



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: Thursday, 27 April 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA COUNCIL** to be held in **CEREMONY ROOM - HEXHAM HOUSE, GILESGATE, HEXHAM, NE46 3NH** on **TUESDAY, 9 MAY 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Tynedale Local Area Council members as follows:-

T Cessford (Chair), D Kennedy (Vice-Chair), A Scott (Vice-Chair (Planning)), A Dale, S Fairless-Aitken, C Horncastle, JI Hutchinson, N Morphet, N Oliver, J Riddle, A Sharp, G Stewart and H Waddell



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
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AGENDA

PART I

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

1. **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 28)

Minutes of the following meetings of the Tynedale Local Area Council, as circulated, to be confirmed as a true record and signed by the Chair:

- a) 14 March 2023
- b) 28 March 2023
- c) 11 April 2023

4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a) Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b) Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c) Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d) Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they

may remain in the meeting.

- e) Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

DEVELOPMENT CONTROL

5. DETERMINATION OF PLANNING APPLICATIONS

(Pages
29 - 32)

To request the committee to decide the planning applications attached to this report using the powers delegated to it.

Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

6. 22/02902/FUL

(Pages
33 - 46)

Retrospective: Use of riding arena for business use for individual training, riding and boarding of horses and erection of timber store (as amended) Land to South West of The Old Stables, Durham Riding, Prudhoe, Northumberland, NE42 5NX

7. 23/00645/FUL

(Pages
47 - 58)

Change of use of dwellinghouse (Use Class C3) to a residential institution (Use Class C2) Oakwood Bank Cottage, Oakwood Bank, Oakwood, Hexham, Northumberland, NE46 4LA

8. TREE PRESERVATION ORDER

(Pages
59 - 62)

Tree Preservation Order – No. 02 of 2023
Land at Wardrew Manor House, Gisland

9. PLANNING APPEALS UPDATE

(Pages
63 - 76)

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.

LOCAL AREA COUNCIL BUSINESS

10. PUBLIC QUESTION TIME

To reply to any questions received from members of the public, which may be received in writing in advance of the meeting or asked at the meeting.

Questions can be asked about issues for which the Council has a responsibility. If questions are received in advance of meetings it will increase the likelihood of an answer being provided at the meeting. (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 or 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

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:** (none).
- 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. DOMESTIC ABUSE

Anne Lambert, Learning and Development Coordinator, will be in attendance to give an overview and answer questions on Northumberland's response to the Domestic Abuse Act 2021 and the new DA service model.

14. 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).

15. DATE OF NEXT MEETING

The date of the next meeting is due to be agreed at the Annual Meeting of the County Council on 17 May 2023 and is likely to take place in June 2023. Details will be circulated when the date has been confirmed.

16. URGENT BUSINESS

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



Northumberland County Council

Appendix 1

PROCEDURE AT PLANNING COMMITTEE

A Welcome from the Chair

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking (if being used).

B Record remote 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)

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

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at Hexham House, Gilesgate, Hexham, Northumberland, NE46 3NH on Tuesday, 14 March 2023 at 4.00 p.m.

PRESENT

Councillor T Cessford
(Chair, in the Chair)

MEMBERS

A Dale	A Scott
SH Fairless-Aitken (112 - 116)	A Sharp
D Kennedy (112 - 116)	G Stewart
N Morphet	H Waddell

OTHER MEMBERS

G Sanderson	Leader
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OFFICERS

A Fisher	Construction Manager – Local Services
D Hunt	Neighbourhood Services Area Manager
S McMillan	Interim Service Director Regeneration
N Snowdon	Principal Programme Officer (Highways Improvement)
N Turnbull	Democratic Services Officer

ALSO PRESENT

2 members of the public and 1 press.

108. APOLOGIES

Apologies for absence were received from Councillors Horncastle, Hutchinson, Oliver and Riddle.

Ch.'s Initials.....

109. MINUTES

Minute No. 104

22/00414/FUL

Retrospective permission change to holiday let with associated external changes including rear extension, creation of patio area to front and erection of stone wall

The Parlour, The Green, Acomb NE46 4PJ

It was confirmed that the resolution should read:

“**RESOLVED** that the application be GRANTED permission for the reasons and with the conditions outlined in the report.”

RESOLVED that the minutes of the following meetings of the Tynedale Local Area Council, as circulated, be confirmed as a true record and signed by the Chair, subject to the above amendment:

- a) 10 January 2023
- b) 14 February 2023

LOCAL AREA COUNCIL BUSINESS

110. PUBLIC QUESTION TIME

There were no questions from members of the public.

111. LOCAL SERVICES UPDATE

Members received the following updates from the Area Managers from Neighbourhood Services and Technical Services:

Technical Services:

- Highway inspections were up to date and carried out in accordance with the Council’s statutory duty. Parts of the network had deteriorated following recent winter weather. Inspections of the main arterial routes were being prioritised with extra resources allocated to ensure that KPIs were met. The number of defects had reduced with 2,760 actionable defects recorded during December and January and 96.38% of defects repaired in line with policy.
- The winter services season would be ending within the next few weeks. Roads had been kept open despite a few challenging days. Salt supplies had been restocked with grit bins and heaps replenished as necessary. Requests regarding winter services during snow and ice events should be directed through the customer contact number 0345 600 6400. Out of hours calls were transferred to the Fire and Rescue Control Room who contacted staff on duty.

- LTP schemes were expected to be completed before the financial year end, weather permitting.

In response to a question, he confirmed that blocked gulleys on the A68 had been forwarded to the Highways Maintenance Senior Team Leader and would be dealt with, along with others, as soon as practicable.

Neighbourhood Services:

- Except for a period of ice and snow in January when Neighbourhood Services staff assisted with winter services operations, there had been some relatively mild winter weather and progress had been made on winter cutting back of trees and hedges.
- Staff were currently working shorter winter hours which would increase at the beginning of April.
- Any issues or outstanding work should be reported to the Neighbourhood Services Area Manager.
- Preparations for the upcoming grass cutting season were being finalised with servicing of equipment and recruitment of seasonal grounds maintenance positions. Depending on ground conditions, grass cutting was expected to commence within the next 2 weeks.
- The HGV Sweeper had been repaired and had been in working again for the past 6 weeks. Overtime being used to catch up on the programme and backlog of reported issues. The machine was not in operation during periods of freezing weather as the brushes were not effective if the vegetation was frozen to the ground.
- Weather related difficulties had resulted in problems with waste collection services during week commencing 16 January. However, alerts had been issued and shared with affected Councillors. Collections had been caught up by the end of the week.
- Refuse collection rounds had been reviewed prior to use of two new vehicles. Some of the garden waste collections on the eastern boundary would now be serviced from the Morpeth depot which would alleviate pressure on the garden waste service and provide some additional capacity on residual waste routes.
- The garden waste collection service had recommenced on 6 March and continued to be popular.

In answer to a question, he reported that a footpath sweeper was funded by Hexham Town Council and worked exclusively in the town, although there were others across the county.

Both teams were thanked for their prompt response to issues raised.

RESOLVED that the updates be noted.

112. PETITIONS

This item was to:

a) Receive any new petitions:

It was reported that the following e-petition had been opened on the Council's website on 14 February 2023:

Traffic Calming Measures – Woodlands, Hexham

“The speed drops from 30 to 20 in front of this row of houses but is rarely adhered to, leading to a lot of near misses for people entering or exiting Dene Street and Monk's Terrace. Further traffic calming measures are required, ideally a speed camera but rumble strips or other methods which encourage motorists to slow down would be welcomed by all road users who regularly use these junctions.”

b) Consider reports on petitions previously received:

i) Request to Impose a Speed Limit on a Section of the C234 Between Warden Bridge and Fourstones

Simon Robson, the Lead Petitioner, spoke as the Chair of Warden Parish Council. He highlighted the following key points. In response to numerous requests from local residents, the parish council had set up the petition for the introduction of a mandatory speed limit of 30mph on the half mile stretch of road between Quality Cottages and the Fourstones Paper Mill level crossing. He stated that although accident data was comparatively low, an unrestricted speed limit in the road was perceived to be dangerous for the following reasons:

- Numerous residential properties were located close to the road with blind accesses and a narrow footpath leading from the residents' car park to their front doors.
- The Paper Mill was located adjacent to what was effectively a chicane, multiple articulated lorries reversed in an out of the two accesses to the paper Mill on a regular basis. Employee car parks were located on both sides of the road.
- Numerous walkers and cyclists used the road. The section between the Paper Mill and Hardhaugh Cottages did not have any footpath.
- There was an advisory 30mph sign on the that stretch of road which acknowledged the preference and need for traffic to slow to 30mph. The most recent speed survey showed that average speeds of 42/43mph and 85th percentile speeds of approximately 51mph. Those speeds might be acceptable for an unrestricted speed limit but not for a road with an advisory 30mph.

The Parish Council were grateful that the request was being considered given the daily anxiety of local residents, particularly those with young children.

Neil Snowdon, Principal Programme Officer (Highways Improvement), made reference to the proposed actions within the Local Transport Plan programme for 2023/24 which included investigation of a number of road safety improvements such as improved gateway features, additional warning signs, road markings and potential implementation of a 40mph speed limit if considered appropriate. He commented that there had been a significant reduction in the volume of traffic using the road according to speed surveys carried out in 2011 and 2022, which could in part be due to the impact of the Covid pandemic.

Several of the members expressed their support for the petition including Councillor Morphet, the local member. He commented that there were many sharp bends and hidden entrances and a 30mph speed limit would make the road safer for walkers. He was concerned about the speed of vehicles which ignored the advisory 30mph speed limit and suggested that this needed to be enforced. Comments from other members included:

- Speeds of 51mph were considered to be too fast for that stretch of road.
- The road ran parallel to the A69 and was used as a 'rat run'.
- The road was a key recreational route.
- Whether it would be appropriate for rumble strips to be installed.
- Clarification of the criteria for the implementation of a 30mph speed limit.

In response to the issues raised it was confirmed that:

- The policy for the introduction of a 30mph speed limit required a minimum of continuous frontage development of 600 metres of 30 or more houses, which was in line with national guidance issued by the Department of Transport. Implementation of a 40mph speed limit would be considered.
- The installation of rumble strips elsewhere had resulted in complaints regarding noise vibration.

Members were in favour of a 30mph speed limit given the bends in the road and requested that this be taken into consideration.

RESOLVED that:

1. The contents of the report be noted.
2. A design brief be included within the 2023-24 Local Transport Plan programme to investigate potential road safety improvements on the C234 between Warden Bridge and Fourstones.

c) To consider updates on petitions previously considered:

There were none to consider.

113. NE DEVOLUTION UPDATE AND REGIONAL CONSULTATION

Councillor Glen Sanderson, Leader of the Council and Sarah McMillan, Interim Service Director Regeneration, were in attendance to raise awareness of the consultation on the devolution deal for the North East. (A copy of the presentation was attached to the minutes).

The Leader explained that this was the culmination of 18 months of work. He believed that the deal should be progressed as the region would benefit from significant investment. All residents and business were invited to submit their views on the deal. A number of consultation events were taking place across the County involving Members, stakeholders, residents and businesses. Consultations were also ongoing across all the involved authorities in the North East which included Durham, Gateshead, Newcastle, North Tyneside, South Tyneside and Sunderland.

Sarah McMillan, Interim Service Director Regeneration shared a presentation which highlighted the following:

- Devolution would see the transfer of power and authority from central government to local decision makers.
- The government was 'minded to' approve the deal which would see the formation of a new combined authority covering the seven local areas of County Durham, Gateshead, Newcastle, North Tyneside, Northumberland, South Tyneside and Sunderland and would be headed up by a Metro Mayor. The North East Combined Authority and North of Tyne Combined Authority would cease to operate.
- There would be no changes to the seven local authorities who would continue to provide the same services they did currently.
- The Metro mayor would be directly elected by residents of the Combined Authority's geographical area.
- The deal would bring significantly more power and money to the region than the two existing authorities have at the moment. There was potential for £4.2bn of investment in the region over 30 years across the following areas:
 - Transport
 - Investment Fund
 - Skills, Education and Inclusion
 - Housing, Land & Digital Infrastructure
 - Clean Energy & Net Zero
 - Rural Economy & Sustainability
 - Culture, Tourism and Place
 - Health & Public Service Reform
- A governance review had been undertaken by the 7 local authorities to explore whether a new combined authority for the region would be beneficial to the North East. It had concluded that the new combined authority would benefit economic growth and delivery of public services and unlock new funding and powers.

- The public consultation began on 26 January 2023 until 23 March 2023. Hard copies of the consultation document were available at key locations or on an online questionnaire could be completed.
- The feedback would be reviewed at the end of the consultation period with individual councils deciding whether or not to proceed. If all councils agreed, a summary of the consultation would be prepared, and once approved by Cabinets, submitted to Secretary of State for Levelling up, Housing and Communities. The Secretary would then decide if the statutory criteria had been met and whether the relevant authorities had been given the necessary consents, before making the statutory order to create the new mayoral combined authority. In May 2024 the new North East Mayoral Combined Authority would be formed and an election held to appoint a Metro Mayor.

