



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 16 August 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE** to be held in **MEETING ROOM 1, BERWICK LEISURE CENTRE, TWEEDMOUTH, BERWICK UPON TWEED, TD15 2AS** on **THURSDAY, 24 AUGUST 2023** at **2.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To North Northumberland Local Area Planning Committee members as follows:-

S Bridgett, G Castle (Chair), T Clark, C Hardy (Vice-Chair (Planning)), G Hill (Vice-Chair), I Hunter, M Mather, W Pattison, G Renner-Thompson, C Seymour, M Swinbank, T Thorne and J Watson



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



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 A PLANNING COMMITTEE** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 8)

Minutes of the meeting of the North Northumberland Local Area Committee held on Thursday, 20 July 2023 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. 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 9 - 12)

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

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

6. 23/00824/FUL (Pages 13 - 30)
Proposed 5 Bed new build house
Land South of Bowling Green, U3135 Swarland Village Loop Road, Swarland, Northumberland

7. 23/01126/FUL (Pages 31 - 36)
Change of use from public land to residential land (garden use)
16 Etal Drive, Amble, Northumberland, NE65 0GS

8. APPEALS UPDATE (Pages 37 - 50)

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Committee Planning Committee areas and covers appeals of Strategic Planning Committee.

9. S106 UPDATE (Pages 51 - 54)

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous 2 months.

10. DATE OF NEXT MEETING

The next meeting of the North Northumberland Local Area Committee is scheduled for Thursday, 21 September 2023

11. URGENT BUSINESS

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

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

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

Registering Interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

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

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

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

* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

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

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



Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

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
- (iii) If any Member leaves and then returns to the room during consideration of an application then they may not take any further part in that application.

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

NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE

At the meeting of the **North Northumberland Local Area Planning Committee** held at Main Hall - St James's URC, Pottergate, Alnwick, NE66 1JW on Thursday, 20 July 2023 at 2.00 pm.

PRESENT

G Castle (Chair)
(in the Chair)

MEMBERS

T Clark
G Hill
W Pattison
T Thorne

C Hardy
I Hunter
M Swinbank
J Watson

OFFICERS

Booker

Principal Highways Development Management
Officer

M Bulman
V Cartmell

Solicitor
Planning Area Manager - Development
Management

Kain
R Little
H Nilsson

Built Heritage and Design Officer
Assistant Democratic Services Officer
Planning Officer

8 members of the press and public were present.

10 **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE**

RESOLVED that this was noted

11 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bridgett, Mather, Renner-Thompson, and Seymour.

12 **MINUTES**

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Committee held on Thursday 22 June 2023, as circulated, were confirmed as a true record, and were signed by the Chair.

13 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Swinbank advised that he was a member of the River and Boat Club in Alnmouth and had a personal but non-prejudicial interest in planning application 21/03496/FUL.

Councillor Hardy in the Chair.

14 **DETERMINATION OF PLANNING APPLICATIONS**

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

RESOLVED that this was noted.

15 **21/03496/FUL**

**Proposed new detached dwelling
Westlea Bed and Breakfast, 29 Riverside Road, Alnmouth, NE66 2SD**

H. Nilsson – Planning Officer, introduced the application to members with the aid of a PowerPoint presentation, and gave members the following updates:

- An update to the recommendation to read “That this application be GRANTED permission subject to a s106 financial contribution towards coastal mitigation and to secure the occupancy of the dwelling to principal residence only.”
- The LLFA had confirmed their revised response was the same as

- the comments from 6 February 2023.
- There was a typo in the report on para 7.29 and should have read “The proposals are therefore considered to be acceptable with Policies QOP1 and QOP2 of the NLP and the principles of the NPPF in relation to impact upon residential amenity.

Chris Brown spoke in objection to the application and gave the committee the following information:

- Concerns with increased traffic and disruption to access and parking at the properties and the increased health and safety risk posed by the increased traffic and nature of the construction traffic which the applicant had proposed would use the shared access from Northumberland Street.
- Northumberland Street was busy, and the shared access should not be used for any construction traffic or access.
- The access was 2.63m wide at its narrowest point and 2.4m in height to the building above and was the only useable access to properties and the car park on Northumberland Mews.
- Access from Riverside Road was larger than the Northumberland Street entrance, 2.8m wide at its narrowest point and no height restriction.
- Northumberland County Council had a duty of care as a statutory authority in all its decision-making regarding health and safety matters.
- All construction access should be the Riverside Road entrance only.
- A condition should be included in the proposed application that the shared access road between Riverside Road and Northumberland Street and the turning circle behind Northumberland Mews should be open at all times.
- A fence should be erected between the construction site and parking area immediately adjacent to the construction site where for the for Numbers 1-3 Northumberland Mews Park.
- Residents should be given the opportunity to comment on the finalised Construction Plan when approved by the applicant.

C. Ross also spoke in objection to the application and gave the committee the following information:

- There had been 70 objections to the application, including from the Parish Council which had been ignored.
- There were concerns over loss of open space.
- The application would be directly overlooking the neighbouring properties.
- Not all space should be for development.

S. Whyte spoke on behalf of Alnmouth Parish Council and gave members of the committee the following information:

- Alnmouth was an immensely developed village with little open space remaining.
- There was no public benefit of any significance to the development.
- Alnmouth had 500+ houses and 58% of those were holiday homes.
- There would be loss of privacy for the residents of Garden Terrace.

- The Parish Council had raised concerns at the lack of drawings showing the new dwelling in context to Garden Terrace.
- The application should be refused.

Following public speaking, committee members were invited to ask questions of the planning officers. The following information was provided:

- There would be 16m between the proposed dwelling and the dwellings on Garden Terrace.
- Windows on the north side of the dwelling would contain obscure-glazing and the views would not be at a direct angle.
- The dwelling would be restricted to principal residency only.
- The public benefit of the dwelling was outlined as providing construction jobs and a new full-time resident of Alnmouth.
- The open space described by the objectors was private land and not public.
- Building materials and construction traffic would access the proposed dwelling via the access on Riverside Road.
- Materials would be similar to those used on Garden Terrace however the design was based upon Westlea and would be in keeping with the surrounding area.

Councillor Swinbank proposed to refuse the application based on the principle of design, scale and massing which did not enhance or conserve the conservation area and loss of privacy of the adjoining residential property with the exact wording of reasons and policies to be delegated to officers. This was seconded by Councillor Pattison.

A vote was taken to refuse the application and it was FOR; 5, AGAINST; 4, ABSTAIN; 0.

RESOLVED that the application be **REFUSED** on the principle of design, scale and massing which did not enhance or conserve the conservation area and loss of privacy of the adjoining residential property with the exact wording of reasons and policies to be delegated to officers.

16 **APPEALS UPDATE**

RESOLVED that this was noted.

17 **DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Planning Committee was scheduled for Thursday, 24 August 2023.

RESOLVED that this was noted.

CHAIR.....

DATE.....

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Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE

24 AUGUST 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Housing and Planning

Cabinet Member: Councillor C Horncastle

Purpose of report

To request the Local Area Committee to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Local Area Committee 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 North Northumberland Local Area Planning Committee 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 Committee 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 Committees.

