

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Heather Bowers

Email:

Heather.Bowers@northumberland.gov.uk

Tel direct: 01670 622609

Date: Tuesday, 13 July 2021

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CRAMLINGTON, BEDLINGTON AND SEATON VALLEY LOCAL AREA COUNCIL** to be held in Meeting Space, Block 2, Floor 2 County Hall, Morpeth, NE61 2EF on **WEDNESDAY, 21 JULY 2021 at 4.00 PM.**

Yours faithfully

Daljit Lally
Chief Executive

To Cramlington, Bedlington and Seaton Valley Local Area Council members as follows:-

L Bowman, W Daley, C Dunbar, P Ezhilchelvan, D Ferguson, B Flux, S Lee (Vice-Chair), M Robinson, P Scott, M Swinburn (Chair), C Taylor and R Wilczek (Vice-Chair (Planning))

Any member of the press or public may view the proceedings of this virtual meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>.

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



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
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AGENDA

PART I

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

1. MEMBERSHIP AND TERMS OF REFERENCE

The committee is asked to note the following membership and terms of reference for the Cramlington, Bedlington & Seaton Valley Local Area Council which were agreed by Council on 26 May 2021.

The membership is made up of the county councillors who represent the 12 electoral divisions in the Cramlington, Bedlington and Seaton Valley area.

Chair: M D Swinburn

Vice Chair: S Lee; Vice Chair (Planning): R Wilczek

Quorum – 4

Conservative	Labour	Non Aligned	Liberal Democrat	Independent
W Daley	L Bowman	S Lee		C Taylor
C Dunbar	R Wilczek	M Robinson		
P Ezhilchelvan				
D Ferguson				
B Flux				
P Scott				
M Swinburn				

- (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. PROCEDURE AT PLANNING MEETINGS

(Pages 1
- 2)

3. APOLOGIES FOR ABSENCE

- 4. MINUTES** (Pages 3 - 6)
- Minutes of the meeting of the Cramlington, Bedlington & Seaton Delaval Local Area Council held on 17 March 2021 as circulated, to be confirmed as a true record and signed by the Chair.
- 5. 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 Legal Services, on 01670 623324. Please refer to the guidance on disclosures at the rear of this agenda letter.
- 6. DETERMINATIONS OF PLANNING APPLICATIONS** (Pages 7 - 10)
- 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. 20/03225/COU** (Pages 11 - 24)
- Retrospective permission for partial change of use of downstairs of property to childcare in a domestic setting with proposed front driveway (amended 07.06.2021)**
41A Southward, Seaton Sluice, Whitley Bay, Northumberland, NE26 4DQ
- 8. 20/03863/VARYCO** (Pages 25 - 34)
- Variation of conditions 2 (materials) and 3 (approved plans) pursuant to planning permission 18/00515/FUL in order to install a flat roof rather than a pitched roof**
41A Southward, Seaton Sluice, Whitley Bay, Northumberland, NE26 4DQ
- 9. APPEALS UPDATE** (Pages 35 - 44)
- For Member's information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

10. 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.

11. PETITIONS

(Pages
45 - 48)

This item is to:

- (a) Receive any new petitions:** to receive any new petitions. The lead petitioner is entitled to briefly introduce their petition by providing a statement in writing, and a response to any petitions received will then be organised for a future meeting;
- (b) Consider reports on petitions previously received:** Petition for additional parking at Mayfield Dale, Cramlington.
- (c) Receive any updates on petitions for which a report was previously considered:** any updates will be verbally reported at the meeting.

12. 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.

13. APPOINTMENTS TO OUTSIDE BODIES

(Pages
49 - 50)

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.

14. MEMBERS' LOCAL IMPROVEMENT SCHEMES 2021-2022

(Pages
51 - 76)

The Members Local Improvement Schemes for Cramlington, Bedlington & Seaton Valley Local Area Council are provided for information only.

15. LOCAL AREA COUNCIL WORK PROGRAMME

(Pages
77 - 84)

To note the latest version of agreed items for future Local Area Council meetings (any suggestions for new agenda items will require confirmation by the Business Chair after the meeting).

16. DATE OF NEXT MEETING

The next meeting will be held on Wednesday, 18 August 2021 (Planning only).

17. URGENT BUSINESS

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

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

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

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

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

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

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

The following are other Registerable Personal Interests:

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

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

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

3. Non-participation in Council Business

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

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

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

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

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

Welcome to also include reference to

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

B Record attendance of members

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

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

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

Committee members' questions to Planning Officers

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

Debate (Rules)

Proposal

Seconded

DEBATE

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

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

Vote(by majority or Chair's casting vote)

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

NORTHUMBERLAND COUNTY COUNCIL

CRAMLINGTON, BEDLINGTON AND SEATON VALLEY LOCAL AREA COUNCIL

At the remote meeting of the **Cramlington, Bedlington and Seaton Valley Local Area Council** held on Wednesday, 17 March 2021 at 4.00 pm.

PRESENT

M. Robinson (Vice Chair in the Chair)

CABINET MEMBERS

Bowman, L.
Crosby, B.
Daley, W.
Dungworth, S.

Flux, B.
Hepple, A.
Swinburn, M.

OFFICERS

Carle, M.
Gribbin, T.

Hadfield, K.

Lead Highways Delivery Manager
Neighbourhood Services Area
Manager
Democratic and Electoral Services
Manager

101. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dunbar and Richards.

102. MINUTES

RESOLVED that the minutes of the meeting of the Local Area Council held on Wednesday, 17 February 2021, as circulated, be confirmed as a true record and signed by the Chair.

103. POLICING AND COMMUNITY SAFETY UPDATE

Inspector Caisley was not present at the meeting.

104. PUBLIC QUESTION TIME

No public questions had been received.

105. PETITIONS

No petitions had been received.

106. LOCAL SERVICES ISSUES

Members received an update from Michael Carle which covered the following main points:-

- Large areas of tarmac patching on roads and cycle tracks following the bad weather. Further work was planned for the A192, Holywell (Pre SD), Broadlaw, Annitsford, Fisher Lane, Cramlington and Mindrum Way, Seaton Delaval
- Drainage improvements had been carried out on the A189 Spine Road and Horton Road
- Flags to Flex was being carried out at various locations
- Tarmac resurfacing work would be done at Hawthorn Nurseries, Holywell and at Acomb Avenue, Seaton Delaval.
- Tarmac patching preparation work had been completed at Crammond Way, Cramlington, Blagdon Terrace, Cramlington and Cateran Way, Cramlington. Preparation work at Cherry Tree Drive, Bedlington was expected to be completed before April.
- He updated members on the winter services delivered during the recent spell of bad weather in February. Feedback had been very positive during and after the event and he thanked everyone involved for their efforts.

Members asked a number of questions including:-

- Councillor Flux commented on the excellent work carried out on Sudberry Way but asked why the other area had just been patched. Mr Carle advised that there was a scoring system for work to be done but he would check this out and respond.
- Councillor Bowman welcomed the work which had been done on Acomb Avenue but queried why the full length was not being done as he had understood that the whole area would be as in the plan to residents. Mr Carle replied that his team worked to plans produced by the Integrated Transport Team. He would check out the position regarding the wider area as it was possible that the works were being phased.
- Councillor Daley echoed the thanks to the winter services staff for their recent efforts and commented that potholes were getting repaired very quickly. He urged members to report potholes if they saw them and not leave it to someone else. He also felt it was important that manhours should be referred to as workforce hours. This would give a more positive message and encourage people into jobs they were good at regardless of gender. Language could sometimes put people off.
- Councillor Hepple welcomed the quick responses he received to queries he had raised with the team.

- Councillor Swinburn commented that all of the work done in Cramlington Village had made a big difference as it hadn't been touched for some time. He referred to an area at the top end of Dudley Lane and the main road which went past Sainsbury's and the roundabout. He had repeatedly reported potholes in this area, which did get filled, but it looked like the sub surface had fallen away and the road was sinking. This was one of the busiest sections of road in Cramlington and there were very big ruts where the buses stopped. Recent work on the kerbs had been destroyed by buses. He asked if this could be looked at more carefully instead of just keep filling in the holes. Mr Carle agreed this was a high stress area, As regards the previous work, he would make sure this was picked up by the local inspector to ensure the road was getting its monthly inspection. Councillor Swinburn also reported that there were some street lights out outside the library following the installation of the car charging points. Mr Carle agreed to pick this up also.
- Councillor Robinson commented that at the last meeting he had asked about a reduction in the 40mph speed limit to 30 mph on the Choppington road which had been supported at a planning meeting, and the road into Bedlington from Netherton Village as residents were reporting problems exiting the estate. Mr Carle would chase this up with the Integrated Transport Team and have them respond direct.