Several members expressed their support for the North East devolution deal. Comments included:

- It was regrettable that devolution had not progressed at previous opportunities in the past. It was hoped that the deal would be supported by all authorities and that none withdrew.
- Greater Manchester and Tees Valley Combined Authorities were doing well.
- This deal would allow the North East to catch up with other regions.
- Northumberland had a smaller population than some of the other areas and it was hoped that this would not be the sole factor determining the allocation of funding.
- It was important that all organisations worked together for the best deal for residents.
- There would be a concern if the creation of the combined authority created an additional Council Tax precept.

The following comments were made in response to members questions:

- Northumberland would retain its fire and rescue service.
- Rurality had been identified as a priority for the new Combined Authority
- All local authorities retained a right of veto for proposed actions in their localities.
- The existing arrangements for the Police Crime Commissioners would remain due to boundary issues.
- Investment in jobs in neighbouring areas would benefit the residents of Northumberland. The priorities for Northumberland would be included.

The Leader was delighted with the support that had been expressed by members. He offered to meet with anyone if more information was required.

The Chair thanked Councillor Sanderson and the Interim Service Director Regeneration their presentation.

RESOLVED that the presentation be received.

114. POLICING AND COMMUNITY SAFETY UPDATE

The Chair welcomed Acting Inspector Kate Benson to the meeting to give an overview and answer questions about policing and community safety matters in the East and West Tynedale command areas.

Acting Inspector Kate Benson explained that she had been acting up as the Neighbourhood Inspector for Tynedale since 9 January 2023 following Inspector Garry Neill's move to the Rural Crime Team. She continued to work with him closely due to the rural nature of the area. She made reference to the very sad death of Holly Newton who had been stabbed in January. She reassured members that Hexham was a safe place to live.

In the 3-month period since 1 December 2022, the following numbers of crimes had been recorded:

75 - Haltwhistle, 4,000 residents
144 – Prudhoe, 10,000 residents
149 – Hexham, 11,000 residents
127 – Ponteland, 10,000 residents

The highest number of crimes had been recorded in January and related to missing individuals or those in crisis with mental health concerns – 200. Other categories included:

Road traffic collisions - 56
Anti-social behaviour - 27
Neighborhood disputes - 5
Begging - 2
Youth related incidents - 4
Minor damage – 26
Public order – 20
Burglaries - 5

She made reference to the petition discussed earlier in the evening and confirmed that they worked closely with Highways regarding the provision of accident data and where speed enforcement was required. There were strict criteria regarding the locations where police speed camera vans or where hand held devices could be used by officers and speed watch volunteers. They needed to be able park safely, have clear visibility and a minimum distances from a change in speed limit.

The majority of drivers speeding were believed to be local residents who were familiar with the roads. She questioned whether the behaviour of drivers would change if there was a change in the maximum speed limit. Traffic calming measures were costly although some communities provided their own funding for the installation of flashing speed warning signs.

The following information was given in response to questions:

- An update would be obtained regarding digitisation of speed cameras in Acomb.
- Whilst the crime data was able to identify if there were repeated victims, suspect or locations, there had been no connections of significance in the report for the last period with the exception of low level assaults against staff at Cygnet Hospital in Hexham, which dealt with patients with complex mental health needs.
- The results of investigations regarding alleged homeless individuals in Hexham had concluded that these did not involve people trafficking, forced labour or abuse of vulnerable people. Community Protection Orders had been issued to prevent individuals loitering in the doorways of businesses. Addresses were required to summons an individual to court and this was proving difficult. Officers were speaking with their legal department to consider if other options were available. The immigration status of two individuals had been checked and verified. Further intelligence was welcomed from the community, particularly vehicle registrations.
- The rural crime team were working successfully with colleagues across the borders of Scotland, Durham and Cumbria to prevent organised crime of plant theft.
- Information would be obtained regarding the process to register as a Community Speed Watch Volunteer. Councillor Morphet had registered 18 months previously but had not yet been approved.
- Public Spaces Protection Orders (PSPOs) were useful tools to address anti-social behaviour and its impact on individuals and communities. Other tools included appropriate behaviour agreements, civil orders, dispersal orders, supporting youth club activities, scout groups and other youth initiatives, attending middle and high schools to give talks on knife crime and staying safe online. The police preferred to build relationships with young people.

Councillor Sharp, who was also Chair of Haltwhistle Town Council, relayed concerns regarding recent incidents of antisocial behavior expressed by a significant number of residents who had attended a meeting of the town council the previous evening.

Acting Inspector Benson apologised that she had been unable to attend the meeting due to another commitment. She was concerned regarding the terminology being used on social media and did not want young people being wrongly labelled. It would be more accurate to state that a group of youths had been responsible for an affray on 3 March and that this was being investigated.

She added that of the 20 stop and searches carried out recently, no weapons had been found. The only knife crime had been the stabbing of Holly Newton where the parties had been known to each other.

Funding had been provided to increase the patrols and police visibility in Haltwhistle and other places. Multiagency meetings were held where there were concerns regarding children and young people. She stressed that Haltwhistle was a safe place to live.

Another Councillor commented on the positive impact and good relations following meetings with young people in Hexham the previous year and the invaluable work carried out by Police Community Support Officers.

RESOLVED that the update be noted.

115. LOCAL AREA COUNCIL WORK PROGRAMME

A list of agreed items for future Local Area Council meetings was circulated. (A copy is enclosed with the minutes.)

Members were invited to email any requests to the Chair and / or Democratic Services Officer between meetings.

RESOLVED that the work programme be noted.

116. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 28 March 2023 at 4.00 p.m.

CHAIR _____

DATE _____

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at Hexham House, Gilesgate, Hexham, Northumberland, NE46 3NH on Tuesday, 28 March 2023 at 4.00 p.m.

PRESENT

A Scott
(Vice-Chair (Planning) in the Chair, agenda items 100-106)

MEMBERS

SH Fairless-Aitken (117 - 122)	JR Riddle
C Horncastle	A Sharp
I Hutchinson	G Stewart
D Kennedy	H Waddell
N Morphet	

OFFICERS

N Armstrong	Principal Planning Officer
K Blyth	Development Management Area Manager (West)
T Crowe	Solicitor
R Murfin	Interim Executive Director of Planning & Local Services, Regeneration, Commercial & Economy
M Patrick	Highways Development Manager
N Turnbull	Democratic Services Officer
N Watson	Senior Sustainable Drainage Officer

ALSO PRESENT

8 members of the public and 1 member of the press.

117. PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS

The Chair advised members of the procedure which would be followed at the meeting.

Ch.'s Initials.....

118. APOLOGIES

Apologies for absence were received from Councillors Cessford, Dale and Oliver.

RESOLVED that the minutes of the meeting of Tynedale Local Area Council held on 13 December 2022, as circulated, be confirmed as a true record and signed by the Chair.

119. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Stewart confirmed that he would be speaking as the local member on agenda item no 5 planning application 20/00230/FUL and would sit at the rear of the room and not participate in that item.

DEVELOPMENT CONTROL

120. PROCEDURE TO BE FOLLOWED AT MEETINGS

The Chair advised members of the procedure which would be followed at the meeting.

Tessa Crowe, Solicitor commented that there had been a procedural error when planning application 20/00230/FUL had last been considered at committee as the proposer of the motion left the room during the debate. Due to the fact no-one could be certain on what parts were missed, it could not be said that the proposal was made after a full consideration of the facts.

In order for a proposal to stand there had to be evidence of full consideration of the facts. This did not mean in every case if someone leaves the room a decision will be invalid, it will depend on who left, at what point and whether they were a proposer, a seconder or a voter.

Members were reminded that they should not leave the room whilst a matter is being heard. Officers of the Council will speak up if they see something they feel could affect procedure, if they see it. In this case, no officers saw the member leave the room and were only told about it after the meeting had ended by other members.

With regard to predetermination, it was noted that Members had considered this application before. However, this should be treated as a new application with new debate, questions and discussions. Different members were present at the meeting, some who were present last time were not present today and vice versa.

It was an approved procedure to bring a matter back where an error has occurred.

Members were entitled to be predisposed to particular views. However, they should not take part if they had pre-determined the application. If anyone felt that they had any predetermination, they must not take part.

Members could arrive with a predisposition accepting that they may vote in a particular way but being open to the fact that the questions, debate and views expressed were capable of persuading them to vote differently. If members knew they could not be persuaded and did not want to be persuaded, were not open to being persuaded, they must not participate.

121. DETERMINATION OF PLANNING APPLICATIONS

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

RESOLVED that the information be noted.

122. 20/00230/FUL

**Full planning permission for 63no. dwellings with associated infrastructure and landscaping (as amended)
Land south of Broomhouse Lane, Station Road, Prudhoe,
Northumberland**

There were no questions arising from the site visit videos which had been circulated prior to the meeting.

The Principal Planning Officer introduced the application with the aid of a powerpoint presentation. He made reference to the following updates:

- A further objection had been received since the agenda had been published. It raised concerns in respect of matters of flood risk, drainage and highway safety. This included concerns over information presented within the submitted Flood Risk Assessment and application documents, and issues in respect of sewer flooding; untreated sewage flows into the River Tyne; incorrect drawings/filter drain; and road access via Tilley Crescent. The objection had been shared with the Lead Local Flood Authority, Northumbrian Water and Highways Development Management. It was not felt that any new issues had arisen.
- The applicant's agent had submitted a briefing note in respect of Alternative Access Options.

Mr David Sinclair spoke in objection to the application on behalf of residents of Tilley Crescent and Castlefields and raised the following issues:

- The concerns particularly related to the proposed access through Tilley Crescent which was a quiet family cul-de-sac.
- There were serious historic flooding issues associated with the proposed development site due to underground watercourses. Despite a high number of objections, the application had been presented for approval, despite the recommendation being finely balanced. There had been only one comment in favour of the application.
- He thanked members for attending the site visit as it was important to see the reasons for declining the application around access, flooding and road traffic safety.
- Tilley Crescent, although a quiet cul-de-sac, was already congested with parked cars, particularly at evenings and weekends. Properties had only been built with provision for 1 car although many families had 2 or more cars which meant the road was used for parking. It was too narrow for additional through traffic with 2 visitor bays at the top being lost if a through road was permitted.
- An NCC traffic survey on Castlefields Drive in April 2022 showed an increase of 16,000 vehicles per week since the previous survey in December 2018.
- The speed limit on Castlefields was 20mph but the survey recorded daily speeds in excess of 50mph in both directions. Therefore it would be reckless to consider using Castlefields as an access route.
- The safety of children would be compromised if access was granted through Tilley Crescent as they played in the front gardens and at the top of the cul-de-sac. It was also used as a route for children walking to various schools in Prudhoe. The proposed access route and increased traffic would result in serious safety concerns. The road was also too narrow to introduce traffic calming measures such as those on Castlefield's Drive.
- Paragraph 7.82 of the report recommended that permitted development rights be withdrawn from 3 plots to minimise flooding.
- The proposed location of a SUDS basin would only be metres away from a property in Tilley Crescent. If the SUDS basin could not cope, there was concern that this would lead to flooding in surrounding properties. The area of green land was a natural soakaway. Where would water go if houses and roads were built? Residents of Castlefields and Northumberland Court had experienced flooding and / or backflow of raw sewage when the sewers had been unable to cope. It was questioned whether the existing drainage network would cope if the proposed site was connected.
- Plans on the website were incorrect as they showed a filter drain from Station Bank to Tilley Crescent on Broomhouse Lane, but it stopped 100 metres west of Tilley Crescent with no further drainage.
- Broomhouse Lane regularly flooded, even in the summer. The main sewer ran from Tyne View Terrace through the site. Residents of Tyne View Terrace and Cranleigh Grove had experienced sewage back flow issues during a storm in November 2022.

- The first application on the site had resulted in a High Court judge questioning basic calculations by NCC for water discharge and lack of detail, which had cost taxpayers £40,000.
- The health and wellbeing of residents would be compromised due to noise pollution, loss of green space and a well-maintained wildflower border. Wildlife and birds would lose their natural habitat through loss of trees and vegetation including bats, bull finches, chaffinches, owls and other birds.
- The proposed site was on previous mine workings which required properties to be fitted with gas monitoring systems to detect Stythe gas or black dam, which was a concern property owners should not need to live with in 2023.
- In summary, the site was not suitable for residential housing in any form, contrary to the agent's briefing note. It should not have been presented to committee with concerns regarding flooding, road safety, mine gases, fictitious plans around drainage. It was stated that other access routes had been investigated but weren't suitable. However, a previous application for 118 dwellings in 2012 had been passed with no access through Tilley Crescent.

Councillor Stewart spoke as the local member. He stated that:

- Members had received papers, watched site videos, considered the local objections and participated in a site visit and the previous long debate. It was unfortunate that not all members had been able to be present for the extra meeting with one member ill, but understandable.
- Mr Sinclair had outlined concerns and members had been sent emails from Mr Gallagher and Mr Robson who had raised queries regarding:
 - Mine gasses
 - Flooding
 - Sewer's flooding
 - Flow into the River Tyne
 - Filter drain
 - Access via Tilley Crescent
- requested that Members asked searching questions of the officers.
- A valid point had been raised regarding the 2012 application for 118 houses which had not required access via Tilley Crescent and therefore queried why this was now required in the quiet cul-de-sac.
- For those members who had previously voted against the application, he suggested that nothing had been said to change the decision.

