

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Council Chamber - County Hall on Tuesday, 6 December 2022 at 4.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball	B Flux
G Hill	JI Hutchinson
J Lang	J Reid
G Renner-Thompson	M Robinson
G Stewart	M Swinbank
A Watson	

OTHER COUNCILLORS

E Chicken

OFFICERS

S Aviston	Head of School Organisation and Resources
M Bulman	Solicitor
R Laughton	Planning Officer
L Little	Senior Democratic Services Officer
R Murfin	Interim Executive Director of Planning & Local Services
M Patrick	Principal Highways Development Management Officer
K Tipple	Senior Planner

Around xxx members of the press and public were present.

41 PROCEDURE AT PLANNING COMMITTEES

The Chair outlined the procedure to be followed at the meeting.

RESOLVED that the information be noted.

42 APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Dodd, J Foster and A Wallace.

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43 **MINUTES OF PREVIOUS MEETINGS**

The Minutes of the Strategic Planning Committee held on 1 November 2022, as circulated, were agreed as a true record and were signed by the Chair.

44 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor G Renner-Thompson advised that he had a prejudicial interest in application 22/02627/CCD and would leave the Chamber whilst the application was discussed.

Councillor B Flux advised that he had been approached as the Local Ward Councillor in relation to application 21/02505/CCMEIA however he had not pre-determined the application, had kept an open mind and would therefore take part in its determination.

45 **DETERMINATION OF PLANNING APPLICATIONS**

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

The Chair advised that application 22/01051/FUL had been withdrawn from the agenda. It had also been agreed that the agenda be reordered and application 22/02627/CCD would be the first application considered.

RESOLVED that the information be noted.

Councillor Renner-Thompson left the Chamber at this point

46 **22/02627/CCD**

Construction of new school buildings, sports centre, external sports pitches, landscaping, parking and access at Land North of The Avenue, Seaton Delaval and parking and access at former Whytrig Middle School Site, Western Avenue, Seaton Delaval (amendment to red line boundary 27.20.2022)

Land East Of Allenheads/Former Whytrig Middle School, The Avenue, Seaton Delaval, Northumberland

R Laughton, Senior Planning Officer provided an introduction to the application. An addendum report had been circulated to Members in advance of the meeting which provided details of a revised recommendation, information received from the County Ecologist following the submission of additional information and additional conditions to be attached to any permission given. The recommendation was now:

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“That Members grant planning permission subject to referral to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2021 and the conditions listed in the main report and those listed in the addendum report. “

A Coxon addressed the Committee speaking in objection to the application. His comments included the following:-

- The Design and Access statement which formed the basis of the planning application considered access to the school from The Avenue with all parking on site. It rejected that proposal and stated that access from Prospect Avenue was acceptable with an off-site car park. That was not a fair and valid comparison as access through Prospect Avenue would not be viable if all parking was on site, but access from The Avenue would be viable with an off-site car park. A true and fair appraisal of the two options should have been done with each having the same parking arrangements.
- School children walking towards the entrance at Prospect Avenue would be at risk from residents driving to work out of blind junctions; delivery vehicles accessing both the glaziers and the residential properties; parents using Manners Gardens as a drop-off point; glaziers loading glass panels onto their vans across a footpath used by the children; and vehicles entering and leaving the school.
- The double yellow lines proposed along Prospect Avenue would not stop the loading and unloading of vans and lorries and the proposed waiting restrictions did not guarantee a clear access for a coach.
- The funeral directors prepared a 3 limousine funeral cortege directly outside their premises several times each week and restrictions should not be imposed outside these premises.
- There was no alternative parking for the 16 or so vehicles belonging to residents which would be displaced by the parking restrictions.
- It would be unrealistic to think that parents would detour onto Western Avenue to the car park as they would just drop children off wherever they could.
- Access from The Avenue with full parking on site could be provided without the need for a mass tree felling operation. Most of the cars entering the school would be those belonging to staff and parents and therefore specific arrival intervals could be allocated with the flow of traffic managed and the flow of vehicles out of the site could be managed by traffic lights or a barrier control.
- The Department for Transport road traffic statistics for 2020 clearly illustrated the difference in the volume of daily traffic on the two different roads with The Avenue having 6,539 vehicles and Astley Road 14,505 vehicles.

