

# Public Document Pack



## Northumberland County Council

**Your ref:**

**Our ref:**

**Enquiries to:** Lesley Little

**Email:** Lesley.Little@northumberland.gov.uk

**Tel direct:** 01670 622614

**Date:** Thursday, 30 June 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CASTLE MORPETH LOCAL AREA COUNCIL** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 11 JULY 2022** at **4.00 PM**.

Yours faithfully

Daljit Lally  
Chief Executive

**To Castle Morpeth Local Area Council members as follows:-**

**D Bawn, J Beynon (Chair), L Darwin, S Dickinson, R Dodd, L Dunn, J Foster (Vice-Chair (Planning)), P Jackson, V Jones, M Murphy, G Sanderson, D Towns (Vice-Chair) and R Wearmouth**



**Daljit Lally, Chief Executive**  
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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 - 14)

Minutes of the meetings of the Castle Morpeth Local Area Councils held on Monday 9 May 2022 and Monday 13 June 2022, as circulated, to be confirmed as a true record and signed by the Chair

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](mailto: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.

5. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 15 - 18)  
  
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 not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>*
6. **22/01086/FUL** (Pages 19 - 28)  
**Full planning application for change of use of existing agricultural field for forestry and community education uses including creation of planting amphitheatre and associated infrastructure  
Land to The North of Eland Lane, Ponteland, Northumberland**
7. **21/04875/FUL** (Pages 29 - 38)  
**New vehicular access to serve four permitted dwellings  
Land North of Southcroft Stables, The Croft, Ulgham, Northumberland**
8. **22/00075/FUL** (Pages 39 - 48)  
**Retrospective application for alteration/re profiling to land levels related to residential development.  
Hepscott Park, Stannington, Northumberland**
9. **APPEALS UPDATE** (Pages 49 - 58)  
  
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.

## 10. PUBLIC QUESTION TIME

To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)

As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.

Please note however that a question may possibly be rejected if it requires the disclosure of any categories of confidential or exempt information, namely information:

1. relating to any individual;
2. which is likely to reveal the identity of an individual;
3. relating to the financial or business affairs of any particular person
4. relating to any labour relations matters/negotiations;
5. restricted to legal proceedings
6. about enforcement/enacting legal orders
7. relating to the prevention, investigation 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

(Pages  
59 - 64)

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:**

(i) Request for a footpath / cycleway to connect Red Row Drive to Barrington Road in Bedlington Station – report attached.

**(c) Receive any updates on petitions for which a report was previously considered:** any updates will be verbally reported at the meeting.

## 12. LOCAL SERVICES ISSUES

To receive a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of members of the Local Area Council, who will also then have the opportunity to raise issues with the Area Managers.

The Area Managers have principal responsibility for highway services and environmental services, such as refuse collection, street cleansing and grounds maintenance, within the geographic boundaries of the Local Area Council.

## 13. APPOINTMENTS TO OUTSIDE BODIES

(Pages  
65 - 70)

Members are asked to confirm if they wish to remain as appointees to the outside bodies which were agreed by the Castle Morpeth Local area Council in July 2022 as follows:-

Choppington Education Foundation – M Murphy  
Druridge Bay Regeneration Partnership – S Dickinson  
Friends of Morpeth Museum – D Bawn  
Greater Morpeth Development Trust – R Wearmouth  
Linton Village Hall Management Committee – L Dunn  
Lynemouth Welfare Management Committee – L Dunn  
Stakeford/Bomarsund Social Welfare Centre – J Foster and M Murphy

A report is also attached appraising members of the nomination rights of the Council to the Stakeford and Bomarsund Sports and Social Welfare Centre (the Centre) and suggest nominations for members to consider.

**14. LOCAL AREA COUNCIL WORK PROGRAMME**

(Pages  
71 - 76)

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 next meeting (Planning only) will be held on Monday, 8 August 2022.

**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.

<b>Name:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>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):</b>			
<b>Are you intending to withdraw from the meeting?</b>		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.

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## Northumberland County Council

### PROCEDURE AT PLANNING COMMITTEE

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#### A Welcome from Chairman to members and Members of the public present

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

#### B Record attendance of members

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

#### C Minutes of previous meeting and Disclosure of Members' Interests

#### D Development Control

##### APPLICATION

##### Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

##### Planning Officer

Updates – Changes to recommendations – present report

##### Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

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

### **Committee members' questions to Planning Officers**

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

#### **Debate (Rules)**

Proposal

Seconded

DEBATE

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

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

#### **Vote(by majority or Chair's casting vote)**

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

## NORTHUMBERLAND COUNTY COUNCIL

### CASTLE MORPETH LOCAL AREA COUNCIL

At the meeting of the **Castle Morpeth Local Area Council** held at Meeting Space - Block 1, Floor 2 - County Hall on Monday, 9 May 2022 at 4.00 pm.

#### PRESENT

J Beynon (Chair) (in the Chair)

#### MEMBERS

R Dodd  
J Foster  
M Murphy  
D Towns

L Dunn  
V Jones  
G Sanderson  
R Wearmouth

#### OFFICERS

M King  
L Little  
P Lowes  
R McCartney  
N Snowdon

Highways Delivery Area Manager  
Senior Democratic Services Officer  
Neighbourhood Services Area Manager  
Highways Infrastructure Manager  
Principal Programme Officer (Highways Improvement)

Around 3 members of the press and public were present.

#### 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bawn, Darwin and Dickinson.

#### 2 MINUTES

**RESOLVED** that the minutes of the meetings of the Castle Morpeth Local Area Council held on Monday 14 February 2022 and 14 March 2022, as circulated, be confirmed as a true record and be signed by the Chair.

#### 3 PUBLIC QUESTION TIME

No questions had been submitted.

## 4 PETITIONS

### (a) Receive New Petitions

Mandy Trotter (lead petitioner) was in attendance and handed in a written petition and advised of an e-petition which had also just closed which requested a pavement/cycleway connecting Red Row Drive to Barrington Road. She provided an introduction to the petitions which included the following information:

- Red Row Drive was the connecting road from Barrington Industrial Estate, through a residential area, avoiding the town centre and providing access to the A1147 and Spine Road. It was a very busy, short stretch of road with blind bends with industrial traffic to horses using the road.
- There was only a limited stretch of pavement and for approximately 400m there was no pavement and no alternative but to walk on the road against oncoming traffic as using the grass verge was unacceptable and impossible for those with pushchairs, mobility issues and wheelchair users.
- It linked the community to Bedlington Station, Bedlington and Choppington giving access to local shops and transport etc and to the east linked with Bomarsund, Stakeford and the A1147 giving access to TT Electronics Welwyn Components, Rutherford Cancer Centre and Earth Balance.
- Barrington Industrial Estate was part of the community and it was understood that access was needed to the Spine Road along Red Row Drive. Remondis were supporting the request and had pledged a contribution of £1500 towards the cost of the scheme, should it go ahead.
- A pavement/cycleway would provide a safer route to the new rail link rather than using the Welwyn Bridge, with the increased traffic accessing the new car parks.
- The e-petition had received 286 signatures and the paper petition had another 34 signatures and showed the strength of feeling from local residents.
- Pedestrians were the most vulnerable of road users and were owed a duty of care. There should always be sufficient space for a wheelchair or twin set pushchair to pass comfortably without being forced to step into the road.
- Northumberland's Local Transport Plan 2011-2026 promoted safer and healthier travel, including walking and cycling.
- The petition was not a complaint regarding the level of traffic using Red Row Drive, but was a request from the community for a pavement/cycleway to rid the anxiety and make it safe and fit for purpose.

Councillor Foster, local Ward Member thanked the lead petition for bringing this forward stating that she fully supported the request. This had been requested for a number of years, however due to costs involved had not been taken forward. There was a risk to pedestrians having to walk on the road with the high number of large vehicles using the road and the speed of vehicles. Anyone with mobility problems could not use the safe school route over the bridge as they needed to

use a flat route. The road also provided access to the Industrial Estate and to a café. It would be a natural route for users of the new railway station and demand would increase with its opening. She advised that she would be willing to contribute funding to a scheme and was sure that the Councillors from neighbouring wards would also wish to do so as this route was well used by their residents.

The Chair thanked the lead petitioner for her attendance and asked that a report be prepared for a future meeting.

**(b) Petitions Previously Received – Speed Reduction Northern Bypass – St Georges roundabout – Northgate roundabout, Morpeth.**

A report on the petition had been circulated with the agenda. Vicky Oakley, lead petitioner addressed the Committee speaking on the petition. The following information was noted:-

- Councillor Towns had been contacted on this matter in the spring of last year and had advised that he would seek a speed reduction but it would be unlikely that a crossing would be accepted.
- Following a freedom of information request, it became apparent that there had not been clarity on exactly what had been requested.
- The request was supported by residents, Hebron Parish Council and Northgate hospital.
- The bypass was a busy 60mph road. With the Council's emphasis being on more walking and cycling it is imperative that crossings were safe. Numerous parents had come forward with their concerns about the crossing, many thought it was a matter of time before something fatal happened and felt let down that their previous attempts to get something sorted had not been listened to.
- There were two large new estates, The Meadows and St Andrews Gardens, a hospital and the wider population of Fairmoor who used the crossing to walk into Morpeth on a daily basis or walk along the path on the bypass road. These estates hosted families with children of school age and the hospital had patients with complex needs and the capacity of which was to significantly increase.
- In addition to the extra patients, there would also be significant extra traffic using the bypass road to go to and from work. There were also plans to build hundreds of houses just off the St Georges roundabout. This roundabout would be used to service this new housing estate and traffic would be filtering onto the bypass road and onto the A1.
- Children who walked to school on their own had to make a judgement call on the speed of the traffic travelling the bypass road and judge when they felt it was safe to cross with the significant damage that could be inflicted to a child should they be hit at speed highlighted.
- The petition was started as parents felt their voices were not being heard and in an attempt to protect their children from the dangers of the road. Parents wanted the speed reduced between St Georges roundabout and the Northgate roundabout in addition to a safer crossing on the road.
- Whilst Councillor Town had advised that it would be unlikely a zebra crossing would most likely not be appropriate, the zebra crossing close

to the roundabout on the B1337 from Morpeth to County Hall was referenced. There would also be an argument for a speed reduction based on noise reduction for the residents of The Meadows, with a similar speed reduction in force on the road coming into Morpeth beside Southfields.

- If families were to be encouraged to allow children to walk to school then the route needed to be safe and currently it was not.
- Comments submitted from both parents and staff at the hospital were read out and had been included on the original petition letter.
- It was hoped that all Councillors could work together to ensure that children were safe and parents confident to allow their children to walk to and from school and to achieve the wider goals of the Council in increasing levels of walking and cycling.

N Snowdon advised that a Safe Routes to School Assessment was to be carried out to identify any improvements and signage that was required and to also consider if any speed reduction was necessary. It was hoped that the assessment would be completed and feedback provided prior to the end of the school term. There was currently a speed survey on the route.