Mr Gribbin reported as follows:

- The recent cold weather had posed some challenges for his service also but the South East area had coped well and NEET operatives had also ensured that vaccination areas had been fully maintained.
- Teams were in the final stages of preparation for the up and coming grass season with equipment being serviced. Grass cutting should start in the next couple of weeks if dry enough. Seasonal staff were being recruited and weed control was being taken on in-house. Trials of glysophate alternatives would be carried out this year.
- An increase in footfall was expected again this summer so Street Cleansing services would probably need to be enhanced this year and staff were prepared for this.
- The garden waste collection service had begun again, and at £43 for 20 collections, this offered excellent value for money.
- The recycling glass trial in Bedlington had now had four collections and the presentation had been very encouraging. He would have some facts and figures for the next LAC meeting.

Members asked a number of questions, including:-

- Councillor Swinburn asked that some information be made available on the Council's website about the safe use of weedkiller to answer concerns from the public to assist members. He also raised a problem with the grass verge at Doddington Drive, which was being chewed up by larger delivery vehicles on the bend due to its shape as people moved into the properties. He asked if something could be done until a longer term solution was found to the issue. Mr Gribbin agreed to look at this.
- Councillor Robinson asked whether there was any update on the flooding problem at Westlea Cemetery. Mr Gribbin advised that the contractor was to

do a further CCTV survey and was looking to put drainage in at the bottom end, probably in April. The older section was more challenging and he did not have the answer for that yet. However, it was still on his radar.

The Chair thanked officers for their reports.

107. MEMBERS LOCAL IMPROVEMENT SCHEMES - PROGRESS REPORT

RESOLVED that the progress report be received (copy attached to the signed minutes as **Appendix A.**)

108. LOCAL AREA COUNCIL WORK PROGRAMME

RESOLVED that the latest version of agreed items for future Local Area Council meetings be noted (work programme attached to the signed minutes as **Appendix B.**)

109. DATE OF NEXT MEETING

Wednesday, 21 April 2021 at 4.00 p.m.

CHAIR.....

DATE.....



Northumberland County Council

CRAMLINGTON, BEDLINGTON & SEATON VALLEY LOCAL AREA COUNCIL

21 JULY 2021

DETERMINATION OF PLANNING APPLICATIONS

Report of the Executive Director of Place

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

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

Key issues

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

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Cramlington, Bedlington & Seaton Valley Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

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

- Decision makers are to have regard to the development plan, so far as it is material to the application
 - Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
 - Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
 4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
 5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

Important Copyright Notice

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BACKGROUND PAPERS

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

IMPLICATIONS ARISING OUT OF THE REPORT

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

Report author Rob Murfin
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APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce s application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 10 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

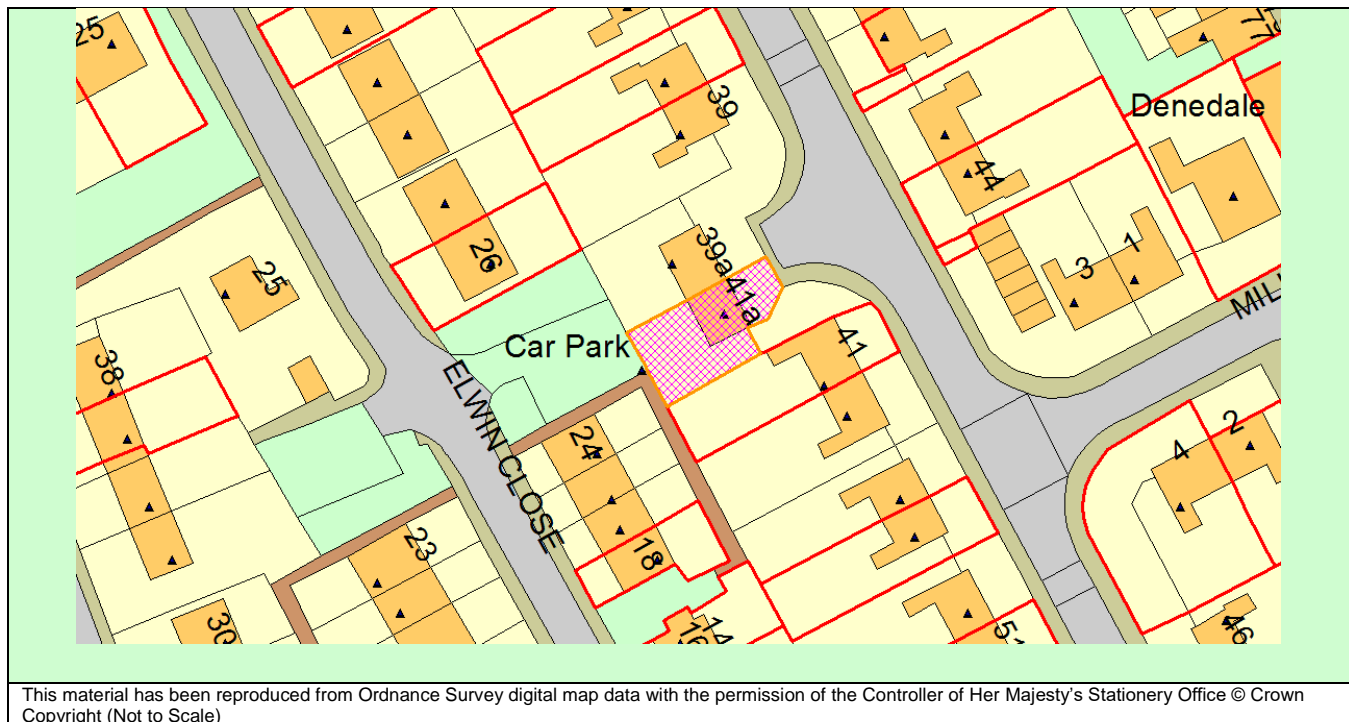


Northumberland County Council

Cramlington, Bedlington and Seaton Valley Local Area Council 21st July 2021

Application No:	20/03225/COU		
Proposal:	Retrospective permission for partial change of use of downstairs of property to childcare in a domestic setting with proposed front driveway (amended 07.06.2021)		
Site Address	41A Southward, Seaton Sluice, Whitley Bay, Northumberland NE26 4DQ		
Applicant:	Mrs Elaine Burt 41A Southward, Seaton Sluice, Whitley Bay, Northumberland NE26 4DQ	Agent:	None
Ward	Hartley	Parish	Seaton Valley
Valid Date:	21 October 2020	Expiry Date:	23 July 2021
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 As the application generates significant planning issues, the Director of Planning confirmed that it should be determined at Local Area Council Meeting.

2. Description of the Proposals

2.1 Planning permission is sought for retrospective permission for partial change of use of downstairs of a residential property to childcare in a domestic setting with proposed front driveway at 41A Southward, Seaton Sluice.

2.2 The property is a semi-detached dwelling within a residential area of Seaton Sluice with currently no on-site parking. The application includes a new driveway to the front of the property for one space and a public parking area is available directly to the rear of the site. The property has been extended in order to provide additional space for the business however, this is subject to another retrospective application under 20/03863/VARYCO for the variation of conditions 2 (materials) and 3 (approved plans) pursuant to planning permission 18/00515/FUL in order to install a flat roof rather than a pitched roof.

2.3 The business caters for a maximum of 22 children at any one time. This is based on the available floor space regulated by Ofsted. Due to parent shift patterns the number of visitors per day can vary from 16 but up to 28-30. At present, some children only attend during the day whilst others only attend before or after school.