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BACKGROUND PAPERS

These are listed at the end of the individual application reports.

IMPLICATIONS ARISING OUT OF THE REPORT

| | |
|-------------------------------------|--|
| Policy: | Procedures and individual recommendations are in line with policy unless otherwise stated |
| Finance and value for Money: | None unless stated |
| Human Resources: | None |
| Property: | None |
| Equalities: | None |
| Risk Assessment: | None |
| Sustainability: | Each application will have an impact on the local environment and it has been assessed accordingly |
| Crime and Disorder: | As set out in the individual reports |
| Customer Considerations: | None |
| Consultations: | As set out in the individual reports |
| Wards: | All |

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

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce 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.

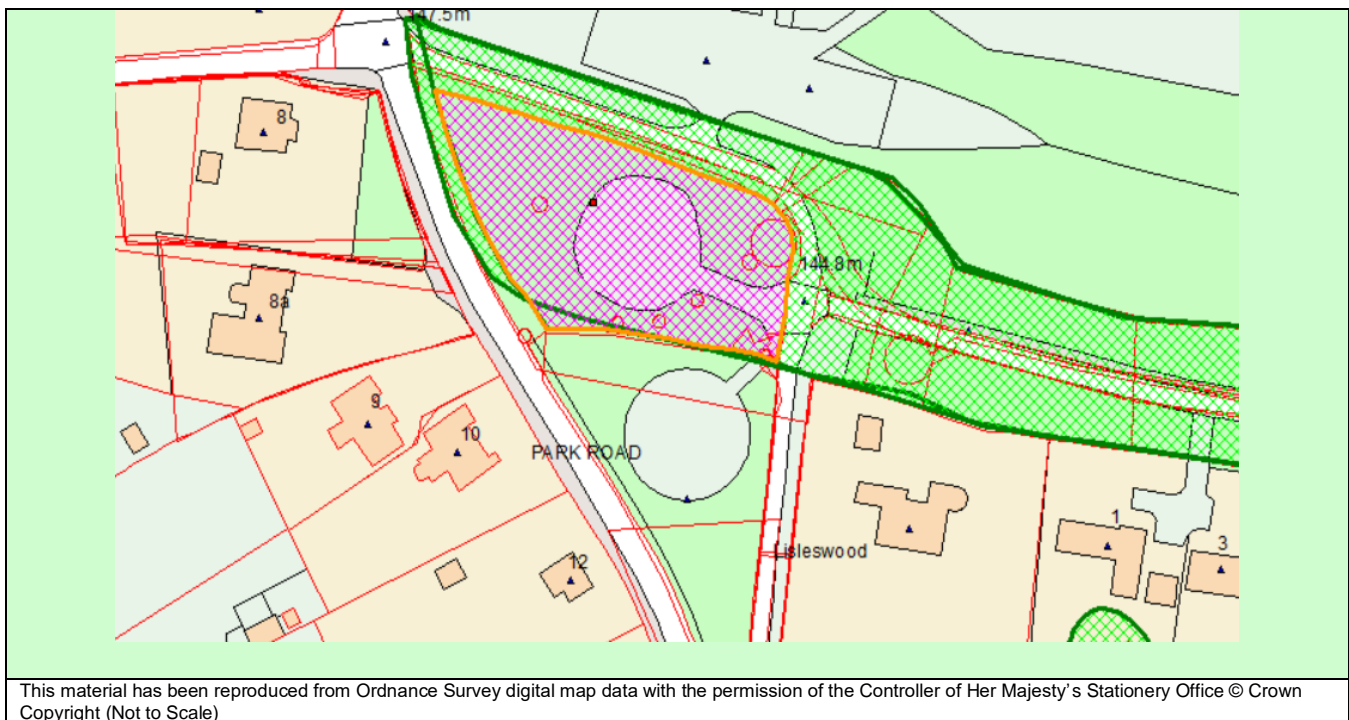


Northumberland
County Council

**North Northumberland Local Area Committee
Planning Committee 24th August 2023**

| | | | |
|------------------------------|---|---------------------|---|
| Application No: | 23/00824/FUL | | |
| Proposal: | Proposed 5 Bed new build house | | |
| Site Address | Land South Of Bowling Green, U3135 Swarland Village Loop Road, Swarland, Northumberland | | |
| Applicant: | Mr Thomas Oliver Land South East Of The Park , Old Park Road, Northumberland, NE65 9HJ | Agent: | Laura Hughes 36 Main Street, Lubenham, Market Harborough, LE16 9TF |
| Ward | Shilbottle | Parish | Newton-on-the-Moor & Swarland |
| Valid Date: | 14 March 2023 | Expiry Date: | 22 June 2023 |
| Case Officer Details: | Name: Mr James Hudson Job Title: Senior Planning Officer Tel No: 07971511133 Email: James.Hudson@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 Following an objection received from the parish council contrary to officer recommendation and 18.no neighbour objections the application was referred to the Director of Planning and the Chairs of Planning Committee where it was resolved that the application should be determined by the Planning Committee.

2. Description of the Site and the Proposal

2.1 Outline planning permission (Reference No. 20/01037/OUT) was granted on 15 September 2020 for the development of 2 dwellings, with all matters reserved, on land south of the bowling green, Swarland Village.

2.2 The current planning application seeks permission for one 5 bed dwelling which would be constructed on the northern part of the wider outline planning application site. The outline planning permission related to a larger site with an area of approximately 0.46ha of land, whereas this application relates to approximately half of the wider outline site.

2.3 The site to which the application relates is roughly triangular in shape. It is currently vacant and consists of a woodland plantation with a cleared area towards the northern part of the site, which is understood to have previously accommodated a WWII tank turning facility. The site is bounded to the south by the southern part of the wider outline application site, which has recent approval of Reserved Matters (22/00292/REM). The site is bounded to the west by the public highway of Park Road, to the east by an un-named public highway (the U3135), and to the south by the junction of the two roads (with residential properties and fields beyond). Planning permission (18/02250/FUL) was granted in October 2018 for the demolition of an indoor riding area and the development of 26 dwellings, on land to the north east of the application site.

2.4 The proposal to which the application relates is for the erection of 1no. two-storey dwelling with associated parking and amenity space on the northern part of the application site.

2.5 The proposed dwelling would have a Neo-Georgian design with a height of approximately 7.6 metres to the ridge. The two storey element would have a length of approximately 21 metres and a width of 11 metres. There are also single storey elements to the side and rear. The drawings indicate that the external materials for the proposed dwelling would comprise natural stone, with timber windows and doors and a slate roof.

2.6 The ground floor of the dwelling would comprise a living room, kitchen, study, dining room, snug, utility room and an internal double garage. The proposed first floor would comprise 5 bedrooms and annex living accommodating above the double garage.

2.7 The proposed dwelling would be accessed by double vehicular access gates and a pedestrian access gate from the highway to the east of the site (the U3135). This access would lead to a turning area and parking for two vehicles. A patio area would be provided to the rear of the dwelling.

3. Planning History

Reference Number: 19/03685/OUT

Description: Outline permission for development of 2no. dwellings all matters reserved.

Status: WDN

Reference Number: 20/01037/OUT

Description: Resubmission Outline permission for the development of 2 dwellings, all matters reserved.