Councillor Towns, Ward Councillor, thanked both the lead petitioner and Officers advising that this had been a design issue with the bypass with the land previously not allocated for housing. He supported the petition to get some action. He had met with Mr McCartney on site and advised that whilst traffic slowed down when approaching the large roundabout it accelerated whilst coming off the roundabout and felt that the danger was with traffic leaving the roundabout. He was not 100% convinced that installing a pedestrian crossing would make it safer. He believed that the pedestrian crossing referenced in Morpeth had only been installed in that location as that was where people would continue to cross even if a pedestrian crossing was installed elsewhere. He welcomed the petition, but did not know the answer but hoped that their concerns would be addressed as much as they could be.

Members stated that they would be cautious in imposing speed restrictions on longer stretches of road as, unless they were seen as logical to drivers, they were often ignored and therefore should only start when speed became a danger to pedestrians. It was considered that housing developers should be held to account and to pay for this kind of local infrastructure and make safe travel plans for children to walk and cycle. The vulnerable nature of patients from the hospital also crossing the road was highlighted and it was suggested that additional signage and proposals to meet their needs should be taken into consideration. The possible use of a crossing patrol officer should also be considered, however officers highlighted the difficulties experienced in recruiting to these roles across the County.

Members agreed that a report on the findings should be considered by this Committee with any identified works possibly being included in the Local Transport Plan.

**(c) Updates on Petitions previously received** – no updates were provided.



## 5 LOCAL SERVICES ISSUES

P Lowes, Neighbourhood Services Area Manager, provided an update as follows:-

Waste Services – residual and recycling were performing well other than strain due a shortage of HGV drivers, but services were continuing to be provided and recruitment for drivers ongoing. There was a high demand for bulky waste removal and there had been an increase of 400 new customers for garden waste removal, taking the total up to 6,800 paying customers this year.

Grass Cutting – seasonal workers had been recruited with cutting commencing at the end of March/beginning of April and it was now the third cut of the season. There had been some delay due to inclement weather and bank holidays but the team had recovered well.

Weed spraying – obstacle spraying had finished and hard surface spraying had commenced. Verge cutting would be commencing shortly with the schedule as previous and assistance by farmers provided. Visibility splays would be monitored and Members should report any issues.

Information in response to questions from Members was noted as follows:-

- Plans had been sent to Councillor Dodd regarding the proposals for the flashing 20mph signs to be provided from West Woodburn and new countdown markers and existing refreshed in Belsay. Mr Snowdon was happy to attend the Parish Council meetings with Councillor Dodd regarding proposals and any additional work which could be undertaken.
- Riverside Close in Ponteland, intend notices were being issued and after three weeks if no objections were received then the orders could be made.
- Legal clarification would be sought on the use of non-Northumberland parking discs in Council owned car parks allowing free parking for a prescribed time.
- There were no weed spraying trials this year and supplies for this year had been purchased at a good price last year. A report was currently being written regarding the trials and would be circulated in due course.
- The Highways Inspector would be asked to visit the vacant Co-operative building in Lynemouth to ascertain responsibility for weed management and a notice would be served to the owners should it be found to be their responsibility.
- It was not possible to provide a timescale regarding the Safer school initiative in Ellington, it was generally approximately three months, however the scheme was with the Design Team who unfortunately were experiencing some illness in the team.
- In respect of the schemes which Councillor Jones highlighted which were not showing up on her Members Schemes, Mr Snowdon advised that the Halton Shields was listed as an LTP Scheme and he would ascertain progress on the others.
- In respect of works with utility companies, the main legislation used in respect of works in the highway was the New Roads and Streetworks Act and specifically within Section 59 of this the Local authority was obligated to coordinate all works within the highway and Section 60 the utilities companies are obligated to work with Local Authorities to

minimise disruption in the highway. There was a North East Highways and Utilities Committee (HUC) where all Local Authorities and utility companies came together regularly to discuss all the planned road openings. There was also a local HUC meeting which was where the finer details of the works would be discussed along with any impacts. The works in Morpeth would have gone through this process and would have been planned in detail in advance. The works had already been delayed for some time as it was known how big an impact it would have on the town centre, however it was a matter of health and safety and the Council had to be guided by the Gas Network. It would have been easier for the utility company to have a full closure of the road, however this would not have assisted the operation of the town centre and therefore a one-way system, which had previously been used, was agreed. Once work had commenced the utility company had realised that additional work would be required which they advised necessitated closing the whole road to which the Council had not agreed. The identified options were to close the whole road; pull off site and reschedule the closure for another time; pull off site to come up with a different solution. Through extensive discussions at local HUC meetings a solution was eventually agreed that they would continue with the one-way system for another 2.5 weeks in order to carry out the remaining works.

- The vast majority of scheduled roadworks/road closures should be notified by way of local communications and letter drops to affected residents/properties. All information on proposed roadworks could be found on One Network which could be accessed by all Councillors and identified all roadworks to be undertaken within the County. A filter could be used to identify roadworks in a particular Council Ward and information on how to do this would be circulated to all Members of Council so that they could then cascade information to their residents. More use of social media to publicise works would also help.

M King, Highways Delivery Area Manager, provided an update to Members which included the following information:-

- Restrictions surrounding Covid were starting to ease however some rules were continuing to be followed to protect front line operatives.
- Reactive maintenance - teams were continuing Category 1 works while continuing with the catch up from recent storms. Routine Inspections were ongoing, however there was a slight backlog. Reactive third party requests continued to rise higher than any other area. The backlog of works continued to be reduced and the introduction of a hotbox for the Castle Morpeth area should see a substantial reduction in the back log of approx. 700.
- Gully Maintenance - new vehicles had arrived in April and training was required for operatives before vehicle roll out.
- Drainage Works – a large amount of drainage works had been identified and a program of works issued and were ongoing. Works were still being identified from storm damage with several areas requiring clearing of debris which was a main cause of blockages. Works currently being programmed for post April start date with all works communicated prior to start date.

- Minor Patching Program – a list of completed works was provided and were included on the report which would be circulated to Members after the meeting. Details were also provided on footpath works and the future programme of patching works and the Local Transport Plan.
- Resources – 3 operatives had been appointed at various levels and 4 further posts were to be advertised this month.

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

- The lead in time for the replacement of street furniture was 6 weeks, but works should not be taking months to complete. Highways Inspectors would be requested to be vigilant and report any delays in replacing furniture. Street lighting levels at the chicanes on the C403 would be investigated to see if this was having an impact on the number of accidents at that location, as it had also been suggested that glare from the sun was also causing issues.
- Information would be sought from the Design Team on the current position regarding the chicane Barrett had installed in Pegswood from the approach to Whorrel Bank.
- There was a standard process for filling potholes however unless the holes were cut and had straight edges there was nothing to prevent traffic forcing the repair out. Patching and repairs to strategic routes were prioritised and then rolled down the road hierarchy, with £2.3m identified for repairs on U and C class roads this year.
- Resurfacing and maintenance works were planned around Tritlington First School and the road safety works would be done at the same time.

## 6 MEMBERS LOCAL IMPROVEMENT SCHEME

A progress report dated 1 March 2022 had been circulated with the agenda. Members were advised that a new version had been received after the agenda had been published and was now available on the Council's website. Clarification would be sought on the current position in relation to the installation of bollards to prevent the use of land by motorcycles in the Lynemouth area as requested by Councillor Dunn.

**RESOLVED** that the information be noted.

## 7 LOCAL AREA COUNCIL WORK PROGRAMME

The Chair advised that this was for information and should Members wish to ask for any items to be added to the agenda, then they contact either himself or Democratic Services.

**RESOLVED** that the information be noted.

**8 DATE OF NEXT MEETING**

The next meeting was scheduled for Monday 13 June 2022 and would be planning only.

**CHAIR.....**

**DATE.....**

**NORTHUMBERLAND COUNTY COUNCIL**  
**CASTLE MORPETH LOCAL AREA COUNCIL**

At the meeting of the **Castle Morpeth Local Area Council** held at Council Chamber - County Hall on Monday, 13 June 2022 at 4.00 pm.

**PRESENT**

J Foster (Vice-Chair Planning) (in the Chair)

**MEMBERS**

S Dickinson  
L Dunn  
V Jones

R Dodd  
M Murphy

**OFFICERS**

A Ali  
H Bowers  
T Crowe  
J Murphy

Planning Officer  
Democratic Services Officer  
Solicitor  
South East DM Area Manager

Around 6 members of the press and public were present.

**9 PROCEDURE AT PLANNING MEETINGS**

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

**10 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Beynon, Darwin, Sanderson, Towns and Wearmouth.

**11 MINUTES**

**RESOLVED** that the minutes of the meetings of the Castle Morpeth Local Area Council held on Monday 9 May 2022, as circulated, be confirmed as a true record and be signed by the Chair.

**12 DETERMINATION OF PLANNING APPLICATIONS**

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

for the granting of permission or refusal of planning applications.

The Vice-Chair, planning informed members that planning application 21/02485/FUL – land at north of Bewick Drift, Cresswell had been withdrawn from the agenda and would be determined at a future planning meeting.

**RESOLVED** that the information be noted.

13

**22/00900/OUT**

**Outline planning applications (some matters reserved) for residential development of up to 5 no. dwellings  
Land South West of Field Head House, Longhorsley, Northumberland**

Adam Ali, Planning Officer introduced the application with the aid of a power point presentation. Members confirmed that they had viewed the site visit videos circulated in advance of the meeting.

Giles Birch, objector, addressed the Committee. His comments included the following information: -

- He was speaking on behalf of all the residents of Cragside Mews who fully supported the officer's recommendation for refusal of the application
- There had been a total of 24 objections to the application with 22 letters of support from people who did not live locally with no legal reference why the application should go ahead. Reference had been made to: -
  - A reduction in agricultural traffic – realistically the development would add another 10 vehicles to the properties
  - Help support local services – the village had one shop, a pub and a school
  - Additional jobs – these would be temporary
  - To allow the farm to relocate – this had no bearing with the relocation of the farm. The applicant already had planning permission approved for a barn
- Concerns around the Green Belt and the prospect of inappropriate development in the open countryside. This was supported by Longhorsley Parish Council who had also objected and made reference to unacceptable development in the Green Belt; contrary to local policies and no additional need for housing in the area. Accessibility would almost double Fieldhead in size.
- The Planning Statement from George White accepted that the development was on Green Belt and that the Neighbourhood Plan did not give any support to the development
- The development did not meet the housing requirement. The Strategic Housing Land Availability Assessment had identified housing for 4200 new houses which was almost 600 more than required up until 2024
- The applicant had stated that this was previously developed land, and it was not. The definition in the glossary of the Northumberland Local Plan stated that previously developed land was land which is or was, occupied by a permanent structure, including the curtilage of the developed land and associated fixed surface infrastructure. This excluded any associated fixed surface infrastructure and excluded land that is or had been occupied by agricultural or forestry buildings, therefore, none of the proposed site fell

under the definition of previously developed land.