2.4 The application has been supported by a statement to clarify the arrangements in place for the business and drop off/pick up times. In summary this states:

- It has been arranged for all families to drop off their children at separate times with no more than 2 families arriving at the same time;
- Drop off times start between 7am and 7:30 am. At present, a maximum of 12 children are dropped off between 7:30am and 9:00am;
- All drop offs are staggered so that no more than 1 or 2 cars arrive at the same time and all parents who live local walk their children to the setting;
- Most of the children who attend are siblings which means that there is a maximum of 6 vehicles dropping off during this time;
- During the hours of 9am – 3pm there could only be up to 4 families dropping off and picking up. These times are staggered and spread throughout the day.
- School runs are at 8:45am, 11:45am and 3:00pm.
- Children are collected from school on foot and taken to school and brought back from school using the rear entrance, thus causing less foot traffic at the front of the property.
- Pick ups start from 4pm and times are staggered to ensure that no more than 2 vehicles arrive at the same time to collect the children. Local families arrive on foot to collect.

- Some families use the rear entrance for pick up and drop offs. This reduces congestion at the front of the property. All children are away from the setting between 18:00 and 18:30.
- Pick up and drop off times at the busiest times are within 5-10 minute intervals but are mainly within 15 minutes to half an hour apart.
- A new policy being considered by the applicant is for parents to notify the applicant 5 minutes before arrival to ensure that children are collected as swiftly as possible and that no vehicles are parked up for any longer than a couple of minutes.
- While working during the day, the garden is used by a maximum of 6 children at any one time with 2 staff members. This reduces any excess noise levels and ensures the safety of all children.

The applicant considers this to provide a vital service for the local community and a vital feed for the local first school which does not offer an afterschool club.

3. Planning History

Reference Number: 18/00515/FUL

Description: Proposed two storey rear extension as amended by drawings received 13/03/18

Status: Approved

Reference Number: 20/03863/VARYCO

Description: Variation of conditions 2 (materials) and 3 (approved plans) pursuant to planning permission 18/00515/FUL in order to install a flat roof rather than a pitched roof

Status: Pending decision

Reference Number: 21/00164/FUL

Description: Create a drive for 2 cars.

Status: Application returned

4. Consultee Responses

Public Protection	No objections
Forestry Commission	No comments
Strategic Estates	No response received
Seaton Valley Parish Council	No response received
Highways	Insufficient parking provision

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	34
Number of Objections	4
Number of Support	51
Number of General Comments	1

Notices

General site notice not required
No Press Notice Required.

Summary of Responses:

There has been 51 representations received and a petition of support and consider the application:

- Provides a valuable service for the local community
- No issues with parking or increased traffic
- No disturbance from visitors

4 Letters of objections have been received which include the Seaton Sluice and Old Hartley Residents Association:

- This is a residential area and it should remain so. If the planners approve this application then they are setting a precedent for future business developments in residential areas.
- This area already suffers from excessive traffic from the school run, cars parking from Millway Garage and overspill from the Co-op, along with vehicles using the turning circle as the street is not wide enough to turn easily.
- The turning circle outside the property is for all road users to use, not just for the applicant
- Dropping off and picking up children is disruptive to neighbours.
- There is no parking for users of the nursery and it isn't good enough to keep removing green spaces for concrete parking areas. The owner's car and van already park partially on the pavement outside their property.
- Neighbours have been shown no consideration at all.
- The window advertising is not acceptable in a residential area.
- An objection from the adjacent neighbour to the west has concerns with the new side extension due to its position near the shared boundary; no guttering in place and the doorway obstructs access to neighbouring side access and bin storage. – The side extension is permitted development and no action can be taken. The works to the brickwork and guttering have not been implemented until the planning permission has been determined under 20/03863/VARYCO. These issues will also be covered under building control regulation and the Party Wall Act that are separate to the planning system.

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=QHH200QS0LK00>

6. Planning Policy

Blyth Valley Local Plan (1999):

Policy G5 Settlement Policy: The Villages
Policy C10 Educational Facilities
Policy W8 Mixed Uses Involving Work Activity

Blyth Valley Local Development Framework Development Control Policies
Development Plan Document (2007):
DC1 - General development
DC9 Mixed Uses
DC11 - Planning for sustainable travel
DC12 Provision of Community Facilities

Blyth Valley Core Strategy (2007):
Policy SS1 – Regeneration and Renaissance of Blyth Valley 2021: Integrated
Regeneration and Spatial Strategy
Policy SS2 – The Sequential Approach and Phasing
Policy SS3 – Sustainability Criteria
Policy C1 – Educational Facilities
ENV2 - Historic and Built Environment

4.3 Emerging Policy

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

STP 1 - Spatial strategy (Strategic Policy);
STP 2 - Presumption in favour of sustainable development;
STP 3 - Sustainable development;
QOP 1 - Design principles (Strategic Policy);
QOP 2 - Good design and amenity;
TRA 2 - The effects of development on the transport network
TRA 4 - Parking provision in new development
Policy ECN 11 - Employment uses in built-up areas and home working

Seaton Valley Neighbourhood Plan

The independent examination of the Seaton Valley Neighbourhood Plan has been completed. The report of the Independent Examiner was published on 5 May 2021. The County Council has considered each of the recommendations made by the independent examiner and has agreed to accept these. This action has been agreed with Seaton Valley Parish Council. The Seaton Valley Neighbourhood Plan, as modified, will now proceed to a local referendum on Thursday 29 July 2021. The Plan will now be given significant weight in decision making.

7. Appraisal

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

- principle of the development
- impact on amenity
- highway issues.

Principle of Development

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development

comprises policies in the Blyth Valley District Local Plan, adopted in 1999, Blyth Valley Core Strategy 2007 and Blyth Valley Development Control Policies DPD. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

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

7.4 Policy DC1 of the Blyth Valley Development Plan Document (DPD) states that development proposals shall be situated within settlement boundaries as shown on the Local Plan proposals map. The application site is located within the defined settlement boundary of Seaton Sluice, and as such is considered an appropriate location for development, in accordance with Policy DC1. Policy SS1 of the Blyth Valley Core Strategy states that the villages of East Hartford, East Cramlington, Seghill, Holywell, New Hartley and Seaton Sluice/Old Hartley will accommodate small-scale development within settlement limits in order to maintain sustainable communities. Policy SS2 further expands stating new development should be directed towards larger towns but also suitable sites in villages, particularly those that involve the use of previously developed land and buildings. Policy SS3 states that new development would help to build communities by sustaining community services and facilities.

7.5 There are no relevant policies that relate to the conversion of existing buildings into child care facilities however, the proposal is re-using a previously developed site with a settlement and is an efficient use of land in a sustainable location. It also provides a community facility and service. Policy C1 of the Blyth Valley Core Strategy does highlight that the Council will encourage further the dual use of education facilities and buildings for community purposes where appropriate.

7.6 The NPPF states that the Local Planning authority should support economic growth in order to create jobs and prosperity by taking a positive approach to sustainable new development and should support the sustainable growth and expansion of all types of business and enterprise, both through conversion of existing buildings and well-designed new buildings. The proposed change of use would provide employment opportunities for a business wishing to develop in the area, as such the application would accord with the provisions of the NPPF in this respect.

7.7 Whilst the location is acceptable in principle and accords with the sustainability principles in the identified national and local planning policies, the proposed use and its scale should not be detrimental to visual and residential amenity and highway safety which need to be considered in the round to ensure the scheme is appropriate in its location.

Residential amenity and impact to character of the site

7.8 There must be consideration given to the impact a commercial facility may have on nearby properties when introduced into a residential area. There are some facilities that may intensify the use of the site and cause high volumes of disturbance due to a significant amount of additional visitors. In this instance, it is the regular occurrence of visitors at the site and inevitable noise levels from children within the building. The proposal can also alter the character of the residential area from the original use as a domestic property to accommodate a small household to a working facility catering for larger number of people. Policy C10 of the Blyth Valley Local Plan supports this view that proposals for a nursery need to apply the criteria in Policy W8 (Mixed Uses Involving Work Activity) and that this would not significantly reduce the residential character of the area remain ancillary to the principal use of the property and is acceptable in terms of amenity and parking. It is considered that the objective of these policies is compromised by the scale of this business in having up to 22 children in the dwelling being cared for at any one time.

7.9 Policy ENV 2 – Historic and Built Environment The historic and built environment of the borough will be protected from inappropriate development. High quality design will be expected in all new developments, re-use, and conversion of existing buildings. Developments which in visual terms would cause significant harm to the character or quality of the surrounding environment will be refused.

7.10 Policy DC1 Blyth Valley Development Control Policies DPD Be of a high standard of design and landscaping which takes account of existing natural and built features, the surrounding area and adjacent land uses; have no adverse impact on the amenities of residents of nearby residential properties and provide or contribute to the provision or enhancement of community facilities to meet local need where it is development which generates a significant demand for community facilities.