Mr Alastair Willis, Planning Director at Lichfields spoke in support of the application on behalf of Northumberland Estates. He wished to concentrate on the following pertinent issues:

- It was clear from the report that officers had put a lot of work into ensuring the best scheme was delivered on the site. This was reflected in the time taken to get to this stage and the amount of different opinions tested, including alternative access arrangements.

- The site had previously had planning permission for a greater number of houses, although due to market conditions following the recessions, it had never been developed. The scheme now submitted also included detail not previously available, including details of ground conditions which provide a more informed understanding of the issues raised by members.
- In response to comments received during the application, Northumberland Estates had made various changes to the scheme, including a reduction in unit numbers from 89 dwellings (including 15 apartments) to 63 dwellings with no apartments. Significant changes had also been made to the proposed elevations, originally presented in a more contemporary style.
- The changes, significantly, had also resulted in a reduction in properties accessed from Tilley crescent, 46 dwelling down to 24, nearly halved.
- There were no objections from the statutory consultees, including Highways, Northumbrian Water and the LLFA, amongst others.
- Whilst the proposed development was supported by officers, access from Tilley Crescent was one of the main concerns of local residents. In response to this there had been a rigorous assessment of alternative options. Details had been submitted with the application and recirculated following the previous meeting. These were summarised as follows:
 - The whole site accessed from Station Road. This would result in significant amounts of wide sweeping roads and retaining walls to achieve the levels required. This was agreed to be a significantly worse design solution than the proposed development.
 - Access from Broomhouse Lane and / or Castlefields. Due to the change in levels, this would require extensive tree loss along the northern boundary which resulted in a significantly worse design solution than the proposed development.
- The Council's Highways officers had agreed that Tilley Crescent was suitable for the proposed development. Officers had previously advised that other solutions would result in unacceptably steep roads within the site. The access at Tilley Crescent would have no through traffic and result in a cul-de-sac little different from many others across the county.
- Other concerns raised related to housing mix. The Local Plan requirements do not relate to Prudhoe, but the county as a whole which exhibits a huge difference in requirements from one area to another. The Local Plan evidence provided very little detailed analysis of Prudhoe, but noted:

"Agents at Prudhoe described a local housing market that was a product of its industrial past, with terraced housing in abundance, many with on street parking. Agents told us there was a shortage of semi-detached homes needed for move on accommodation from the terraced housing.... This would be for local need as the town attracted few incomers."
- On this basis, the market indicators for Prudhoe, which the proposed development is based upon, are as valuable to the decision making process as a document which covers the whole county and its many different housing requirements.
- Benefits of the proposed development include development in a sustainable location, listed as a Main Town in the council's recently adopted Local Plan as well as:

- Development of properties which are easily adapted for sustainable future energy sources, including air source heat pumps, roof mounted PV and waste water heat recovery.
- Delivery of affordable homes.
- Development of homes to the M4(2) accessible and adaptable homes standard, in excess of policy requirement.
- Provision of public footpath connections and on-site open and play space.
- Two and three bedroom homes amounting to almost 60% of the proposed scheme.
- In summary, the development of the proposed homes was in a sustainable location with good access to the services and facilities in Prudhoe Town Centre. It was clear at the last committee meeting that the principle of development was fully supported, consistent with the recently adopted Local Plan. It was hoped the additional information provided assisted in addressing the concerns some members had and would enable members to support the officer's recommendation.

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

- In 2007, a hybrid planning application had been granted with full permission for retail, office, apartments and outline permission for 118 dwellings at the northern end of the site. Only indicative plans had been submitted with 8 dwellings being accessed via Tilley Crescent. Full details and plans had only been provided for the latest application.
- In 2013, an outline planning application had been submitted for 70-80 houses with an indicative site layout. Access for 8 dwellings was shown via Tilley Crescent, the remainder accessed from Station Road.
- The Lead Local Flood Authority (LLFA) had reviewed the drainage plans and risk of flooding on the site in great detail as well as correspondence received regarding the underground water springs.
- Development of the site would result in a positive position regarding the attenuation of greenfield run off into drainage on the site. Surface water would be stored on the site and released at discharge rates agreed by Northumbrian Water. Currently surface water runoff to the drainage system was at an unrestricted rate whereas after development it would be intercepted before reaching the filter drain.
- There was no local housing needs assessment for the Prudhoe area and therefore consideration had been given to the general countywide Strategic Housing Market Assessment (SHMA) where there was an identified need for smaller homes. The information provided by the agent might have merit but had not been independently verified. A large proportion of the dwellings on the hospital site were for smaller properties. With no evidence to the contrary, the application could not be refused on the grounds of the proposed housing mix.
- The proposal to deliver 8 affordable homes exceeded the policy requirement of 10% for that area of Prudhoe. It was proposed that the units would be shared ownership.

- Highways did not object to the proposed development on highway safety grounds, subject to conditions. The design, layout and amenity of the site were finely balanced. The impact of the development on the surrounding highway network had been assessed, traffic surveys had been carried out and the measurements of Tilley Crescent checked. All details were in accordance with national guidelines and therefore Highways had no reason to object.
- The National Planning Policy Framework (NPPF) stated that in order for a scheme to be refused due to highway concerns it would require proposals to have a severe impact on capacity or highway safety.
- Any built development would have an impact on the character of the area although not necessarily highway safety. If the degree of impact on amenity was severe, it could perhaps be a reason for refusal.
- The site was located close to the town centre boundary with Prudhoe being categorised as a Main Town within the Local Plan.

Councillor Horncastle proposed acceptance of the of the officer's recommendation to approve the application which was seconded by Councillor Kennedy.

Members discussed the application and when the following matters were raised:

- There was a lack of level access bungalows.
- Information was required on the source of materials to be used.
- The number of 3- and 4-bedroom properties when there was an identified need for more 2 bedroom properties across the county and no housing needs assessment for Prudhoe. Whilst the town was a sustainable location, a member enquired whether it would be appropriate for the matter to be deferred in order that a local housing needs assessment be undertaken.
- The impact of the development would cause harm to the residents of Tilley Crescent.
- Lack of clarity regarding home energy efficiency measures.
- Whether extra conditions were required to secure details of additional planting along the northern boundary and protection of the wall. It was confirmed that conditions no 5 and 13 addressed concerns.
- Whether a contribution could be requested from the developer for a path to the railway station which would improve the sustainability of the scheme.
- The site was located within a densely populated area of the town, in a sustainable location where there was demand for properties.
- 8 of the 63 dwellings would be affordable which exceeded the policy requirement of 10%.
- Highways did not object to the application, subject to conditions. The network had capacity for the additional residential properties.
- The officers report had presented the advantages and disadvantages of the scheme.

With regard to a suggestion from Councillor Morphet that a contribution be sought from the developer to enhance off site local walking and cycle path infrastructure, Councillors Horncastle and Kennedy sought reassurance that the Section 106 agreement amounts, already negotiated and agreed, would not be reduced, particularly with regard to education and healthcare provision.

The Interim Executive Director of Planning and Local Services, Regeneration, Commercial and Economy commented that aspects of the application were finely balanced in weighing up the harm of the application against benefits. If a contribution for a cycle path provided an additional benefit which enabled members to support the application, this could be negotiated. He confirmed that this would be an additional contribution and would not reduce the amounts already agreed for open space, flood risk mitigation, education and healthcare provision. The wording of an additional condition would need to be delegated to the Interim Executive Director of Planning and Local Services, Regeneration, Commercial and Economy and the Chair of Planning.

The Solicitor suggested that if the additional contribution was required to mitigate the impact of the development, it would need to be proportionate as it had not previously been requested.

Councillors Horncastle and Kennedy agreed to an additional condition for the negotiation of a contribution to offsite cycling infrastructure.

Councillor Horncastle expressed his support for the officer's recommendation to approve the application. Although it was a controversial site, it was regarded as waste ground by residents. He also made reference to the fact that none of the statutory consultees had objected to the application, with appropriate conditions, including drainage.

Upon being put to the vote the results were as follows: -

FOR: 4; AGAINST: 5; ABSTENTION: 0.

The motion failed.

Councillor Morphet proposed that the application be refused, contrary to the officer's recommendation that the application be approved, for the following reasons:

1. There was a lack of information on local housing need, which could have assisted members in understanding the benefits of the scheme and how they might have offset the impacts.
2. The harm to the amenity of the residents of Tilley Crescent and the change in the character of the cul-de-sac by virtue of the general disturbance caused by increased traffic movements and activity.
3. The lack of information provided on proposed energy efficiency measures.

The proposal to refuse the application was seconded by Councillor Fairless-Aitken.

Some Councillors expressed concern that if the application were refused, it could be challenged as they were worried about the strength of the reasons for refusal. They commented that it was a sustainable location and were upset that the affordable homes would not be provided, and financial contributions lost.

Other members made reference to the wording used by the officers to describe the application as 'finely balanced'. The site was difficult, and they were of the opinion that the harm outweighed the benefits of the application.

The Interim Executive Director of Planning and Local Services, Regeneration, Commercial and Economy referred to the first reason for refusal which related to lack of information on housing mix. He suggested that the application could be deferred to obtain more information from the developer. This action would be welcomed by the Planning Inspectorate, if there were an appeal against a decision.

Councillor Morphet enquired if the application were deferred whether the developer could also be asked to look at the access arrangements.

The Interim Executive Director of Planning and Local Services, Regeneration, Commercial and Economy referred to the discussions that had taken place with the developer which had led to the number of properties access via Tilley Crescent, being reduced. He did not think it would be feasible for a scheme without access via Tilley Crescent.

Another member suggested that a determination should be made on the present application. Following the debate, Councillor Morphet confirmed that he did not wish to withdraw his proposal that the application be refused to allow the matter to be deferred.

Councillor Horncastle called for a named vote which was seconded by Councillor Riddle and agreed by 4 councillors.

Upon being put to the vote the results were as follows: -

FOR: 5 as follows:

Fairless, Aitken, SH	Scott, A
Hutchinson, I	Sharp, A
Morphet, N	

AGAINST: 4 as follows:

Horncastle, C	Riddle, JR
Kennedy, D	Waddell, H

RESOLVED that the application be **REFUSED** permission on the grounds of the lack of information on local housing need, harm to the amenity of the

residents of Tilley Crescent and lack of information provided on proposed energy efficiency measures. The wording of the decision and reasons for refusal to be delegated to the Interim Executive Director of Planning and Local Services, Regeneration, Commercial and Economy and the Chair.

Councillor Fairless-Aitken left the meeting.

123. 22/00937/FUL

Change of use and conversion of an existing agricultural storage building to provide ancillary accommodation for the main dwellinghouse and change of use of land to form residential curtilage (as amended) Stelling South Cottage, B6309 Mowden Hall Cross Roads to Welton, Stocksfield, Northumberland, NE43 7UU

There were no questions arising from the site visit videos which had been circulated prior to the meeting.

The Principal Planning Officer introduced the application with the aid of a powerpoint presentation. There were no updates.

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

- The parish council had objected to the original plans for a larger building with a first-floor extension. The proposals had since been reduced in scale with the agricultural building now being converted in its current form. The proposals were not considered to result in inappropriate development in the Green Belt.
- Condition no. 3 required facing materials and finishes used in the construction of the development shall be in accordance with the details contained within the application. Officers had not been provided with information as to where the materials would be sourced.
- The objection from Highways Development Management was a standard response to proposed development in the open countryside which was not in a sustainable location as defined by the spatial strategy. However, as the application was for the conversion of an existing building, this was accepted, and conditions had been provided.

Councillor Stewart proposed acceptance of the of the officer's recommendation to approve the application which was seconded by Councillor Hutchinson.

Upon being put to the vote, the motion was unanimously agreed.

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

124. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

125. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 11 April 2023 at 4.00 p.m.

CHAIR _____

DATE _____

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at County Hall, Morpeth on Tuesday, 11 April 2023 at 4.00 p.m.

PRESENT

Councillor A Scott
(Planning Vice-Chair, in the Chair)

MEMBERS

T Cessford (128 - 129)
C Horncastle
I Hutchinson
N Morphet

N Oliver
A Sharp
G Stewart
HR Waddell

OFFICERS

A Bell
D Hadden
Z Quinn

N Turnbull

Definitive Map and Search Officer
Solicitor
Definitive Map and Search
Technical Officer
Democratic Services Officer

126. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cessford, Dale, Fairless-Aitken and Riddle.

RIGHTS OF WAY

**127. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED PUBLIC FOOTPATH NO. 48
PARISH OF CHOLLERTON**

Alex Bell, Definitive Map Officer, introduced the report in which the Local Area Council was asked to give consideration to all the relevant evidence gathered in support and in rebuttal of the existence of public footpath rights over a route between the 'Coal Road' (C218 road), and the entrance of the recreation ground, approximately 25 metres east of 4 Bracken Hill. (A copy of the report is enclosed with the minutes).

A detailed presentation was given which summarised the evidence.

Ch.'s Initials.....