- The development would contravene the Land Registry document (ND132865) signed by the applicant's parents and grandmother and warranted 24/7 access to the 2m strip of land along the South and West boundary of the current structure
- As a small hamlet there were huge concerns in relation to road traffic along the narrow single-track lane (U6017) which already struggled with traffic and in a poor state of repair. Traffic often cut through from the A1 to the A697 or vice versa, which often included articulated lorries, buses and other large vehicles.
- The road was a 60 mph National Speed limit and vehicles often tried to stick to the speed limit as opposed to driving for the road conditions; pedestrians, horse riders and other road users were at a significant risk.
- Lack of passing places.
- A recent accident on both the A1 and A697 had caused significant congestion.
- Highways had objected to the development stating that it was an unsuitable location that was only accessible by car and no reasonable action was likely to address the concern. The site was in an unsustainable location.
- Concerns around contamination and asbestos. The screening assessment by the applicant stated that there was none on the site, yet a recent bat survey made mention of the majority of both barns being constructed of asbestos, as did paperwork within a previous application.
- The proposed development documentation by George F White appeared to contradict itself. There was mention that the development was for the demolition of existing buildings, yet the very next sentence mentioned that the application sought to reuse the land and buildings associated with an extant Class Q conversion. There was no clarity as to the proposed intention for the buildings.
- In summary, an as a collective, of all the 17 residents of Cragside Mews, objected to the development on the legislation from the Longhorsley Neighbourhood Plan Policies LNP2 and LNP3, National Planning Policy Framework, paragraphs 79 and 80. Northumberland Local Plan Policies STP1, STP2, STP3, STP8, HOU1, HOU2, HOU8 – Section 1 (a) (b) (d) and (h) and Section 3 (a) and (b). The development would also contravene Land Registry ND132865.

Guy Middleton applicant, was in attendance and spoke in support of the application: -

- In 2017, the applicant received planning permission, half a mile from the site and expressed the intention to move the farm operation from the site which had been well received
- The building to be developed was not suitable for modern agriculture and could not accommodate the main tractor
- The initial intention was to reduce disturbance to residents
- The development would not go beyond existing boundaries
- He requested that the Committee defer the application for a members' site visit.

Craig Ross, George F White was also in attendance in support of the application. His comments included the following: -

- The application site already had permission for 4 residential units
- The development would infill Belsay and Holystone and would enhance and provide separation from neighbouring properties
- The development would be contained within the existing footprint
- In terms of planning, Previously Developed Land could be considered acceptable because of infill
- He also requested that members defer the application for a site visit

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

- There would be no benefit from a site visit
- Highways had objected as the development was in an unsustainable location
- There were no bus services

Councillor Foster proposed that the application be refused, this was seconded by Councillor Richardson. Members echoed their support for the refusal of the application as the development was recognised as being of the Green Belt; was in a unsustainable location with no service facilities; the main road was too close to the development with no pedestrian access.

Councillor Foster summed up and reiterated that the application should be refused for the three reasons in the report.

A vote was taken on the proposal to refuse the application which was unanimously agreed.

**RESOLVED** that the application be **REFUSED** subject to the reasons in the report.

14 **APPEALS UPDATE**

**RESOLVED** that the information be noted.

**CHAIR**.....

**DATE**.....





## Northumberland County Council

### CASTLE MORPETH LOCAL AREA COUNCIL

11 JULY 2022

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#### DETERMINATION OF PLANNING APPLICATIONS

**Report of the Interim Executive Director of Planning and Local Services**

**Cabinet Member:** Councillor C Horncastle

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#### **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 Castle Morpeth 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

<b>Finance and value for Money:</b>	None unless stated
<b>Human Resources:</b>	None
<b>Property:</b>	None
<b>Equalities:</b>	None
<b>Risk Assessment:</b>	None
<b>Sustainability:</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Crime and Disorder:</b>	As set out in the individual reports
<b>Customer Considerations:</b>	None
<b>Consultations:</b>	As set out in the individual reports
<b>Wards:</b>	All

Report author : Rob Murfin  
Interim Executive Director of Planning and Local Services  
01670 622542  
Rob.Murfin@northumberland.gov.uk

## **APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES**

### **Chair**

Introduce s application

### **Planning Officer**

Updates – Changes to Recommendations – present report

### **Public Speaking**

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

### **Member's Questions to Planning Officers**

### **Rules of Debate**

Proposal

Seconded

DEBATE

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

### **Vote (by majority or Chair casting vote)**

Chair should read out resolution before voting

Voting should be a clear show of hands.

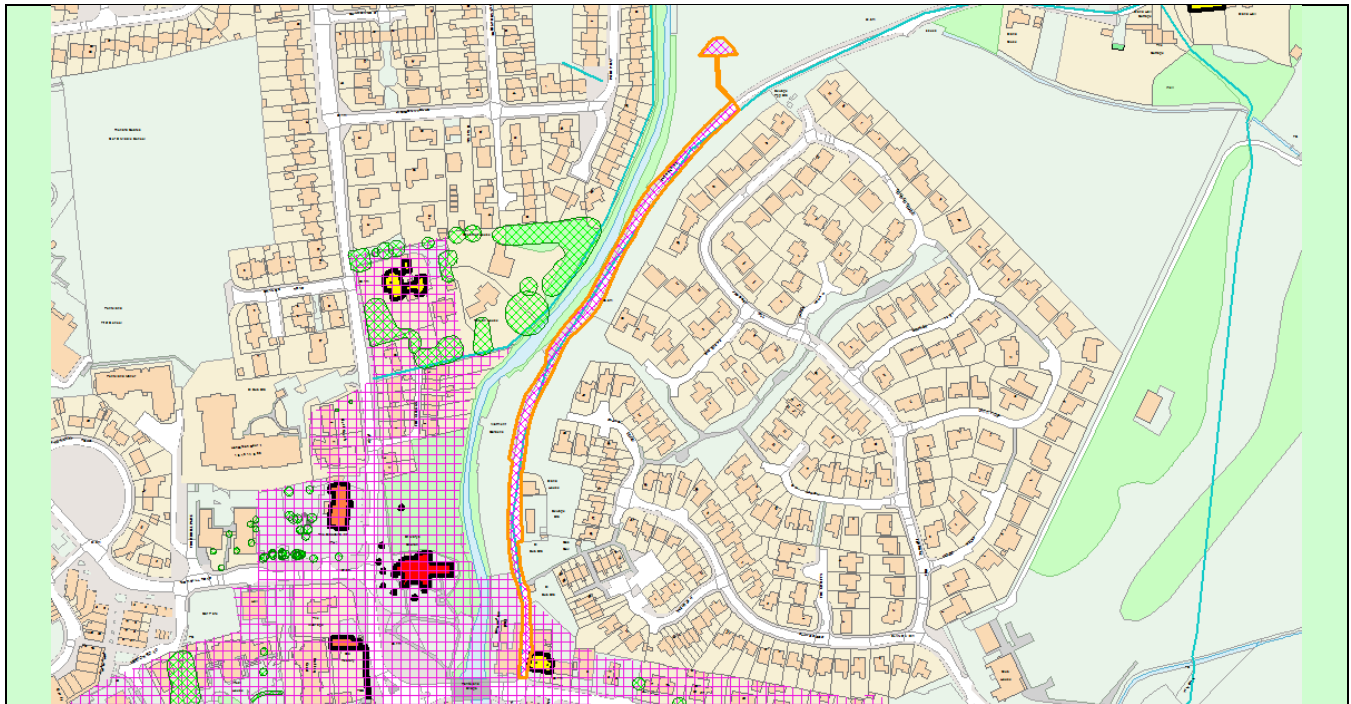


## Northumberland County Council

### Castle Morpeth Local Area Council Committee Monday 11<sup>th</sup> July 4pm.

<b>Application No:</b>	22/01086/FUL		
<b>Proposal:</b>	Full planning application for change of use of existing agricultural field for forestry and community education uses including creation of planting amphitheatre and associated infrastructure		
<b>Site Address</b>	Land to The North of Eland Lane, Ponteland, Northumberland,		
<b>Applicant:</b>	Bellway Homes Ltd Woolsington House, Woolsington, Newcastle Upon Tyne, NE13 8BF	<b>Agent:</b>	Savills The Lumen, St James' Boulevard, Newcastle Helix, Newcastle Upon Tyne NE1 5BZ
<b>Ward</b>	Ponteland East and Stannington	<b>Parish</b>	Ponteland
<b>Valid Date:</b>	26 April 2022	<b>Expiry Date:</b>	13 July 2022
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



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## 1. Introduction

- 1.1 Following the receipt of an objection from Ponteland Town Council, the application was referred to the director of planning and the chairs of the local area council committee. The chair referral response confirmed that the application shall be determined at local area council committee.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the change of use of agricultural land to facilitate the creation of a planting amphitheatre to be used for forestry and community education purposes on land north of Eland Lane, Ponteland.
- 2.2 Access to the site would be from the Eland Lane public highway with a small section of hedgerow removed to allow access into the application site. A stone path would be created to the tinyforest amphitheatre. Approximately 300 new trees would be planted within this location.
- 2.3 The supporting statement outlines the purpose of the development to *'be used as a space to develop knowledge and skills on tree planting, forest management, collecting and recording of environmental data, citizen science, and can be used as a tool to raise awareness of climate change'*.
- 2.4 A site visit was undertaken by the planning officer on 27<sup>th</sup> May 2022 where it was apparent that some of the proposed work has commenced. Nevertheless, permitted development rights would allow the erection of fencing and additional planting at the site and there was no evidence that the proposed use had been implemented.

## 3. Planning History

**Reference Number:** CM/81/D/4B

**Description:** Provision of flood bank in connection with residential development (as amended by drawing received 30th July 1982)

**Status:** Permitted

## 4. Consultee Responses

Architectural Liaison Officer - Police	No response received.
Ponteland Town Council	OBJECTION: Ponteland Town Council feel there is insufficient information to assess the purpose and value of this facility. There is no evidence that a risk assessment has been conducted. Should this application be approved the Committee request a condition is put in place for an ongoing maintenance plan in perpetuity. The Council has concerns over access; parking on a narrow country lane; blocking a road that is used regularly by the neighbouring farm and residents; litter; safety with such a proximity to the river; vandalism; the risk of antisocial behaviour; the remoteness of this facility and the risk that it could become a hangout area for youths resulting in antisocial behaviour.

Highways	No objection.
Highways England	No objection.
Countryside/ Rights Of Way	No objection providing no impact upon PRow.
County Ecologist	No objection; condition recommended.
Lead Local Flood Authority (LLFA)	No comment.
Environment Agency	No objection.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	31
Number of Objections	5
Number of Support	0
Number of General Comments	0

### Notices

Public Right of Way, 27th May 2022

Morpeth Herald 5th May 2022

### Summary of Responses:

5no objections were received against the application from neighbouring residents. Concerns were raised regarding:

- Insufficient information within application;
- Lack of risk assessment;
- Lack of management and maintenance schedule;
- Flooding and drainage concerns;
- Access and parking concerns;
- Lack of notification
- Use of the site as an area for fly tipping and increased litter;
- Increase in antisocial behaviour;

Material planning considerations will be assessed within the below appraisal.