7.11 Policy DC9 Blyth Valley Development Control Policies DPD is of particular relevance as mixed use developments involving an element of work activity, including the operation of small businesses from dwellings, will be supported provided that:

- A) The proposal does not adversely impact on the amenity of neighbouring residential properties.
- B) Satisfactory access and parking arrangements are provided.
- C) Where the proposal involves the operation of a business from a dwelling, the proposal remains ancillary to the main use of the property as a dwelling house.

7.12 Policy DC12 of Blyth Valley Development Control Policies DPD states that development which enhances the network of community facilities will be permitted within settlements provided that the development is well located to the community which it will serve.

7.13 Policy ECN 11 of the emerging NLP expands upon the aim of Policy DC9 and refers to employment uses in built-up areas and home working. It relates to businesses

operating from within built-up areas, including residential areas and people's homes which will be supported, subject to highways, access and amenity considerations, by permitting business proposals seeking to occupy small sites or buildings within residential or other built-up areas, provided that they are not allocated for other uses or are otherwise protected; Allowing for the creation of workspace for home-run businesses involving the conversion of part of a dwelling, its outbuildings, or the development of appropriately scaled new buildings within the dwelling curtilage.

7.14 Policy QOP1 and QOP2 of the emerging NLP seeks to support development which respects its surroundings and to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.15 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users. Paragraph 58 states in relation to 'Requiring good design' that "Planning policies and decisions should aim to ensure that developments:

- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;"

7.16 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.17 There is case law that indicates a childminding business does not require planning permission to care for up to 6 children due to being similar to that of a large household and would remain an ancillary use to the dwelling. Those businesses that cater beyond six children require a judgement on the increased intensification of the use and if this is appropriate within its setting.

7.18 An appeal for a childminding business for 10 children was dismissed at 86 Crookes Broom Lane, Hatfield, Doncaster, South Yorkshire, DN7 6LD (Ref: Ref: APP/F4410/W/17/3186851) as it was considered the impact would lead to noise and disturbance to existing occupants. The main issues in this case were:

- The effect of the proposal on the living conditions of nearby occupiers with particular reference to noise and disturbance;
- The effect of the proposal on the character and appearance of the surrounding area.

7.19 The appeal site was a similar situation in that the property is a semi-detached in a residential area and was applying retrospectively.

7.20 The appeal however was for a smaller number of children using part of the dwelling for a childminding business for up to 10 children at any time. The business employed one part time and two full time members of staff with the opening hours from 07.30 to 18.00 hours Monday to Friday.

7.21 The difficulty with the nature of this type of use is that the of visitors may differ on a daily basis. The Inspector also confirmed that this in itself causes difficulty in assessing such applications as circumstances can change over time stating that:

“I am also conscious that the current circumstances of the appellant and her business they may alter in the future. Planning permission runs with the land and it cannot be assumed that employees will always live nearby or that they will not seek to park on the driveway. Nor have I seen anything to demonstrate how the possibility of multiple customers visiting the site at the same time can be precluded”.

7.22 The current application clarifies current working arrangements however, this may change over time which could result to increased disturbances. The property within the appeal site also used the rear garden as a play area which led to the Inspector observing this and the scheme overall highlighting that:

“noise arising from up to 10 children playing in what is a relatively small outdoor area is in my view likely to cause undue noise and disturbance to nearby occupiers. Additionally, noise and disturbance is generated by the comings and goings of additional vehicles and people to the appeal property. This includes the banging of car doors, revving of engines and general noise arising from parents and children entering and leaving the appeal property. These activities take place in relatively close proximity to nearby houses and are likely to be noisy and intrusive, particularly early in the morning at drop-off times when background noise would be generally diminished.”

7.23 The Inspector concluded that the childminding business for 10 children was harmful to the living conditions of nearby occupiers with particular reference to noise and disturbance undermining the core planning principle of the NPPF that seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

7.24 It should be noted that each application must be assessed on their own merits however, the appeal case recognises the issues and concerns of a similar situation of a child-minding business within a semi-detached property and dense residential area. It must also be acknowledged that the appeal site was providing care for only 10 children with the appeal being dismissed due to the impact to amenity. In comparison, the number of children being cared for in the current application site is accommodating more than double the amount with a maximum of 22 children at any one time and this could increase up to a total of 30 on certain days. The Council, therefore, has concerns with the scale of the business and the resulting intensification of the site leading to a more dominant use than the residential property. This results in the generation of increased levels of noise and disturbance based on the high volume of children and parents visiting the site. It would also appear to conflict with Policy DC9 and DC12 as the proposed use would not remain ancillary to the main use of the property as a dwelling and adversely impact on the amenity of neighbouring residential properties.

7.25 There is advertising in the front windows of the property and whilst this does detract from the residential character of the property, the signs are not overly dominating or visually intrusive.

7.26 The business offers a valuable community facility and is suitably located in terms of serving local residents and nearby school however, this should not also be at the expense of those occupants in the surrounding area therefore the issues raised within this report of operating a business catering for up to 22 children at any one time, and up to 30 in general from a semi-detached residential dwelling needs very careful consideration. Whilst the principle of the use is acceptable, a smaller childminding

business would still offer a valuable use but more sympathetic to the character of the area and reduce disturbance.

7.27 The scale of the childminding business is not ancillary to the main house and will adversely impact on the amenity of neighbouring residential properties and alter the character of the site in a residential area. As such the application is not in accordance with Policy DCP1, DCP9 of Blyth Valley Development Control Policies DPD, Policy ECN 11 and QOP2 of the emerging NLP and the NPPF.

Highways

7.28 Policy DC9 of the Blyth valley Development Control Policies DPD states that for mixed use developments involving an element of work activity, including the operation of small businesses from dwellings, will be supported provided that:

- A) The proposal does not adversely impact on the amenity of neighbouring residential properties.
- B) Satisfactory access and parking arrangements are provided.
- C) Where the proposal involves the operation of a business from a dwelling, the proposal remains ancillary to the main use of the property as a dwelling house.

7.29 Policies TRA2 and TRA4 of the emerging NLP seek to ensure that development does not have a negative impact upon the transport network and allocates sufficient parking. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy.

7.30 When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets. The information submitted has been checked against the context outlined above, it is considered that the following further information is required:

7.31 The applicant has submitted an initial supporting statement confirming that there are currently 4 members of staff however, there is normally only 3 members of staff in at any one time. There are usually no more than 12 children during the day and this increases to no more than 18 children after school hours, the children are dropped off at staggered times from 7 am to 3pm.

7.32 Due to the nature of the use of the site, the pick-up and drop off of children is likely to be spread more than a traditional educational establishment with fixed operating times and on the basis that there is no policy requirement to provide parking for these fixed timed educational uses. As such, it would not be possible to request that specific drop off and pick up parking is required. The surrounding residential streets experience on-street parking and the site does benefit from a former turning head where additional parking could occur although this cannot be for the sole use of the site as it is within the public highway.

7.33 The current situation is not ideal with no on-site parking serving the existing dwelling. The replacement of on-street parking demand created by the dwelling is not possible as the remainder of the property is to be retained as a residential dwelling. The building, therefore needs to provide parking for both a dwelling and a business. As such the applicant is required to provide 3 parking spaces to accommodate staff

parking and a revised block plan was requested to address potential road safety issues with longer stay staff parking associated with the development.

7.34 The dwelling currently has no on-site parking with vehicles parking on the highway. The applicant has submitted a revised block plan demonstrating that a new driveway will be able to accommodate one vehicle on site with the additional available parking area directly to the rear of the property to provide the remaining two spaces. The land is owned by NCC and there is permission to use this for parking however, it is also available to other residents in the estate.

7.35 The submitted block plan shows this car parking to the rear of the site along Elwin Close although this is not within the applicants control and therefore, cannot be included within the applicants redline boundary. There are no restrictions to ensure this would be retained for staff parking.

7.36 The current plans do not show the required 3 parking spaces to be within the applicants red line boundary. Whilst the resubmitted details demonstrate that the front parking bay is deliverable through third party land licensed to them, the two spaces identified to the rear of the property are not within the red line boundary and there is no legal information supplied to back up the statements within the submitted Management Policy that they can be used during working hours.