The following information was provided in response to questions:

- The officer was satisfied that the majority of respondents had answered Question 12 which asked if permission had been given by the owner or occupier of the application route. Only 2 respondents had not answered the question. Most of the others had replied no or that it was not applicable.
- Officers had checked to ensure there was a clear 20-year period of uninterrupted use of the route. If evidence was provided that it had been interrupted, it would roll back from the date of application to check that there was a clear 20-year period. The 20-year period did not have to be the period leading up to the application date; it could be any 20-year period, counting back from a “calling into question” of the public’s right to use the route.
- Ownership of the route was not registered with the Land Registry. It was also confirmed that it did not appear to belong to the Chipchase Estate, which owned some of the land adjacent to the track. If the officer’s recommendations were agreed, and the owner or occupier still could not be identified, an application for dispensation would be made to the Secretary of State, prior to a Definitive Map Modification Order being made. When dispensation is granted, a notice addressed to the “Owners and Occupiers of the land” is placed on site to inform the unknown owners and occupiers that an Order has been made.

Councillor Hutchinson moved acceptance of the recommendations set out in the report which was seconded by Councillor Stewart.

Upon being put to the vote 8 members voted in favour.

RESOLVED that the Local Area Council agreed that:

- i) There is sufficient evidence to indicate that public footpath rights have been reasonably alleged to exist over the route F-G.
- ii) The route be included in a future Definitive Map Modification Order as a public footpath.

Councillor Cessford joined the meeting during the previous item but did not participate as he had not been present at the beginning of the discussion.

**128. REVIEW OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
ALLEGED PUBLIC BRIDLEWAY NO. 31
PARISH OF KIRKWHELPINGTON**

The Chair reported that this item had been withdrawn from the meeting due to a technical issue.

129. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 9 May 2023.

CHAIR _____

DATE _____

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Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL

9 MAY 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Planning

Cabinet Member: Councillor CW 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 Tynedale 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.

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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
Report of the Director of Planning
01670 622542
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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 6 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

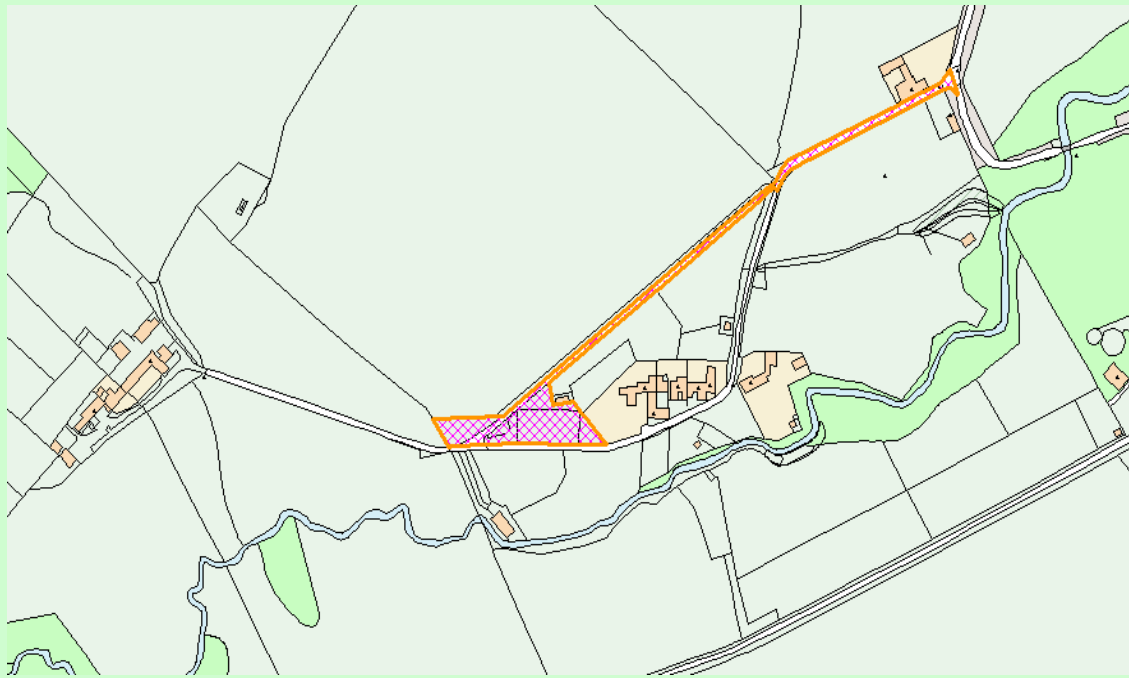
County Council

Tynedale Local Area Council Planning Committee

Tuesday 9th May 2023

Application No:	22/02902/FUL		
Proposal:	Retrospective: Use of riding arena for business use for individual training, riding and boarding of horses and erection of timber store (as amended)		
Site Address	Land to South West of The Old Stables, Durham Riding, Prudhoe, Northumberland, NE42 5NX		
Applicant:	Mr Phil Morton Stanley Brae Durham Riding, Prudhoe, NE42 5NX	Agent:	David Lawson 15 Shannon Close, Fulford Grange, Castletown, Sunderland SR5 3DJ
Ward	Prudhoe South	Parish	Prudhoe
Valid Date:	07 March 2023	Expiry Date:	12 May 2023
Case Officer Details:	Name: Miss Amber Windle Job Title: Planning Officer Tel No: 07966324582 Email: Amber.Windle@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



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1. Introduction

1.1. The application has been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Council's delegation scheme due to the number of representations received from members of the public. It was agreed that the application raises issues of wider community or significant County Council interest, and so should be considered by the Committee.

2. Description of the Proposals

2.1. Planning permission is sought for the retrospective use of the riding arena to business use for individual training, riding and boarding of horses and erection of timber store on land south west of The Old Stables, Durham Riding, Prudhoe.

2.2. The application site is located in the open countryside south of Prudhoe and is also situated within the designated Green Belt.

2.3. The application site has previously had planning permission granted for the use and construction of an equestrian area for private use only under application reference 17/01672/COU.

2.4. The application has been amended and revalidated, as incorrect notice had been served on the relevant interested parties and landowners under Certificate B of the application form. The LPA are satisfied that the correct notice has now been served as part of this current application.

3. Planning History

Reference Number: 17/01672/COU

Description: Change of use of section of existing garden extension land/agricultural grazing land to equestrian ménage for personal use only and removal of 45 metres of hedgerow (amended 06.07.2017)

Status: PERMITTED

4. Consultee Responses

Prudhoe Town Council	No response received.
Highways	The additional information has been assessed and HDM are satisfied that the development site has enough parking space required for the visitor's number/delivery/horse trailers etc as identified and given the likely number of 10 vehicle average on a weekly basis, it is not considered that the proposal will create road safety issues at this location and no access improvement works are recommended for the given scale. HDM have no outstanding concerns that needs to be addressed and there is no objection to the proposal subject to conditions and informatives.
County Ecologist	No objection subject to conditions - the proposed development may impact on protected or notable species, designated nature conservation sites or priority habitat in the absence of mitigation. In accordance with planning policy the development should provide a net gain for biodiversity which can be achieved through the provision of hedgehog tunnels bird and bat boxes, secured through a planning condition.
Lead Local Flood Authority (LLFA)	No comment.
Countryside/ Rights of Way	No objection to the proposed development on the condition that Public Footpath No. 57 & Public Bridleways No. 19 & 20 are protected throughout.
Public Protection	No comments or objections.
Environment Agency	No response received.
Natural England	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	8
Number of Objections	7
Number of Support	15
Number of General Comments	0

Notices

Site Notice - Public Right of Way: 13th March 2023

Summary of Responses:

A total of 22 letters of representation have been received in response to the application. These are summarised as follows:

7no. Objections raise issues of:

- Ownership, state and upkeep of private road used to access the site
- Access and track not suitable for large vehicles
- Visitors parking and blocking access for residents
- Impact on the Green Belt
- Increase in traffic
- Use of lighting

15no. Support letters refer to:

- Clearly marked and accessible parking on site
- Need for the site
- Encourage small rural business
- Pre-booked appointments to limit numbers on site
- Access track maintained by applicant

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=RGGHU7QSIT900>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan - 2016 - 2036 (Adopted March 2022)

- STP 1 - Spatial strategy
- STP 2 - Presumption in favour of sustainable development
- STP 3 - Sustainable development
- STP 7 - Strategic approach to the Green Belt (Strategic Policy)
- STP 8 - Development in the Green Belt (Strategic Policy)
- ECN 1 - Planning strategy for the economy (Strategic Policy)
- ECN 12 - A strategy for rural economic growth (Strategic Policy)
- ECN 13 - Meeting rural employment needs
- ECN 16 - Green Belt and tourism and visitor economy
- QOP 1 - Design principles
- QOP 2 - Good design and amenity
- ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
- ENV 2 - Biodiversity and geodiversity

- ENV 3 - Landscape
- ENV 4 - Tranquillity, dark skies and a sense of rurality
- TRA 1 - Promoting sustainable Connections (Strategic Policy)
- TRA 2 - The effects of development on the transport network
- TRA 4 - Parking provision in new development
- POL 2 - Pollution and air, soil and water quality

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021, as updated)

National Planning Practice Guidance (NPPG) (2021, as updated)

7. Appraisal

7.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan.

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

- Principle of the development and Green Belt
- Design and visual impact
- Impact upon amenity
- Highway safety
- Ecology
- Impact on Public Rights of Way

Principle of the Development and Green Belt

7.3. The application site is located in the open countryside. Policy STP 1 of the Northumberland Local Plan states that development in the open countryside will be supported if it can be demonstrated that it:

- i. Supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13; or*
- ii. Supports the development and diversification of agricultural and other land-based rural businesses in accordance with Policy ECN 14; or*
- iii. Supports sustainable rural tourism and leisure developments in accordance with Policy ECN 15; or*
- iv. Provides for residential development in accordance with Policies HOU 7 or HOU 8; or*
- v. Supports the retention, provision or improvement of accessible local services and community facilities which cannot be provided in settlements, in accordance with Policy INF 2; or*
- vi. Provides for essential transport, utilities and energy infrastructure in accordance with other policies in the Local Plan; or*
- vii. Relates to the extraction and processing of minerals, in accordance with other policies in the Local Plan.*

The policy goes on to state that *'development in the open countryside should be sensitive to its surroundings, not have an unacceptable impact upon the local road network and use previously developed land where opportunities exist'*.

7.4. Policy ECN1 of the Northumberland Local Plan states that the Plan will deliver economic growth, while safeguarding the environment and community well-being, so helping to deliver the objectives of the Council's economic strategy. The Policy goes on to require proposals to support both existing and new businesses; support rural enterprise; and support and promote tourism and the visitor economy. Policy ECN 12 of the Northumberland Local Plan seeks to encourage the growth of the rural economy through facilitating the formation, growth and up-scaling of businesses in rural locations. Policy ECN 13 states that in the countryside support will be given to development which generates employment opportunities, proportionate to the rural location.

7.5. In addition, Paragraph 84 of the NPPF seeks to ensure that planning decisions enable:

- a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) *the development and diversification of agricultural and other land-based rural businesses;*
- c) *sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

7.6. The application site is also within the designated Green Belt where development is strictly controlled. The NPPF attaches great importance to Green Belts. Paragraph 138 of the NPPF sets out the five purposes of the Green Belt, these are:

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

7.7. Paragraph 147 maintains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.8. Similarly, Policy STP 8 of the emerging Northumberland Local Plan (Publication Draft Plan) relates to development in the Green Belt. Policy STP 8 states *“development which is appropriate in the Green Belt, as defined in national planning policy, will be supported”* and *“development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported unless very special circumstances clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal”*.
- 7.9. Paragraph 145 of the NPPF states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, one opportunity detailed as such is to provide opportunities for outdoor sport and recreation. In the above context, Paragraph 149 of the NPPF details exceptions in regard to development in the Green Belt which includes criterion 149(b) *“the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”* It is considered that the use of a previously private riding arena to business use for individual training, riding and boarding of horses and erection of timber store would fall within this exemption and re-use an existing building.
- 7.10. As set out within National Planning Practice Guidance (NPPG), the concept of ‘openness’ in the Green Belt is considered to have a spatial (the actual physical loss of openness) and visual (perceived loss of openness) dimension, in other words, the visual impact of the proposal may be relevant, as could its volume. Other matters to consider can include the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and the degree of activity likely to be generated.
- 7.11. The proposed development would utilise an existing equestrian arena and stables with an ancillary timber store within the site. As such it is considered that the development would fall within the exception outlined within Paragraph 149(b) of the NPPF, provided that it preserves the openness of the Green Belt. In terms of openness, it is acknowledged that the development would lead to a minor degree of harm caused to the openness of the Green Belt in regards to the construction of the store, and low intensification of the use of the site which is considered to be limited as the facilities would only provide 1-2-1 coaching, exercising of horses and occasional boarding of horses which would receive approximately 10 visiting vehicles a week. The proposed development would provide facilities and opportunities for outdoor sport and recreational activities, which are considered appropriate land based business within a rural location. In this instance and due to limited usage of the facilities, the proposed development is considered to not represent inappropriate development within the Green Belt and is acceptable in accordance with Policies STP 1, STP 7, STP 8, ECN 1, ENC 12 and ECN 13 of the Northumberland Local Plan and the principles set out within the NPPF.