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=R97501QSFNB00>

## 6. Planning Policy

### 6.1 Development Plan Policy

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

Policy STP 1 - Spatial strategy (strategic policy)

Policy STP 2 - Presumption in favour of sustainable development (strategic policy)

Policy STP 3 - Sustainable development (strategic policy)  
Policy STP 4 - Climate change mitigation and adaption (strategic policy)  
Policy STP 5 - Health and wellbeing (strategic policy)  
Policy QOP 1 - Design principles (strategic policy)  
Policy QOP 2 - Good design and amenity  
Policy QOP 4 – Landscaping and trees  
Policy TRA 2 – The effects of development on the transport network  
Policy ENV 2 – Biodiversity and geodiversity  
Policy WAT 3 – Flooding  
Policy WAT 4 – Sustainable drainage systems  
Policy INF 2 – Community services and facilities

Ponteland Neighbourhood Plan (Made version 2017) (PNP)

Policy PNP 1 – Sustainable development principles  
Policy PNP 2 – High quality and inclusive design  
Policy PNP 10 – Green infrastructure  
Policy PNP 11 – Landscape  
Policy PNP 13 – Biodiversity

## 6.2 National Planning Policy

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

## **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 of the Northumberland Local Plan (NLP) 2016 - 2036 and the Ponteland Neighbourhood Plan (PNP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development;
- Design and visual character;
- Residential amenity;
- Ecological impacts;
- Highways safety;
- Water management.

### **Principle of development**

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. Ponteland is recognised as a main town where there will be a focus for employment, housing, retail and services. The application site is located within the Green Belt inset for Ponteland and therefore forms part of the recognised settlement.



- 7.3 Policy PNP 1 of the PNP seeks for decision makers to have a presumption in favour of sustainable development. These provisions are mirrored with paragraph 10 of the NPPF. The development is clearly sustainable owing to its location within the recognised settlement of Ponteland and the proximity of the site to residential dwellings, schools and existing services.
- 7.4 Policy INF 2 of the NLP is also relevant within this assessment, supporting the creation of community services and facilities. The LPA must *'ensure any significant adverse effects on the environment, habitats, heritage assets and local amenity'* through the creation of community facilities *'can be avoided through good design and siting of development or that those effects can be suitably compensated for or mitigated'*. Impacts upon amenity, habitats and environment will be assessed later within the appraisal. There are no heritage assets in proximity to the site that would be adversely impacted upon by the proposal.
- 7.5 The principle of development is therefore recognised as acceptable in accordance with both local and national planning policy.

### **Design and visual character**

- 7.6 Policy QOP 1 of the NLP states that development proposals should *'make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography'*. The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development.
- 7.7 Policy PNP 2 of the PNP outlines that *'development will be supported where it demonstrates high quality and inclusive design'*. The policy goes on to note that *'all new development should make a positive contribution to their surroundings'*.
- 7.8 As part of the application assessment, a site visit was undertaken by the planning officer which consisted of a site walkaround as well as taking in views of the site from within the wider area. To facilitate the development, a small gap has been created within the existing hedgerow with a stone track measuring approximately 31m leading to the planting amphitheatre. This track leads to a semi-circle arrangement where the tree planting is proposed.
- 7.9 The application site is visible to a number of residential properties located to the east and west of the site however, the proposal does not cause harm to the visual character of the area. Whilst additional built form has been created within this area due to the implementation of a footpath and fencing, these works would not detrimentally impact upon the character of Eland Lane.
- 7.10 To ensure the site is appropriately maintained through the lifetime of the development, it would be appropriate for the LPA to include a condition for a management and maintenance plan for this area. Subject to this condition, the LPA are satisfied that the proposal accords with relevant local and national planning policy in regards to good design.

### **Residential amenity**

- 7.11 Policy QOP 2 of the NLP states that *'development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area'*. Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *'create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users'*.
- 7.12 Policy PNP 2, part e) also seeks to protect residential amenity nothing that developments must *'not have an unacceptable adverse impact on the amenities of occupiers of nearby properties'*.
- 7.13 The scale of the works coupled with the intended use would ensure that the proposal would not impact upon the amenity of neighbouring residential properties located to the east and west of the application site. The site would be used during daytime hours with no external lighting proposed that would facilitate use of the site during the night. Whilst concerns have been raised regarding use of the site for anti-social behaviour, this does not form a material planning consideration. Furthermore, consultation was undertaken with Northumbria Police who did not provide comment.
- 7.14 The application accords with relevant local and national planning policy and would not adversely impact upon the amenity of neighbouring residents.

### **Ecological impacts**

- 7.15 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. Policy STP 3, part f and policy STP 6 are also relevant within this assessment and seek for biodiversity net gains and the protection, creation and enhancement of coherent ecological networks. These provisions are mirrored within paragraph 174, part d) of the NPPF.
- 7.16 Consultation was undertaken with the local authority's ecologist who raised no objection to the application submission, subject to a condition ensuring that mitigation and enhancement measures are adhered to as set out within the submitted ecological report. It is also recommended that a condition be included to secure the implementation of landscaping within the site and the ongoing management and maintenance within this area. Subject to appropriately worded conditions, the LPA are satisfied the proposal accords with both local and national planning policy in relation to biodiversity.

### **Highway safety**

- 7.17 Paragraph 111 of the NPPF states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 7.18 The adjacent Eland Lane is privately owned and does not form part of the adopted highway. The closest point of highway is recognised as the signalised junction onto the A696. The proposal is unlikely to generate large amounts of vehicular movements and with no vehicle parking proposed, this

should deter motorists from travelling to the site, thus enabling walking and cycling to be the main forms of transport. The development therefore accords with both local and national planning policy in relation to highway safety.

### **Water management**

- 7.19 Policy WAT 3 of the NLP states that *'In assessing development proposals the potential for both on and off-site flood risk from all potential sources will be measured'*. Paragraph 159 of the NPPF states *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'*.
- 7.20 The application site is located within floodzone 3 due to the proximity of the River Pont which runs adjacent to the western boundary of the application site. A flood risk assessment forms part of the application submission allowing appropriate consultation to be undertaken with the Lead Local Flood Authority (LLFA) team. Within their consultation response, LLFA raise no comment against the application with no conditions recommended.
- 7.21 Consultee comments were also provided by the Environment Agency who also raised no objection against the application proposals. The development therefore accords with policy WAT 3 of the NLP and the NPPF.

### **Equality Duty**

- 7.22 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**

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

### **Human Rights Act Implications**

- 7.24 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.

- 7.25 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.
- 7.26 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 application proposes a sustainable form of development located within the settlement of Ponteland. The development accords with both local and national planning policy and is therefore recommended for approval.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:

### Conditions/Reason

01. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-
- 1) Location plan drawing no. ELAND – 003 (received 26<sup>th</sup> April 2022)
  - 2) Proposed site plan drawing no. ELAND-001 rev. B (received 26<sup>th</sup> April 2022)
  - 3) Ecological assessment project no. 6955 (received 23<sup>rd</sup> March 2022)

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

02. The development hereby approved shall be undertaken in full accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Tiny Forests, Ponteland. E3 Ecology Ltd. 16/03/22') as well as full adherence to 'Bat Conservation Trust. Guidance Note 08/18. Bats and artificial lighting in the UK Bats and the Built Environment series'

Reason: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with paragraph 174 of the National Planning Policy Framework.

03. Within 3 months of the date of this permission, a fully detailed landscaping plan (including long-term management of the woodland, the creation of a minimum of no.3m native hedgerow, the use of Northumberland native species and creation and management of herb-rich grassland) must be submitted to the local planning authority for approval. The approved landscaping scheme must be implemented during the first full planting season (November-March inclusive)

Reason: To enhance the biodiversity of the site in accordance with paragraph 174 of the National Planning Policy Framework.

### **Informatives**

- 1) 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.
- 2) Trees should be planted no less than 2-3m apart. Densely growing trees will not thrive and risk compromising the establishment of woodland. As the trees grow they will require further thinning. Appropriate methods for woodland creation and management can be found in <https://www.woodlandtrust.org.uk/media/50673/woodland-trust-woodland-creation-guide.pdf>.

This can be used to inform the management plan for the site, as required by the condition above.

- 3) The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
  - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

**Date of Report:** 20<sup>th</sup> June 2022

**Background Papers:** Planning application file(s) 22/01086/FUL

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## Northumberland County Council

### Castle Morpeth Local Area Council Committee Monday 11th July 4pm

<b>Application No:</b>	21/04875/FUL		
<b>Proposal:</b>	New vehicular access to serve four permitted dwellings		
<b>Site Address</b>	Land North of Southcroft Stables, The Croft, Ulgham, Northumberland		
<b>Applicant:</b>	Peter Richardson 212 Nottingham Way, Davenport, Florida, United States	<b>Agent:</b>	Karen Read Lugano Building, 57 Melbourne Street, Newcastle Upon Tyne, NE1 2JQ
<b>Ward</b>	Pegswood	<b>Parish</b>	Ulgham
<b>Valid Date:</b>	17 December 2021	<b>Expiry Date:</b>	13 July 2022
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



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## 1. Introduction

- 1.1 Following the receipt of an objection from Ulgham Parish Council, the application was referred to the director of planning and the chairs of the local area council committee. The chair referral response confirmed that the application shall be determined at local area council committee.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the creation of a new vehicular access to serve 4no residential dwellings on land north of Southcroft Stables, The Croft, Ulgham.
- 2.2 The local planning authority (LPA) granted outline planning permission for the redevelopment of previously developed land for up to 4no dwellings in December 2018 under planning application ref no. 18/01245/OUT. A reserved matters application for these 4no dwellings is currently being considered under application ref no. 21/04319/REM.
- 2.3 This application proposes the creation of a new vehicular access to the north of the application site rather than use of the existing access located at Southcroft stables. The provision of a new access would allow a separate access for the 4no dwellings, rather than use of the same access currently used by the existing dwelling on site recognised as Ulgham House.
- 2.4 The application site is located within open countryside and designated Green Belt.

## 3. Planning History

**Reference Number:** 21/04319/REM

**Description:** Reserved matters application for access, layout, scale, appearance and landscaping for 4no dwellings on approved application 19/00072/VARYCO.

**Status:** Pending consideration

**Reference Number:** 18/01245/OUT

**Description:** Outline Application for redevelopment of previously developed land (stables and outdoor yard area) for up to 4no. dwellings with all matters reserved (amended 24.10.2018)

**Status:** Permitted

**Reference Number:** 19/00072/VARYCO

**Description:** Removal of condition 21 (footway and lighting) on approved planning application 18/01245/OUT

**Status:** Refused

### Appeals

**Reference Number:** 20/00056/REFUSE

**Description:** Removal of condition 21 (footway and lighting) on approved planning application 18/01245/OUT

**Status:** Allowed



#### 4. Consultee Responses

Ulgham Parish Council	<p>The parish council wish to object to the plans for the construction of a new entrance. This is within the Greenbelt and outside the village line. There is no justification for this new access as the previously agreed existing access is perfectly adequate as it is within the 30mph limit and has unrestricted vision for at least 75 metres in each direction.</p> <p>The only possible reason for a new entrance would be to allow access for any future planned development of the site and we object strongly to this proposal.</p>
Highways	<p>Concerns regarding the provision of additional hardstanding within the open countryside however, conditions recommended. Highway safety improvements identified through addition of footpath condition.</p>

#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	2
Number of Objections	1
Number of Support	0
Number of General Comments	0

##### Notices

No Site Notice Required.

No Press Notice Required.

