consideration able to be given to the impact of their loss on the group's cohesion would likely result in harm to the character of the site and to the local landscape.

7.2 The site has been viewed since the recent storms and while a number of trees have been lost it is considered that the quality of the group is not diminished to such a degree that the TPO in place should be revoked. The overall cohesion of the group remains and the contribution it makes to the landscape and the character of the area remains high.

7.3 The trees on this site are worthy of protection through the creation of the TPO as they are an intrinsic feature within the landscape and to not protect them against removal now and in the future could cause detriment to the character and appearance of the site and the wider landscape.

8. Recommendation

It is **recommended** that the Tree Preservation Order be confirmed without modification for the reasons set out at paragraphs 7.1 – 7.3 above.



Northumberland County Council

Appeal Update Report

Date: May 2022

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

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

Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
21/01578/OUT	<p>Outline permission with all matters reserved - demolition of existing garage, stable block and tennis court and erection of 1 dwelling with associated driveway and landscaping (Self Build) - land west of Roecliffe, Ladycutter Lane, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; and encroachment into the countryside and would not respond to the character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
21/02734/FUL	<p>Demolish garage and erect two storey side extension and single storey flat roof rear extension – 23 The Beeches, Ponteland</p> <p>Main issues: disproportionate addition to the property resulting in negative impact to the character of the area and inappropriate design.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
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</p>	No

	<p>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>Delegated Decision - Officer Recommendation: Refuse</p>	
20/03542/FUL	<p>Change of use of land to site shepherd's hut for tourism accommodation – land east of Kingshaw Green, Tyne Green, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; inadequate flood risk assessment; and insufficient information regarding foul water treatment.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
21/00465/FUL	<p>Resubmission: alterations to existing window opening on front elevation and installation of replacement balcony – Riverview, Shepherds Hill, Alnmouth</p> <p>Main issues: unacceptable impact on amenity of neighbouring properties; and detrimental impact on the AONB.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/01600/FUL	<p>Development of 9no. affordable houses, including access road, gardens, car parking and other ancillary works - land north of B6350, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; development in an unsustainable location in the open countryside; results in encroachment into the countryside, loss of mature trees and visually intrusive and harmful impact on rural and open character of the site and setting of Corbridge; and loss of Grade 2 agricultural land.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/01584/FUL	<p>Demolition of agricultural buildings. Replace and</p>	No

	<p>build on footprint 4 workers cottages and install solar panels – South Dissington Farm, Eachwick</p> <p>Main issues: development in the open countryside and no demonstrated need for new rural worker's dwellings; and inappropriate development in the Green Belt with no very special circumstances demonstrated.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	
21/03224/FUL	<p>Change of use of private dwelling into 4no. holiday lets and separate holiday home to rent and erection of 4no. holiday homes to rent with associated car parking – Bayview, Beachway, Blyth</p> <p>Main issues: inadequate off-road car parking provision and resultant off-site impacts; increased noise and light pollution to the shoreline of the Northumberland Shore SSSI and harmful to bird species in that area; inadequate provision to mitigate the impact of increased recreational disturbance to designated sites of ecological importance; insufficient information to demonstrate that the proposals are acceptable in terms of coastal erosion vulnerability and surface water drainage; and insufficient information to demonstrate the proposals are acceptable in terms of impacts on the World War II pill box and setting of Blyth Battery.</p> <p>Appeal against non-determination</p>	No – claim refused
21/01882/FUL	<p>Change of use of agricultural buildings to residential use and incorporation into existing dwelling; creation of one new dwelling - Stublic Hill, Langley-on-Tyne, Hexham</p> <p>Main issues: the site is located in open countryside, the building is of no historic merit and the conversion proposes a large extension; inappropriate design resulting in harm to the building and the North Pennines AONB; and no contribution to sports and play provision has been provided.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Partial award of costs
21/01840/FUL	<p>Replacement of timber cladding with new natural cedar boarding. Change of balustrade to glazed and patio size as built. (retrospective) - The Signal Box, Farley Cottage, Ellingham</p> <p>Main issues: design would have a harmful effect on</p>	No

