

NORTHUMBERLAND COUNTY COUNCIL

CRAMLINGTON, BEDLINGTON AND SEATON VALLEY LOCAL AREA COUNCIL

At the meeting of the **Cramlington, Bedlington and Seaton Valley Local Area Council** held at Meeting Space - Block 1, Floor 2 - County Hall on Tuesday, 22 February 2022 at 4.00 pm.

PRESENT

M Swinburn (Chair) (in the Chair)

MEMBERS

L Bowman
C Dunbar
D Ferguson
S Lee
C Taylor

W Daley
P Ezhilchelvan
B Flux
M Robinson
R Wilczek

OFFICERS

A Ali
M Bulman
P Jones
L Little
R McCartney
J Murphy

Planning Officer
Solicitor
Service Director - Local Services
Senior Democratic Services Officer
Highways Infrastructure Manager
South East DM Area Manager

60 PROCEDURE AT PLANNING MEETINGS

The Chair outlined the procedure which would be followed at the meeting.

61 MINUTES

The minutes of the meeting of the Cramlington, Bedlington & Seaton Delaval Local Area Council held on 19 January 2022, as circulated, were confirmed as a true record and signed by the Chair.

62 DISCLOSURE OF MEMBERS' INTERESTS

Councillor Swinburn advised that he would be speaking as the Ward Councillor on application 21/02835/VARYCO and would take no further part in relation to this application.

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Variation of Condition 16 (Delivery times) on approved planning application 12/02835/VARYCO in order to alter the time of deliveries to the M&S store. Marks and Spencer Simply Food, 1A Westmorland Retail Park, Cramlington, Northumberland.

J Murphy, Planning Area Manager provided an introduction to the application with the aid of a power point presentation. Members confirmed that they had viewed the site visit videos circulated in advance of the meeting.

Councillor Swinburn addressed the Committee speaking as the local Ward Councillor for the application. His comments included the following information:-

- The application referenced a number of policies related to sustainable development, growth in employment and the economy, ensuring a vital and vibrant town centre all common within this type of report, however it failed to mention the Council's values in its Corporate Plan top of which was "residents first".
- Councillors were there to represent the residents who elected them and it was those very residents who had contacted him to complain about noise after hours and before hours from the town centre retail area, and who had attended Town Council meetings asking for help with this.
- The residents had shown flexibility during the pandemic, not only those who lived around the town centre but those who lived on every road lined with residential properties that led into the town centre and they relied upon their local representatives to speak on their behalf.
- The substantial noise survey supplied by the applicant contained a significant amount of detail however it failed to acknowledge the properties at either side of the site in question one of which was a new development of sheltered housing for the elderly.
- He highlighted the reference to paragraph 185 of the NPPF which sought to ensure that new development was appropriate for its location and the information that had been quoted and was relied upon for this application was incorrect as this was not a new development, it was an existing business and therefore the use of this policy in the noise survey was inappropriate.
- The business had enjoyed a relaxation in regulations due to the covid pandemic and residents had been prepared to give flexibility, this could not become the normal practice. Nearby residents and those living on the surrounding routes that feed the town centre should not have to be disturbed for deliveries at 5 am each morning. Nothing earlier than 6am should be permitted.
- Since the store opened some years ago, even more development had taken place along those routes and people did not want to be woken up with the sound of HGVs driving past their houses delivering earlier and earlier, or as stated in the report, 'during a night-time period'. This should not be allowed to happen setting a precedence to which then became the norm.
- Noise carried during the night and his own experience on being woken at 5am to the sound of commercial rubbish being emptied when staying elsewhere was referenced and the response when he raised this with the

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owners had been “the Council approved it”. He asked that this not be allowed to happen in this case just to fit in with a corporate timetable.

- He asked that the Committee stuck with the Council’s values and put “residents first”.

Councillor Swinburn took no further part in this application.

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

- All dwellings to the west of the site had been notified i.e. Lochcraig Avenue, the dwellings to the south had not been notified and it was all commercial development to the north.
- It was thought that the hours of operation had been extended in April 2020 as a result of relaxation of legislation to assist businesses during the covid pandemic. M&S nor Public Protection had received any noise complaints due to the extended hours.
- It was not known if any complaints had been made to the Town Council.

Councillor Robinson proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Dunbar.

Councillor Flux advised that a lot of trees, which previously formed a sound barrier, had been removed during the installation of the green bridge over the railway line however there had been some replacement planting undertaken but this would take some time to become established. Councillor Bowman asked if a condition could be added to any permission granted for more tree planting to be undertaken should complaints arise in the future, however Councillors Robinson and Dunbar did not consider this necessary and were happy for their existing motion to approve in line with the officer’s report to continue.