##### Summary of Responses:

1no objection was received against the application from a neighbouring resident. Concerns were raised regarding:

- The need for a new vehicular access;
- The proposal facilitating further development of the site.

Material planning considerations shall be assessed within the below appraisal. Whilst the concerns of the objector are recognised regarding future development, the LPA must solely assess this current submission upon its own merits against both local and national planning policy.

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=R47U2EQLBB00>

#### 6. Planning Policy

##### 6.1 Development Plan Policy

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

Policy STP 1 - Spatial strategy (strategic policy)

Policy STP 2 - Presumption in favour of sustainable development (strategic policy)

Policy STP 3 - Sustainable development (strategic policy)

Policy STP 4 - Climate change mitigation and adaption (strategic policy)

Policy STP 5 - Health and wellbeing (strategic policy)

Policy STP 7 - Strategic approach to the Green Belt (strategic policy)

Policy STP 8 - Development in the Green Belt (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

### 6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)

National Planning Practice Guidance (2021) (NPPG)

## 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 of the Northumberland Local Plan (NLP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development (open countryside and Green Belt);
- Design and visual character;
- Residential amenity;
- Highway safety.

### **Principle of development**

(open countryside)

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. The application site is located out with any defined boundary and is therefore recognised as open countryside land.

7.3 Part g) of policy STP 1 restricts development in the open countryside and states that it will only be supported if it can be demonstrated that:

- 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'.*

- 7.4 The proposed access would provide for a site that currently has an extant outline planning permission for residential development with a reserved matters application currently under consideration by the LPA. The principle of development is therefore recognised as acceptable in accordance with policy STP 1 of the NLP.

(Green Belt)

- 7.5 The Policies Map that forms part of the NLP identifies the application site as designated Green Belt. Policy STP 8 of the NLP states that *'Development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal'*.
- 7.6 The policy therefore directs the decision maker to the NPPF which at paragraph 150 outlines certain forms of development that are not inappropriate in the Green Belt *'provided they preserve its openness and do not conflict with the purposes of including land within it'*. Part b) of paragraph 150 allows *'engineering operations'* which the LPA would consider constitutes the creation of a new highway access among other forms of development.
- 7.7 The works set out within the submitted details would not cause harm to the openness of the Green Belt either on physical or visual grounds. The proposal therefore accords with both local and national planning policy in relation to appropriate forms of development within the Green Belt.

### **Design and visual character**

- 7.8 Policy QOP 1 of the NLP states that development proposals should *'make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography'*. The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development.
- 7.9 The development would not cause harm to the visual character of the immediate or wider area. Whilst the proposal would see the removal of a section of hedgerow and the implementation of additional hardstanding within the open countryside, it was noted by the planning officer when visiting the application site that there are existing rural accesses off the highway to the south serving existing agricultural structures and residential properties which do not appear incongruous within a rural, open countryside setting. The LPA

are satisfied that there is a need for the proposed access and that this accords with both local and national planning policy in relation to good design.

### **Residential amenity**

- 7.10 Policy QOP 2 of the NLP states that *'development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area'*. Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *'create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users'*.
- 7.11 Due to the rural location of the application site, only 1no existing dwelling is located in proximity to the proposed access. The proposal would create a new access for the 4no dwellings which currently have an extant outline planning permission, thus preventing the need for the existing access to be used, located to the front of Ulgham House. This would provide small amenity improvements to the occupiers of this property by ensuring access and egress to the 4no dwellings is not to the front elevation of Ulgham House and is instead located some distance beyond the rear elevation. The proposal accords with both local and national planning policy in relation to residential amenity.

### **Highway safety**

- 7.12 Policy TRA 1 of the NLP states that *'The transport implications of development must be addressed as part of any planning application'*. The policy goes on to note that *'Where applicable and appropriate, development will be required to:*
- a. Promote a spatial distribution which creates accessible development, reduces the need to travel by car, and maximises the use of sustainable modes of transport;*
  - b. Promote good design principles in respect of the permeability, connectivity and legibility of buildings and public spaces; and inclusive access;*
  - c. Promote sustainable transport choices, including supporting, providing and connecting to networks for walking, cycling and public transport; and infrastructure that supports the use of low and ultra low emission vehicles';*
- 7.13 Policy TRA 2 is also relevant within this assessment, noting *'All developments affecting the transport network will be required to:*
- a. Provide effective and safe access and egress to the existing transport network;*
  - b. Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;*
  - c. Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;*
  - d. Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary';*

- 7.14 Consultation was undertaken with highways development management (HDM) as part of the planning application with discussions also held between the planning officer, applicant's agent and HDM throughout the application. Concerns were raised by HDM regarding the creation of a new access within the open countryside which would introduce hardstanding into a currently undeveloped section of agricultural land. Whilst these concerns are noted, as previously outlined the LPA would not consider that the implementation of the works would have a detrimental impact upon the visual character of the area. Furthermore, the applicant has outlined their agreement for a section 106 agreement to be created linking any approved access with planning permissions for the 4no dwellings. This would ultimately ensure an intrinsic link between the access and redevelopment of Southcroft stables.
- 7.15 Within the consultation response provided by HDM, conditions were recommended to secure the implementation of a footpath from the development site to the settlement of Ulgham located to the north. This condition was previously included upon the outline planning permission for the wider site (18/01245/OUT) however, this was appealed by the applicant and ultimately removed at appeal (APP/P2935/W/20/3255596).
- 7.16 Within the appeal decision, the Inspector inferred that the highway serving the site is a lightly trafficked rural lane; by definition lightly trafficked establishes that there are less than 1000 traffic movements a day. The C124 is not by definition a quiet rural lane, it is a classified road which has been identified as a C-class route and provides part of the route between two primary roads, namely the A197 to the south and the B1337 to the north. In lightly used streets a minimum unobstructed width for pedestrians should be provided, and should generally be 2m in width. In relation to this site, where amenities, facilities and a children's park are located to the north of the development area, the lack of a footway provision would result in the mode of travel by foot being unacceptable and it is considered that the quality of the walking experience will deteriorate unless sufficient infrastructure is provided.
- 7.17 There is no guidance given or evidence provided to suggest that the lack of footway on a lightly trafficked road, thus encouraging pedestrians to share the carriageway with vehicles, is an appropriate resolution in relation to pedestrian connectivity. The lack of appropriate pedestrian infrastructure intensifies the fear and perception of harm as a result of having to share the road with vehicles, especially in dark and wet conditions, and the failure to secure such a provision is dismissive of the threat.
- 7.18 Under both the NLP and NPPF it is considered necessary to provide for pedestrians first and foremost, to ensure that they cannot find themselves in an unsafe or perilous position, which would include occasions where they must share a carriageway with any vehicle occupying the highway.
- 7.19 The condition meets the six tests of planning conditions which are –
- Necessary – to provide a solution to protect pedestrian safety a solution is required; the complete absence of a solution is unacceptable.

Relevant to planning – four new family homes require pedestrian infrastructure to connect the site to the existing infrastructure, amenities and facilities, otherwise the site will rely on private car.

Relevant to development – residents of this development will need access to local facilities, amenities and services.

Enforceable – details to be submitted and approved, footway to be constructed prior to occupation of first new dwelling.

Precise – length of 140m of footway from site access to the existing footway infrastructure to the north of the site.

Reasonable in all other aspects – 140m footway costing approx. £14,000 equates to £3,500 per dwelling which is reasonable. One return pedestrian trip per new household a day would result in excess of 1km daily usage. Should the footway not encourage one walking trip per household a day, then the location of the development should be determined to be unsustainable and inappropriate for residential development.

7.20 The LPA are satisfied that the inclusion of this condition is necessary upon the granting of any further planning permission for the site and that planning permission for the new access serving the 4no dwellings could not be supported without the applicant's agreement and intention to implement the footpath. Correspondence has been received from the applicant confirming their agreement to condition.

7.21 In relation to the proposed access, appropriate visibility splays would exist to allow safe ingress and egress from the application site upon the immediate highway network. No highway safety concerns arise from the proposal.

### **Equality Duty**

7.22 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**

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

### **Human Rights Act Implications**

7.24 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.

- 7.25 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.
- 7.26 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 proposals represent an acceptable form of development that accords with both local and national planning policy. The securing of a footpath linking the development site with the settlement of Ulgham is integral and promotes sustainable connections inline with both local and national planning policy.
- 8.2 The application is therefore recommended for approval.

## **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 approved plans. The approved plans for this development are:-

- 1) Location plan drawing no. 001\_01 rev. P1 (received 16<sup>th</sup> December 2021)
- 2) Proposed site plan drawing no. 200\_01 rev. P8 (received 30<sup>th</sup> March 2022)

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

03. Prior to the commencement of development the applicant shall demonstrate in writing to the Local Planning Authority that precise details of the proposed footpath, no less than two metres in width, between the application site and the settlement of Ulgham have been agreed to the satisfaction of the Highway Authority.

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

04. Prior to first operation of the proposed vehicle access, the footpath works must be fully completed in accordance with the approved plans. The footpath will therefore be retained in accordance with these approved details unless written notification from the local planning authority outlines otherwise.