Design and Visual Impact

- 7.12. The site currently hosts a 39.9m by 20m outdoor riding arena which benefits from planning permission under planning application 17/01672/COU.

No changes to the arena in terms of size or design are proposed under this application. The application includes the provision of a timber storage barn located within the identified parking area for the site. It is acknowledged that the barn has already been built and measures 6.4m by 6.3m, with a maximum height of 2.9m. The site is set back from the adopted public highway to the north east of the site by in excess of 375m metres and the proposed storage barn is primarily screened to the north and west elevations by mature vegetation.

- 7.13. In light of the above, it is considered that the proposed development would result in a limited impact on the visual amenity of the site and the wider landscape. Therefore, the proposed development would accord with Policies ENV 1, ENV 3, QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

Impact on Amenity

- 7.14. The site is bound by 2no. privately owned tracks to the south, west and north, with residential properties adjacent to the east and a further 2no. properties located approximately 200m to the west. The proposal seek to allow the use of the existing arena and stables from personal use to use as a commercial business and for the provision of an associated timber store, parking and external lighting.

- 7.15. It is acknowledged that a total of 7no. letters of objection have been received in response to the application which raise issues over the access track, parking, traffic and use of lighting. As part of the application the Council's specialist highways and ecology consultees have been consulted on the application to assess these matters in technical terms which will be discussed later within this report. Notwithstanding these further assessments, officers note that any issues regarding the ownership and maintenance of the track is a civil matter and not a material planning consideration. An informative could also be attached to any approval to this effect to highlight that any consent does not convey approval for works affecting any other third party rights.

- 7.16. In regards to the material planning considerations raised by the letters of objections outside the scope of the consultee responses, conditions are appropriate to require restrictions on lighting times at certain times of the year but officers do consider it reasonably necessary to attach a further condition to any granting of planning permission to limit the operational times of any approved external lighting, to mitigate any adverse impact on neighbouring properties. In addition, the Council's Environmental Protection team have been consulted on the application, who have raised no objections to the proposals.

- 7.17. Although the proposals would intensify the use at the site, the level of activity proposed would be limited to 1-2-1 coaching, exercising of horses and occasional boarding of horses which would receive approximately 10 visiting vehicles a week. In this instance and subject to the aforementioned condition, officers consider that there would be no significant adverse impact upon the amenity of any nearby properties in accordance with Policies QOP 2 and POL 2 of the Northumberland Local Plan and the NPPF.

Highways Safety

- 7.18. The application proposes to intensify the use of the site as a commercial equestrian facility and as such, NCC's Highways Development Management Team have been consulted on the application to assess the impact of the proposed development on highways safety.
- 7.19. It is acknowledged that the letters of objection received in response to the application raise issues regarding the ownership, use and upkeep of the track used to access the site, parking and increase in traffic to the site. As previously mentioned, it is noted that the track used to access the site is privately owned and not maintained or adopted by the Council; therefore, In regard to concerns over parking and increased traffic, the applicant has demonstrated that enough parking for the anticipated amount of vehicles visiting the site can be accommodated within the site boundary and that the track can accommodate the types of vehicles visiting the site without causing any highways safety issues.
- 7.20. Based on the information provided, HDM have no outstanding concerns that need to be addressed and there is no objection to the proposal subject to a condition ensuring the car parking area is implemented as such. In this instance, there would be no significant impact on the safety of the highway network, and adequate provision for parking would be made in line with the requirements of Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan.

Ecology

- 7.21. As the application site is within 50m of a line of trees and a beck which links two ancient woodlands and Habitats of Principal importance, the Council's Ecology team have been consulted on the application. Initial concerns were raised by the Ecologist in regards to the proposed external lighting and the lack of appropriate biodiversity enhancement proposed within the application.
- 7.22. Following the submission of a lighting report which confirms that the external lighting Lux measurement reads 1 Lux, the Ecologist is satisfied that the proposed lighting arrangements are appropriate and would not adversely affect the ecology of the area. As the proposed lighting is considered to be acceptable the Ecologist has advised that restrictions on the use of the lighting are not necessary, however to ensure that any alterations to the external lighting at the site are thoroughly considered, officers recommend that a condition regarding any changes or intensification of external lighting at the site should be attached to any granting of planning permission.
- 7.23. The proposals for proposed ecological enhancements on the site are also welcomed. The Ecologist has recommended a condition be attached to any granting of planning permission to ensure that the proposed ecological enhancements are implemented and retained.
- 7.24. Given the above and subject to the aforementioned conditions, it is considered that the development accords with Policies ENV 1 and ENV 2 of the Northumberland Plan and the NPPF in regards to Ecology.

Impact upon the Public Right of Way

7.25. The site is bound by Public Footpath no.57 to the south and Public Bridleway nos.19 and 20 run close to the site. The development although in close proximity to these Public Right of Ways would not have an impact on the Public Right of Ways. The Public Right of Way Officer has been consulted on the application and has confirmed that there are no objections to the proposed development. As such, the application would accord with Policy TRA1 of the Northumberland Local Plan and the NPPF in this respect.

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

7.30. 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. National and local planning policies have been taken into consideration when assessing this application. The proposed development would provide facilities and opportunities for outdoor sport and recreational activities, which are considered appropriate within a rural location. The proposed development is also considered to have a limited impact on the openness of the Green Belt and can be considered an appropriate form of development within the Green Belt. Therefore, the proposed development is supported as a matter of principle for the reasons set out within this report in accordance with the Northumberland Local Plan and the NPPF.

8.2. The application would also be acceptable in all other respects, including technical matters, and it is therefore recommended that the application be approved.

9. Recommendation

That this application be GRANTED subject to the following:

Conditions/Reason

01. The development hereby permitted shall be retained in complete accordance with the approved plans. The approved plans for this development are:

- Location Plan and Proposed Site Plan, Drawing no. PRE/001 Rev C, Dated 06.01.2023
- Storage Bar Plan and Elevation, Drawing no. EX/003, Dated July 2022 (received 10th January 2023)
- Equestrian Arena Plan and Elevations, Drawing no. EX/002, Dated July 2022 (received 24th November 2022)

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

02. The car parking area indicated on the approved plans, shall be utilised and retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance Policies TRA 2 and TRA4 of the Northumberland Local Plan and the NPPF.

03. Within three months of the granting of this permission, high quality bat boxes appropriate for crevice dwelling species and bird boxes appropriate for woodland species and hedgehog tunnels must be applied to the buildings and fencing on the site in accordance to drawing numbers PRE/001 Rev C and EX/003 which are approved planning documents for this application. These boxes must be applied using manufacturer's instructions and maintained for the duration of the development

Reason: To ensure the development results in a net gain for biodiversity in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

04. Any changes in the amount or intensity of the hereby approved external lighting shall not be installed without prior consent from the Local Planning Authority. Details of such shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection legally protected species and in the interests of the amenity of neighbouring properties in accordance with Policies ENV 2 and QOP 2 of the Northumberland Local Plan.

05. Between the 1st October and the 31st of March, the hereby approved external lighting shall not be operate between the hours of 21:00 and 07:00.

Reason: In the interest of preventing unnecessary impact on the Dark Skies and in the amenity of neighbouring properties, in accordance with Policies QOP 2 and ENV 4 of the Northumberland Local Plan.

Informatives

1. The applicant is reminded that this permission does not convey approval for works affecting third party rights which may exist on the land or any adjoining. The applicant is therefore advised to seek the approval of any parties having an interest in any land affected by this permission.
2. Any areas of hardstanding areas (car parks, driveways etc.) within the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable surface:
 - Using gravel or a mainly green, vegetated area.
 - Directing water from an impermeable surface to a border rain garden or soakaway.
 - Using permeable block paving, porous asphalt/concrete.

Further information can be found here -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

In addition the development should explore disconnecting any gutter down pipes into rain water harvesting units and water butts, with overflow into rainwater garden/pond thus providing a resource as well as amenity value and improving water quality.

3. A Public Right of Way passes close to or through the site. No action should be taken to disturb the surface, obstruct the path or in any way prevent or deter public use without the necessary legal diversion or closure order having been made, confirmed and an alternative route provided.

4. Examples of appropriate bat and bird boxes:

<https://www.wildcare.co.uk/beaumaris-bat-box.html>

<https://www.wildcare.co.uk/brecon-nest-box-32mm-hole-fsc-11253.html>

Background Papers: Planning application file(s) 22/02902/FUL

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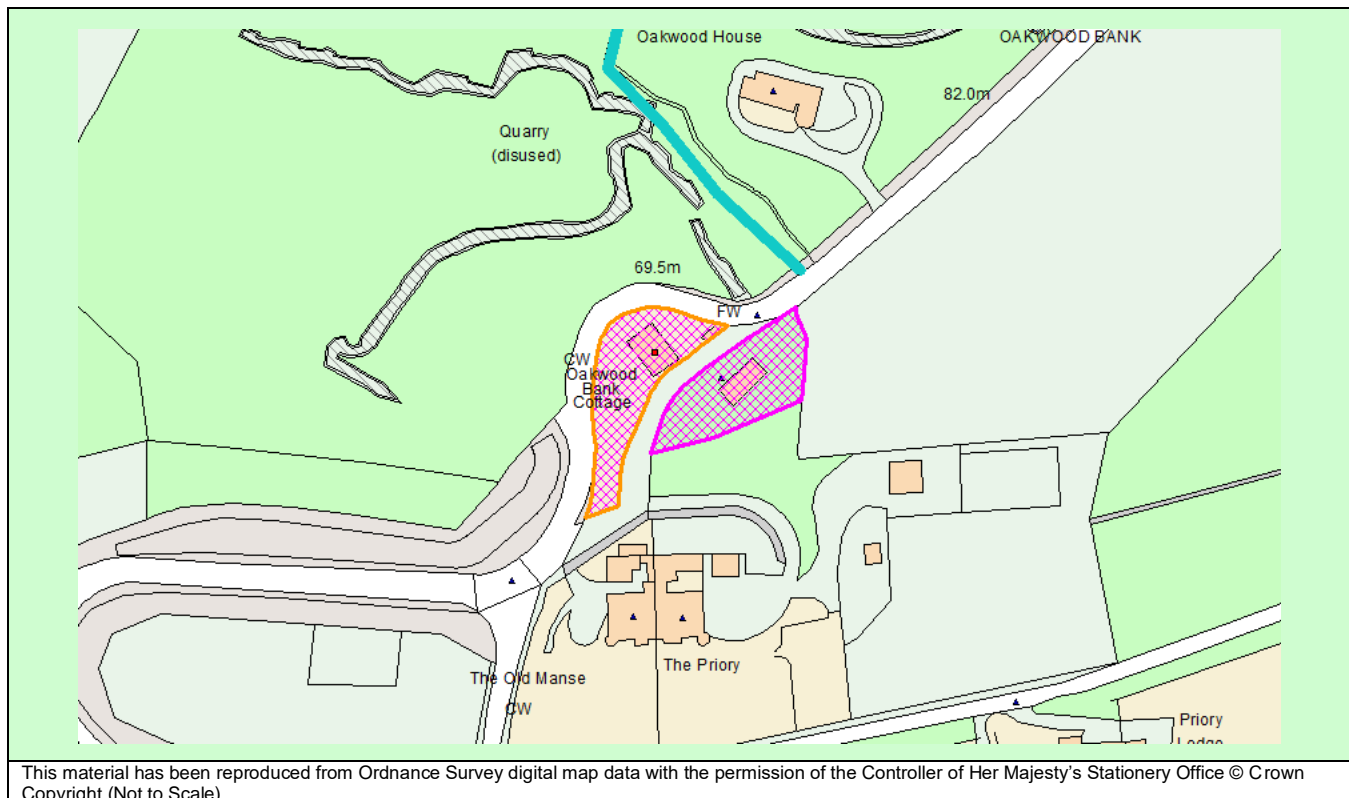


Northumberland County Council

Tynedale Local Area Council Planning Committee 09 May 2023

Application No:	23/00645/COU		
Proposal:	Change of use of dwellinghouse (Use Class C3) to a residential institution (Use Class C2)		
Site Address	Oakwood Bank Cottage, Oakwood Bank, Oakwood, Hexham Northumberland NE46 4LA		
Applicant:	Addis Town Planning Ltd Greystoke Castle, Greystoke, Penrith, CA11 0TG	Agent:	None
Ward	Corbridge	Parish	Sandhoe
Valid Date:	20 February 2023	Expiry Date:	12 May 2023
Case Officer Details:	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 07966332006 Email: Rachel.Campbell02@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 Six representations of objection have been received from neighbours and local residents in relation to this application. The officer recommendation is that of approval. Therefore, under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the Tynedale Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application shall be determined at planning committee.

2. Description of the Proposals

2.1 Planning permission is sought for the change of use of Oakwood Bank Cottage, Oakwood Bank, Oakwood, Hexham from a residential dwellinghouse (Use Class C3) to a residential institution (Use Class C2).