7.37 The proposed front parking area would normally remove potential on-street parking whereby a vehicle parked on-street would be prevented from doing so by the dropped kerb. In this situation, however, the parking bay could be used by the residential element of the site and the drive be blocked by on-street parking of staff resulting in a nil-detriment to on-street parking. Until such time as the remaining two spaces can be shown to be available for the use as stated in the supporting information, then the development continues to have a short fall of off-street parking for staff use.

7.38 Unfortunately, as the proposal is utilising a dwelling, there is no on-site parking for customers and as a minimum, has only 1 allocated space. The semi-detached property is restricted for space in terms of accommodating the level of visitors and staff. Concerns from some residents has been raised on the impact to congestion whilst other comments state the impacts are not as severe as claimed.

7.39 The applicant indicates that current staff arrangements do not warrant 3 parking spaces and despite the rear parking area not being within the red line boundary, it is still available to use.

7.40 Referring back to the appeal case highlighted in the previous section of the report, the inspector also assessed the effect of the proposal on highway safety with particular reference to car parking. To reiterate the Inspector's point when stating *"I am also conscious that the current circumstances of the appellant and her business they may alter in the future. Planning permission runs with the land and it cannot be assumed that employees will always live nearby or that they will not seek to park on the driveway"*

7.41 It was further acknowledged that *"in the absence of any further information to show how adequate staff and customer parking could be satisfactorily accommodated*

on the site, it seems to me that some car parking off site is likely and cannot be ruled out”.

7.42 Whilst off-site parking was considered, the Inspector was aware that this was not within the appellants ownership and there was no guarantee the busy car park would provide parking space and be convenient. Again, to reiterate that site circumstances and locations are different however, the appeal highlights that the Councils request for on-site parking is not unreasonable and that the permission has to be considered for the lifetime of the development and not current staff arrangements, especially in a surrounding residential environment.

7.43 The application is assessed against the Parking Standards in Appendix D of the emerging NLP and Policy DC11 and Appendix A of the Blyth Valley Development Control DPD. The provision of one allocated parking space for a business catering for 22 children and 4 members of staff is not considered to be adequate provision and conflicts with the identified parking standards. It would also not accord with Policy DC9 of the Blyth Valley Development Control Policies DPD as there would be no satisfactory parking arrangements for the operation of small businesses from a dwelling. As such, the application should be refused on insufficient parking and highway safety grounds.

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

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

8. Conclusion

8.1 The business is at a size that caters for 22 children which is not deemed to be an ancillary use to the existing dwelling and would intensify the current site and number of visitors. Caselaw also demonstrates that much smaller schemes have been deemed unacceptable due to the impact upon amenity and highways.

8.2 The scheme is unable to provide 3 on-site staff parking spaces consistently requested from the Highways Authority and as such cannot adequately address highway safety for the lifetime of the development.

9. Recommendation

That this application be REFUSED permission subject to the following:

01. The scale of the change of use leads to a significant rise in visitors and intensification of the site resulting to an adverse impact to the amenity of existing residents and is harmful to the residential character of the area. As such the application is not in accordance with Policy DCP1, DCP9 of Blyth Valley Development Control Policies DPD and the NPPF.
02. The scheme fails to address highway safety matters in relation to appropriate parking provision for the operation of small businesses from a dwelling. As such, the childminding/nursery would not accord with Policy DC9 and DC11 of the Blyth valley Development Control Policies DPD and the NPPF.

Date of Report: 06.07.2021

Background Papers: Planning application file(s) 20/03225/COU

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Northumberland County Council

Cramlington, Bedlington and Seaton Valley Local Area Council 21st July 2021

Application No:	20/03863/VARYCO		
Proposal:	Variation of conditions 2 (materials) and 3 (approved plans) pursuant to planning permission 18/00515/FUL in order to install a flat roof rather than a pitched roof		
Site Address	41A Southward, Seaton Sluice, Whitley Bay, Northumberland NE26 4DQ		
Applicant:	Mrs Elaine Burt 41A Southward, Seaton Sluice, Whitley Bay, Northumberland NE26 4DQ	Agent:	None
Ward	Hartley	Parish	Seaton Valley
Valid Date:	5 January 2021	Expiry Date:	23 July 2021
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 As the application has generated significant planning issues, the Director of Planning confirmed that it should be determined at Local Area Council Meeting.

2. Description of the Site

2.1 The application is seeking to vary condition 2 (materials) and 3 (approved plans) pursuant to planning permission 18/00515/FUL in order to construct a flat roof rather than a pitched roof at 41A Southward, Seaton Sluice.

2.2 Application 18/00515/FUL approved a full width extension projecting 3.5m from the rear wall. The two-storey element of the extension measures 5.6m along the rear wall and pitched roof with a ridge height of 6.6m high with the remaining part of the extension near the eastern shared boundary being reduced to single storey measuring 2.3m in width and a lean-to roof of 3.7m high to the ridge.

2.3 The extension has not been constructed in accordance with the approved plans and a full width two storey flat roof extension has been built measuring 7.9m x 5.6m high and projecting 3.56m from the rear wall. The application also includes an external staircase to the side elevation for a fire escape from the first floor.

2.4 The extension is in connection to application 20/03225/COU for the retrospective permission for partial change of use of downstairs of property to childcare in a domestic setting with proposed front driveway. The extension is therefore required to serve the current occupants as a dwelling and for additional space to serve the child minding business.

3. Planning History

Reference Number: 18/00515/FUL

Description: Proposed two storey rear extension as amended by drawings received 13/03/18

Status: Approved

Reference Number: 20/03225/COU

Description: Retrospective permission for partial change of use of downstairs of property to childcare in a domestic setting with proposed front driveway (amended 07.06.2021)

Status: Pending decision

Reference Number: 21/00164/FUL

Description: Create a drive for 2 cars.

Status: Application returned

4. Consultee Responses

Seaton Valley Parish Council	No response received.
Forestry Commission	No comments.
Strategic Estates	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	1
Number of Support	0
Number of General Comments	0

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

An objection from the adjacent neighbour to the west has concerns with the new side extension due to its position near the shared boundary; no guttering in place and the doorway obstructs access to neighbouring side access and bin storage.

Response to objection:

The side extension is permitted development and no action can be taken. The works to the brickwork and guttering have been put on hold until the planning application has been determined. These issues will also be covered under building control regulation and the Party Wall Act that are separate to the planning system. The objection was submitted to the separate application on site Ref: 20/03225/COU (Retrospective permission for partial change of use of downstairs of property to childcare in a domestic setting with proposed front driveway) but has also been taken into consideration for this application for the external works.

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=QJW5M6QS0M800>

6. Planning Policy

4.1 Development Plan Policy

Blyth Valley Local Plan 1999
Policy G5 Settlement Policy: The Villages

Blyth Valley Core Strategy (2007):
Policy SS1 – Regeneration and Renaissance of Blyth Valley 2021: Integrated
Regeneration and Spatial Strategy
Policy SS2 – The Sequential Approach and Phasing
Policy SS3 – Sustainability Criteria
Policy C1 – Educational Facilities
ENV2 - Historic and Built Environment

Blyth Valley District Local Development Framework: Development Control Policies
Development Plan Document (DPD)(2007):
DC1 - General Development; and
DC28 - Extensions and Alterations of Residential Properties.

4.2 National Planning Policy

National Planning Policy Framework (2019) (NPPF); and
National Planning Practice Guidance (2019, as amended) (NPPG).

4.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as
amended by proposed Main Modifications (June 2021)
STP 1 - Spatial strategy (Strategic Policy);
STP 2 - Presumption in favour of sustainable development;
STP 3 - Sustainable development;
HOU 9 - Residential development management;
QOP 1 - Design principles (Strategic Policy);
QOP 2 - Good design and amenity;
TRA 4 - Parking provision in new development.

Seaton Valley Neighbourhood Plan

The independent examination of the Seaton Valley Neighbourhood Plan has been
completed. The report of the Independent Examiner was published on 5 May 2021.
The County Council has considered each of the recommendations made by the
independent examiner and has agreed to accept these. This action has been agreed
with Seaton Valley Parish Council. The Seaton Valley Neighbourhood Plan, as
modified, will now proceed to a local referendum on Thursday 29 July 2021. The Plan
will now be given significant weight in decision making.