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

**Date of Report:** 20<sup>th</sup> June 2022

**Background Papers:** Planning application file(s) 21/04875/FUL



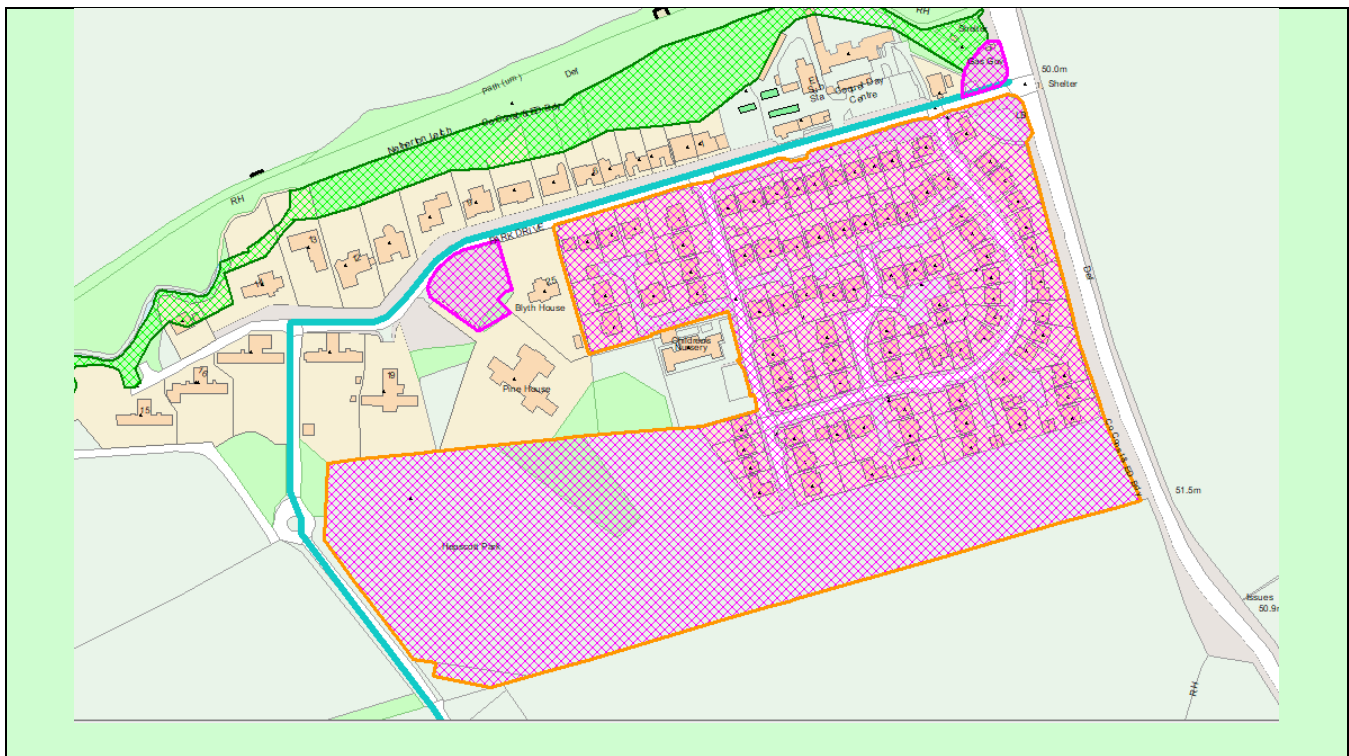


## Northumberland County Council

### Castle Morpeth Local Area Council Committee Monday 11th July 4pm.

<b>Application No:</b>	22/00075/FUL		
<b>Proposal:</b>	Retrospective application for alteration/re profiling to land levels related to residential development.		
<b>Site Address</b>	Hepscott Park, Stannington, Northumberland		
<b>Applicant:</b>	Mr Mark Gabriele Bellway Homes (North East), Bellway House Kings Park, Kingsway N, Gateshead NE11 0JH	<b>Agent:</b>	Mr Joe Ridgeon Bellway House Kings Park, Kingways, Gateshead, NE11 0JH
<b>Ward</b>	Ponteland East and Stannington	<b>Parish</b>	Stannington
<b>Valid Date:</b>	13 January 2022	<b>Expiry Date:</b>	09 August 2022
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



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## 1. Introduction

- 1.1 Following the receipt of 12no objections from neighbouring residents, the application was referred to the director of planning and the chairs of the local area council committee. The chair referral response confirmed that the application shall be determined at local area council committee.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the alteration and reprofiling of land levels to the southern boundary of Hepscott Park, Stannington. The majority of the works have been undertaken on site, hence the retrospective nature of this application.
- 2.2 The application site previously formed the compound area for the residential development upon Hepscott Park. The developer undertook the works to alleviate historic surface water flooding of the adjacent children's nursery located within Hepscott Park.
- 2.3 Minor alterations to the approved landscaping for the site are proposed to ensure appropriate landscape/planting will be implemented within the development.
- 2.4 The application site is located within open countryside and designated Green Belt.

## 3. Planning History

**Reference Number:** 16/02336/FUL

**Description:** Demolition of existing buildings and erection of 89 dwellings (Use Class C3), access, landscaping and associated engineering works

**Status:** Permitted

## 4. Consultee Responses

Stannington Parish Council	No response received.
County Ecologist	No objection.
Lead Local Flood Authority (LLFA)	No objection subject to recommended conditions.
Public Protection	No comment.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	99
Number of Objections	12
Number of Support	0
Number of General Comments	0

## Notices

No Site Notice Required.

No Press Notice Required.

## Summary of Responses:

12no objections were received against the application from neighbouring residents. Concerns were raised regarding:

- Drainage implications upon existing dwellings;
- Flooding of the site;
- Retrospective nature of the application;
- Impacts upon adjacent land owners;
- Inaccuracies in submission;

Material planning considerations will be assessed within the below appraisal.

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=R5I4NWQSLPT00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

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

Policy STP 1 - Spatial strategy (strategic policy)

Policy STP 2 - Presumption in favour of sustainable development (strategic policy)

Policy STP 3 - Sustainable development (strategic policy)

Policy STP 4 - Climate change mitigation and adaption (strategic policy)

Policy STP 5 - Health and wellbeing (strategic policy)

Policy STP 7 – Strategic approach to the Green Belt (strategic policy)

Policy STP 8 – Development in the Green Belt (strategic policy)

Policy QOP 1 - Design principles (strategic policy)

Policy QOP 2 - Good design and amenity

Policy QOP 4 – Landscaping and trees

Policy WAT 3 – Flooding

Policy WAT 4 – Sustainable drainage systems

Stannington Parish Neighbourhood Plan 2017 – 2031 (Made September 2018)  
(SNP)

Policy 10 – Design and character

### 6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)

National Planning Practice Guidance (2021) (NPPG)

## 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 of the Northumberland Local Plan (NLP) and the Stannington Parish Neighbourhood Plan (SNP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development (open countryside and Green Belt);
- Design and visual character;
- Residential amenity;
- Ecological impacts;
- Water management.

### Principle of development

(open countryside)

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. The application site is located out with any defined boundary and is therefore recognised as open countryside land.

7.3 Part g) of policy STP 1 restricts development in the open countryside and states that it will only be supported if it can be demonstrated that:

- 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'.*

Whilst the development does not accord with the above provisions, the works relate to an existing development which itself forms part of the open countryside.

7.4 Policies WAT 3 and WAT 4 are relevant within this assessment and seek for development proposals to reduce any potential flooding impacts that may arise whilst incorporating sustainable drainage systems (SuDS). Whilst these

policies will be assessed within a later section of the appraisal, there is clear accordance between the work undertaken and the goals of these 2no policies.

- 7.5 The development does not fully accord with the provisions set out within policy STP 1 however, it would not cause identifiable harm to the open countryside with the implementation of additional landscaping, and no built form, ensuring the encroachment into the open countryside would cause minimal impact.

(Green Belt)

- 7.6 The Policies Map that forms part of the NLP identifies the application site as designated Green Belt. Policy STP 8 of the NLP states that *'Development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal'*.
- 7.7 The policy therefore directs the decision maker to the NPPF which at paragraph 150 outlines certain forms of development that are not inappropriate in the Green Belt *'provided they preserve its openness and do not conflict with the purposes of including land within it'*. Part b) of paragraph 150 allows *'engineering operations'* which the LPA would consider constitutes drainage work among other forms of development.
- 7.8 The works set out within the submitted details would not cause harm to the openness of the Green Belt either on physical or visual grounds. Whilst there would be minimal physical impact due to the alterations in land levels, the land would remain free of built form and shall be appropriately landscaped upon completion of the works. The implementation of a 10m planting buffer along the eastern, southern and western boundaries of the site would provide partial screening whilst offering protection to this area. The development therefore accords with relevant local and national Green Belt policy.

### **Design and visual character**

- 7.9 Policy QOP 1 of the NLP states that development proposals should *'make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography'*. The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development. Policy 10 of the SNP mirrors these provisions.
- 7.10 The development would not cause harm to the visual character of the immediate or wider area. The implementation of a planting buffer will partially screen the development from the public domain and provide a clear separation between the wider development site and the agricultural fields to the south. The application therefore accords with relevant local and national planning policy regarding design.

### **Residential amenity**

- 7.11 Policy QOP 2 of the NLP states that *'development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area'*. Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *'create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users'*.
- 7.12 The development would not cause harm to the amenity of neighbouring residents in regards to overbearing impacts, privacy, loss of light or outlook. Flooding implications shall be addressed later within the appraisal. The proposal therefore accords with both local and national planning policy in relation to protecting residential amenity.

### **Ecological impacts**

- 7.13 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. These provisions are mirrored within paragraph 174, part d) of the NPPF.
- 7.14 Consultation was undertaken with the local authority's ecologist who raised no objection to the minor landscaping amendments set out within the proposal. The species of native shrubs and specimen trees within the 10m buffer has previously been agreed through the discharge of the relevant planning condition.

### **Water management**

- 7.15 Policy WAT 3 of the NLP states that *'Development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources'*. Policy WAT 4 focuses upon the implementation of SuDS within development and states *'SuDS will be a requirement for any development where it is necessary to manage surface water drainage'*.
- 7.16 Paragraph 167 of the NPPF is relevant within this assessment and states *'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere'*.
- 7.17 Consultation was undertaken with the lead local flood authority (LLFA) team regarding the application proposals. Discussions were held between the LLFA team and the developer following which, amended details were submitted to the LPA for assessment. Reviewing the additional information, LLFA raise no objection to the application subject to recommended conditions that will prevent flooding upon adjacent land parcels. The submission of a verification report will ensure that all SuDS have been implemented upon the site in accordance with the approved scheme.
- 7.18 Subject to recommended conditions, the development accords with policies WAT 3 and WAT 4 of the NLP as well as the NPPF.

### **Equality Duty**

7.19 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**

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

### **Human Rights Act Implications**

7.21 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.

7.22 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.

7.23 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. Recommendation**

That this application be GRANTED permission subject to the following:

### Conditions/Reason

01. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-
- 1) Engineering layout drawing no. 15-003/100 Rev. L (received 30th May 2022)
  - 2) External below ground drainage drawing no. 001 (received 30th May 2022)
  - 3) Flood alleviation plan drawing no. 15-003/E04 rev. A (received 30th May 2022)
  - 4) Landscape masterplan drawing no. NT12547/001 Fig 13 (received 16th June 2022)
  - 5) Location plan 15-003/E00 (received 10th January 2022)

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

02. Prior to completion of the basin and its outfalls, details of the adoption and maintenance of the attenuation basin, outfalls, overspill areas, ditches, culverts and associated features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

03. Within three months of the basin and ditches being constructed, a verification report carried out by a qualified drainage engineer or a suitably qualified professional must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- \* As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
- \* Construction details (component drawings, materials, vegetation);
- \* Health and Safety file; and
- \* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

04. No further land raising or lowering within the application site shall be undertaken without the prior consent of the local planning authority.

Reason: To prevent any changes to overland flood flow routes.

### **Informatives**

- 1) The successful creation/restoration of species-rich grassland is dependent on several factors. Soil phosphorous should be low, with an index of 0 or 1 or less than 16mg/l and sites with few weeds (thistles, docks, nettles, rushes and



ragwort) will have greater potential. The correct site preparation and ongoing management are key to a long-term creation/restoration. Further information is available on the Government's website <https://www.gov.uk/guidance/create-and-restore-species-rich-grassland> and the Magnificent Meadows project webpages

<http://www.magnificentmeadows.org.uk/advice-guidance/section/how-can-i-restore-or-recreate-a-meadow>.

A species-rich grassland mix is now produced in Northumberland from seed harvested within grassland SSSIs in the Northumberland National Park, which can be bought through British Wildflower Seeds. It has a high proportion of yellow rattle, which is helpful to its establishment in existing grasslands.

