

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Council Chamber - County Hall on Tuesday, 7 February 2023 at 4.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball	L Darwin
R Dodd	B Flux
J Foster	G Hill
Jl Hutchinson	J Lang
J Reid	G Renner-Thompson
M Robinson	G Stewart
M Swinbank	A Wallace
A Watson	

OFFICERS

J Blenkinsopp	Solicitor
L Little	Senior Democratic Services Officer
E Sinnamon	Development Service Manager
R Soulsby	Planning Officer

Around 10 members of the press and public were present.

50 PROCEDURE AT PLANNING COMMITTEES

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

RESOLVED that the information be noted.

51 MINUTES OF PREVIOUS MEETINGS

The Minutes of the Strategic Planning Committee held on 6 December 2022, as circulated, were agreed as a true record and were signed by the Chair with the following amendment noted:

The last sentence of paragraph 2 in minute number 48 should read "This was seconded by Councillor Reid."

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52 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Ball advised that she was on the Board of Northumberland Football Association and therefore she would take no part in the application and leave the Chamber whilst the application was discussed.

Councillor Darwin advised that as the Ward Councillor he had been approached by both the applicant and objectors however he had not made any judgement, had an open mind and would take part in the application.

Councillor Dodd advised that he was a Ponteland Town Councillor but took no part in any planning process on this matter.

53 **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.

Councillor Ball left the Chamber at this point.

54 **22/03402/VARCCD Variation of Condition 22 (Trees and Hedgerows) pursuant to planning permission 17/03729/CCD to allow removal of tress subject to ecological reports and arboricultural assessments Ponteland Leisure Centre, Callerton Lane, Ponteland, Northumberland NE20 9EG**

R Soulsby, Planning Officer introduced the report to the Committee with the aid of a power point presentation. Three late objections and a supporting statement from the applicant were circulated to Members of the Committee and time allowed for these to be read. These had also been made available on the Planning Portal in advance of the meeting.

Councillor S Johnson speaking on behalf of Ponteland Town Council (PTC) addressed the Committee. Her comments included the following:-

- PTC supported the application as the end result for the two sports teams would be an excellent amenity for the Club and the Community.
- Both clubs had been founded in the 1960's and had operated out of the leisure centre since that time. The two clubs provided sports for over 800 adults and children, male and female from the community of Ponteland, none of which would be possible without the volunteers.
- The provision of a club house would allow teams to compete in higher leagues and attract players to remain at the clubs rather than travelling to better teams with better facilities and ensuring the continuity of sporting provision within Ponteland.

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- QOP 4 of the Northumberland Local Plan (NLP) stated that there should be no loss of trees where this would be unavoidable and considerations in favour of the development would outweigh any harm resulting from the loss of trees and the loss could be adequately mitigated through measures such as replacement planting where possible.
- PTC found it very disappointing that the Committee were being recommended to refuse this application in the name of 12 very ordinary immature unprotected trees when lots of mature valuable trees were removed in order to build the leisure centre and school.
- It would be a great shame for Ponteland especially for the youngsters and volunteers if the application was refused and PTC feared for the survival of the Club.

J Chappell addressed the Committee speaking in support of the application as a representative of both Ponteland Rugby Club and Ponteland Football Club in a joint bid to develop a community facility in Ponteland. His comments included the following:-

- The opportunity to address the meeting and to outline what was hoped to be achieved by this process was welcomed and following our submitted supporting document being circulated and read would refer to the salient points contained in it.
- Over 12 months ago, we met with the planning officer on site who advised us that the process we needed to follow was to obtain a community asset transfer of the land, seek to alter the original planning permission regarding the trees on site and then submit a planning application.
- We were thankful that the council had agreed to a community asset transfer of the land, covering the tarmaced car park of the old sports centre, subject to planning approval. This application for the removal of twelve trees was the next stage of our ultimate goal as in order to site a clubhouse, which created the logical location for both clubs, it would entail the removal of these twelve of the one hundred plus trees around the sports pitches.
- A full survey by ecologist, Ruth Hadden concluded that the line of the seven sycamore trees on the edge of the old car park were stunted and not healthy, whilst the remaining five were not indigenous trees. Her assessment was that an overall biodiversity gain would occur if native trees and shrubs were planted to replace the twelve trees. The Council Ecologist came to a different conclusion and our attempts to have a site meeting to discuss the overall biodiversity impact was turned down by the Planning Officer.
- In order to maximise the biodiversity gain we would be fully committed to enhance the planting on site and would, following the Town Council's support for our project, agree to a two to one replacement of the trees.
- This application had also received massive public support with 399 letters in support and only 24 against. Following this submission we had also had support and funding offered to provide seven substantial native trees in a Queen Elizabeth copse on site to commemorate seven decades of the Queen's reign, along with the offer to plant at least fifty more trees on a site near Ponteland. We would also be open to any other planting that would further develop and increase the biodiversity already planned.
- Should you agree to this application we would be happy to have an

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attached condition that no trees would be removed until a successful planning application was in place (this offer that was rejected by the planning officer).