7. Appraisal

Principle of Development

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act
2004, planning applications should be determined in accordance with the development
plan, unless material considerations indicate otherwise. In this case the development
comprises policies in the Neighbourhood plan and local plans as identified above. The
National Planning Policy Framework (NPPF) (February 2019) and Planning Practice
Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in
emerging plans dependent upon three criteria: the stage of preparation of the plan;

the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

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

7.4 This application is for a residential extension to an existing dwelling within an established residential area and within the settlement boundary of Seaton Sluice. The application is seeking to retrospectively vary the plans of application 18/00515/FUL for a two-storey extension although the approved plans had also included a side extension. As such the principle of development is considered to be in accordance with Policy DC1 Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document (2007) and policy STP 1 of the emerging Northumberland Local Plan 2017.

Design and Residential Amenity

Policy

7.5 The application is seeking retrospective permission for a two-storey full width flat roofed extension as it was not constructed in accordance with the approved plans on the original permission in 2018.

7.6 The NPPF promotes well-designed places and section 12 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards.

7.7 Policy ENV 2 of the Blyth Valley Core Strategy states that high quality design will be expected and developments and which in visual term would cause significant harm to the character or quality of the surrounding environment will be refused.

7.8 The relevant criteria of Policy DC1 General Development of the Blyth Valley Development Control Policies DPD states that developments must be of a high standard of design and landscaping which takes account of existing natural and built features, the surrounding area and adjacent land uses. Proposals should also have no adverse impact on the amenities of residents of nearby residential properties.

7.9 Policy DC28 of the Blyth Valley Development Control Policies DPD is more specific to extensions and alterations of residential properties. Proposals to extend or otherwise alter existing dwellings will be permitted if it is well related to the existing

building in terms of its design, siting, massing and the use of materials; the extension does not adversely affect the privacy or amenity of adjoining properties; and the use of flat roofs should be avoided and will not be permitted on two storey extensions.

7.10 Policy QOP 1 of the emerging NLP sets design principles and proposals will be supported where design:

- Makes a positive contribution to local character and distinctiveness
- Creates or contributes to a strong sense of place and integrates the built form of the development with the site overall, and the wider local area;
- Incorporates high quality aesthetics, materials and detailing;
- Protects general amenity;

7.11 Policy QOP 2 of the emerging NLP promotes developments to offer good design and amenity. It states that development will be required to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in, working in or visiting the local area. Development which would result in unacceptable adverse impacts on the amenity of neighbouring uses, in terms of both individual and cumulative impacts, will not be supported.

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

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

- The appropriate levels of privacy, according to the use of buildings and spaces, are incorporated into the design of the new development and are preserved in existing neighbouring development;
- Outlook from the development or resulting from the development, particularly in relation to principal viewpoints in habitable rooms or spaces, is not oppressive and design of the development responds to opportunities to deliver the best outcomes for outlook.

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

- a. Building heights;
- b. The form, scale and massing, prevailing around the site;
- c. The framework of routes and spaces connecting locally and more widely;
- d. The pattern of any neighbouring or local regular plot and building widths, and where appropriate, follow existing building lines.

7.12 Policy HOU9 of the emerging NLP relates to householder proposals which will only be supported where the enhancement:

- a. Is well-related and subordinate in size and massing to the existing dwelling, and in combination with the existing dwelling forms a visually indivisible single dwelling as a whole;
- b. Does not have a significant adverse impact on the amenity of adjoining properties in terms of structural proximity and unacceptable loss of daylight/sunlight, privacy and visual outlook;

c. Respects and complements the style and character of the existing dwelling and its setting in terms of its design and use of materials.

Design

7.13 The original permission for the two-storey rear extension was approved as the design combined a two and single storey extension that included a pitched roofs and reducing the scale and mass along the shared boundary.

7.14 A two storey flat roof extension has been constructed along the full width of the rear wall and omitted the pitched roof and single storey element of the scheme. This results in a design that is not in proportion or sympathetic to the style of host property and surrounding street scene.

7.15 Policy DC28 states that flat roofs should be avoided and will not be permitted on two storey extensions. It is considered that a pitched or hipped roof with matching roof tiles would be more in keeping with the appearance of the host. The current extension does not match the roof style of the existing property and creates an incongruous addition on the rear of the property and as part of a semi-detached dwelling.

7.16 The extension is clearly visible from the rear and is not consistent with the character and design of dwellings and extensions at two storey height within the surrounding street. The large, high flat roof fails to complement the existing slope of the pitched roof of the host and instead abruptly connects beyond the eaves which does not promote good design or remain sympathetic to the style and appearance of the property. The originally approved scheme offered a suitable pitched roof and provided an overall more balanced and proportioned design.

7.17 The inclusion of a first-floor side door leading to an external staircase is not an appropriate feature to a residential property and more common on a commercial building. It is considered that this element of the application is not in keeping with the character of the property or surrounding residential area. The side extension is not part of the application but has been included in some of the proposed elevations. It is noted that the constructed side extension would constitute as permitted development and the proposed external render would be acceptable. It remains unfinished at present.

7.18 Having regard to the above, the proposal would have an unacceptable detrimental impact on the design, visual amenity and the character of the host dwelling and the surrounding area.

7.19 The proposed extension does not relate well to the existing dwelling and does not respect or complement the style and character of the existing dwelling and its setting in terms of its design. As such, the proposal is deemed contrary to policies DC1 and DC28 Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document (2007) and, whilst carrying only limited weight at this stage, Policies HOU 9 and QOP 2 of the emerging Northumberland Local Plan 2017 and the NPPF.

Residential Amenity

7.20 There is a general presumption against two storey and first floor rear extensions to semi-detached and terrace houses where the extension would adjoin or come close to the shared boundary with the adjoining house. This is to protect the occupiers of the adjoining property from any serious overshadowing. It is considered that by virtue of the proposed height, mass and projection of the proposed two-storey side extension, this would result in an overbearing impact on the adjoining dwelling to the east. The two-storey extension projecting 3.5m along the shared boundary would result in an overbearing sense of enclosure, loss of outlook, daylight and sunlight.

7.21 It was recognised during a site inspection that the extension directly blocked afternoon sunlight into the neighbouring rear garden and habitable rooms to the rear elevation. In addition, the extension would not meet the '*45 degree rule*' which is a recognised line of site criteria. This rule consists of drawing a line from the nearest neighbouring window at 45 degrees towards the directing of the extension. As the extension interrupts this line, it is therefore a strong indication that the extension is too close to neighbouring window and there would be a loss of light. In addition, the neighbouring property has an obtrusive high brick wall which from an oppressive and overbearing feature from habitable rooms and the garden.

7.22 The inclusion of the side first floor door is not a design feature that is encouraged but in terms of amenity, obscure glazing should be imposed to protect privacy to the west.

7.23 Overall, it is considered that the proposal in the original permission was a more appropriate design that reduced the scale of the extension along the eastern shared boundary to offset the impact to the adjoining neighbour.

7.24 At present, there would be a significant adverse impact on the amenity of an adjoining property in terms of an unacceptable loss of daylight/sunlight, visual outlook, structural proximity and overbearing presence. Having regard to the above, in terms of impact on residential amenity the proposal is considered to be contrary policy DC1 and DC28 Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document (2007) and It would also be contrary to Policies HOU 9 and QOP 2 of the emerging Northumberland Local Plan 2017.

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

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

8. Conclusion

8.1 By virtue of its size, mass and siting, the proposed extensions would have an unacceptable impact on the residential amenity of neighbouring dwellings. Furthermore, the proposed front extension would be an incongruous and over-dominant feature of the host dwelling and would have an unacceptable visual impact on the character and appearance of the application site and street scene.

8.2 Having regard to the above, the proposal stands contrary to policies DC1 and DC28 Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document (2007) and Policies HOU 9 and QOP 2 of the emerging Northumberland Local Plan 2017.

9. Recommendation

That this application be REFUSED retrospective planning permission subject to the following:

Conditions/Reason

01.The two-storey rear extension by virtue of its siting, scale, mass and design does not respect or complement the style or character of the existing dwelling and appears as an incongruous addition to the street scene resulting in significant harm to the visual amenities of the locality. This would be contrary to Policy DC1 & DC28 of the Blyth

Valley District Local Development Framework: Development Control Policies Development Plan Document (2007) Policy ENV2 of the Blyth Valley Core Strategy and the NPPF.