Status: PER

Reference Number: A/83/A/357

Description: Residential development

Status: REF

Reference Number: 22/00292/REM

Description: Reserved matters application for access, appearance, landscaping, layout, scale, boundary treatment, car parking area and cycle parking relating to 1no 2 storey dwelling southern part of site (approved application 20/01037/OUT)

Status: PER

Reference Number: 22/01033/FDN

Description: 5 Day Notice to fell 5 Willow Trees which are dead and dangerous.

Status: COMMNT

Reference Number: 22/02997/FUL

Description: 2 storey 5 Bed house.

Status: APPRET

Reference Number: 22/03346/FUL

Description: Proposed 5 Bed new build house

Status: APPRET

Reference Number: 23/01344/FUL

Description: Proposed private dwelling - following outline application 20/01037/OUT dated 22.09.2022

Status: PCO

Reference Number: A/95/A/028

Description: Tree Works,

Status: PER

Reference Number: A/2005/0041

Description: Proposed vehicle repair garage

Status: REF

4. Consultee Responses

| | |
|------------------|--|
| Highways | Object to the development on sustainable location requirements. However, have provided conditions in respect to highways safety. |
| Natural England | No objections |
| County Ecologist | No objection, subject to condition |

| | |
|------------------------------------|---|
| | |
| Lead Local Flood Authority (LLFA) | No objection, subject to condition. |
| Newton On The Moor And Swarland PC | Object to the proposal. The Parish Council feels the overall design is in contravention to NLP QOP1 and QOP2. The proposal will dominate the surrounding houses in terms of both size and height and be very out of keeping with surrounding properties. The parish also object to the foul drainage system and have concerns with respect to access and highways safety. |
| County Archaeologist | No objection but identify less than substantial harm to heritage assets. |

5. Public Responses

Neighbour Notification

| | |
|-------------------------------|----|
| Number of Neighbours Notified | 10 |
| Number of Objections | 18 |
| Number of Support | 0 |
| Number of General Comments | 0 |

Notices

General site notice, 29 March 2023
No Press Notice Required.

Summary of Responses:

18.no objections have been received, matters raised are in relation to the design, scale and setting of the dwelling. Impact on highways safety, foul drainage and concerns relating to ecology.

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=RR5506QSFYY00>

6. Planning Policy

6.1 Development Plan Policy

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

STP 1 - Spatial strategy (Strategic Policy)

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

STP 3 - Principles of sustainable development (Strategic Policy)

ENV 2 - Biodiversity and geodiversity

ENV 7 – Historic environment and heritage assets

HOU 2 - Provision of new residential development (Strategic Policy)

HOU 9 - Residential development management
QOP 1 - Design principles (Strategic Policy)
QOP 2 - Good design and amenity
QOP 4 - Landscaping and trees
QOP 5 - Sustainable design and construction
QOP 6 - Delivering well-designed places
TRA 1 - Promoting sustainable connections (Strategic Policy)
TRA 2 - The effects of development on the transport network
TRA 4 - Parking provision in new development
WAT 2 - Water supply and sewerage
WAT 3 - Flooding
WAT 4 - Sustainable Drainage Systems
INF 2 - Community services and facilities
INF 1 - Delivering development related infrastructure (Strategic Policy)
WAT 3 - Flooding
WAT 4 - Sustainable Drainage Systems
POL 1 - Unstable and contaminated land
ICT 2 - New developments

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)
PPG - Planning Practice Guidance (2021, as updated)

6.3 Other Documents/Strategies

National Design Guide 2021

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

7.2 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees.

7.3 The main considerations in the assessment of this application are:-

Principle of the development
Design, Scale and Visual Impact
Residential amenity
Highways
Ecology
Drainage and sewerage
Land Contamination/Ground Gas
Broadband Connectivity
Climate Change

Principle of the Development

7.4 Swarland is one of the third-tier service villages in the settlement hierarchy set out in Policy STP1(c) of the Northumberland Local Plan, which should provide for a proportionate level of housing to support the retention of local retail, services and facilities.

7.5 The Northumberland Local Plan (NLP) Policies Map delineates the settlement boundary for Swarland village. The application site is located within the settlement boundary. Policy STP 1(e) supports sustainable development within defined settlement boundaries.

7.6 As such, the principle of the development is in accordance with criterion (e) of Policy STP 1.

7.7 Policy STP 3 of the NLP identifies a number of sustainable development principles to which development proposals will be expected to adhere to where appropriate. It is considered that the proposal would meet the principles outlined in Policy STP 3 of the NLP.

7.8 Policy HOU2 supports the delivery of new open market dwellings where it is consistent with the spatial strategy for Northumberland.

7.9 Policy HOU5 seeks to ensure that any new housing helps contribute to meeting identified local needs, and supports the provision of good quality, energy-efficient homes. Community-led housing, including individual and group self-build and custom housebuilding, will be supported and facilitated, particularly where they will contribute to meeting local housing needs. and the principle of the development is in accordance with Policy STP 1 of the NLP and the aims and requirements of the NPPF.

7.10 Having assessed the proposal it is considered the development is commensurate with the size, character and appearance of the settlement and the principle of development is in accordance with the NLP and NPPF.

Design and Visual Amenity

7.11 Policy QOP 1 of the Northumberland Local Plan seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness, incorporate green infrastructure and opportunities to support wildlife and make provision for efficient use of resources, be adaptable to a changing climate and ensure the longevity of buildings and spaces.

7.12 Policy HOU 9 of the NLP seeks to support residential developments where they contribute to a sense of place, provide functional space and facilities for refuse and recycling storage as appropriate for the development and are constructed to a high quality of design.

7.13 Paragraph 126 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.14 The National Design Guide also provides guidance on design for those involved in the planning and built environment disciplines and illustrates how well-designed places that are beautiful, enduring and successful can be achieved. This forms part of the Planning Practice Guidance and should be read alongside other guidance on the design process and tools.

7.15 The application site comprises a visually prominent location at the southern end of Swarland. The general character of the site is of a wooded area, which provides an attractive treed boundary to Park Road and to the highway to the east of the site.

7.16 The applicant had initially submitted a more substantial size dwelling, than the one now being proposed. Through discussion with the agent and applicant Officers advised that a smaller scale dwelling would be more acceptable. The applicant has subsequently re-submitted plans to scale back the proposal, retaining it's Neo-Georgian design but resulting in a dwelling that is more in keeping with the local character.

7.17 The Parish Council have raised an objection to the original proposed two story dwelling but not made further comments following re-consultation on the amendments. The Parish Council advised that the property is too large for the proposed site and recommended a one storey construction. They also advised that proposal will dominate the surrounding houses in terms of both size and height and be very out of keeping with surrounding properties which will change the look of the heart of the village which has some historical connection to World War II. However, it is considered that the application site comprises a relatively large plot and the proposed two storey dwelling would be screened from view to some extent by the existing trees. In addition, a number of large, modern two storey detached houses have recently been constructed on land to the north east of the site, which are more visually prominent within the landscape and recent approval given to a two storey dwelling on the plot immediately south of this site. As such, it is considered that the proposed two storey detached house would be acceptable with regard to its impact on the visual amenities of the area. However, it is suggested that a planning condition is attached requiring the submission and approval of the proposed external materials.