Members expressed some sympathy however felt that if there was significant disturbance then there would have been more objections received to the application and a response provided by the Town Council. It was also advised that there was a road, a high speed rail line also used for freight traffic and a park between the delivery area and nearest properties to the West.

A vote was taken on the motion to approve the application in line with the recommendation in the report as follows: FOR 9; AGAINST 0; ABSTENTION 1.

RESOLVED that the application be **GRANTED** for the reasons and subject to the conditions as outlined in the report.

64 DETERMINATION OF PLANNING APPLICATIONS

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

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**Certificate of existing lawful development for sections of new/replacement 1.8m perimeter fencing.
Cramlington Learning Village, Cramlington, NE23 6BN**

A Ali, Planning Officer introduced the report to the Committee with the aid of a power point presentation. He advised that there was a change to the recommendation outlined in the report and this should now read:

It is Recommended that Members grant a Certificate of Lawfulness.

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

- The application for a Certificate of Lawfulness for the permitted development had been brought to Committee in order to allow an open discussion to take place in view of the history surrounding the Cramlington Learning Village (CLV) and high level of objections received. Objections were largely based on the perception that the gate in the fence would block the Public Right of Way (PRoW). Members would be able to refuse the application, however this would not prevent the fence being there as it was permitted development.
- A great deal of dialogue had been undertaken with the Public Rights of Way Officer and it had been made clear to CLV that the gate must remain open and whilst the gate had been seen to have been closed, CLV had advised that they did not know who had done this as they were fully aware that it could not be closed.
- Members could only decide if they wished to issue a Certificate of Lawfulness in connection with the permitted development which did not require any planning permission. Any blocking of the PRoW would need to be dealt with under different legislation.
- The gate was part of the fence which was allowed under permitted development.
- There had been an application to extinguish the PRoW, however until such time as that had been decided the gate must remain open. Any decision to extinguish a PRoW would need to be made by the Secretary of State.
- The DEFRA Regs as highlighted by Councillor Swinburn would need to be referred to the PRoW Officer for his comments. As this was permitted development as allowed under planning legislation there was very little which could be done.
- If the issue regarding gated vehicular access and the possible moving of these gates was not caused by this application then this would need to be discussed with the Highways Team outside of this application. If the issue was being caused as part of this application by the gates being closed when they should not be then the PRoW Officer would need to take this up with CLV.
- Residents being unable to access the outside of their fences would need to be taken up with CLV or dealt with as a civil matter between CLV and neighbours if agreement could not be reached.
- Whilst CLV did not require a Certificate of Lawfulness it had been

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suggested as part of pre-application discussions when they had enquired if the fence would need planning permission that they could apply for a one.

Councillor Flux proposed acceptance of the revised recommendation that Members Grant a Certificate of Lawfulness, which was seconded by Councillor Ferguson.

Members in the most whilst debating the issue acknowledged that the fence had been erected in response to safeguarding issues within the CLV site, the closing of gates over the PRow would be a matter to be taken forward with the PRow officer and there was no reason to refuse to grant a Certificate of Lawfulness.

A vote was taken on the proposal to GRANT a Certificate of Lawfulness as follows: FOR 9; AGAINST 2; ABSTENSIONS 0.

RESOLVED that a Certificate of Lawfulness be **GRANTED**.

A short break was held at this point and the meeting recommenced at 5.14 pm

66 **APPEALS UPDATE**

RESOLVED that the information be noted.

67 **LOCAL TRANSPORT PLAN PROGRAMME 2022-23**

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

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

- The Local Cycling and Walking Infrastructure Plans (LCWIPs) were in relation to the 12 main towns in Northumberland with the aim to reduce local commuting and promote the use of walking/cycling etc for journeys of 2 miles or less and Mr Jones was not aware of any discussion related to an additional scheme for the Seaton Valley Area. Councillor Ferguson would take this up after the meeting as following the approval of the rail station at Seaton Delaval he had been led to believe a LCWIP was to be developed for this.
- The duplication of schemes on Beresford Road would be investigated and if speed reduction measures were required elsewhere this could be considered.
- Any schemes not completed in the current year would be taken forward to 2022/23.
- The format of the report changed a number of years ago.
- The proposed £1.5m identified in the Medium Term Financial Plan for the LCWIPs would be allocated once the results of the consultations had been completed.