Councillor G Eastwood addressed the Committee speaking on behalf of Seaton Valley Council. His comments included the following:-

- Whilst Seaton Valley Council (SVC) supported the principle of the development, it had concerns that the application had not been informed by sufficiently robust information and assessments. The main concerns related to issues of highway and pedestrian safety, impact on residential

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amenity, impact on the significance of the Seton Delaval Conservation Area and its setting as well as the character of the landscape. SVC had provided detailed comments on those issues which did not appear to have been considered through the assessment.

- In regard to highway and pedestrian safety SVC considered that the proposal did not meet the requirements of Northumberland Local Plan (NLP) policies TRA1 and TRA2. There were inadequate assessments regarding the impact of the development on key junctions, increased use of pedestrian crossings on traffic flow and impacts caused during poor weather when more children would be dropped off by car. SVC also believed that no consideration had been given to the impact of the development on local businesses, particularly as a result of the conflict with additional pedestrians and traffic. There were a lack of safe routes to school and lack of a safe crossing point at the top of The Avenue. There was also a need for a comprehensive parking management plan which should include additional parking restrictions, residents only parking scheme, the reduction of speed limits and the employment of school crossing patrol operatives.
- SVC expressed concerns about the noise generated from the sports pitches and the impact on residential amenity with the noise assessment suggesting that there would be a 10-15db increase in noise expected in the Manners Gardens/Allenheads areas. SVC had requested that consideration should be given to the installation of acoustic fencing, however this appeared not to have been assessed and as a result the proposal did not accord with the requirements of the NLP policies QOP3 and POL2.
- The development would impact on the significance of the conservation area.

Councillor E Chicken, addressed the Committee speaking as the Ward Councillor. Her comments included the following:-

- Whilst she supported the provision of a new school, she mirrored the concerns of SVC, and she supported the residents in their opposition to the proposed access.
- Astley Road was already backed up from about 2.30 pm and the increase in traffic that an additional 1,000 students would create could impact journey times on one of the main routes to the NSEC hospital.
- There was insufficient mitigation as to the risks for the residents and businesses in the area.
- If access from The Avenue was of sufficient size for delivery and refuse wagons then it should be of a sufficient size for buses and other traffic to access the site that way as the access off Astley Road through Prospect Avenue was not suitable. It was a small road between 2 houses.
- The provision of double yellow lines would impact residents with no alternative parking provision being provided. Whilst it was realised that there was no legal right to be able to park outside your property residents needed to be able to park somewhere.

J Patterson addressed the Committee speaking on behalf of the applicant in support of the application. Her comments included the following:-

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- It had been identified by the Council's Education team that replacement schools in Seaton Delaval were essential to ensure that local children continued to receive the highest possible standard of education within appropriate facilities. The development would provide significantly enhanced education provision for Astley High and Whytrig Middle School as well as facilities for community use; this was supported in planning policy at national and local levels.
- Detailed consideration of the requirements for the new schools determined the existing site was undersized and did not meet Department for Education or Sport England requirements. This resulted in the requirement to identify a new site. Thorough consideration was given to alternative sites within the school catchment area but the selected site was found to be the most suitable and sequentially preferable.
- The principle issues the team had sought to address throughout design development and through the consideration of the planning application had related to impact on Green Belt and very special circumstances; design, scale and impact on heritage and landscape; highways; amenity; ecology and sustainability.
- In relation to the Green Belt location of the site and proximity to designated heritage assets, the proposals were designed to ensure minimal impact on the surrounding landscape. The buildings were well designed and limited to two-storey in height. The site was lower than The Avenue, allowing the buildings to sit below the tree line, reducing visibility and impact. The need for the new schools and the provision of new teaching facilities together with the provision of the high-quality sporting facilities available for the local community to use amounted to very special circumstances and outweighed harm to the Green Belt.
- In relation to amenity and highways impacts, the school buildings were over 100m from the nearest housing and the proposals included landscaped mounds and planting to provide screening and a natural buffer between the properties and the site. Public protection had no objection in relation to noise.
- The application was supported by a robust transport assessment and travel plan, both prepared in consultation with the schools and with the Council's Officers, who had confirmed the proposals were acceptable. Measures to minimise impacts, include traffic regulations in the form of single and double yellow lines; time limited waiting restrictions; changes to the speed limits along key roads in and around the site access points; a new signal controlled crossing at the Astley Road/Prospect Avenue junction; school coach access via Prospect Avenue; onsite staff parking spaces, gated and controlled via an intercom system; an offsite car park, for drop-off/pick-up and for the park and stride and a car park management plan would be put in place to control the onsite and offsite parking. Separate refuse collection and service delivery access would be via The Avenue.
- Close working with the Council's Ecologist would ensure that the proposals provided appropriate mitigation for Great Crested Newts and to secure biodiversity net gains on site.
- The buildings had been designed to achieve net zero carbon in operation. This would enable the council to lead the way in sustainability, and presented opportunities to educate pupils about sustainability and climate change.
- The new school proposals would deliver significantly enhanced educational

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and community facilities and contribute to all three dimensions of sustainable development and she respectfully asked members of planning committee to vote in favour of the officer recommendation to approve the planning application.