	<p>the character and appearance of the existing property and surrounding area</p> <p>Committee Decision - Officer Recommendation: Approve</p>	
20/01932/FUL	<p>Construction of single dwelling with annex and ancillary accommodation, c.6.5 metre high wind turbine, associated landscaping and highway works (amended description) - land south of Church Lane, Riding Mill</p> <p>Main issues: isolated dwelling in the open countryside; inappropriate development in the Green Belt; insufficient information to fully assess ecological impacts; harmful impacts on the character of the site, wider area and countryside; lack of completed Section 106 Agreement to secure planning obligations for contributions to sport and play provision; and insufficient information to assess noise from wind turbine and impacts in residents and local area.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	No
19/01008/FUL	<p>Construction of 58no. dwellings with associated landscaping, access and infrastructure works – land to north of Fairmoor Centre, Morpeth</p> <p>Main issues: unacceptable in principle as the site is allocated in the development plan for employment use and it is considered that the site should be retained for such purposes; outstanding technical matters also remain to be resolved regarding surface water drainage and highways matters; and Section 106 contributions in respect of education, primary healthcare and affordable housing have not been secured.</p> <p>Appeal against non-determination</p>	No – claim refused
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: the proposal would appear as an incongruous and over-dominant addition to the street scene, would not be sympathetic to the built environment or local character, and would fail to add to the overall quality of the area and undermine community cohesion.</p>	No

	Committee Decision - Officer Recommendation: Approve	
19/04660/FUL	New external plant – Asda, Main Street, Tweedmouth Main issues: insufficient information in relation to noise and potential impacts on residential amenity. Delegated Decision - Officer Recommendation: Refuse	No
21/02824/FUL	Retrospective: Installation of raised decking to part of side garden – 7 East Burton Cottage, Bamburgh Main issues: detrimental impact on residential amenity. 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
21/02878/FUL	Change of use of land for siting of shepherd's huts and associated development – land north of White House Farm, Slaley Main issues: inappropriate development in the Green Belt.	4 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/01136/FUL	Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington	13 December 2021 Delegated

	<p>Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.</p>	<p>Decision - Officer Recommendation: Refuse</p>
20/02979/DISCON	<p>Discharge of conditions: 3 (materials - chimney), 4 (schedule of plaster work), 5 (installation services) and 6 roof/rainwater goods) pursuant to planning approval 17/02196/LBC - Felton Park Lodge, Felton Park, Felton</p> <p>Main issues: lack of information provided to approve and discharge the conditions.</p>	<p>19 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02984/FUL	<p>Erection of 4 bedroom dormer bungalow - land south of The Old Farmhouse, Ulgham</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; fails to demonstrate that safe ingress and access can be achieved from the proposed access; and no completed legal agreement to secure a contribution to the coastal mitigation service.</p>	<p>24 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03160/LBC	<p>Listed Building Consent: Replace 3 existing sash windows and associated secondary glazing at front of property in original style with grade 1 Redwood sashes and duplicating original pattern. The work will include slim line double glazed units – The Manor House, 55 Northumberland Street, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building and Conservation Area and no public benefits identified.</p>	<p>25 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03892/FUL	<p>Demolition of outbuilding and rear bay window. Proposed rear single storey extension with roof terrace – 8 Woodlands, Warkworth</p> <p>Main issues: unacceptable impact on residential amenity.</p>	<p>3 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	
21/03042/FUL	<p>Change of use from landscape contractors yard to residential, removal of existing buildings and erection of one no. dwellinghouse (C3 use) - Warkworth Landscaping Services, land north of Old Helsay, Warkworth</p> <p>Main issues: development in the open countryside; fails to support the conservation and enhancement of the countryside; fails to protect and enhance landscape character; and no suitable mitigation secured to address recreational disturbance to designated sites.</p>	<p>14 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02183/FUL	<p>Proposed conversion of self contained house to create an additional 2 bedroom dwelling – 1-2 South Road, Longhorsley</p> <p>Main issues: intensification of use of a sub-standard access and fails to demonstrate appropriate car parking provision.</p>	<p>16 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04610/LBC	<p>Listed building consent for internal and external works including ensuite shower room, installation 2 new windows to rear, replace windows/doors with double glazed timber units, installation of external door to sunroom, removal of rear porch, raised deck and steps down to garden – West House, Seahouses</p> <p>Main issues: harm to the listed building and no public benefits to outweigh the identified harm.</p>	<p>17 February 2022</p> <p>Appeal against non-determination</p>
21/04384/AGTRES	<p>Prior notification for conversion of an agricultural building to form two dwellinghouses – building west of Chattlehope Farm, Catcleugh</p> <p>Main issues: the development is not considered to be permitted development in relation to transport and highway impacts.</p>	<p>28 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