7.18 The scale, design and layout of the proposed dwelling is considered to be appropriate for this site. As such, the proposal is considered to be in accordance with Policies QOP 1 and HOU 9 of the Northumberland Local Plan and the NPPF.

Residential Amenity

7.19 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.20 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.21 Given the separation distances of over 75m between the proposed dwelling and existing nearby dwellings, together with the location of existing trees, it is considered that the proposed dwelling would not result in any substantive concerns regarding neighbouring amenity with regard to matters such as overlooking and loss of privacy, overbearing impacts, overshadowing or outlook. The proposal is therefore considered to be in accordance with Policy QOP 2 of the Northumberland Local Plan and the NPPF.

Highways

7.22 Paragraph 110 of the NPPF looks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; that safe and suitable access to a site can be achieved by all users; and that any significant impacts from development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.23 Paragraph 111 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.

7.24 Paragraph 112 also sets out that developments should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, and second – so far as possible – facilitate access to high quality public transport. It also requires development to address the needs of people with disabilities and reduced mobility; create places that are safe and attractive; allow for efficient delivery of goods, and access by service and emergency vehicles; and enable charging of plug-in and other ultra-low emission vehicles.

7.25 Policies STP 3 and STP 4 of the NLP also cover matters in relation to the accessibility of schemes and reducing the need to travel by car and incorporate electric vehicle charging facilities. Policies TRA 1, TRA 2 and TRA 4 of the NLP are relevant to the development in terms of promoting sustainable connections, considering effects on the transport network and parking provision. Appendix E of the NLP sets out relevant parking standards for new development.

7.26 Highways Development Management (HDM) has responded to consultation raising fundamental concerns about the proposed development as the site is considered to be in an unsustainable location for travel and does not prioritise walking / cycling. The site is in an unsustainable location in Highways terms and the proposed development in this location is such that it would rely on private vehicle use. Therefore, the development does not accord with NPPF paragraph 105 in terms of "limiting the need to travel and offering a genuine choice of transport modes. However having assessed the development it is considered that given the proposal will be located within the settlement of Swarland a Tier 3 'Service Village' the proposal does fulfil the overall sustainability and locational requirements of the NLP and NPPF, supporting proportionate development in the Settlement of Swanland.

7.27 Further to the above HDM had also raised concerns with respect to the impact upon highways safety. Subsequently the planning agent submitted additional information to address highways comments and the HDM team responded advising that they have no objections to the proposal subject to the imposition of conditions and informatives with regards to, construction, access, Car Cycle and EV

implementation. Therefore, subject to condition, the proposed development it is considered to accord with paragraphs 110, 111 and 112 of the National Planning Policy Framework (NPPF) and Policy TRA1 and TRA2 of the Northumberland Local Plan.

7.28 It is considered that the proposed development is acceptable with regard to highways issues, including vehicular access and parking. As such, the proposed development is considered to be in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the NPPF.

Impact of the Development on Ecology

7.29 Policy ENV 2 of the Northumberland Local Plan requires developments to minimise their impacts on biodiversity.

7.30 The Council's Ecology Team has been consulted on the proposed development and they have advised that they have no objection, subject to the removal of permitted development rights across the whole site and the imposition of conditions in respect to tree protection, biodiversity enhancement and landscaping. Such a conditions have therefore been included. The proposals are considered to be acceptable with regard to ecology and are in accordance with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

Heritage Matters

7.31 The site forms part of the boundary planting to Swarland Park and Swarland New Hall, which was demolished in 1947. Although the Hall has gone, the landscape setting (of which this site forms part) retains a degree of significance such that it is considered a non-designated heritage asset within the terms of the NPPF.

7.32 The County Archaeologist was consulted on the planning application as the development site occupies the site of a former WWII era 'tank turning circle'. The structure constituted a 'non-designated heritage asset' in the context of NPPF policy but has already been largely removed.

7.33 The County Archaeologist has advised that no archaeological work is recommended in association with the reserved matters application, however, have cited that the proposal would amount to 'less than substantial harm' to the 'non-designated asset'.

7.34 Having assessed the proposal it is considered that the through grant of the previous permissions that siting of dwellings on the hardstanding tank turning circles is acceptable in principle. As such, the proposed development is considered to be acceptable with regard to its impact on heritage matters and is in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

Drainage and Flood Risk

7.35 Policy WAT 3 (Flooding) of the Northumberland Local Plan refers to the potential for both on and off-site flood risk and requires proposals to demonstrate how flood risk will be minimised. Policy WAT 4 (Sustainable Drainage Systems) requires the incorporation of SuDS into developments where necessary to manage surface water drainage.

7.36 The Lead Local Flood Authority were consulted on the proposed development. They have advised that they have no objections to the proposed development subject to conditions in respect to surface water management, such conditions will be attached to any approval.

7.37 Policy WAT 2.2 advises that Non-mains drainage systems, such as package treatment plants should only be employed where the development is sufficiently remote from sewered areas. Where non-mains drainage systems meet these criteria and are the only solution, careful consideration of their precise siting and design will be required to ensure that there is no adverse impact upon groundwater, water quality or existing ecosystems

7.38 A number of neighbour objections were raised in respect to the means of foul water disposal. As such the planning agent has carried out a Foul Drainage Assessment. Within the assessment it concludes that the feasibility in connecting to the mains foul sewer system was determined as impractical as the existing public system is over 30 metres from the land and further still from the development. Therefore, the optimum solution is the installation of a septic tank to manage the development's foul sewerage. A trial hole has been excavated to establish the ground water table and if it will be contaminated by the introduction of a septic tank. After digging to a depth of 2.1m, no ground water was encountered and the area is deemed suitable for the installation of a septic tank as the proposed drainage field will be above any standing groundwater.

7.39 As such, it is considered that the proposed development is acceptable with regard to Policies WAT 2, WAT 3 and WAT 4 of the Northumberland Local Plan and the NPPF.

Climate change

7.40 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.41 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.42 Policy QOP 5 relates to sustainable design and construction and states that In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated

climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.43 The documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to the permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

Broadband connections

7.44 Policy ICT 2 of the NLP requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The policy states that where no broadband provision is included, developers will be required to demonstrate, including through consultation with broadband providers, that connections are not deliverable, and/or viable.

7.45 Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

7.46 The current application does not state whether full-fibre broadband connections are proposed. It is therefore recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT 2 of the NLP and Paragraph 114 of the NPPF.

Other Matters

7.47 A number of objections have been raised to the proposed development which have been in the main, addressed in the above paragraphs. Through technical consultation with the NCC Highways Team, Ecologist, LLFA and Archaeologist the proposal can be considered acceptable subject to recommended conditions and mitigation measures.

Equality Duty

7.48 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

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

Human Rights Act Implications

7.50 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.

7.51 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.

7.52 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 principle of the construction of a dwelling on this site has been established with the approval of the previous outline planning application for the construction of two dwellings on the wider outline application site.