02. The two-storey rear extension by virtue of its siting, scale, mass and height would result in a significant adverse impact on the amenity of an adjoining property in terms of an unacceptable loss of daylight/sunlight, visual outlook, structural proximity and overbearing presence to the occupiers of the neighbouring dwelling to the immediate east. This would be contrary to Policy DC1 & DC28 of the Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document (2007) and the NPPF.

Date of Report: 07.07.2021

Background Papers: Planning application file(s) 20/03863/VARYCO



Northumberland County Council

Appeal Update Report

Date: July 2021

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
20/02807/FUL	<p>Proposed two-storey extension and balcony to front of dwelling – Old Brewery, Allendale</p> <p>Main issues: the proposal is not in keeping with the character of the existing building, the setting of the North Pennines AONB, and is detrimental to visual amenity in this location and the rural character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/03241/CLEXIS	<p>Certificate of Lawful Development of an Existing Use for vehicular access to Pine Lodge off B6345 (resubmission of 20/00570/CLEXIS) - Pine Lodge, Old Swarland, Swarland</p> <p>Main issues: supporting information is inadequate and ambiguous to conclude that the development is lawful.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
20/02355/LBC	<p>Listed Building Consent for replacement of ground floor window with timber glazed 6 over 6 door in west elevation – 1 Prudhoe Street, Alnwick</p> <p>Main issues: proposal would cause harm to the significance of the listed building that is not outweighed by public benefits.</p> <p>Delegated Decision - Officer Recommendation:</p>	No

	Refuse	
20/01790/COU	<p>Change of use of land from open space to residential curtilage with the installation of a 1.8m high fence & a 1.1m high Fence – land south of 32 Cuthbert Way, Collingwood Manor, Morpeth</p> <p>Main issues: adverse impact on the visual and functional amenity of the estate and surrounding area; and loss of open space/woodland that is a functional ecological habitat.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	No
20/02933/VARYCO	<p>Variation of condition 2 (approved plans) of application 19/04737/FUL - new windows and doors to be UPVC – The Nook, Wandylaw, Chathill</p> <p>Main issues: the proposed materials would not be in keeping with the main dwelling and the immediate area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Casework Unit Referrals

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

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
19/04938/FUL	Resubmission of approved planning application 17/02932/FUL Erection of new building comprising of 12 self-contained 1 bedroom apartments (use class C3) for specialised independent supported living with associated external works and car parking – land between 86-90, Front Street East, Bedlington	<p>29 September 2020</p> <p>Appeal against non-determination</p>

	Main issues: appeal against non-determination due to invalid application (no fee paid).	
18/02239/FUL	<p>Redevelopment of the former Marley Tiles Factory to provide a residential development of 105 houses (Use Class C3) with associated access, parking, landscaping and infrastructure (AMENDED description and site layout) - Marley Tile Factory, Lead Lane, Newlands</p> <p>Main issues: isolated development in the open countryside; inappropriate development in the Green Belt by virtue of causing substantial harm to the openness of the Green Belt and very special circumstances have not been demonstrated to outweigh harm; and the design of the development would be out of keeping with the character and appearance of the locality and does not deliver an appropriate form of sustainable design or development for the site.</p>	<p>27 January 2021</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/02872/FUL	<p>Retrospective application for detached granny annex (amended description 17/11/20) - Moresby, Main Road, Stocksfield</p> <p>Main issues: the use of render results in harm to the character and appearance of the property, the surrounding area and the setting of a listed building.</p>	<p>25 March 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02920/FUL	<p>Extensions to roof including hip to gable extension and full width flat roofed dormer – 5 Dilston Avenue, Hexham</p> <p>Main issues: proposals would not be in keeping with the character of the building or the surrounding area and would be detrimental to the visual amenity of the area.</p>	<p>9 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01649/FUL	<p>Constuction of 1no. 4 bed dwelling to be used as primary residence. Unit to be 1.5 storey in height – land north west of The Granary, Tughall Steads, Chathill</p> <p>Main issues: layout results in a harmful impact on the character and rural setting of Tughall, and new track and access would create an urbanising effect to the rural setting.</p>	<p>21 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01045/FUL	Barn conversion for holiday accommodation	22 April 2021

	<p>including three new build elements, a long lean-to to the long barn to the North of the site for corridor access, a middle single storey link between the north and south of the site, and the replacement of the hay barn for a sports hall facility (amended description) - land west of Townhead Farm, Tow House</p> <p>Main issues: design and impact on the non-designated heritage asset; insufficient information relating to drainage; and insufficient information relating to ground gas protection and water supply.</p>	Appeal against non-determination
20/01794/VARYCO	<p>Retrospective: Variation of condition 2 (Approved Plans) pursuant to planning permission 17/00229/FUL to allow amendments made during construction – land north and east of Horsley Banks Farm, Horsley</p> <p>Main issues: inappropriate development in the Green Belt and very special circumstances do not exist to outweigh harm to the Green Belt as well as harm to the character of the area and amenity of residents.</p>	<p>23 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03046/FUL	<p>Flat roof dormer to rear of property – 41 George Street, Amble</p> <p>Main issues: the proposal would significantly detract from the character and appearance of the dwelling and the conservation area.</p>	<p>28 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/03435/VARYCO	<p>Variation of condition 27 (noise) pursuant to planning permission 16/04622/FUL for amendments to boundary treatment plan – land at former Bates Colliery site, Cowpen, Blyth</p> <p>Main issues: applicant has been unable to provide a long-term management and maintenance plan for the required acoustic fencing to specific plots and protection from noise to occupiers cannot be secured.</p>	<p>28 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02548/FUL	<p>Construction of dwelling – land and building east of Ovington House, Ovington</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; harm to the setting of a non-designated heritage asset and the Ovington Conservation Area; and a Section 106 agreement has not been completed in</p>	<p>19 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	respect of a contribution to sport and play.	
20/03861/VARYCO	<p>Variation of condition 2 (approved plans) pursuant to planning permission 20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02479/FUL	<p>Retrospective: Change of use from agricultural and construction of wooden shed - land north-west of 2 Linnels Cottages, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; visually intrusive and harmful impact upon the rural and open character of the site and surrounding area; and harmful impacts upon the amenity of neighbouring residents.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04883/FUL	<p>Proposed demolition of existing garage to be replaced with two-storey dwellinghouse - 2 Sandridge, Newbiggin-by-the-Sea</p> <p>Main issues: harm to non-designated and designated heritage assets and the identified harm would not be outweighed by public benefits.</p>	<p>27 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00574/ADE	<p>Retrospective: Advertisement consent for installation of 3no. signs that have been in place for over 2 years - ADS Caravan Storage, Remscheid Way, Jubilee Industrial Estate, Ashington</p> <p>Main issues: Sign 1 has an unacceptable impact on the visual amenity of the site and surrounding area due to its siting and scale.</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Split Decision</p>
20/04234/FUL	<p>Proposed two storey side extension and demolition of existing garage – 23 Ladbroke Street, Amble</p> <p>Main issues: adverse impact on the street scene and the character and appearance of the conservation area due to scale, height</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	and mass forward of the building line.	
20/04134/FUL	New sunroom – Outwood, Riding Mill Main issues: alongside existing extensions the proposal would result in a disproportionate addition over and above the scale of the original building and would be inappropriate development in the Green Belt.	1 June 2021 Delegated Decision - Officer Recommendation: Refuse
20/00923/FUL	Erection of four no. dwellinghouses (C3 use) - land south of The Paddock, Longframlington Main issues: proposal fails to protect and enhance the distinctive character of Longframlington; incursion into the open countryside; and insufficient information regarding surface water drainage and flood risk.	4 June 2021 Delegated Decision - Officer Recommendation: Refuse

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

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

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		No

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land from agricultural for the siting of 4 caravans	1 February 2021
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height	1 February 2021

Inquiry and Hearing Dates

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

	address pollution concerns with potential to affect protected species and failure to demonstrate ecological enhancement.	
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Implications

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

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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**CRAMLINGTON, BEDLINGTON AND SEATON VALLEY LOCAL AREA
COUNCIL**

DATE: 21 JULY 2021

**PETITION FOR ADDITIONAL PARKING SPACES – MAYFIELD DALE,
CRAMLINGTON**

Report of: Service Director - Local Services, Paul Jones

Cabinet Member: John Riddle – Local Services

Purpose of report

To acknowledge receipt of the petition received by Democratic Services requesting additional parking spaces at Thirston Drive, Thornley Avenue and Tindale Avenue in the Mayfield Dale area of Cramlington.