21/02724/FUL	<p>Construction of new garage workshop on site of former garage – 70 Shielfield Terrace, Etal Road, Tweedmouth, Berwick-upon-Tweed</p> <p>Main issues: due to its scale and appearance the development would detract from the character and visual appearance of the area.</p>	<p>2 March 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03371/FUL	<p>Part-demolition of existing residential ancillary/incidental building with extension, new gable ended roof, raised ridge and two inward facing dormer windows to outbuilding and new decking area – 127 Bondicar Terrace, Blyth</p> <p>Main issues: due to the size and scale of the alterations the works would result in harm to the character of the Conservation Area.</p>	<p>10 March 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03387/FUL	<p>Dormer extensions to front and rear, removal of chimney, installation of rooflights to front, and alterations to fenestration to front and side elevations – 193 Edge Hill, Darras Hall, Ponteland</p> <p>Main issues: prominent and poor design would result in negative impact upon the character of the local area.</p>	<p>16 March 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04877/FUL	<p>Proposed garden summerhouse to rear garden – 62 Swansfield Park Road, Alnwick</p> <p>Main issues: significantly detracts from the character and appearance of the dwelling and immediate area; and significant harm to residential amenity.</p>	<p>21 March 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04982/FUL	<p>Resubmission: Erection of 5no. custom self build homes, with associated garages, car parking and landscaping – land north of 30 Longhirst Village, Longhirst</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact on the rural character of the site and wider landscape; harm to the setting and significance of the Conservation Area; insufficient information to assess archaeological impacts; insufficient information to assess impacts on protected species; and fails to address disposal of surface water.</p>	<p>7 April 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
20/01383/ENDEVT	Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).	9 February 2022

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
None		

Implications

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

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

Elizabeth Sinnamon
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 Elizabeth.Sinnamon@northumberland.gov.uk

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Northumberland

County Council

S106 Agreements Update Report

March 2022

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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



New Agreements

March	New Agreements completed and added to Database
21/02726/FUL	Land at Falkland House, Marygate, Holy Island.
19/01489/FUL	Land West of Park Road, Haltwhistle
21/04739/varyco	Alnbank House Road Alnwick
21/04387/S106a	Land North West of Acklington
16/04305/OUT	Land South and South East of James Calvert Spence College, Acklington Road, Amble
21/00914/FUL	Land SE of Glororum Cottages Belford
18/04397/FUL	1 Thornbrae, Alnmouth Road, Alnwick,
14/03016/FUL and 21/01796/REM	Land South of Aiden Grove and Lynemouth Road, Ellington
21/00904/FUL	Land West of Brick Work Cottages, Brick Works, Thrunton,
21/01927/OUT	Land North West of Blue House Farm, Blue House Farm Road, Netherton Colliery,

Contributions Received

Development	Type of Contribution	Amounts Received
21/04739/varyco	Coastal Mitigation	£1230
19/04548/ ful Shilbottle	Coastal Mitigation	£4,200
21/01927/OUT	Sport	£2748
21/01927/out	Indoor Sport	£2172
18/01297	Highways	£40,000
20/02213/ful	Play	£1,182
20/02213/ful	Sport	£2,076

Awards and Payments Made

Awards Paid Out	Project	Amount Paid
Stakeford and Bomardsund	Cricket practice facility	£7,298
Haltwhistle Town Council	Maintenance of open space	£19,440

This month's focus is an example of a recently approved housing scheme in Amble

Dated: 29 March 2022

Planning Ref: 16/04305/OUT

Land: Land South and South East of James Calvert Spence College, Acklington Road, Amble

Parties: (1) NCC (2) Tantallon Homes (Baldon) Limited

Planning obligations:

- 15% Affordable Housing (around 75 homes)
- £100,200.00 Coastal Mitigation Service Contribution
- £1,118,000.00 Education Contribution
- £345,000.00 Healthcare Contribution
- £420,612.00 Sport and Play Contribution
- £80,000.00 Footpath/cycleway connectivity contribution (default provision)

Implications

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

Background papers

Planning applications and 106 Agreements

Report author and contact details

Elizabeth Sinnamon
 Senior Planning Manager - Development Management
 01670 625542
 Elizabeth.Sinnamon@northumberland.gov.uk