8.2 The proposal represents an appropriate form of development that would not have an unacceptable impact on the visual amenities of the area, residential amenity, highway safety, ecology, heritage or drainage and floodrisk. The proposal is in accordance with the Northumberland Local Plan and the NPPF and accordingly it would be unreasonable to withhold planning permission

8.3 It is therefore recommended that the application is approved.

8.4 Further agreement is required with the Highway Authority pursuant to the Highways Act 1980 for the provision of the access to NCC Type A specification and a pedestrian crossing along the Northern boundary (as detailed on plans) over to the existing footpath on the U3135, including dropped kerbs and associated surfacing/paving.

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 not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Site & Location Plan Rev A - Drawing Number 2120164-P-001 - dated 24.05.2023
2. Proposed Boundary treatment Plan Rev A - Drawing Number 2120164-P-003 - dated 24.05.2023
3. Proposed Visibility Splay Plan Rev G - Drawing Number 2120164-P-004 - dated 09.06.2023
4. Proposed Drainage plan Rev A - Drawing Number 2120164-P-005 - dated 24.05.2023
5. Proposed Site Plan Rev B - Drawing Number 2120164-P-006 - dated 24.05.2023
6. Proposed Ground Floor Plan - Drawing Number 2120164-P-200- dated 22.05.2023
7. Proposed First Floor Plan - Drawing Number 2120164-P-205 - dated 22.05.2023
8. Proposed Rear Elevation - Drawing Number 2120164-P-300 - dated 22.05.2023
9. Proposed Side Elevation - Drawing Number 2120164-P-305 - dated 22.05.2023
10. Proposed Roof Plan - Drawing Number 2120164-P-400 - dated 22.05.2023
11. Foul Drainage Assessment - dated May 2023
12. Foul Drainage Assessment Form - Uploaded 01.06.2023
13. Drainage Strategy Proposal - dated 29.07.2022
14. Sustainability Statement - uploaded 17.04.2023
15. Contamination Assessment - uploaded 14.03.2023
16. Updated Ecology Survey - Ref 113/L01 - dated 29.04.2022
17. Heritage Assessment - dated July 2020

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

03. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any subsequent Order amending, revoking or re-enacting that Order), no extensions, porches, free standing buildings or structures shall be added to or constructed within the curtilage of the dwelling house hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: To conserve and enhance biodiversity in line with the NPPF and Local Plan Policy ENV2.

04. Notwithstanding the approved plans, prior to first occupation a detailed landscape planting plan shall be submitted to and agreed in writing with the LPA. The plan shall include the removal of cotoneaster and rhododendron plants, new

planting comprising locally native trees and shrubs and areas of native woodland ground flora. The planting to be fully implemented during the first full planting season (November - March inclusive) following occupation of development.

Reason: To conserve and enhance biodiversity in line with the NPPF and Local Plan Policy ENV2

05. To provide an enhancement for biodiversity the following features shall be included as part of the development:

- a) A minimum of two bat boxes shall be built into the walls of the new dwelling following best practice guidance.
- b) A minimum of 5 long-lasting bird nest boxes shall be attached to suitable trees within the wooded area.
- c) A minimum of 2 habitat features suitable for amphibians shall be constructed within the wooded area.

Prior to first occupation or use of the building a verification report and/or photographic evidence will be submitted to and approved by the LPA demonstrating that this work has been done.

Reason: To conserve and enhance biodiversity in line with the NPPF and Local Plan Policy ENV2.

06. Prior to commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved by the Local Planning Authority.

This scheme shall:

- i. Restrict discharge from the development to 1 l/s Qbar for all rainfall events up to and including the 1 in 100 year event.
- ii. Adhere to the general principles as set out in the drainage strategy from 'DRAINAGE STRATEGY PROPOSAL LAND SOUTH OF NELSON'S AT THE PARK, PLOT A Friday, 29th July 2022. V1'
- iii. Provide attenuation on site for the 1 in 100 year plus climate change event.
- iv. Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment.
- v. Provide details of the adoption and maintenance of all surface water features on site. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the effective disposal of surface water from the development in accordance with Policy WAT 2 of the NLP and NPPF.

07. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

08. The development shall not be occupied until the car parking area indicated on the approved plans, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

09. The development shall not be occupied until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan

10. Development shall not be occupied until details of the proposed highway works have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

11. Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

12. Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan

13. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

14. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order to discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

15. Notwithstanding the details submitted with the application, prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

16. Notwithstanding any description of the materials in the application, no development shall be commenced until precise details, to include samples, of the materials to be used in the construction of the external walls and / or roof(s) of the building(s) have been made available for inspection on site and approved in writing by the Local Planning Authority. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity in accordance with QOP 1 and QOP 2 of the NLP and NPPF.

Informatives

1. Landscaping Plan: The plan must include a detailed planting specification covering species, numbers/densities and for areas of grass the mix and sowing rates. An outline of methods for plant establishment and implementation timetable should also be provided. A list of suitable trees is available online from Northumberland Wildlife Trust <https://www.nwt.org.uk/what-wedone-news-and-publications/publications> Please note Field Maple is not considered locally native to Northumberland and should not be widely planted, and it is no longer recommended to include Ash in planting schemes due to the prevalence of ash die back disease (Chalara). A further list of plant species native to Northumberland can be found online <https://www.northumberlandcoastandcountryside.org/files/Downloads/Botanical%20species%20native%20to%20Northumberland%20-%20Google%20Docs.pdf>

Bat boxes: Ready-made bat box/tubes are an unobtrusive self-contained box that fit into the cavity of house walls and require no maintenance. They generally feature a slim sized entrance hole which can sit flush in a course of bricks or cladding to provide a discreet entry way for bats.

They should be built into the masonry of an external wall close to the eaves, to provide a longlasting roosting feature for bats. This website provides an example of the type of box/tube that is available <https://www.nhbs.com/build-in-woodstone-bat-box-uk-brick-size>

Amphibian Refugia: Stacking logs or other woody cuttings is a way of creating a habitat feature that may be useful to amphibians. As wood ages and decomposes it holds more moisture and offers an increasingly favourable habitat. Amphibians prefer to shelter in small spaces rather than large cavities, so packing some of the spaces in a log pile with loose soil or wood chippings should improve its value. The most suitable locations tend to benefit from both sun and shade.

Standard best practice during construction: To avoid and mitigate potential impacts on biodiversity during construction the following best practices should be implemented:

i) All works on site should adhere to the Pollution Prevention Guidance for Businesses provided by DEFRA and the Environment Agency. For further information follow the link: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

ii) To protect trees retained on and adjacent to the site, all works should be carried out in accordance with the guidance set out in BS5837:2012

Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012.

iii) A pre-commencement check for nesting birds should be undertaken by a suitably experienced ornithologist if tree removal and vegetation clearance is undertaken between March and August inclusive.

iv) There is potential for hedgehogs and amphibians to be present on site and caution is needed when clearing the ground prior to development, particularly piles of deadwood or leaves, piles of materials and areas of long grass or dense vegetation which should be first searched by hand.

v) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

vi) Contractors should be aware of the potential to spread invasive non-native plant species either from or onto the site and take appropriate biosecurity measures to avoid this, guidance on what to do can be found here <https://www.nonnativespecies.org/what-can-i-do/training/site-workers/>.