J Barnes, Headteacher of Astley High School addressed the Committee speaking in support of the application. His comments included the following:-

- The current state of the buildings were shambolic and pupils deserved better. The cost of repairs to these buildings was significant with money being spent on these that should be spent on education.
- The children of Seaton Valley Federation deserved the proposed wonderful new facilities, far too many other areas have had chances before them and he now wanted this new building for the children and the community.
- Staff deserved an opportunity to teach in the very best environments and these new buildings would able them to not just teach but inspire the children.
- New facilities would be provided for the community, which could not be offered at the current time. The new building would allow everybody to access the facilities.
- This was a once in a lifetime opportunity not just for the children, staff and community but also for those children who weren't born yet. He strongly recommended the new building and hoped that the Committee would agree to approve the application.

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

- It was proposed that 20mph zone be created and flashing signs be installed as a reminder during peak school drop off/pick up times. The Travel Plan Co-ordinator had liaised with the applicant to assess where the pupils would be travelling from and these most used routes had been used to assess where pedestrian crossings were required. There was currently a pedestrian crossing near the proposed off-site car park and another was to be provided at Prospect Avenue. An amendment to the condition requiring a School Travel Plan (STP) to be submitted could be made to ensure that it was kept under review and any further requirements assessed as natural desire lines for accessing the school evolved.
- The car park on the school site would provide drop off facilities for SEND pupils arriving by taxi, accessible parking and some staff parking, all other parking provision was provided at the off-site facility. No parents would be able to access the school site to drop off children. As part of the Council's school transport responsibilities, a bus was also to be provided for SEND pupils. The STP would promote sustainable travel such as walking or cycling.
- Condition 33 required details of traffic management to be provided. It was proposed that a TRO would be agreed which would include the use of double yellow lines, single yellow lines, weight restrictions etc. All relevant parties would be consulted as part of the TRO process. There was no compelling evidence that the new railway station would either increase or decrease vehicular movements around the area and the information submitted did not flag any issues that could not be met by a TRO or design

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of the scheme. Enforcement of parental behaviour would be required as part of the STP and the use of the Council's mobile parking enforcement van could also be used to monitor behaviour.

- No details had been provided in relation to any charges to be imposed at the off-site car park.
- A Community Use Agreement as required by Sport England would be provided detailing information on the times and costs for use of the sports facilities and this also included the use of indoor facilities.
- The referral to the Secretary of State was not in relation to whether the site was acceptable, it was to seek agreement that it was right that the Council made a decision. If this agreement was not provided, then the application would need to be referred to the Planning Inspectorate for a decision.
- The proposal for an off-site car park would minimise the intrusion into the Green Belt and minimise impact on the nearby Heritage Asset of Seaton Delaval Hall with the benefit that there would be fewer vehicles on the school site.

Councillor Flux proposed acceptance of the revised recommendation as outlined in the addendum report and above with an amendment to condition 38 point 3 to include an analysis of pedestrian movements with the precise wording to be delegated to the Director of Planning and Chair of the Strategic Planning Committee. This was seconded by Councillor Hutchinson.

Members expressed their support for the fantastic investment into education within Seaton Valley which would help children reach their full potential. Whilst most were in support of the application, some still had reservations in relation to the off-site car park, the increase in traffic on Astley Road, the main access to the school being via a small street between houses and effect that indiscriminate parking by parents dropping off their children would have. It was acknowledged that all the potential sites had problems, however this site on balance was preferred for its location within Seaton Delaval itself.

A vote was taken on the proposal to approve the application as outlined above as follows:- FOR 10; AGAINST 1; ABSTAIN 0.

RESOLVED that the application be **GRANTED** subject to referral to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2021 and with the conditions listed in the main report and those listed in the addendum report and amendment to Condition 38 point 3 to include an analysis of pedestrian movements with the precise wording to be delegated to the Director of Planning and Chair of the Strategic Planning Committee.