North Northumberland Local Area Council

Alnwick Playhouse Trust	Councillor Castle
Alnwick Sporting Club	In limbo – Cllr Castle discussing with Cllr Swinbank
Alnwick Town AFC – Board/Management Committee	Cllr Castle – investigating what is expected
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	Legal position has been challenged – writing new Harbour order removing NCC Recommended to leave by Cllr Renner-Thompson
Northumberland National Park Joint Local Access Forum	Cllr Castle to bring up with Rights of Way
River Tweed Commission	Councillor Hardy Councillor Hill Councillor Seymour Councillor Hunter
Seahouses Development Trust	Councillor Renner-Thompson
Tweed Forum	Councillor Seymour

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North Northumberland Local Area Council

Members Local Improvement Schemes

2021 - 2025

Progress Report - 1st May 2022

<table><tr><td colspan="2">Balance carried over from 2021</td><td>£5,000.00</td><td colspan="4"></td></tr><tr><td colspan="2">Total Budget May 2021 - April 2023</td><td>£30,000.00</td><td colspan="4"></td></tr><tr><td colspan="2">Actual Cost + Committed Cost to Date</td><td></td><td>£10,000.00</td><td colspan="3" rowspan="5"><table><tr><td colspan="2">KEY</td></tr><tr><td></td><td>Approved Scheme Budget</td></tr><tr><td></td><td>Proposed Scheme</td></tr><tr><td></td><td>Completed Scheme / Final Cost</td></tr></table></td></tr><tr><td colspan="2">Total Estimated Cost</td><td>£10,000.00</td><td></td></tr><tr><td colspan="2">Balance Remaining to 31/3/23</td><td>£ 20,000.00</td><td></td></tr></table>							Balance carried over from 2021		£5,000.00					Total Budget May 2021 - April 2023		£30,000.00					Actual Cost + Committed Cost to Date			£10,000.00	<table><tr><td colspan="2">KEY</td></tr><tr><td></td><td>Approved Scheme Budget</td></tr><tr><td></td><td>Proposed Scheme</td></tr><tr><td></td><td>Completed Scheme / Final Cost</td></tr></table>			KEY			Approved Scheme Budget		Proposed Scheme		Completed Scheme / Final Cost	Total Estimated Cost		£10,000.00		Balance Remaining to 31/3/23		£ 20,000.00	
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<div><div><div><div><div>Balance carried over from 2021</div><div>£3,601.00</div></div><div><div>Total Budget May 2021 - April 2023</div><div>£30,000.00</div></div><div><div>Actual Cost + Committed Cost to Date</div><div>£11,399.00</div></div><div><div>Total Estimated Cost</div><div>£11,399.00</div></div><div><div>Balance Remaining to 31/3/23</div><div>£ 18,601.00</div></div></div><div><div>KEY</div><div><div><div></div><div>Approved Scheme Budget</div></div><div><div></div><div>Proposed Scheme</div></div><div><div></div><div>Completed Scheme / Final Cost</div></div></div></div></div></div>						

North Northumberland - Amble

Report Date 01/04/2022



 **Northumberland**
County Council

[illegible]



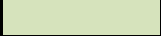
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<table><tr><td colspan="2">Balance carried over from 2021</td><td>£12,274.08</td><td colspan="2"></td><td colspan="2"></td></tr><tr><td colspan="2">Total Budget May 2021 - April 2023</td><td>£30,000.00</td><td colspan="2"></td><td colspan="2"></td></tr><tr><td colspan="2">Actual Cost + Committed Cost to Date</td><td></td><td>£2,725.92</td><td><div><div></div><div></div><div></div></div></td><td colspan="2">KEY</td></tr><tr><td colspan="2">Total Estimated Cost</td><td>£2,725.92</td><td colspan="2"></td><td colspan="2">Approved Scheme Budget</td></tr><tr><td colspan="2"></td><td></td><td colspan="2"></td><td colspan="2">Proposed Scheme</td></tr><tr><td colspan="2"></td><td></td><td colspan="2"></td><td colspan="2">Completed Scheme / Final Cost</td></tr><tr><td colspan="2">Balance Remaining to 31/3/23</td><td>£</td><td>27,274.08</td><td colspan="3"></td></tr></table>							Balance carried over from 2021		£12,274.08					Total Budget May 2021 - April 2023		£30,000.00					Actual Cost + Committed Cost to Date			£2,725.92	<div><div></div><div></div><div></div></div>	KEY		Total Estimated Cost		£2,725.92			Approved Scheme Budget							Proposed Scheme							Completed Scheme / Final Cost		Balance Remaining to 31/3/23		£	27,274.08			
Balance carried over from 2021		£12,274.08																																																					
Total Budget May 2021 - April 2023		£30,000.00																																																					
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Total Estimated Cost		£2,725.92			Approved Scheme Budget																																																		
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					Completed Scheme / Final Cost																																																		
Balance Remaining to 31/3/23		£	27,274.08																																																				