2. You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.
3. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:

North northumberland - northernareahighways@northumberland.gov.uk

Tynedale - westernareahighways@northumberland.gov.uk

Castle morpeth - centralareahighways@northumberland.gov.uk

Ashington, Blyth and Cramlington Bedlington please use - blythdepot@northumberland.gov.uk
4. You should note that a highway condition survey should be carried out before the commencement of construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.
5. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
6. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
7. You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offer this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979.

Background Papers: Planning application file(s) 23/00824/FUL

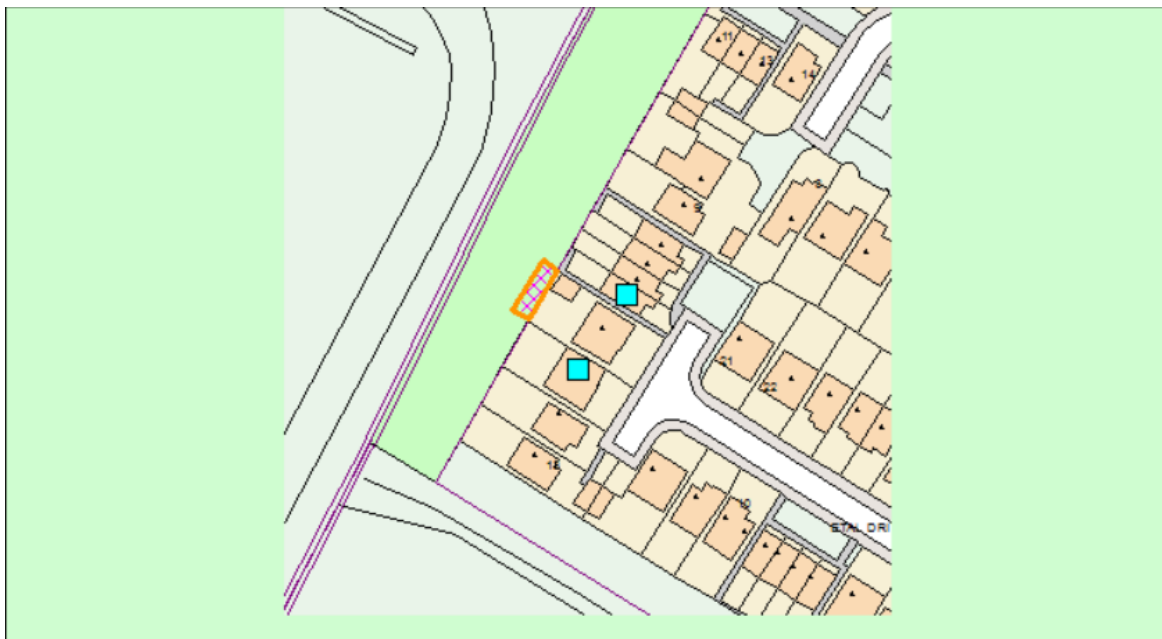


Northumberland
County Council

**North Northumberland Local Area Committee
Planning Committee 24th August 2023**

| | | | |
|------------------------------|--|---------------------|--|
| Application No: | 23/01126/FUL | | |
| Proposal: | Change of use from public land to residential land (garden use). | | |
| Site Address | 16 Etal Drive, Amble, Northumberland, NE65 0GS | | |
| Applicant: | Mr Gary Morrison 16 Etal Drive, Amble, Northumberland, NE65 0GS | Agent: | Mr David Lillie 8 Broomhill Street, Amble, Morpeth, NE65 0AN |
| Ward | Amble | Parish | Amble By The Sea |
| Valid Date: | 28 March 2023 | Expiry Date: | 23 May 2023 |
| Case Officer Details: | Name: Katie Lois Job Title: Planning Technician Tel No: 07870366099 Email: Katie.Lois@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to an objection received by Amble Town Council. This is contrary to the officer recommendation of approval.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that the proposal raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 The application seeks planning permission for the change of use from public land to residential land (garden use) of 16 Etal Drive in Amble. Work has commenced but is not yet complete.

2.2 The proposed change of use of land would be located to the west of the existing curtilage of the dwelling to form additional residential garden. The application site lies between Amble County Middle School and Amble Running Track to the west, and the housing estate. The proposal will use a small strip of council land which is small in scale. The area consists of trees and mature vegetation which is not maintained.

3. Planning History

Reference Number: 22/03147/FUL

Description: Single storey rear garden room extension

Status: PER

4. Consultee Responses

| | |
|--------------------|--|
| Amble Town Council | Objection from Amble Town Council Whilst described as 'public land' this land originally formed part of the old wagonway following the demise of the railway along here, the areas became Alnwick District Council's responsibility and therefore the ownership should have passed to NCC. This area forms a buffer zone between the school grounds and the housing estate but was not left as such by the housing developer. The original proposal for this land was to develop a walkway from Amble to Togston, although this was not developed, barriers were placed on the A1068 to prevent children running straight onto the busy road. It is not part of the estate/housing development area. The land is currently not maintained and is overgrown but it could be utilised again either in the new school development plan or as a safer pedestrian access from the new development to the Enterprise Park and into the town itself. ATC asks that no approval should be given until all other options have been thoroughly assessed, this land could be better utilised for the benefit of the whole community. Allowing this proposal to be granted would also set a precedent for adjoining owners to acquire their "strip" which may be larger than the one in the subject application. |
| Strategic Estates | No response received. |

5. Public Responses

Neighbour Notification

| | |
|-------------------------------|---|
| Number of Neighbours Notified | 2 |
|-------------------------------|---|

| | |
|----------------------------|---|
| Number of Objections | 0 |
| Number of Support | 0 |
| Number of General Comments | 0 |

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

None received.

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036

HOU 9 - Residential development management

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

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

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

- Principle of the development
- Design and visual amenity
- Impact on amenity

Principle of the Development

7.2 The application proposes development that is domestic in nature and proposes to include the land within the residential curtilage of an existing dwellinghouse. The principle of development is therefore acceptable and in accordance with Policy HOU 9 of the Northumberland Local Plan and the NPPF.

Design and visual amenity

7.3 Policy QOP 1 sets out general design principles against which development will be assessed. These include that proposals should make a positive contribution to local character and distinctiveness; create or contribute to a strong sense of place and integrate the built form with the site and wider local area and be visually attractive and incorporate high quality materials.

7.4 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 preserve the amenity of those living in the local area.

7.5 Policy HOU 9 states that 'Householder proposals for the extension and/or external adaptation of existing dwellings will only be supported where the enhancement:

- a. Is well-related and subordinate in size and massing to the existing dwelling, and in combination with the existing dwelling forms a visually indivisible single dwelling as a whole;
- b. Does not have a significant adverse impact on the amenity of adjoining properties in terms of structural proximity and unacceptable loss of daylight/sunlight, privacy and visual outlook;
- c. Respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling and its setting in terms of its design and use of materials, or on the character of the surrounding area; and
- d. Retains reasonable garden/yard space and satisfactory off-road parking space for the dwelling.'