Recommendations

It is recommended that the Local Area Council note the content of this report and acknowledge receipt of the petition.

Link to Corporate Plan

How - “We want to be efficient, open and work for everyone”

Enjoying - “We want you to love where you live”

Connecting - “We want you to have access to the things you need”

Key Issues

1. A petition has been received requesting that additional parking spaces are provided in Mayfield Dale.
2. The petition, which was signed by 128 signatories, states that residents of Thirston Drive, Thornley Avenue and Tindale Avenue are struggling to park their cars in their streets as there is a lack of spaces.

3. The petition is requesting that existing grassed areas are converted into parking areas which signatories claim will make access safer and easier for residents and the emergency services.
4. The provision of parking for residential properties is not something that the County Council as Highway Authority has a responsibility to provide. There are many calls for funding for a wide variety of improvement schemes through the Council's Local Transport Plan (LTP) capital programme across the whole road network. Given the other higher priority calls on this funding that also offer greater benefits to a much wider number of road users, schemes which provide additional parking in residential areas are not funded through this programme. Many requests are received for this type of scheme and it would be very difficult to justify prioritising individual locations for treatment.
5. This type of scheme could however be considered through the Local County Councillor's Members Local Improvement Scheme allowance, or by the local Town or Parish Council if this issue was seen one of their priorities.

Background

The County Council has received a petition stating that :-

"The residents of Thirston Drive, Thornley Avenue and Tindale Avenue are struggling to park their cars in their streets as there is a lack of spaces. We would like to make the grassed areas into parking spaces making access into the street safer and easier for residents and the emergency services."

Whilst we appreciate that parking in residential areas can be difficult, there are many similar residential streets which have requested additional parking. We acknowledge the concerns that have been raised for Mayfield Dale in this petition. The reality is that across the County there are many locations which were not designed to accommodate the increase in car ownership and households with multiple cars.

The provision of parking for residential properties is not something that the County Council as Highway Authority has a responsibility to provide. There are many calls for funding for a wide variety of schemes through the Council's Local Transport Plan (LTP) capital programme across the whole road network, such as: highway maintenance schemes, footway repairs and resurfacing, bridge maintenance, landslips, improvements to cycling and walking infrastructure and measures to improve road safety. Given the other calls on this funding, schemes which provide additional parking in residential areas that would only benefit a relatively small number of road users are not considered to be of sufficient benefit to be prioritised for allocation of funding through this programme. Many requests are received for this type of scheme and it would be very difficult to justify prioritising individual locations for treatment.

In considering the petition, colleagues from Housing Services were consulted. Although the estate was built at the time as council housing, ownership is now a mix of privately owned homes and retained council housing. As such the Housing Revenue Account is not able to fund public parking although it can and does consider estate-based improvements that will benefit tenanted properties such as hardstandings. Similarly, individual tenants can request permission to install their own parking provision, within the curtilage of the property.

The type of parking improvement scheme that the petition is requesting could be considered through the Local County Councillor's Members Local Improvement Scheme allowance, or by the local Town or Parish Council if this issue was seen as one of their priorities. A copy of this report has been passed onto the Town Council for their information.

Implications

Policy	The response to the issues raised in this petition is consistent with LTP Policies.
Finance and value for money	None
Legal	None
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	None
Risk Assessment	n/a
Crime & Disorder	None
Customer Consideration	Petition identifies lack of parking causing problems for residents
Carbon reduction	n/a
Wards	Cramlington East

Background papers:

None

Report sign off

	Name
Finance Officer	N/A
Monitoring Officer/Legal	N/A
Human Resources	N/A
Procurement	N/A
I.T.	N/A
Director	Paul Jones
Portfolio Holder(s)	John Riddle

Author and Contact Details

Neil Snowdon – Principal Programme Officer (Highways Programme Team)

Cramlington, Bedlington & Seaton Valley

Astley Park Management Committee	One
Beaconhill Community Association	One
Cramlington Community Association	One
Cramlington Learning Village – Sports Hall Management Committee	One
Cramlington Voluntary Youth Project	Two
East Hartford (and District) Community Association	One
New Hartley Community Association	One

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Cramlington, Bedlington & Seaton Valley Local Area Council

Members local Improvement Schemes

2021 - 2022

Progress Report - 1st July 2021

Cramlington, Bedlington & Seaton Valley - Holywell

Report Date 01/06/2021



 **Northumberland**
County Council

[illegible]

Total Budget May 2021 - April 2022		£15,000.00		
Actual Cost + Committed Cost to Date			£4,589.00	
Total Estimated Cost		£4,589.00		
Balance Remaining to 31/3/22		£	10,411.00	

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Cramlington, Bedlington & Seaton Valley - Cramlington North

Report Date 01/06/2021






 **Northumberland**
County Council

[illegible]

[illegible]

Total Budget May 2021 - April 2022	£15,000.00
Actual Cost + Committed Cost to Date	£3,000.00
Total Estimated Cost	£3,000.00
Balance Remaining to 31/3/22	£ 12,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

Total Budget May 2021 - April 2022		£15,000.00	KEY			
Actual Cost + Committed Cost to Date			£3,000.00	<div></div>	Approved Scheme Budget	
Total Estimated Cost		£3,000.00		<div></div>	Proposed Scheme	
				<div></div>	Completed Scheme / Final Cost	
Balance Remaining to 31/3/22		<div>£ 12,000.00</div>				

Cramlington, Bedlington & Seaton Valley - Cramlington South East

Report Date 01/06/2021



 **Northumberland**
County Council

[illegible]

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£2,500.00
Total Estimated Cost	£2,500.00	
Balance Remaining to 31/3/22	£	12,500.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Cramlington, Bedlington & Seaton Valley - Hartley

Report Date 01/06/2021






 **Northumberland**
County Council

[illegible]

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/22	£	15,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

[illegible]

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Cramlington, Bedlington & Seaton Valley - Seghill with Seaton Delaval

Report Date 01/06/2021



 **Northumberland**
County Council

[illegible]

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

[illegible]

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/22	£	15,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/22	£	15,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost



	Number
A = Proposed Schemes	0

	Number	Original Estimated Cost	Current Estimate / Actual Cost	Totals
Total Budget May 2021 - Apr 2022				£180,000.00
Total Approved Schemes	33	£221,008.98	£222,258.98	
Total Uncommitted Balance				£158,911.00

Highway Scheme	19	£95,190.55	£95,190.55
External Contribution	7	£56,347.65	£56,347.65
	26	£151,538.20	£151,538.20

Northumberland County Council
Cramlington, Bedlington and Seaton Valley Local Area Council
Work Programme 2021-22

Heather Bowers: 01670 622609 - Heather.Bowers@northumberland.gov.uk

UPDATED: 13 July 2021

TERMS OF REFERENCE

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:-
 - (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 (bimonthly, not at planning only meetings), members' local improvement schemes (bimonthly)

To be listed:

Youth Service Provision

Enhanced Services with Parish and Town Councils

Off-street Electric Vehicle Charging Points

Cycling and Walking Board

Enforcement

Northumberland County Council
Cramlington, Bedlington & Seaton Valley Local Area Council
Work Programme 2021-22

21 July 2021

- Planning
- Petition Report
- Local Services Update
- Appointment to Outside Bodies
- Members' Local Improvement Schemes

18 August 2021

- Planning and Rights of Way

22 September 2021

- Planning and Rights of Way
- Local Services Update
- Police & Crime Commissioner
- Local Transport Plan Update
- Members ' Local Improvement Schemes

20 October 2021	
	<ul style="list-style-type: none"> • Planning and Rights of Way
17 November 2021	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Services Update • Members Local Improvement Schemes
22 December 2021	
	<ul style="list-style-type: none"> • Planning and Rights of Way
19 January 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Budget Presentation • Local Services Update • Members' Local Improvement Schemes
22 February 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Transport Plan
23 March 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way

	<ul style="list-style-type: none"> • Local Services Update • Members Local Improvement Schemes
20 April 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way

Northumberland County Council
Cramlington, Bedlington and Seaton Valley Local Area Council
Monitoring Report 2021-22

Date	Report	Decision	Outcome

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