- In conclusion, it is hoped that we have reassured you that we are asking for the minimum amount of disruption and we would ensure that our plans would improve the biodiversity on site. Both clubs have a proud history of playing sport and representing Ponteland, were embedded in community life, and the clubs took great pleasure in involving our players and supporters in the wider activities in the town. We considered this to be our home and as custodians we would do everything that we could to create a brilliant location and experience for all. With your support and public backing we believe we have a scheme that would sit alongside and enhance the current excellent onsite facilities.

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

- QOP 4 stated that removal of trees should in all instances be avoided unless there were over-riding arguments or there was to be an increase in biodiversity. This application was only for the removal of trees without any application for the club house and if the removal of the trees were allowed there would be a loss of biodiversity as the trees proposed for removal would be replaced by smaller and younger trees.
- A condition for the trees to be only removed on the granting of permission for the club house could not be included in this application as it was wholly reliant on a further separate application coming forward and a condition needed to be necessary and relevant to the application it was attached to.
- The applicant was advised that they would need to undertake a community asset transfer and they were in the process of doing this. They were further advised that they would need to submit a variation of condition in relation to the trees, however this would be dependent on comments from the Ecologist and an approval was not guaranteed from the Local Planning Authority (LPA). It would be up to the applicant to demonstrate that there was no loss of biodiversity and there would be net gain in line with NPPF and NLP policies. The Ecologist had objected as it was considered this application would create a loss of biodiversity on the site and therefore the application was recommended for refusal.
- Members were advised not to use “minded to approve” subject to a further application coming forward as this would be in abeyance until any application came forward for the club facilities. Ideally the LPA would like an application for the club house to come forward with an application for the removal of the trees as part of that. There seemed to have been confusion regarding the sequence of events required and this would be looked at. Justification was required for the club to be able to offset the harm to the biodiversity by gain and as this application was only looking at the loss of the trees at present there was no justification.
- Officers were not able to comment on whether there was a way in which the existing trees could be relocated.
- When the original application for the school and leisure centre was agreed a lot of work had been undertaken to ensure that the biodiversity of the site was enhanced and where possible existing mature trees were retained. The retention of these trees was part of that application and within the

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- current application there was no justification for their loss.
- In 2021 discussions had been undertaken with the application advising of the need for a community asset transfer would be necessary along with the submission of a variation of the condition, but this would be subject to agreement by the Ecologist. The application was submitted and following an objection by the Ecologist was withdrawn.
 - If an application came forward for the development of the club house including the removal of these trees could be included, however there would also need to be a variation of condition related to the previous decision protecting the trees.
 - As far as Officers were aware, the community asset transfer had been completed, however it was not relevant to this application.
 - The cleanest way to progress the matter would be for the Committee to make their decision on this application then go forward to the next steps. If the application was refused then the applicant could bring the application back at no extra cost.
 - Tree Preservation Orders and being part of a conservation scheme were not the only protection for trees. The scheme for the school and leisure centre development had included biodiversity and landscaping conditions and these trees were protected through those.
 - If an application came forward for the club house then it could be stated that it was required to be brought to Strategic Planning Committee, rather than the Castle Morpeth LAC or made by a delegated decision.
 - Case law had shown that to vary a condition to remove trees subject to a separate application which would create a consent based on an event which might not happen was not a way forward.

Councillor Foster moved the recommendation to refuse the application in line with the report as whilst it seemed that all wished to see the sports facilities come forward there was insufficient justification within this application to outweigh the loss of the trees and biodiversity on site. This was seconded by Councillor Hutchinson.

Councillor Darwin stated that as Members seemed to support the creation of a new club house that they should think of the bigger picture and the fact that no trees would be felled until permission was granted for said club house and that the additional offers of tree planting would increase biodiversity. However, other Members whilst stating their support for the clubs and their future development considered that there was no alternative than to support the Officer's recommendation for refusal as they could only consider the application that was in front of them at the current time.

A vote was taken on the proposal to refuse the application for the reason as outlined in the report as follows: FOR 10; AGAINST 3; ABSTAIN 2.

RESOLVED that the application be **REFUSED** as the proposal would result in the loss of 12no trees from the application site that provide biodiversity and landscape value. No mitigation or enhancement measures have been identified that would outweigh the level of harm, therefore the development conflicts with policies QOP 4 and ENV 2 of the Northumberland Local Plan, policies PNP 11 and PNP 13 of the Ponteland Neighbourhood Plan and the National Planning Policy Framework.

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Councillor Hutchinson left the meeting at this point.

55 **APPEALS UPDATE**

RESOLVED that the information be noted.

56 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....

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