7.6 The land is currently owned by the Council and the proposal which seeks to use the land as residential garden is currently covered in trees and mature vegetation. The area of land has not been maintained. The site lies between Amble County Middle School and Amble Running Track to the west, and the housing estate. The change of use of a small section of land to the west of the existing curtilage of the dwelling to form additional residential garden is considered acceptable. This parcel of land is relatively small in scale and is well-located and proportioned to the existing plot. It is therefore considered that the change of use of land does not have a negative impact on the visual appearance of the site or wider area. The boundary treatments that are proposed are of standard design and scale and would not impact upon the properties along Etal Drive. The proposal would not have a significant adverse impact on the character or visual amenity of the existing dwellinghouse or the surrounding area.

7.7 Therefore, the proposed development is considered acceptable in terms of scale and layout and is in accordance with Policies QOP 1, QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.

Impact on amenity

7.9 Amble Town Council have objected to this application, in part, on amenity grounds as they are of the view that the proposal could be better used for the benefit of the whole community, as a walkway or as part of the new school and could set a precedent for neighbouring properties to acquire their own strip. The existing land is unmaintained with trees, shrubbery and vegetation. The area of land used is narrow and is considered to be a very limited loss of amenity space. It is therefore considered that the change of use of land would not have a negative impact on the the amenity of the site or wider area. It would be of an appropriate size and scale. Any additional development by neighbouring properties to change the use of land would require separate planning applications be submitted which would be determined on their individual merits.

7.10 Overall, it is considered that the works would not have an unacceptable adverse impact on the appearance of the existing property, or on the amenity of the wider landscape. The application would accord with Policies QOP1, HOU 9 and QOP 2 of the Northumberland Local Plan.

Equality Duty

7.11 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

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

Human Rights Act Implications

7.13 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.

7.14 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.

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

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above, stating accordance with the relevant Development Plan

Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the NLP and the NPPF on the matters of relevance in this case.

8.2 The proposal has addressed the main considerations and would accord with relevant policy and is considered to be acceptable.

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 and documents. The approved plans and documents for this development are :-

Proposed Block Plan, 009
Location Plan, 007

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

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any subsequent Order amending, revoking or re-enacting that Order with or without modification), there shall be no building, structure or enclosure placed on the site unless an application for planning permission has first been submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers that any further development would prejudice a satisfactory layout and would have a harmful effect upon the amenity of the area and in accordance with Local Plan Policy Hou 9.

Background Papers: Planning application file(s) 23/01126/FUL



Northumberland County Council

Appeal Update Report

Date: August 2023

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.

Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

| Reference No | Proposal and main planning considerations | Award of costs? |
|--------------|---|------------------------------------|
| 18/03394/REM | <p>Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping and other associated infrastructure – land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: the design fails to preserve or make a positive contribution to local character and distinctiveness, and the site's surroundings, and fails to create or contribute to a strong sense of place. The development does not demonstrate high quality sustainable design, is not visually attractive, does not incorporate high quality materials and detailing, and is substantially altered from the approved outline planning application.</p> <p>Committee Decision - Officer Recommendation: Approve</p> | Yes – claim for full costs allowed |
| 22/00913/FUL | <p>Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Maini issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |

Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

| Reference No | Proposal and main planning considerations | Award of costs? |
|--------------|---|--------------------|
| 22/03696/FUL | <p>Retrospective application for works carried out to add pillars with metal railings between at front boundary wall; stone face side wall between front and rear garden and construction of raised timber deck – Woodstock, Mill Lane, Haltwhistle</p> <p>Main issues: harm to the character and appearance of the Conservation Area; and harmful impact on residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 22/04507/FUL | <p>Demolition of existing ground floor rear extension and replacement with two storey rear extension – The Coach House, Fenwicks Close Farm, Earsdon</p> <p>Main issues: inappropriate development in the Green Belt; and disproportionate addition that would be incongruous with the character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 21/04208/FUL | <p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the North Pennines AONB; visibility splays from the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 22/01812/FUL | <p>Proposed detached single storey garage and store with associated formation of driveway – Eland Close, Eland Land, Ponteland</p> <p>Main issues: inappropriate development in the Green Belt and the open countryside</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No – claim refused |

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| 22/04124/FUL | <p>Erection of stables, tackroom and associated horse paddock – land east of Oakfield Lodge, Eachwick</p> <p>Main issues: inappropriate development in the Green Belt; and visually intrusive and harmful impact on the character and appearance of the site and surrounding landscape.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 22/04369/FUL | <p>Proposed replacement windows – 6 Albert Place, Berwick-upon-Tweed</p> <p>Main issues: fails to conserve and enhance the significance of the Conservation Area; and results in harm to the Conservation Area that is not outweighed by public benefits.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 21/02696/S106A | <p>Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland</p> <p>Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 22/03911/FUL | <p>Proposal for a new family 1.5 storey dwelling with a garage, external parking and associated services - (Self Build) - 7 Springfield Meadows, Alnwick</p> <p>Main issues: design and visual appearance; and fails to secure a contribution towards coastal mitigation measures.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No – claim refused |
| 22/04665/FUL | <p>Proposed first floor extension over existing sun room and installation of a fixed window to the southern gable wall at high level – 63 Merley Gate, Loansdean, Morpeth</p> <p>Main issues: the extension would constitute an incongruous addition that would be out of character with the dwelling and built context; and harmful</p> | No |

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| | <p>impact upon residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | |
| 22/00637/FUL | <p>Alterations and extension – 2 West Hedgeley, Powburn</p> <p>Main issues: design would be out of scale and character with the existing property and surrounding area, and would harm the setting of Grade II listed buildings</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |

Planning Appeals Withdrawn

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

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 |
|--------------|---|---|
| 21/03396/FUL | <p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not</p> | <p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| | <p>commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p> | |
| 21/03397/LBC | <p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p> | <p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 21/01833/FUL | <p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.</p> | <p>10 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 21/02287/FUL | <p>Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington</p> <p>Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC;</p> | <p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| | and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy. | |
| 22/03609/AGTRES | <p>Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p> | <p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/04634/FUL | <p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p> <p>Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.</p> | <p>16 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/01297/FUL | <p>Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton</p> <p>Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p> | <p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/02704/CLEXIS | <p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p> | <p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/03417/OUT | <p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top</p> | <p>21 March 2023</p> <p>Delegated Decision - Officer</p> |

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| | <p>Cottage, Morpeth</p> <p>Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.</p> | <p>Recommendation: Refuse</p> |
| 21/04592/FUL | <p>Demolition of 2 no. youth hostel cabins and erection of 8 no. caravan pitches and children's play area (as amended) - Hareshaw Linn Caravan Park, Bellingham</p> <p>Main issues: harmful visual impacts on the character and appearance of the site and surrounding area; and harmful impacts on residential amenity.</p> | <p>23 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/04246/FUL | <p>Proposed single storey garage extension including a study and a shower room – 57 Church Street, Amble</p> <p>Main issues: scale and design results in adverse impact on the character and appearance of the existing dwelling and the surrounding area.</p> | <p>23 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/00437/FUL | <p>Change of use of land from equestrian grazing use to campsite use – land north east of Bolam Lake Boat House Wood Car Park, Belsay</p> <p>Main issues: inappropriate development in the Green Belt.</p> | <p>13 April 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/03876/FUL | <p>A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt.</p> | <p>16 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/01012/FUL | <p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett</p> <p>Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.</p> | <p>17 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/03217/FUL | <p>Erection of a forestry shelter and the location of a storage container (retrospective) - land east of Aydon Dipton Woods, Corbridge</p> <p>Main issues: development in the open</p> | <p>23 May 2023</p> <p>Delegated Decision - Officer</p> |