<https://britishwildflowermeadowseeds.co.uk/collections/wildflower-meadowseeds/products/northumberland-meadow-seed-mix>

**Date of Report:** 28<sup>th</sup> June 2022

**Background Papers:** Planning application file(s) 22/00075/FUL

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# Northumberland County Council

## Appeal Update Report

Date: July 2022

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### Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

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#### **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?
21/02984/FUL	<p>Erection of 4 bedroom dormer bungalow - land south of The Old Farmhouse, Ulgham</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; fails to demonstrate that safe ingress and access can be achieved from the proposed access; and no completed legal agreement to secure a contribution to the coastal mitigation service.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

## Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
21/04610/LBC	<p>Listed building consent for internal and external works including ensuite shower room, installation 2 new windows to rear, replace windows/doors with double glazed timber units, installation of external door to sunroom, removal of rear porch, raised deck and steps down to garden – West House, Seahouses</p> <p>Main issues: harm to the listed building and no public benefits to outweigh the identified harm.</p> <p><i>Appeal dismissed and listed building consent refused relating to changes to internal layout at ground floor (excluding removal of partition between kitchen and sitting room), two new window openings to rear, replace windows/external doors with double glazed timber units (excluding ground floor window to south west elevation), installation of external door to sunroom, raised deck and steps down to garden, remodel and alter staircase and installation of air source heat pump.</i></p> <p><i>Appeal allowed and listed building consent allowed relating to demolition of rear porch, replacement of ground floor back door, new plumbing and electrical system, changes to internal layout limited to new ensuite shower room, removal of WC cubicle, removal of built in cupboard, reconfiguration of existing bathroom, replacement of skirting boards, removal of partition</i></p>	No

	<p><i>and replacement of ground floor window to south west elevation.</i></p> <p>Appeal against non-determination</p>	
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### Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
21/04384/AGTRES	<p>Prior notification for conversion of an agricultural building to form two dwellinghouses – building west of Chattlehope Farm, Catcleugh</p> <p>Main issues: the development is not considered to be permitted development in relation to transport and highway impacts.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
21/03042/FUL	<p>Change of use from landscape contractors yard to residential, removal of existing buildings and erection of one no. dwellinghouse (C3 use) - Warkworth Landscaping Services, land north of Old Helsay, Warkworth</p> <p>Main issues: development in the open countryside; fails to support the conservation and enhancement of the countryside; fails to protect and enhance landscape character; and no suitable mitigation secured to address recreational disturbance to designated sites.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

### Planning Casework Unit Referrals

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

# Planning Appeals Received

## Appeals Received

Reference No	Description and address	Appeal start date and decision level
21/01136/FUL	<p>Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington</p> <p>Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.</p>	<p>13 December 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: development would appear as an incongruous and over dominant addition to the street scene resulting in significant harm to the visual amenity of the locality.</p>	<p>4 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02183/FUL	<p>Proposed conversion of self contained house to create an additional 2 bedroom dwelling – 1-2 South Road, Longhorsley</p> <p>Main issues: intensification of use of a sub-standard access and fails to demonstrate appropriate car parking provision.</p>	<p>16 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

21/04877/FUL	Proposed garden summerhouse to rear garden – 62 Swansfield Park Road, Alnwick Main issues: significantly detracts from the character and appearance of the dwelling and immediate area; and significant harm to residential amenity.	21 March 2022 Delegated Decision - Officer Recommendation: Refuse
21/04982/FUL	Resubmission: Erection of 5no. custom self build homes, with associated garages, car parking and landscaping – land north of 30 Longhirst Village, Longhirst Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact on the rural character of the site and wider landscape; harm to the setting and significance of the Conservation Area; insufficient information to assess archaeological impacts; insufficient information to assess impacts on protected species; and fails to address disposal of surface water.	7 April 2022 Delegated Decision - Officer Recommendation: Refuse
21/02853/FUL	Retrospective: first floor balcony to rear elevation – 28 Arkle Court, Alnwick Main issues: significant loss of privacy to neighbouring residents; and design and size of balcony is an overly dominant feature on the rear elevation.	8 April 2022 Delegated Decision - Officer Recommendation: Refuse
21/04026/FUL	Two storey extension protruding from Western side to provide 2no. additional bedrooms, dining area and gym – Heighley Wood, Morpeth Main issues: inappropriate development in the Green Belt.	20 April 2022 Delegated Decision - Officer Recommendation: Refuse
21/03167/FUL	Utility, store, bedroom, studio and playroom extension – 1 Cottingvale, Morpeth Main issues: significant detrimental impact on the character, appearance and visual amenity of the dwelling and surrounding area.	20 April 2022 Delegated Decision - Officer Recommendation: Refuse
21/01668/LBC	Listed Building Consent for replacement of sash windows throughout and replacement of front door – Brockburn, Monkshouse, Seahouses Main issues: harm to the listed building with no public benefits to outweigh the harm	20 April 2022 Delegated Decision - Officer Recommendation: Refuse
21/03400/OUT	Outline with all matters reserved for the construction of eight dwellings consisting of 8 x Dormer Bungalows – land east of Ashcroft	21 April 2022 Appeal against

	<p>Guest House, Lantys Lonnen, Haltwhistle</p> <p>Main issues: development on protected open space, harm to designated and non-designated heritage assets and currently objections and insufficient information to assess noise, highway safety, flood risk and drainage and ecological impacts.</p>	non-determination
21/04426/CLEXIS	<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>28 April 2022</p> <p>Appeal against non-determination</p>
21/04803/FUL	<p>Resubmission: Second storey extension above garage and extension to front to increase garage. Internal alterations. - 9 Crofts Close, Corbridge</p> <p>Main issues: fails to demonstrate that required parking can be provided with resultant impacts on amenity of neighbouring properties.</p>	<p>9 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21//02591/FUL	<p>Installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no justifiable public benefits to outweigh the harm.</p>	<p>10 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02592/LBC	<p>Listed building consent for installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no public benefits to outweigh the harm.</p>	<p>10 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01687/FUL	<p>Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping. Archaeological report received 09.2.2021 and amended site location plan received 26.02.21 - land north west of Springwood, Coast View, Swarland</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting and visual relationship between Swarland and wider countryside setting.</p>	<p>1 June 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/03297/FUL	<p>Change of use : Retail to holiday accommodation on first floor with associated</p>	14 June 2022



	<p>internal and external alterations to the building – Amberley House, Stocksfield Post Office, Main Road, Stocksfield</p> <p>Main issues: lack of information to assess noise from air conditioning units and impacts on residential amenity; lack of information to assess impacts on bats or nesting birds; and lack of information to demonstrate adequate car parking provision can be achieved.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
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## 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		

## Enforcement Appeals Received

### Appeals Received

Reference No	Description and address	Appeal start date
19/00170/ENDEVT	Construction of an access track – School House Farm, Kiln Pit Hill, Consett	5 January 2022
20/01383/ENDEVT	<p>Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett</p> <p>Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).</p>	9 February 2022

22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022 Hearing date to be confirmed.
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022 Hearing date to be confirmed.
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

## Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/04423/OUT	<p>Outline application seeking approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping – Essendene, Kenilworth Road, Ashington</p> <p>Main issues: would prevent the reintroduction of facilities in connection to the passenger rail services on the Ashington Northumberland Line; and lack of information concerning off-site highway works, manoeuvrability within the site, parking provision and conflict between all modes of transport and pedestrians.</p>	<p>Hearing: 28 July 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

## Implications

<b>Policy</b>	Decisions on appeals may affect future interpretation of policy and influence policy reviews
<b>Finance and value for money</b>	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
<b>Legal</b>	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
<b>Procurement</b>	None
<b>Human resources</b>	None
<b>Property</b>	None
<b>Equalities (Impact Assessment attached?)</b> <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
<b>Risk assessment</b>	None
<b>Crime and disorder</b>	As set out in individual reports and decisions
<b>Customer consideration</b>	None
<b>Carbon reduction</b>	Each application/appeal may have an impact on the local environment and have been assessed accordingly
<b>Wards</b>	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

CASTLE MORPETH LOCAL AREA COUNCIL  
DATE: 11<sup>TH</sup> JULY 2022

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### PETITION – REQUEST FOR FOOTPATH / CYCLEWAY CONNECTING RED ROW DRIVE TO BARRINGTON ROAD, BEDLINGTON STATION

**Report of: Service Director - Local Services, Paul Jones**

**Cabinet Member: John Riddle, Environment and Local Services**

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#### **Purpose of report**

To respond to the petition and e petition which was received by the Castle Morpeth Local Area Council on 9<sup>th</sup> May 2022 regarding a request for a footpath / cycleway to connect Red Row Drive to Barrington Road in Bedlington Station.

#### **Recommendations**

It is recommended that the Local Area Council note the content of this report and support the actions proposed.

#### **Link to Corporate Plan**

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

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

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

#### **Key Issues**

1. A petition and e petition have been received requesting a footpath / cycleway to connect Red Row Drive to Barrington Road in Bedlington Station.
2. The e petition has been signed by 287 signatories, with the paper petition being signed by a further 33 signatories.
3. The petition requests a pavement/cycleway to connect Old Red Row to Barrington Road, along Red Row Drive, to give access to services at Bedlington Station, Bedlington and Barrington Industrial Estate.
4. The petition is supported by Choppington Parish Council.
5. At the Castle Morpeth LAC meeting of 9<sup>th</sup> May 2022 Councillor Foster gave her support to the petition and indicated that she may be willing to allocate some of her Members Small Scheme allowance towards a scheme.

## Background

### The Petition

The County Council has received a 320 name petition stating that :-

“This petition requests a pavement/cycleway to connect Old Red Row to Barrington Road to give access to services at Bedlington Station, Bedlington and Barrington Industrial Estate and is supported by Choppington Parish Council.

Currently pedestrians are forced to walk on the grassed verge along Red Row Drive. This is a difficult walk for those who are fully mobile but impossible for those with young children in pushchairs and wheelchair users, who resort to walking on this busy road. An alternative route to Bedlington Station, over the railway bridge is excluded for these users as it is steeply inclined and width restricted.

The new Northumberland Line will improve access for those living in this area, but only if they can safely access the rail link.”



### Plan showing Red Row Drive, Bedlington Station

### Initial Comments

Red Row Drive lies between Stakeford Road and Barrington Road in Bedlington Station and is governed by a 30mph speed limit.

Red Row Drive was constructed around 1978 and no footway was provided when the road was constructed. Although there is no footway on Red Row Drive, there is existing pedestrian access from Old Red Row (which lies at the north end of Red Row Drive) to Bedlington Station along the footway of Stakeford Road. This footway passes over the railway bridge that is mentioned in the petition. The footway varies in width between 1.3m and 1.75m along its length and is only at its most narrow due to the traffic light column. As noted the road and footway passes over the railway bridge and therefore has inclines on both sides, with a gradient of around 1 in 10 rising to 1 in 7 close to the bridge.

Whilst it is acknowledged that these footways on Stakeford Road are not fully to present day standards for footway width and that they do have a gradient due to the railway bridge, it should be noted that when school walking routes were assessed during the introduction of two-tier schools in the area a number of years ago this existing pedestrian route over the railway bridge was designated as a safe walking route. At that time the traffic lights were erected to restrict traffic flows to single way over the bridge itself, because of the limited forward visibility for vehicles due to the road alignment and to make the route safer for vulnerable road users such as pedestrians and cyclists.





### **Accident Data**

According to accident data from Northumbria Police, there have been no personal injury collisions on Red Row Drive in the previous five years.