2.2 The application proposes to use the property as a home for a child in care. A maximum of one child would stay at the property at any one time with an envisaged length of stay of 12 months, with the property being the child's primary residence throughout this time. There would be up to three members of staff (two carers and one manager) at any one time and staff changeovers would be during the day. There would be no comings and goings at unsociable hours. The manager would be based at the property for up to 25 hours a week. The child would be supervised at all times and any excursions away from the property would be accompanied. There would also be visits to the property from social workers, family members of the child and an educational tutor.

2.3 The application does not propose any internal or external alterations to the property. The proposal seeks to utilise the existing car parking arrangements at the site, which allows for the parking of six vehicles.

2.4 The application site is located within the open countryside and the Green Belt, to the north of the main town of Hexham. The application site is within an Area of High Landscape Value, is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI) and is within a low-risk coal advice area.

2.5 In February 2023, a Certificate of Lawfulness application was refused (under application reference: 22/04636/CLPROP) for the proposed change of use of Oakwood Bank Cottage, Oakwood Bank, Oakwood, Hexham from a residential dwelling (Use Class C3) to a residential institution (Use Class C2) because it was considered that planning permission was required for the proposed change of use. Therefore, the applicant has subsequently submitted this current change of use planning application.

3. Planning History

Reference Number: 22/04636/CLPROP

Description: Certificate of Lawfulness Development - Proposed Use for change of use, which falls within use Class C2 residential care residence.

Status: Refused

Reference Number: 20/04079/FUL

Description: Proposed conversion of existing garage into detached 2 bed dwelling. Construction of 3 no. car parking spaces for Oakwood Bank Cottage.

Status: Permitted

Reference Number: 20/01829/FUL

Description: Alterations to existing car port structure - infill between existing structure with timber cladding

Status: Permitted

Reference Number: 20/00962/FUL

Description: Proposed conversion of existing car port structure into detached 1 bed dwelling. Construction of 3 no. car parking spaces for Oakwood Bank Cottage.

Status: Refused

Reference Number: T/20070034

Description: Construction of first floor rear extension, and minor alterations to ground floor rear elevation

Status: Permitted

4. Consultee Responses

Public Protection	No comment to make on this application.
Acomb Parish Council	No response received.
Sandhoe Parish Council	No response received.
Highways	No objection subject to conditions and informatives.
Architectural Liaison Officer - Police	We are satisfied that the model of care to be provided and the company's management processes are such that we consider that there is likely to be minimal impact on public amenity and the risk profile of their operation is less than a standard children's home. Northumbria Police therefore have no objection to this application.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	3
Number of Objections	6
Number of Support	0
Number of General Comments	0

Notices

General site notice – displayed on 9th March 2023
No press notice required.

Summary of Responses:

Six representations of objection have been received from neighbouring properties and local residents which raise the following concerns:

- Highway safety/access.
- Increased traffic.
- Parking issues.
- Public safety.
- Inappropriate development in this rural location.
- Unsustainable location for the proposed development.
- Impact on neighbouring house prices.
- The applicant has not communicated with locals/neighbours regarding the proposals, and it would have been welcomed to have had the opportunity to discuss these with the applicant.
- The public footpath which runs adjacent to the site should be safeguarded.

It is noted that most of the objections also raise concerns with the recent erection of fencing at the site and the installation of CCTV cameras to the dwelling. Given that Oakwood Bank Cottage is currently a residential dwelling (C3 use) it benefits from permitted development rights and therefore householder works could be undertaken to the property and within its curtilage which do not require planning permission. This includes the erection of fences and the installation of CCTV subject to meeting the relevant requirements set out within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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=RQFBIZQS0MK00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

Policy STP 1 – Spatial Strategy (Strategic Policy)
 Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)
 Policy STP 3 – Principles of Sustainable Development (Strategic Policy)
 Policy STP 4 – Climate Change Mitigation and Adaptation (Strategic Policy)
 Policy STP 7 – Strategic Approach to the Green Belt (Strategic Policy)
 Policy STP 8 – Development in the Green Belt (Strategic Policy)
 Policy HOU 1 – Making the Best Use of Existing Buildings (Strategic Policy)
 Policy HOU 5 – Housing Types and Mix
 Policy HOU 9 – Residential Development Management
 Policy HOU 11 – Homes for Older and Vulnerable People (Strategic Policy)
 Policy QOP 1 – Design Principles (Strategic Policy)
 Policy QOP 2 – Good Design and Amenity
 Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)
 Policy TRA 2 – The Effects of Development on the Transport Network
 Policy TRA 4 – Parking Provision in New Development
 Policy ENV 1 – Approaches to Assessing the Impact of Development on the Natural, Historic and Built Environment (Strategic Policy)
 Policy ENV 3 – Landscape
 Policy ENV 4 – Tranquillity, Dark Skies and a Sense of Rurality
 Policy WAT 2 – Water Supply and Sewerage
 Policy POL 2 – Pollution and Air, Soil and Water Quality

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG) (2021)

6.3 Neighbourhood Planning Policy

Acomb Neighbourhood Plan (2019)

Policy 10 – Design in New Development

7. Appraisal

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

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

- Principle of the development and Green Belt.
- Design and landscape impact.
- Amenity and public safety.
- Highway safety.
- Drainage and sewerage.
- Other matters.

Principle of the Development and Green Belt

7.3 The application site is located within the open countryside. As a starting point, Part 1 (g) of Policy STP 1 of the Northumberland Local Plan is supportive of development in the open countryside where it can be demonstrated that it meets one of several criteria. None of the criteria set out in Part 1(g) of Policy STP 1 specifically cover the type of development proposed in this application.

7.4 Part 1(h) of Policy STP 1 of the Northumberland Local Plan advises that forms of development in the open countryside, other than those identified part 1(g) will be permitted if they are supported by a made neighbourhood plan. The application site falls within the Acomb Neighbourhood Plan area; however, there are no policies within this neighbourhood plan which relate to the type of development proposed in this application.

7.5 Part 1(i) of Policy STP 1 of the Northumberland Local Plan follows on to state that *“development in the open countryside should be sensitive to its surroundings, not have an unacceptable impact upon the local road network, and use previously developed land where opportunities exist”*. It is considered that the proposed development would adhere to criterion (i) of Part 1 of Policy STP 1, with the issues such as highway safety and impact on the wider landscape discussed in more detail in the below sections of this report.

7.6 Policy HOU 1 of the Northumberland Local Plan seeks to encourage making the best use of existing buildings, including by supporting the conversion and

change of use of buildings to residential, as is similarly encouraged in the NPPF. However, Policy HOU 1 does not relate to buildings which are already in residential use and that are proposed to be converted into a different form of residential use.

7.7 Policy HOU 5 of the Northumberland Local Plan relates to housing types and mix and advises that delivering a mix of high-quality housing to meet people's needs and aspirations, including affordable homes and specialist needs housing (for older and vulnerable people), is essential for re-balancing Northumberland's housing market and enhancing the sustainability of communities.

7.8 Further to Policy HOU 5, Policy HOU 11 of the Northumberland Local Plan is generally supportive of the provision of suitable accommodation for older and vulnerable people. Part 1 (c) of Policy HOU 11 seeks to support and enable the provision of Use Class C2 residential care and nursing home accommodation options for those older and vulnerable people with physical disabilities and other needs who are unable to live independently, where justified by a specialist housing needs assessment. Part 1 (e) of Policy HOU 11 requires planning applications to demonstrate that development proposals meet the space and accessibility needs of older and vulnerable people, as well as supporting the principles of 'active ageing'. Whilst no statement in this regard has been submitted, it is acknowledged that the submitted cover letter sets out a case for the need for the existing dwelling to be used as a home for a child in care.

7.9 The proposed development, comprising of the change of use of Oakwood Bank Cottage from C3 to C2 use, would be acceptable as a matter of principle in this open countryside location in accordance with Policies HOU 5 and HOU 11 of the Northumberland Local Plan and Part 1(i) of Policy STP 1 of the Northumberland Local Plan.

7.10 The application site is also located within the Green Belt; therefore, the proposed development must also be assessed against relevant national and local Green Belt planning policies. Development within the Green Belt is strictly controlled.

7.11 Paragraph 138 of the NPPF sets out the five purposes of the Green Belt, which are:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

7.12 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, and lists a number of exceptions to this, none of which are relevant in this instance. Paragraph 150 of the NPPF states that "*certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it*", such as the re-use of buildings provided that the buildings are of permanent and substantial construction and material changes in the use of land.

7.13 Policy STP 8 of the Northumberland Local Plan relates to development in the Green Belt. Policy STP 8 states “*development which is not inappropriate in the Green Belt, as defined in national planning policy, will be supported*”.

7.14 The proposed development would involve the re-use of an existing building which is of permanent and substantial construction and would also involve the material change of use of the curtilage of the building. The application does not propose any internal or external alterations to the building and does not propose any changes within the curtilage of the building. Therefore, the overall proposal is considered to preserve the openness of the Green Belt by re-using an existing building and its curtilage. Therefore, the proposed development would fall under exceptions d) and e) of Paragraph 150 of the NPPF and would not constitute inappropriate development in the Green Belt. The proposed change of use is therefore considered to be acceptable in accordance with Policy STP 8 of the Northumberland Local Plan and the principles set out within Chapter 13 of the NPPF.

7.15 It is noted that some of the representations of objection have raised concerns regarding the principle of the development in this location. This application has been appropriately assessed against relevant local and national planning policies and it is concluded that the proposal is acceptable for the reasons set out above.

Design and Landscape Impact

7.16 The application proposes to change the use of the existing building at the site. The proposed change of use would not involve any internal or external alterations to the building. The proposed change of use would not increase the size of the floorspace of the building. Therefore, the proposed change of use would not change the size or appearance of the building and would remain as existing. It is therefore considered that the proposed change of use would not adversely impact upon the character and appearance of the application site or the wider surrounding landscape.

7.17 The application would be acceptable in accordance with Policies STP 2, STP 3, STP 4, QOP 1, ENV 1, ENV 3 and ENV 4 of the Northumberland Local Plan, Policy 10 of the Acomb Neighbourhood Plan and the principles of the NPPF in relation to design and landscape impact.

Amenity and Public Safety

7.18 The application site is located within the open countryside, to the north of the main town of Hexham. Oakwood Bank Cottage comprises of two parcels of land (as shown on the submitted location plan) which are divided by the U8309 road (Oakwood Bank Old Road) which runs through the middle. The main dwelling and garden area are located on the land to the west, whilst the detached garage building and parking area are located on the land to the east. The main C239 road (Oakwood Bank) encircles the site to the west and north. Beyond this road, to the north and west, is an area of woodland. At a distance of approximately 60 metres to the north of Oakwood Bank Cottage, is the residential dwelling of Oakwood House. To the immediate east of Oakwood Bank Cottage is open land with an area of woodland beyond. To the immediate south of Oakwood Bank Cottage is a small stretch of woodland and two residential dwellings; The Old Manse and The Priory. Therefore, the proposed residential institution would have three immediate neighbouring dwellings.

- 7.19 The application proposes to change the use of Oakwood Bank Cottage from a residential dwelling (Use Class C3) to a residential institution (Use Class C2). As aforementioned within the “principle” section of this report, the proposed use is considered to be acceptable as a matter of principle in this rural location.
- 7.20 It is acknowledged that the application does not propose any internal or external alterations to the property and the proposed use seeks to utilise the existing car parking arrangements at the site.
- 7.21 The application proposes to use the property as a home for a child in care and a maximum of one child would stay at the property at any one time with an envisaged length of stay of 12 months, with the property being the child’s primary residence throughout this time. There would be up to three members of staff (two carers and one manager) at any one time and staff changeovers would be during the day. The manager would be based at the property for up to 25 hours a week. The child would be supervised at all times and any excursions away from the property would be accompanied. There would also be visits to the property from social workers, family members of the child and an educational tutor. There would be no comings and goings at unsociable hours.
- 7.22 The impact of the proposed use of the building on the amenity of neighbouring residential properties and upon general public safety has been carefully considered under this planning application. The Council’s Environmental Protection (EP) team, who consider issues such as noise and impact upon amenity, have been consulted on this application and having reviewed the submitted information, have no comments to make on this application. Given the nature of the proposed development, Northumbria Police have also been consulted on this application and raises no objection to the application. Northumbria Police have commented that following a constructive meeting with the applicant, they are satisfied that the model of care to be provided and the company’s management processes are such that they consider that there is likely to be minimal impact on public amenity and the risk profile of the operation is less than a standard children’s home. A condition is considered to be necessary to ensure that a maximum of one child would reside at the property at any one time, as detailed within the submitted cover letter. This is to ensure that any increase in the number of children residing at the property can be adequately assessed through the planning process and through further consultation. It is therefore considered that the proposed use would not have a significant adverse impact upon the amenity of neighbouring residential properties or upon general public safety.
- 7.23 Subject to accordance with the recommended conditions, the proposed development is considered to be acceptable in accordance with Policies QOP 2 and POL 2 of the Northumberland Local Plan and the principles of the NPPF in this respect.
- 7.24 Several of the representations of objection have raised concerns regarding impact upon amenity and general public safety, and these concerns have been taken into consideration when compiling this section of the report. Following consultation with the Council’s EP team and Northumbria Police, who consider issues such as amenity and public safety, the proposed use is considered to be acceptable in this respect, subject to conditions.