[illegible]

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Balance carried over from 2021	-£3,949.42	
Total Budget May 2021 - April 2023	£30,000.00	
Actual Cost + Committed Cost to Date		£18,949.42
Total Estimated Cost	£18,949.42	
Balance Remaining to 31/3/23	£ 11,050.58	

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

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Balance carried over from 2021	£3,300.00		
Total Budget May 2021 - April 2023	£30,000.00		
Actual Cost + Committed Cost to Date		£14,644.42	
Total Estimated Cost	£14,644.42		
Balance Remaining to 31/3/23	£ 15,355.58		

KEY

Approved Scheme Budget




Proposed Scheme

Completed Scheme / Final Cost

[illegible]

[illegible]

Balance carried over from 2021	£15,000.00	
Total Budget May 2021 - April 2023	£30,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/23	£ 30,000.00	

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

North Northumberland - Longhoughton

Report Date 01/04/2022



 **Northumberland**
County Council

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Current Scheme Status/Comments
	2017 / 2018					
HO176319	Traffic calming (20mph speed limit zone) B1339 Main Street, Embleton - Phase 1	£2,000.00	£2,000.00	Design	TBA	Awaiting detailed design and estimates - Joint LTP scheme Phase 1 design
	2019 / 2020					
HO196523	Traffic calming (Speed reduction measures) B6346 Eglington Village - Phase 1	£2,000.00	£2,000.00	Design	TBA	Design brief issued.
	2020 / 2021					
HO206828	Contribution towards purchase and installation of new interactive speed sign at Christon Bank	£3,880.17	£3,880.17	Delivery	TBA	Sign Order to be issued.
HO206768	Traffic calming (Speed reduction measures) B1339 Longhoughton - Phase 1	£2,000.00	£2,000.00	Design	TBA	Design brief issued.
HO206832	Purchase and installation of 1No. new interactive speed sign at Eglington	£3,709.55	£4,086.15	complete	complete	Post installed. Sign due to be installed 27th or 28th April.
HO206790	Contribution towards footpath resurfacing works in Longhoughton Ward	£6,000.00	£6,000.00	Delivery	TBA	Northern Area Highways scheme - Contribution to HR219675
HO206874	Traffic calming (Proposed traffic restrictions and gateway treatment) Craster - Phase 1	£7,188.19	£7,188.19	Design	TBA	Design brief issued budget increased by £5,188.19.
	2021 / 2022					
HO210005	Traffic calming (Proposed gateway signage) C47 North Charlton	£7,350.00	£7,350.00	Design	TBA	Design brief to be issued - Budget increased by £5,350.00.
HO210006	Installation of solar powered bollards and new exit signage at High Newton Car Park	£0.00	£0.00	cancelled	cancelled	Order issued
HO210063	Purchase and installation of new interactive speed sign at Chathill Village - to be located at the Swinhoe/Seahouses end of the village	£3,839.90	£3,839.90	completed	completed	Scheme completed
HO210075	Contribution towards the construction costs of the new Ellingham Village Hall	£3,000.00	£3,000.00	completed	completed	Contribution to Ellingham Village Hall made on 6 December 2021.
	2022 / 2023					

Balance carried over from 2021		£810.10			
Total Budget May 2021 - April 2023		£30,000.00			
Actual Cost + Committed Cost to Date			£14,189.90	<div><div></div><div></div><div></div></div> <div>KEY</div> <div>Approved Scheme Budget</div> <div>Proposed Scheme</div> <div>Completed Scheme / Final Cost</div>	
Total Estimated Cost		£14,189.90			
Balance Remaining to 31/3/23		£	15,810.10		

KEY

Approved Scheme Budget

Proposed Scheme

Completed Scheme / Final Cost

North Northumberland - Bamburgh

Report Date 01/04/2022



 **Northumberland**
County Council

[illegible]

[illegible]

Balance carried over from 2021	£11,680.40	
Total Budget May 2021 - April 2023	£30,000.00	
Actual Cost + Committed Cost to Date		£10,319.60
Total Estimated Cost	£10,319.60	
Balance Remaining to 31/3/23	£ 19,680.40	