47 **21/02505/CCMEIA**

**Extraction and processing of 5.8 million tonnes of sand and gravel and the phased restoration of the site to a lake and associated wetlands
Land North East of Anick Grange Haugh, Anick Road, Hexham**

The Interim Executive Director advised that as Members were aware this item had been considered and approved at the Strategic Planning Committee in November however the S106 Agreement had not yet been signed and therefore

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the permission had not been issued. Following the previous Committee the Council received a representation from a member of the public who had not been present at the meeting, who advised that in their opinion the Council had not considered unequivocally the issue of Green Belt and the factors which would justify, if needed, the position that Very Special Circumstances ('VSC') were reasonably concluded in relation to the proposal. The Interim Executive Director felt that all the issues had been sufficiently covered, however given that the representation was part of a suggested pre-action to a Judicial Review, it was felt that for transparency purposes the application be brought back to Committee to talk Members through the logic in the report and the VSC to allow development in the Green Belt. Members were reminded that this had previously happened at some Local Area Council meetings when the issue of VSC had not been considered at the outset and Members had subsequently reversed their original decisions. A copy of the representation was handed out to Members and time allowed for them to read this, it had also been uploaded to the Planning Portal. A synopsis of the representation was also provided by the Interim Executive Director.

K Tipple, Senior Planning Officer then provided an introduction to the addendum report which gave the reasons why the application had been brought back and a very detailed and comprehensive introduction to the updated Committee report which provided additional clarification regarding the Green Belt, in order to assist Members in making a new decision. A power point presentation was also provided. This included details of the processed site compound area and the processing equipment that would be located within that area of the proposed development.

The Interim Executive Director stated the objection was that the ancillary processing of the sand/gravel did not have to be carried out on site and therefore there were no VSC for the processing plant involved in this process to be situated within the Green Belt. He explained that to grant planning permission for inappropriate development in the Green Belt there must be identification and evaluation of (a) harm of any sort (b) positive and possibly countervailing factors, and a subsequent judgement that the factors at (b) clearly outweighed the harm in (a). When identifying harm the following must be considered and recorded:

- Harm by inappropriateness itself
- Purpose of the Green Belt
- Harm to openness itself

Members must consider not just if the processing plant equipment was ancillary to the winning and restoration of the site but what harm would be caused by it being within the site compound and what would any positives of its siting at that location be. Members must also consider the harm to the openness. The Interim Executive Director clarified that a range of development took place at operation quarries, that was to a greater or lesser degree "ancillary". He added that this included certain elements, such as weighbridges and welfare facilities had more operational link with winning stone, than say the cutting of shaping of stone or the processing of restoration materials brought onto the site.

The effect of the ancillary development on openness was discussed. It was made clear that this site was next to existing industrial uses and the processing of the sand/gravel for export and welfare facilities could be justified as functional requirements of the site. The reduction of the number of HGV movements by

processing on site would assist with the climate change agenda by minimising the distance and tonnage being travelled of finished product, this was given as an example of a wider demonstrable benefit.

K Wood, addressed the meeting speaking in support of the application. Her comments included the following:-

- Members had previously considered the Officer's very thorough report and recommendation in November which you resolved to grant planning permission for the extraction of sand and gravel at Anick Grange.
- For the avoidance of doubt, the scheme for consideration today was exactly the same as the scheme which had been considered last month and which you had determined to approve. Further there had been no material change in any relevant factor and the substance of the Officer's advice had not changed.
- The only comments she would make today were in relation to the Green Belt issue that had been raised by a third party, and these had been prepared based on legal advice on this issue obtained by the applicants from Mr Stephen Morgan, Planning Barrister at Landmark Chambers. She trusted that these would reassure Members that the advice of Officers was correct and that the correct decision was made in November.
- National guidance confirmed mineral extraction was not inappropriate development in the Green Belt provided it preserved the openness of the Green Belt and did not conflict with the purposes of including the land within it. This was confirmed in paragraph 150 of the NPPF. The principle of mineral extraction in the Green Belt at Anick was not in question and its acceptability in principle was reflected in the Local Plan allocation. The crux of the question which had arisen since last month was whether the Officer was correct in considering that the processing plant which was a normal feature of a mineral extraction operation could also be viewed as falling under the definition of "mineral extraction" and therefore not inappropriate development. Your Officers remained of the view that it could and we would agree with that conclusion. In our view the processing plant in this scheme was ancillary to and necessary for the mineral extraction operation, it might be a large piece of machinery but it simply processed and separated out the mineral for sale.
- They disagreed with the objector's statement that the view taken by Officers was against well-established planning precedent, it was not. On that basis the processing plant did fall under the definition of mineral extraction in the NPPF. It therefore did not, in principle, constitute inappropriate development.
- Members were reminded that even if they determined that the mineral processing plant was inappropriate development, or even the entire development was inappropriate development in the Green Belt then there were very special circumstances present to outweigh any harm, as required by paragraph 148 of the NPPF. Very special circumstances did not have to be something unusual or unique to a development. The very special circumstances in this instance were, in particular, the allocation of the site in the NLP, the need for the mineral as set out in the Local Aggregate Assessments and the biodiversity benefits that would result from the creation of the lake.
- Members must also consider the development on openness and the