Highway Safety

7.25 The Council's Highway Development Management (HDM) team has been consulted on this application, and having reviewed the submitted information, raises no objection subject to conditions and informatives. The recommended conditions request the submission of details of the car parking, cycle parking and refuse storage facilities and collection. The Council's HDM team note that the application form states that there are six parking spaces at the site which would be utilised by the proposed use and consider that the existing car parking and access arrangements are acceptable. Whilst the car parking arrangements have not been shown on the submitted plan, it is acknowledged that there is sufficient parking at the site for the proposed use and a condition to ensure the parking area is retained as existing is considered more appropriate than requesting details of this. Also, it is recognised that there is an existing detached garage and a stone outbuilding to the rear of the property which could both be used for cycle storage purposes. Therefore, a condition to ensure cycle parking is provided at the site at all times is considered more appropriate than requesting details of this. With regard to refuse storage and collection, it is acknowledged that the residential property has an existing refuse storage area directly to the front of the property and adjacent to the pedestrian gate to the southern side, which will be utilised by the proposed use. Therefore, a condition to ensure the refuse storage area and collection strategy remains as existing is also considered to be more appropriate than requesting details of this when they are not changing. The Council's HDM team note the information on staffing levels, visitors and a maximum of one child residing at the property at any one time. Subject to accordance with the abovementioned conditions, the application is acceptable in this respect in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the principles of the NPPF.

7.26 Several of the representations of objection have raised concerns regarding highway safety, traffic, access and parking, and these concerns have been taken into consideration when compiling this section of the report. Following consultation with the Council's HDM team, who consider issues such as highway safety, traffic, access and parking, it is considered that the proposed use is acceptable in respect of these issues, subject to conditions.

Drainage and Sewerage

7.27 The application form indicates that foul sewerage would be disposed of by septic tank because the dwelling is already connected to an existing septic tank and therefore the proposed use would utilise the existing drainage system in place at the site. There would be no changes to the disposal method of foul sewerage. The application form also indicates that surface water would be disposed of by mains sewer. The application is considered to be acceptable in this respect in accordance with Policy WAT 2 of the Northumberland Local Plan and the principles of the NPPF.

Other Matters

7.28 The representations of objection have also commented that the proposed use would impact upon the house prices of neighbouring properties. This matter is not a material consideration in the determination of this planning application. The representations of objection have also commented that the public footpath which runs adjacent to the site should be safeguarded. The proposed change of use, based on the information provided, would not obstruct the use of the U8309

(Oakwood Bank Old Road) by pedestrians and vehicles; however, it is noted that whilst this is an adopted road, it is not a formal Public Right of Way.

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

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

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above indicating accordance with the relevant development plan policies. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between

the local planning policies and the NPPF on the matters of relevance in this application.

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

8.3 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall be carried out in complete accordance with the details shown on the following plans:

- Existing and Proposed Block Plan, Drawing No: A 02
- Location Plan, Drawing No: A 01
- Cover Letter produced by Addis Town Planning Ltd – dated 20th February 2023

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

03. The car parking arrangements, comprising of six car parking spaces, at the application site shall remain as existing and shall be retained in perpetuity for the lifetime of the development.

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

04. Cycle parking shall be provided at the application site for the parking of cycles and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA 1 of the Northumberland Local Plan.

05. The refuse storage facilities and refuse storage strategy at the application site shall remain as existing and shall be retained and operated in perpetuity for the lifetime of the development.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA 1 and TRA 2 of the Northumberland Local Plan.

06. The hereby approved premises shall be used as a residential home for one child

and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of residential amenity and highway safety, in accordance with Policies QOP 2 and TRA 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

07. No more than one child shall reside at the hereby approved premises at any given time.

Reason: In the interests of residential amenity and highway safety, in accordance with Policies QOP 2 and TRA 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

Informatives

1. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the StreetWorks team on 0345 600 6400 for Skips and Containers licences.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Date of Report: 20.04.2023

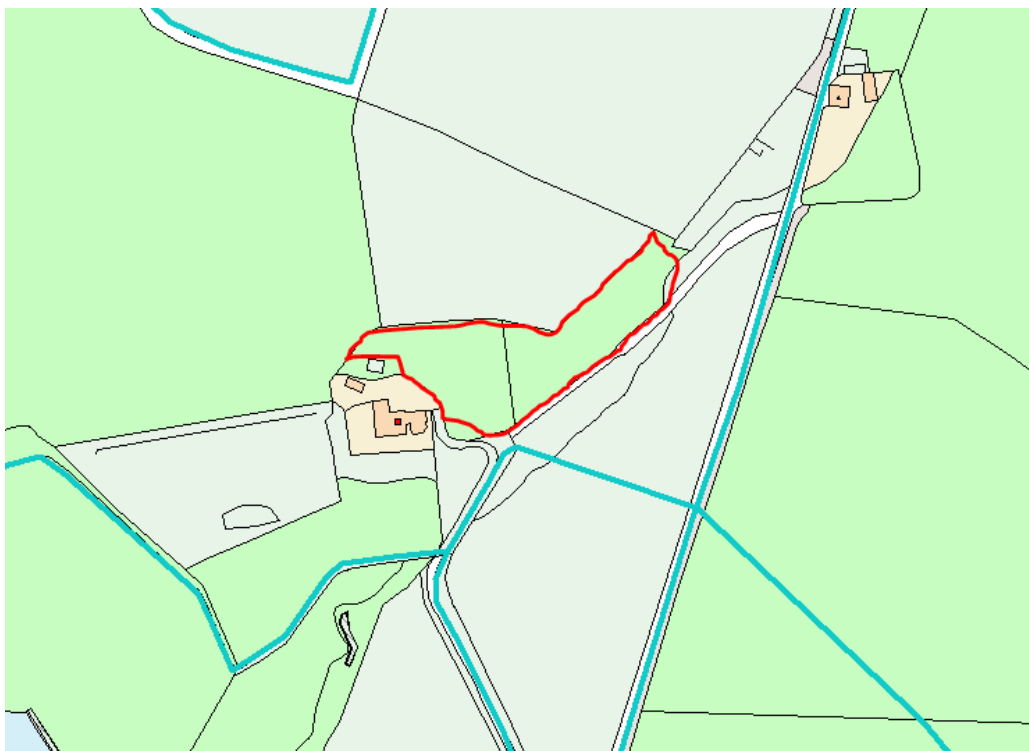
Background Papers: Planning application file(s) 23/00645/COU



Northumberland
County Council

TYNEDALE LOCAL AREA COUNCIL
MAY 2023

**THE NORTHUMBERLAND COUNTY COUNCIL (Land at Wardrew
Manor House, Gilsland) Tree Preservation Order 2023
(No. 02 of 2023)**



1. Introduction

- 1.1. The purpose of this report is to seek a decision from the Local Area Council as to whether or not they wish the County Council to confirm the provisional Northumberland County Council (Land at Wardrew Manor House, Gilsland) Tree Preservation Order 2023 (no. 02 of 2023).

2. Appraisal

- 2.1. The provisional TPO was made by the County Council under Section 198 of the Town & Country Planning Act 1990 on 5th January 2023.

- 2.2. The land in which the order applies lies approximately 1.36km north of the settlement of Gilsland.
- 2.3. The order confirms protection of the site at Wardrew Manor House, Gilsland with the western area referred to as Woodland 1, and the eastern area referred to as Woodland 2.
- 2.4. The trees were first assessed by the case officer on 25th November 2022 in conjunction with an Arboricultural Consultant of Tilia Tree Consultancy Services. The site meeting was triggered by a local perceived threat to the trees. The Consultant highlighted via a Tree Evaluation Method for Preservation Orders Report, that the site, divisible into two key areas of woodland, would definitely merit a Tree Preservation Order. The reason for the division was that on site, it was evident that a clear gap between the two areas of woodland separates the trees, and particular species were characteristic of both groups.
- 2.5. The area known as Woodland 2 includes land which is currently involved within a land tribunal case, to determine its rightful owner.
- 2.6. The owners of the land on which the trees are situated, along with directly adjacent neighbours and the Parish Council, were informed of the making of the provisional TPO on 5th January 2023. Following the receipt of 1 no. written objection, the confirmation of the TPO must now be determined by the Local Area Committee.
- 2.7. The objection received was from a neighbouring land owner and was submitted to the Local Planning Authority on the 9th February 2023. The objection stated that over 50 years from farming the adjacent Wardrew farm, this section of woodland (W2) is outlined to have always been used as a shelter belt for livestock. The objector also outlines that there are many other shelter belts of trees around the farm and states that they have never had an intention of applying for a felling license or damaging trees on their farm. Over the last 20 years they outline that they have planted over 26,000 hard-wood trees at the farm. They highlight that shelter belts are needed to safeguard livestock, and that referring to Storm Arwen, any windblown trees are a danger to people and livestock need to be made safe.
- 2.8. In order to provide a summary of the report provided by Tilia Tree Consultancy Services, W1 and W2 score 20 and 19 respectively and therefore fall within the range of "Definitely merits a TPO" within the decision-making criteria. Woodland 1 includes Common Lime, Sycamore, and Goat Willow. The Lime trees hold higher relative stem circumference than other woodland trees and they are also commensurate with the planting of other Common Lime trees to the Southwest of Wardrew Manor House within Irthing Gorge Wood. Some trees hold structural defects in form of open cavities, storm damaged crown and fungal pathogens. However, pest and diseases issues are infrequent and limited to isolated individuals. The Lime trees compose the Northern and eastern boundary of W1.
- 2.9. W2 includes Western Red Cedar and Larch which dominate the canopy with Sycamore and Silver Birch present to a lesser degree.

- 2.10. The overall condition of W1 and W2 is satisfactory. Neither Woodland grouping has been subject to significant past management. Although a number of individuals retain defects that are likely to adversely affect their prospects, pest and disease or factors affecting structural condition are not prolific. Limited intervention may be required to address the individuals with defects. However, given the private nature of the location and absence of targets near to the trees, such intervention could be reactive only. W1 and W2 may be retained without disproportionate expenditure; the retention span of W1 and W2 is concluded to be in excess of 100 years. This is due to the nature of the species present. W1 and W2 are composed of large trees that are visible from Rosehill and the Public Footpath that is located to the East. W1 and W2 are clearly visible from public vantage points. W1 contains a number of species, but of note are the 17 Lime trees planted in an “L” shape to the North and Eastern sides. Given their characteristics (size, life stage/maturity, form, crown architecture) they are considered to predate the remainder of W1 thus presenting a notable arboricultural feature. These trees retain some features that are associated with “veteran” trees. W1 is considered to score highly within the “Other Factors” category. Both W1 and W2 hold both visual and aerodynamic cohesion. In terms of the expediency assessment, it is perceived that there could be a threat to the trees in the future which contributed here.
- 2.11. The County Council must confirm the provisional TPO, with or without modifications, within the 6 month provisional period, i.e. by the 5th July 2023 otherwise it will cease to have any effect.
- 2.12. The view of the planning department and the Arboricultural Consultant of Tilia Tree Consultancy Services is that both woodlands contribute significantly to the visual amenity of the locality and are worthy of TPO status.
- 2.13. It is acknowledged that an area of W2 is currently under the scrutiny of a land tribunal. The perceived threat to the trees relates to this although, to reiterate, the objection to this Tree Preservation Order outlined that W2 is part of Wardrew Farm and has always been used as a shelter belt for livestock; they cite that this has been the case for the last 50 years. They state that they have no intention of cutting down, topping or lapping any of the trees within the W2 boundary and denote that they have planted over 26,000 English hardwood trees at the farm within the last 20 years.
- 2.14. The perceived threat led to the TEMPO assessment being carried out by Tilia Tree Consultancy Services, which scored W1 at 20, and W2 at 19 within the Amenity and Expediency assessment of which a score of 16+ definitely merits a Tree Preservation Order. The provisional TPO at the site will cease to have any effect after 5th July and the trees will no longer be subject to protection. It is considered that the Order should be confirmed given the visual amenity value of the trees.

Other Issues

- 2.15. 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.

- 2.16. These proposals have no implications in relation to crime and disorder.
- 2.17. 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.
- 2.18. 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.
- 2.19. 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.