KEY

Approved Scheme Budget

Proposed Scheme

Completed Scheme / Final Cost
1.00

[illegible]

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Balance carried over from 2021	£12,472.58		
Total Budget May 2021 - April 2023	£30,000.00		
Actual Cost + Committed Cost to Date		£5,527.42	
Total Estimated Cost	£5,527.42		
Balance Remaining to 31/3/23	£ 24,472.58		

KEY

Approved Scheme Budget

Proposed Scheme

Completed Scheme / Final Cost

[illegible]

[illegible]

Balance carried over from 2021	£5,000.00	
Total Budget May 2021 - April 2023	£30,000.00	
Actual Cost + Committed Cost to Date		£10,000.00
Total Estimated Cost	£10,000.00	
Balance Remaining to 31/3/23	£	20,000.00

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

Balance carried over from 2021 £15,000.00

Total Budget May 2021 - April 2023 £30,000.00

Actual Cost + Committed Cost to Date £0.00

Total Estimated Cost £0.00

Balance Remaining to 31/3/23 £ 30,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

[illegible]

Balance carried over from 2021	£15,000.00			
Total Budget May 2021 - April 2023	£30,000.00			KEY
Actual Cost + Committed Cost to Date		£1,000.00		Approved Scheme Budget
Total Estimated Cost	£1,000.00			Proposed Scheme
				Completed Scheme / Final Cost
Balance Remaining to 31/3/23	£ 29,000.00			

	Number
A = Proposed Schemes	1

	Number	Original Estimated Cost	Current Estimate / Actual Cost	Totals
Total Budget May 2021 - Apr 2022				£390,000.00
Total Approved schemes	47	£359,193.24	£354,204.42	
Total Uncommitted Balance				£57,889.86

Highway Scheme	28	£203,426.80	£199,557.64
External Contribution	19	£128,752.02	£127,632.36
	47	£332,178.82	£327,190.00

Northumberland County Council
North Northumberland Local Area Council
Work Programme 202/23

Rebecca Little : 01670 622611 : Rebecca.Little@northumberland.gov.uk

UPDATED: 11 May 2022

19 May 2022

TERMS OF REFERENCE

- (a) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (b) To advise the Cabinet on budget priorities and expenditure within the Area.
- (c) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (d) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (e) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (f) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (g) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (h) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (i) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (j) To make certain appointments to outside bodies as agreed by Council.
- (k) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.
- (l) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.
- (m) To exercise the following functions within their area:-

19 May 2022

- (i) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
- (ii) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
- (iii) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
- (iv) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007).
- (v) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Public question time (bimonthly, not at planning only meetings), petitions, Members' Local Improvement Schemes (bimonthly, not at planning only meetings), Berwick Regeneration Commission (bimonthly, not at planning only meetings)

To be listed:

Enhanced Services with Town and Parish Councils
Off-street Electric Vehicle Charging Points
Cycling and Walking Board
Enforcement

Northumberland County Council
North Northumberland Local Area Council
Work Programme 202-23

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19 May 2022

- Membership and Terms of Reference
- Membership and Terms of Reference – Rights of Way Sub-Committee
- Planning
- Local Services Update
- Tweed Valley Railway Campaign
- Appointments to Outside Bodies
- Members Local Improvement Schemes

19 May 2022

23 June 2022	
	<ul style="list-style-type: none">• Planning
21 July 2022	
	<ul style="list-style-type: none">• Planning• Local Services Update
18 August 2022	
	<ul style="list-style-type: none">• Planning
22 September 2022	
	<ul style="list-style-type: none">• Planning• Local Services Update
20 October 2022	
	<ul style="list-style-type: none">• Planning

19 May 2022

24 November 2022	
	<ul style="list-style-type: none"> • Planning • Local Services Update
22 December 2022	
	<ul style="list-style-type: none"> • Planning
19 January 2022	
	<ul style="list-style-type: none"> • Planning • Local Services Update
23 February 2022	
	<ul style="list-style-type: none"> • Planning
23 March 2022	
	<ul style="list-style-type: none"> • Planning • Local Services Update

19 May 2022

20 April 2022

- Planning

**NORTHUMBERLAND COUNTY COUNCIL
LOCAL AREA COUNCIL - NORTH NORTHUMBERLAND
MONITORING REPORT 2020/21**

Ref	Date	Report	Decision	Outcome