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purposes of including the land in the Green Belt. The visual and spatial aspects of the openness of the Green Belt were addressed in the Officer's report and addendum. The purposes of including the land in the Green Belt was also covered and it was clear that the purpose of including the land in the Green Belt was not offended. This development in the long term would also create a lake on the haugh land which would ensure that this area of land was kept permanently open from built development in a manner that would provide an open and biodiverse landscape for ever therefore permanently protecting the openness of the Green Belt.

- It was important for the Committee to make any planning decision in accordance with the NLP. The site was allocated for mineral extraction in the Plan and was done with full regard to its location in the Green Belt. The report assessed all material considerations relating to the application and whilst it was right for Officers to make you aware of the further considerations relating to Green Belt in the light of third party comments, it was clear that this had not altered their overall assessment of the application.
- Members were asked to again support the Officer's recommendations.

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

- The sand/gravel did need to be processed and whilst the amount of silt removed would be variable it would be expected to be a significant quantity of the non-marketable material was factored into the restoration of the land. This reduced to a minimum the amount of material that would be needed to be taken to the site, as well as reducing the volume/weight of material exported via HGV
- Confirmation that, outside the climate change benefit of on-site processing, the issue of HGV traffic had been an area of concern in the original debate on the application, and that reducing the number HGVs was desirable to address these concerns
- If the S106 agreement had been signed and the decision notice issued then the application would not have been able to brought back to Committee, however as this had not happened it was felt that it was appropriate to bring the application back in light of the representation received.
- As the third party had advised of the intention to issue Judicial Review proceedings and the considerable costs involved it was thought that the most transparent, open and correct way of dealing with this was to bring it back to the Committee.
- The site was allocated in the NLP in the Green Belt and whilst the Inspector had made the conscious decision it was appropriate and the original report to Committee had stated that the very special circumstances had been met, Members were now being asked if they were satisfied that the very special circumstances had been unequivocally met if they needed to be.
- The S106 was currently being negotiated and would be to either provide land or a financial contribution as the cycleway had not yet been agreed. The wording was being agreed and progressed with Legal for drafting.

Councillor Hutchinson proposed that the application be approved in line with the

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recommendation in the report subject to an amendment to increase the number electric vehicle charging points to be provided on site as had been requested at the last meeting and this was seconded by Councillor Flux. A vote was taken as follows:- FOR 9; AGAINST 2; ABSTAIN 0.

RESOLVED that the application be **GRANTED** for the reasons and subject to the conditions as set out in the report an amendment to increase the number of electric vehicle charging points on the site and a Section 106 agreement to secure the financial contribution towards the establishment of the Hexham to Corbridge multi-user route or land offered in perpetuity/long term lease for a section or directly connected loop to the Hexham to Corbridge multi-user cycle route.

48 **21/01041/FUL**

**Mixed use development comprising demolition of existing buildings, extension to existing garden centre and warehouse and the provision of charity head office, training facility and business centre
Azure Garden Centre, Station Road, Cramlington, Northumberland
NE23 8BJ**

R Laughton, Senior Planning Officer provided an introduction to the report with the aid of a power point presentation. In response to questions from Members the following information was provided:-

- An increase in the number of electric vehicle charging points could be discussed with the applicant.
- The existing access/exit was a suitable functioning junction and the inclusion of the pedestrian island would assist in directing traffic onto the dual carriageway and was an improvement on what was currently there.

Councillor Flux proposed acceptance of the recommendation to approve the application as outlined in the report with it delegated to the Director of Planning to discuss the provision of additional electric vehicle charging points with the applicant. This was seconded by Councillor Reed.

Members were supportive of the application, recognising that the garden centre was an asset to the Community and the proposals would allow the facilities to be updated. A vote was taken on the proposal to approve the application as above and it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report with delegated authority provided to the Director of Planning to discuss the provision of additional electric vehicle charging points with the applicant.

49 **APPEALS UPDATE**

RESOLVED that the information be noted.

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CHAIR.....

DATE.....

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