There have been no personal injury accidents involving pedestrians or cyclists on Stakeford Road in the previous five years. Two slight personal injury collisions were recorded on Stakeford Road in 2018 / 2019, but these occurred a significant distance from the area of the railway bridge and its approaches. Neither collision injury involved pedestrians, one involved a car occupant and the other a motorcyclist.

### **Request for footpath**

A request for a footpath has previously been submitted by Councillor Foster and Choppington Parish Council as a Local Transport Plan (LTP) priority. However, given the existence of the pedestrian route via Stakeford Road and the competing demands of other requests across the County, the request for a footpath on Red Row Drive has never been prioritised for inclusion within LTP programmes. It should also be noted that that even if there was a footpath available for use on Red Row Drive, because the route to Bedlington Station via Stakeford Road is shorter, many pedestrians are likely to continue using the existing footpath over the railway bridge.

The cost of introducing a new footpath over a distance of approximately 500 metres in length could cost between £80,000 and £100,000, although a detailed design would be required to determine actual costs. The above assumes that there are no services in the verges that would require moving or protection as part of the works. A shared use footway / cycleway would need to be wider than a footway and would be more expensive and may be more difficult to accommodate within the constraints of the widths available on the route.





Whilst there are merits to provision of footway along Red Row Drive, it is felt that consideration of it's inclusion in a future LTP programme would need to be part of the Council's normal LTP process where it would be assessed and prioritised alongside other submissions across the county.

### Proposed Actions

A new footway/cycleway will be considered for inclusion in a future LTP programme and assessed and prioritised alongside similar requests across the county.

### Implications

<b>Policy</b>	The response to the issues raised in this petition is consistent with LTP Policies.
<b>Finance and value for money</b>	n/a
<b>Legal</b>	None
<b>Procurement</b>	None
<b>Human Resources</b>	None
<b>Property</b>	None
<b>Equalities</b> (Impact Assessment attached)	Wheelchair and motorised scooter users, as well as parents with pushchairs experience difficulties when using existing available routes.

Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
<b>Risk Assessment</b>	n/a
<b>Crime &amp; Disorder</b>	n/a
<b>Customer Consideration</b>	Petition requests the introduction of a pavement/cycleway along Red Row Drive.
<b>Carbon reduction</b>	The introduction of a new footway / cycleway would potentially encourage sustainable journeys, however there will be an impact on the carbon footprint during construction.
<b>Health and Wellbeing</b>	Petition raises issues regarding the lack of a physical footpath on Red Row Drive
<b>Wards</b>	Stakeford

**Background papers:**

None

**Report sign off**

	Full Name of Officer
Monitoring Officer/Legal	N/A
Executive Director of Finance & S151 Officer	N/A
Relevant Executive Director	Rob Murfin
Chief Executive	N/A
Portfolio Holder(s)	John Riddle

**Author and Contact Details**

Neil Snowdon – Principal Programme Officer (Highways Improvement Team)



## Northumberland County Council

### CASTLE MORPETH LOCAL AREA COUNCIL

11<sup>TH</sup> JULY 2022

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### STAKEFORD AND BOMARSUND SPORTS AND SOCIAL WELFARE CENTRE

**Report of Neil Masson**

**Cabinet Member:** Councillor Richard Wearmouth

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#### **Purpose of report**

To appraise members of the nomination rights of the Council to the Stakeford and Bomarsund Sports and Social Welfare Centre (the Centre) and suggest nominations for members to consider.

#### **Recommendations**

**To agree to the following appointments, in addition to the two County Councillor appointments:**

**Councillor Paul S Vaughan**

**Councillor Hilary Allsopp**

**Councillor Arthur Iley**

**Councillor Graham Huntley**

#### **Link to Corporate Plan**

This report is relevant to the 'How' priority included in the NCC Corporate Plan 2021-2024 in that it enhances community engagement.

#### **Key issues**

- Under a Charitable Scheme set up in 2004 Wansbeck District Council could appoint seven individuals as trustees to the Stakeford and Bomarsund Sports and Social

Welfare Centre. The Functions of Wansbeck District Council have now transferred to Northumberland County Council upon local authority reorganisation.

- Northumberland County Council (the County Council) are currently only appointing two local members and the lack of trustees means it is difficult for the Centre to operate effectively.
- It is now proposed that the Council uses its rights under the Scheme to appoint four members of Choppington Parish Council (the Parish Council) to the Centre. There is nothing in the Scheme which prevents the County Council from using their powers of appointment to appoint non-County Councillors.
- Under the Scheme the appointments would be for a Term of four years

### **Background**

1. The Centre is a registered charity governed by a scheme (the Scheme) approved by the Charity Commission by Order of the 1<sup>st</sup> April 2004.
2. Under the Scheme the object of the Centre, as a Charity, is *“the provision of a recreation ground and Social Welfare Centre for the benefit of the inhabitants (and in particular, but not exclusively, such of the said inhabitants as are members of the mining community) of the area of benefit without distinction of political, religious or other opinions with the object of improving the conditions of life for the said inhabitants.”*
3. The Scheme provides for 14 nominated trustees (along with 2 co-opted trustees). These are as follows:
  - 1 shall be appointed by the National Union of Mineworkers (North East Area)
  - 1 shall be appointed by the Coal Industry Social Welfare Organisation;
  - 7 shall be appointed by Wansbeck District Council
  - 5 shall be appointed at a meeting to be convened by the Secretary of the Charity on or about the nearest convenient date to the 1st April each year (or at any time in the case of casual vacancies), to be attended by one representative of each organisation affiliated to the charity. Subject to clause 12 herein, they shall hold office until the next meeting called under this provision, but may, if eligible, be reappointed.
4. The County Council has been appointing two trustees, being the local ward members for the area. This leaves five vacant posts.
5. The Centre has been experiencing problems with being able to operate effectively given the lack of trustees and have suggested that a solution to this problem would be for the Council to appoint four members of Choppington Parish Council to the Centre. The Parish Council have proposed the following nominations:

- Cllr Paul S Vaughan - Former Welfare trustee and Chair of the Parish Council
- Cllr Hilary Allsopp - Retired Nurse with experience of older persons and those suffering long term affects of traumatic head injuries
- Cllr Arthur Iley - Retired business owner and Choppington Parish Council Sports champion
- Cllr Graham Huntley – Extensive experience of work in the charitable sector including support for those with disability.

6. Although the Scheme provided for seven nominations from the former Wansbeck District Council, following Local Government reorganisation in 2009, there are fewer County Councillors who could be considered local to this Centre. The solution suggested would therefore provide for greater local involvement in the Centre. If members agree to the appointment of the nominations from Choppington Parish Council, the proposal is to approach the Charity Commission in order to amend the scheme to provide for Parish Council appointments at the expense of the County Council appointments that are not being exercised. The alternative would be for the Council to appoint to all seven vacancies.

7. The powers of the trustees, once appointed, are wide ranging and are as follows:

**1. Powers of the trustees**

*In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the charity:*

- (1) *Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the object of the charity.)*
- (2) *Power to appoint staff and pay them reasonable remuneration, including pension provision for them and their dependants.*
- (3) *Power to insure against public liability and, if appropriate, employers' liability; and to insure the buildings of the charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).*
- (4) *Power to delegate to any one or more of the trustees the transaction of any business or the performance of any act required to be transacted or performed in the execution of the trusts of the charity and which is within the professional or business competence of such trustee or trustees: Provided that the trustees shall exercise reasonable supervision over any trustee or trustees acting on their behalf under this provision and shall ensure that all their acts and proceedings are fully and promptly reported to them.*
- (5) *Power to raise funds. (The trustees must not undertake any*

*permanent trading activity.)*

- (6) *Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustees may exchange information and advice with them.*
- (7) *Power, with the prior written approval of CISWO (such approval not to be unreasonably withheld), to make rules and regulations consistent with this scheme for the management of the charity.*

8. Members are recommended to agree with the proposals to appoint four members of Choppington Parish Council. These appointments will be trustees of the charity for a term of four years. If members are not agreeable to this proposal members are asked to appoint are asked to appoint a total of seven members as trustees of the Centre.

**Implications**

<b>Policy</b>	N/A
<b>Finance and value for money</b>	N/A
<b>Legal</b>	The scheme provides the legal framework for the Charity
<b>Procurement</b>	N/A
<b>Human Resources</b>	N/A
<b>Property</b>	The trustees are able to make decisions under the Scheme relating to property
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Compliance with the Equality Act 2010 has been considered in the preparation of this report
<b>Risk Assessment</b>	N/A
<b>Crime &amp; Disorder</b>	N/A
<b>Customer Consideration</b>	N/A

<b>Carbon reduction</b>	N/A
<b>Health and Wellbeing</b>	N/A
<b>Wards</b>	Stakeford and Choppington

**Background papers:**

Scheme – by Order of the Charity Commissioners dated 1 April 2004

**Report sign off.**

***Authors must ensure that officers and members have agreed the content of the report:***

	Full Name of Officer
Monitoring Officer/Legal	Suki Binjal
Service Director Finance and Deputy Section 151 Officer	Alison Elsdon
Relevant Executive Director	N/A
Acting Deputy Chief Executive	Rob Murfin
Portfolio Holder(s)	Cllr Richard Wearmouth

**Author and Contact Details**

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**Northumberland County Council  
Castle Morpeth Local Area Council  
Work Programme 2022-23**

Lesley Little: 01670 622614 - [Lesley.Little@northumberland.gov.uk](mailto:Lesley.Little@northumberland.gov.uk)

**UPDATED: 28 June 2022**

## TERMS OF REFERENCE

- (a) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (b) To advise the Cabinet on budget priorities and expenditure within the Area.
- (c) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (d) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (e) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (f) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (g) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (h) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (i) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (j) To make certain appointments to outside bodies as agreed by Council.
- (k) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.

- (l) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.

**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  
 Castle Morpeth Local Area Council  
 Work Programme 2022-23

**11 July 2022**

- Planning and Rights of Way
- Petition Report
- Local Services Update
- Appointments to Outside Bodies

**8 August 2022**

- Planning and Rights of Way

**12 September 2022**

- Planning and Rights of Way
- Local Services Update
- Members Local Improvement Schemes

<b>10 October 2022</b>	
	<ul style="list-style-type: none"> <li>• Planning and Rights of Way</li> </ul>
<b>14 November 2022</b>	
	<ul style="list-style-type: none"> <li>• Planning and Rights of Way</li> <li>• Local Services Update</li> <li>• Members Local Improvement Schemes</li> </ul>

**NORTHUMBERLAND COUNTY COUNCIL  
LOCAL AREA COUNCIL - CASTLE MORPETH MONITORING REPORT  
2022-23**

Ref	Date	Report	Decision	Outcome
1	09.95.22	<b>Red Row Drive-to Barrington Drive – Petition received</b>	To receive a report at the next meeting	
Page 75 3	09.05.22	<b>Petition Report – Reduced Speed and Safer Crossing Points – Morpeth North Bypass</b>	Members agreed that a report on the findings should be considered by this Committee with any identified works possibly being included in the Local Transport Plan.	
3	09.05.22	<b>Members Local Improvement Schemes</b>	<b>RESOLVED</b> that the information be noted.	

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