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- Each 20mph school scheme would be tailored to its locality and the issues within each area.
- If the additional £2m was approved for small paths and roads, highways asset management principals would be used to identify schemes using the condition of the network and road hierarchy. Officers would come forward with a draft programme for agreement by the Cabinet Member and Executive Director and would be made public after that.
- Mr McCartney would investigate the proposed pedestrian crossing or traffic calming measures on Netherton Lane as all traffic from St Benet Biscop school now exited onto this road.
- The majority of the allocation of £50,000 included for urban road safety issues across Holywell Village and Phase 1 of the Croft Ward home zone would be spent in Holywell as the Croft Ward part was for a feasibility study.
- Mr Jones would investigate the introduction of 40mph speed limit on Crow Hall Lane, Cramlington following information from Members that signs currently advised of a 30 mph limit and this had been what Members had requested.
- Members were advised that the provision of electronic speed signs were not sponsored or supported by NCC however should Town or Parish Councils or Ward Members wish to purchase these there installation would be supported. A discussion took place with Members highlighting contrary advice being provided on the different types of signs and the diversity of signs across the County and the ways in which these were powered with some being hardwired into lampposts. Offices advised that it was Council policy not to purchase the signs and they should not be hardwired into lampposts. It was agreed that clarity was needed.
- The £15,000 funding allocated for the rebuilding of the bridlepath alongside the River Blyth in Bedlington Country Park was to enable detailed design and costings to be agreed with the possibility of the scheme being carried out within the following year's budget.
- The viability of a 20 mph scheme which had been requested by West Bedlington Town Council for Burdon Terrace would be checked.
- Whilst the joining up of cycleways between towns would be an ideal scenario the focus of the LCWIPs at the current time was routes within the 12 main towns, however this would possibly be an aspiration for the future.
- The £2m allocated for the maintenance of footpaths, footways and cycleways included residential areas, however the defect/hazard set in the Inspection Manual was 20mm trip hazard.
- In respect of the funding for the Todstead landslip it was advised that this was for ground investigations to be undertaken to understand the site and to work on a long term solution for the problem. No funding had been available for this work under the DFT Challenge Fund and a decision had been made for the Council to utilise its own funds for this work.
- Officers would investigate the position in relation to phase 3 of Stead Lane which had not been included in the programme. Also the position in relation to Collingwood Grange estate.
- In relation to a request for a survey to be undertaken into the effectiveness of speed reduction signs, it was advised that most serious accidents occurred on unrestricted roads and that nationally only 20% of accidents were caused by speed with the majority caused by distractions or road conditions and the figure was 10% in Northumberland. Speed indicators recorded data which was available to be interrogated.

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- Signage on the A1171 could be included under a different budget heading and this would be checked.
- The progress of a possible scheme for Park Road, Seaton Delaval would be checked with N Snowdon.
- In response to Members advising of confusion caused by schemes not being individually identified and the possibility of them being included under different budget headings, Officers advised that this was a presentational issue to prevent reports becoming too long, but this would be revisited. In respect of the number of schemes being put forward to those that were actually taken forward Officers advised that it was a difficult process and the level of subscriptions far outweighed the level of resources available. The whole process was being looked at.
- Work was being undertaken in conjunction with Cramlington Town Council in relation to congestion to the west side of the town centre and CCTV survey work was currently being analysed and dialogue ongoing with Advance Northumberland as the owners of Manor Walks. This was a work in progress.
- In relation to speeding on Dudley Lane and the changing speed limits on the stretch of road Officers advised that they were aware of this issue, however this was predominantly a speed enforcement issue, with ways being investigated on how the speed limits could be made clearer. Councillor Swinburn also highlighted an issue with parking and vehicles having to reverse either around a blind corner into a residential estate or onto the dual carriageway if the gates were shut at Cramlington Learning Village. It was confirmed that there was an allocation this year to investigate the use of an average speed camera in this area.
- The situation at Broad Law Business Park in terms of the planning application was being monitored however it was the opinion of N Snowdon that the work needed to be carried out.
- The current position of the last phase of East Farm Terrace in Cramlington Village which had not been completed the previous year and was not included within this year would be looked at. Councillor Ezhilchevlan advised that the provision of dropped kerbs which had included in his proposed schemes for this year had actually now been carried out and he had received notes from over 90 residents thanking the Council for undertaking this work.

The Officers were thanked for their attendance and input.

RESOLVED that the information be noted.

68 **DATE OF NEXT MEETING**

The next meeting was scheduled for Wednesday 23 March 2022. The Chair confirmed that he had requested an update on the Bedlington Town Centre and it had been agreed that this would be provided at the March meeting.

CHAIR.....

DATE.....

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