3. Recommendation

That the Northumberland County Council (Land at Wardrew Manor House, Gilsland) Tree Preservation Order 2023 (no. 02 of 2023) **be confirmed subject to no modifications.**



Northumberland County Council

Appeal Update Report

Date: May 2023

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?
22/01413/FUL	<p>Dormer window to roof slope on principal (south) elevation – 3 Dene Park, Darras Hall, Ponteland</p> <p>Main issues: design, scale and massing would not be subordinate to the dwelling and would be out of character in the street scene.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/02094/FUL	<p>Remove green keepers compound and erection of 48 dwellings (including 10 affordable houses) plus upgrade of access road, electric substation, SUDs, domestic package treatment works and domestic gas storage - Amended description – land north west of Burgham Park Golf Club, Felton</p> <p>Main issues: inappropriate development in the Green Belt; unnecessary and unjustified development in the open countryside and unsustainable location; and lack of completed S106 Agreement in respect of affordable housing, education, health and a Habitat Maintenance and Management Plan</p> <p>Committee Decision – Officer Recommendation: Approve</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?
22/00393/FUL	<p>Siting of 'Timber Living Trailer' - land south of Jubilee Cottages, West Woodburn</p> <p>Main issues: site is in the open countryside and not in a sustainable or accessible location; and adverse</p>	No – claim refused

	<p>impacts on the open countryside and landscape.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/04958/FUL	<p>Resubmission - Retrospective application for outdoor dining facilities within car parking area to front. Material amendment to roof covering and part timber cladding – Percy Arms, Chatton</p> <p>Main issues: development results in harm to the character and appearance of the Conservation Area; and substandard access to rear car park.</p> <p>Committee Decision – Officer Recommendation: Approve</p>	No
21/03532/FUL	<p>Restore and re-build existing derelict dwellings to create single dwelling house with attached holiday-let and erection of ancillary workshop/agricultural storage building – land south west of Woodbine Cottage, Carrshield</p> <p>Main issues: significant works required to existing structure therefore conversion is unacceptable as a matter of principle; design would not respect historic character of the building and would affect the character of the North Pennines AONB; new outbuilding would be inappropriate in size and scale in the open countryside with impacts on the landscape and the AONB; insufficient information to assess ecological impacts of the proposals; and insufficient information to assess archaeological impacts.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
21/04002/FUL	<p>Proposed 6no. Yurts and associated structure for holiday and tourism – land south-east of Alnham House, Alnham Main Road, Alnham</p> <p>Main issues: the site is not in an accessible location; and results in incursion into the open countryside and fails to respect the intrinsic character and beauty of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/00262/FUL	<p>Demolition of existing extension and rebuilding an extension – 1 Sandridge, Newbiggin-by-the Sea</p>	No

	<p>Main issues: unacceptable design with detrimental loss and alteration of a historic building group with harm to the Conservation Area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/04426/FUL	<p>Certificate of lawful development of existing vehicular access from the B6318 – land on Hadrian's Wall remains south of Black Pasture Cottage, Brunton Bank, Wall</p> <p>Main issues: lack of information and evidence as submitted to grant certificate.</p> <p>Appeal against non-determination</p>	No
22/01675/FUL	<p>Erection of 1 no. Dwelling (C3 use) - land south of Old Smithy, Widdrington Village</p> <p>Main issues: development in the open countryside; harm to the setting of a Grade I listed building with no public benefits; and no unilateral undertaking has been completed to secure a contribution to the Coastal Mitigation Service.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Withdrawn

Reference No	Proposal and main planning considerations	Award of costs?
22/01250/FUL	<p>Retrospective: Construction of a stable building – land north and east of Horsley Banks Farm, Horsley</p> <p>Main issues: Appeal against non-determination of application, but decision subsequently issued.</p> <p>Delegated Decision - Officer Recommendation: Approve</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
19/04687/OUT	<p>Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; lack of information in relation to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education.</p>	<p>27 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03397/LBC	<p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s), internal alterations and</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer</p>

	<p>alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p>	<p>Recommendation: Refuse</p>
21/02696/S106A	<p>Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland</p> <p>Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.</p>	<p>7 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00913/FUL	<p>Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Main issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04208/FUL	<p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the North Pennines AONB; visibility splays from the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03313/AGTRES	<p>Prior notification for change of use and conversion of agricultural building to single dwelling – The March Barn, Welton</p> <p>Main issues: the proposal involves significant building operations that go beyond what is reasonably necessary to convert the building and therefore it is not permitted development.</p>	<p>21 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/01833/FUL	<p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land</p>	<p>10 January 2023</p> <p>Delegated</p>

	<p>at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.</p>	<p>Decision - Officer Recommendation: Refuse</p>
22/00394/FUL	<p>Retrospective: Construction of pergola and decking within existing beer garden – The Dyvels Hotel, Station Road, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt with no demonstrated very special circumstances to outweigh the harm; and harm to the character and appearance of the building and the surrounding area.</p>	<p>13 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01812/FUL	<p>Proposed detached single storey garage and store with associated formation of driveway – Eland Close, Eland Land, Ponteland</p> <p>Main issues: inappropriate development in the Green Belt and the open countryside.</p>	<p>24 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02287/FUL	<p>Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington</p> <p>Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy.</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03609/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.	
22/03324/FUL	Erect a feed barn for storage of animal feed – Eastside, Partnership Field, Springwell, Ovington Main issues: inappropriate development in the Green Belt.	13 February 2023 Delegated Decision - Officer Recommendation: Refuse
22/04634/FUL	Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.	16 February 2023 Delegated Decision - Officer Recommendation: Refuse
22/01297/FUL	Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.	21 February 2023 Delegated Decision - Officer Recommendation: Refuse
22/02704/CLEXIS	Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.	27 February 2023 Delegated Decision - Officer Recommendation: Refuse
22/02969/FUL	Proposed new rear/side fence. (Retrospective) - 4 Admington Court, Sherbourne Park, Stakeford, Choppington Main issues: scale and design of the development are out of character in the street scene with detrimental visual appearance; and situated on adopted highway verge with insufficient evidence to demonstrate it will not harm the current and future maintenance of utilities and other associated works.	20 March 2023 Delegated Decision - Officer Recommendation: Refuse

22/03417/OUT	<p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top Cottage, Morpeth</p> <p>Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04124/FUL	<p>Erection of stables, tackroom and associated horse paddock – land east of Oakfield Lodge, Eachwick</p> <p>Main issues: inappropriate development in the Green Belt; and visually intrusive and harmful impact on the character and appearance of the site and surrounding landscape.</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01121/FUL	<p>Proposed new dwelling house and outbuilding with associated works to building plots 1 and 2 – Plots 1 and 2, land south west of Castle Hills Farm Cottages, Castle Hills, Berwick-upon-Tweed</p> <p>Main issues: development in the open countryside; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC</p>	<p>22 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03696/FUL	<p>Retrospective application for works carried out to add pillars with metal railings between at front boundary wall; stone face side wall between front and rear garden and construction of raised timber deck – Woodstock, Mill Lane, Haltwhistle</p> <p>Main issues: harm to the character and appearance of the Conservation Area; and harmful impact on residential amenity.</p>	<p>22 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04592/FUL	<p>Demolition of 2 no. youth hostel cabins and erection of 8 no. caravan pitches and children's play area (as amended) - Hareshaw Linn Caravan Park, Bellingham</p> <p>Main issues: harmful visual impacts on the character and appearance of the site and surrounding area; and harmful impacts on residential amenity.</p>	<p>23 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

22/04246/FUL	Proposed single storey garage extension including a study and a shower room – 57 Church Street, Amble Main issues: scale and design results in adverse impact on the character and appearance of the existing dwelling and the surrounding area.	23 March 2023 Delegated Decision - Officer Recommendation: Refuse
22/04507/FUL	Demolition of existing ground floor rear extension and replacement with two storey rear extension – The Coach House, Fenwicks Close Farm, Earsdon Main issues: inappropriate development in the Green Belt; and disproportionate addition that would be incongruous with the character of the area.	3 April 2023 Delegated Decision - Officer Recommendation: Refuse
22/00637/FUL	Alterations and extension – 2 West Hedgeley, Powburn Main issues: design would be out of scale and character with the existing property and surrounding area, and would harm the setting of Grade II listed buildings.	4 April 2023 Delegated Decision - Officer Recommendation: Refuse
22/04665/FUL	Proposed first floor extension over existing sun room and installation of a fixed window to the southern gable wall at high level – 63 Merley Gate, Loansdean, Morpeth Main issues: the extension would constitute an incongruous addition that would be out of character with the dwelling and built context; and harmful impact upon residential amenity.	12 April 2023 Delegated Decision - Officer Recommendation: Refuse
22/00437/FUL	Change of use of land from equestrian grazing use to campsite use – land north east of Bolam Lake Boat House Wood Car Park, Belsay Main issues: inappropriate development in the Green Belt.	13 April 2023 Delegated Decision - Officer Recommendation: Refuse

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		No

Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022 Hearing date: 22 November 2022
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022 Hearing date: 22 November 2022
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm, Kiln Pit Hill, Consett	29 April 2022
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	29 April 2022
22/00571/ENDEVT	Unauthorised siting of a caravan – land south-west of Hartburn Bridge, Morpeth	1 February 2023

20/00481/ENDEVT	Change of use of a forestry building for use as residential - English/Wheelings Wood, Corbridge	2 March 2023
21/00865/BRCOND	Construction of retaining wall – Woodlands Rise, Corbridge Road, Hexham	23 March 2023

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
18/03994/REM	<p>Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping and other associated infrastructure – land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: the design fails to preserve or make a positive contribution to local character and distinctiveness, and the site's surroundings, and fails to create or contribute to a strong sense of place. The development does not demonstrate high quality sustainable design, is not visually attractive, does not incorporate high quality materials and detailing, and is substantially altered from the approved outline planning application.</p>	<p>27 June 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>

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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Northumberland County Council
Tynedale Local Area Council
Work Programme 2022 - 2023

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TERMS OF REFERENCE

- (1) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (2) To advise the Cabinet on budget priorities and expenditure within the Area.
- (3) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (4) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (5) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme.
- (6) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (7) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (8) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (9) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (10) To make certain appointments to outside bodies as agreed by Council.
- (11) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.
- (12) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.
- (13) To exercise the following functions within their area:-
 - (a) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
 - (b) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
 - (c) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
 - (d) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007.
 - (e) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Planning Applications (monthly), public question time (bimonthly, not at planning only meetings), petitions (bimonthly, not at planning only meetings), members' local improvement schemes (quarterly)

To be listed:

Northumberland County Council
Tynedale Local Area Council
Work Programme 2022-23

9 May 2023

- Planning
- Local Services Update
- Fostering Presentation – to be rearranged
- *Other items to be confirmed*

Northumberland County Council
Tynedale Local Area Council Monitoring Report 2022-2023

Ref	Date	Report	Decision	Updates (if any)
1	10 May 2022	Police and Crime Commissioner	RESOLVED that the information be noted.	
2	10 May 2022	Petition: Dangerous Road (Peth Head, Hexham)	<p>RESOLVED that the contents of the report be noted and the following proposed actions be supported:</p> <p>a) Introduction of additional repeater signs and 20mph roundels (road markings) to be provided at either end of Peth Head.</p> <p>b) A speed survey be arranged to assess actual vehicle speeds. Depending on the outcomes of the survey, consideration be given to whether any further measures would be appropriate.</p>	Update on 15.11.22.
3	10 May 2022	Tyne Valley Community Rail Partnership	RESOLVED that the presentation be received and that the comments be noted.	

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4	10 May 2022	Outside Bodies	<p>RESOLVED that the following list of appointments be confirmed:</p> <p>Groundwork North East - Land of Oak and Iron Project Board – G Stewart Haltwhistle Partnership Limited - A Sharp Haltwhistle Swimming & Leisure Centre Man. Cttee - A Sharp Hexham TORCH Centre Management Committee - T Cessford Prudhoe Community Partnership – A Scott Queens Hall Arts Trust – SH Fairless-Aitken Sport Tynedale – N Oliver Tyne Valley Community Rail Partnership Board – H Waddell</p>	
5 Page 81	10 May 2022	Members Local Improvement Schemes – Progress Report	RESOLVED that the report be noted.	
6	12 July 2022	Broadband Update	RESOLVED that the information be noted.	

7	12 July 2022	Members Local Improvement Schemes – Progress Report	RESOLVED that the report be noted.	
8	11 October 2022	North of Tyne Rural Business Growth Service	RESOLVED that the information be noted.	
9 Page 82	11 October 2022	Members Local Improvement Schemes – Progress Report	RESOLVED that the report be noted.	
10	15 November 2022	Homelessness and Rough Sleeping	RESOLVED that the contents of the report be noted.	
11	15 November 2022	Digital Connectivity Infrastructure Acceleration Project	RESOLVED that the information be received.	

12	15 November 2022	Local Services – Highways Maintenance	RESOLVED that the presentation be received.	
13	10 January 2023	Petition: Wentworth Car Park & Hexham Alemouth Road Car Park, Hexham	RESOLVED that the contents of the report be noted including the implementation of the decision report ‘Introduction of and Amendments to Off-Street Car Parks, Hexham’ attached as Appendix A to the report.	
14	10 January 2023	Budget 2023-24 and Medium-term Financial Plan	RESOLVED that the presentation be received.	
15	14 February 2023	Local Transport Plan Programme 2023-24	RESOLVED that: a) The report be received and noted. b) Members’ comments be considered in the finalisation of the LTP Programme for 2023-24.	
16	14 March 2023	Petition: Request to Impose a Speed Limit on a Section of the C234 Between Warden Bridge and Fourstones	RESOLVED that: 1. The contents of the report be noted. 2. A design brief be included within the 2023-24 Local Transport Plan programme to investigate potential road safety improvements on the C234 between Warden Bridge and Fourstones.	

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17	14 March 2023	Policing and Community Safety Update	RESOLVED that the update be noted.	
18	14 March 2023	NE Devolution Update and Regional Consultation	RESOLVED that the presentation be received.	
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NT 24.04.23