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| | countryside and inappropriate development in the Green Belt. | Recommendation: Refuse |
| 22/04060/FUL | <p>Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East Bedlington</p> <p>Main issues: fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to demonstrate appropriate off-street car parking provision; fails to demonstrate that appropriate ground gas protection has been incorporated into the development; fails to demonstrate how surface water and flood risk will be mitigated on site; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p> | <p>26 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 20/04096/OUT | <p>Outline planning permission for residential development for up to four dwellings (All Matters Reserved) with demolition of existing structures - resubmission of application 19/01511/OUT - land at Moor Farm Estate, Station Road, Stanington</p> <p>Main issues: proposal would permanently urbanise an open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p> | <p>5 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/02870/FUL | <p>Construction of 8no. bungalows with associated access, parking and landscaping – land north of Hartford Court, East West Link Road, Cramlington</p> <p>Main issues: loss of open space; design, density, siting and layout does not respect the character of the area or contribute to a strong sense of place; impacts on residential amenity; fails to demonstrate how surface water and flood risk will be mitigated on site; fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to promote the use of sustainable travel within the development; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and</p> | <p>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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| | Northumberland Shore SSSI. | |
| 22/03128/FUL | <p>Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland</p> <p>Main issues: loss of landscaping and detrimental impact on the character and appearance of the area; and subdivision of the plot would have a harmful impact on the character and appearance of the area.</p> | <p>13 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/00732/FUL | <p>Retrospective - Proposed full timber decking outdoor seating area with timber frame outbuilding / shed for outdoor store and service area – The Schooner Hotel, 8 Northumberland Street, Alnmouth</p> <p>Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.</p> | <p>15 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/01992/OUT | <p>Outline permission (all matters reserved) for erection of 1no. dwellinghouse with granny annex (C3 use class) - land north west and south east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> | <p>19 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/01214/VARYCO | <p>Removal of condition 3 (Footpath 1 (HDM)) and 4 (Footpath 2 (HDM)) on approved application 21/04875/FUL - land north of Southcroft Stables, The Croft, Ulgham</p> <p>Main issues: the proposed removal would not promote sustainable connectivity between the wider development and existing infrastructure.</p> | <p>26 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/04676/LBC | <p>Listed Building Consent for alterations comprising inserting one window with shutter in South facing gable wall, and the replacement of existing window with fully glazed panel and shutter on West elevation (Amended Description) - The Cottage, Riding Home Farm, Acomb, Hexham</p> <p>Main issues: less than substantial harm to the character and significance of the listed building that has not been justified.</p> | <p>27 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 23/01138/ADE | <p>Advertisement consent for 1no. totem sign – Lidl, Hexham Gate Retail Park, Hexham</p> <p>Main issues: harm to the visual amenity of the site and wider area, including the setting of designated heritage assets and the</p> | <p>5 July 2023</p> <p>Delegated Decision - Officer Recommendation:</p> |

| | | |
|--|------------|--------|
| | townscape. | Refuse |
|--|------------|--------|

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

| Reference No | Description and address | Award of costs? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Dismissed

| Reference No | Description and address | Award of costs? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Withdrawn

| Reference No | Description and address | Award of costs? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Received

Appeals Received

| Reference No | Description and address | Appeal start date |
|-----------------|---|--|
| 22/00022/NOTICE | Unauthorised dwelling – Horsley Banks Farm, Horsley | 6 April 2022 Hearing date: 22 November 2022 |
| 22/00023/NOTICE | Unauthorised stable buildings – Horsley Banks Farm, Horsley | 6 April 2022 Hearing date: 22 November 2022 |

| | | |
|-----------------|--|---------------|
| 20/00481/ENDEVT | Change of use of a forestry building for use as residential - English/Wheelings Wood, Corbridge | 2 March 2023 |
| 21/00865/BRCOND | Construction of retaining wall – Woodlands Rise, Corbridge Road, Hexham | 23 March 2023 |
| 22/01092/COU | Construction of a multi use arena, erection of an animal shelter and provision of gravelled parking area | 25 April 2023 |
| 21/00080/ENDEVT | Installation of hardcore | 13 June 2023 |

Inquiry and Hearing Dates

| Reference No | Description and address | Inquiry/hearing date and decision level |
|--------------|---|--|
| 21/02077/FUL | <p>Proposed construction of 13no dwellings (including 2no affordable dwellings), creation of new access, car parking and soakaways (amended description) - land south east of The Manor House, Riding Mill</p> <p>Main issues: harm to the character and appearance of the site and surrounding area and curtilage listed boundary wall; harm to residential amenity; does not make sufficient provision for affordable housing on the site; insufficient information to fully assess the impacts of the proposed development on ecology and biodiversity and net gain for biodiversity; does not secure necessary planning obligations in respect of affordable housing, open space and education.</p> | <p>Hearing date to be confirmed</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 21/03915/LBC | <p>Listed Building Consent for demolition of a section of existing curtilage listed boundary wall to create access for residential development – land south east of The Manor House, Riding Mill</p> <p>Main issues: loss of historic fabric and unacceptable alteration of the historic curtilage listed boundary wall.</p> | <p>Hearing date to be confirmed</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 19/01362/REM | Reserved matters application for | Hearing – 30 |

| | | |
|--|--|--|
| | <p>appearance, landscaping, layout and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022) - land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: by virtue of the layout, scale and appearance, the design fails to preserve or make a positive contribution to local character and distinctiveness and the site's surroundings and does not demonstrate high quality sustainable design; and there is no effective and safe access and egress to the existing transport network.</p> | <p>August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p> |
|--|--|--|

Implications

| | |
|---|---|
| Policy | Decisions on appeals may affect future interpretation of policy and influence policy reviews |
| Finance and value for money | There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals |
| Legal | It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals |
| Procurement | None |
| Human resources | None |
| Property | None |
| Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a | Planning applications and appeals are considered having regard to the Equality Act 2010 |
| Risk assessment | None |
| Crime and disorder | As set out in individual reports and decisions |
| Customer consideration | None |
| Carbon reduction | Each application/appeal may have an impact on the local environment and have been assessed accordingly |
| Wards | All where relevant to application site relating to the appeal |

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

Elizabeth Sinnamon
 Development Service Manager
 Elizabeth.Sinnamon@northumberland.gov.uk



Northumberland

County Council

S106

Agreements Update Report

June 2023

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous 2 months

Recommendations

To note the contents of the report in respect of agreement monitoring and collection of s106 contributions.

Link to Corporate Plan

This report is relevant to all the priorities included in the NCC (Northumberland County Council) Corporate Plan 2021-2024.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of June 2023



New Agreements

| New Agreements completed and added to Database | |
|--|--|
| 22/01204/varyc | East Holburn Farm Lowick |
| 18/03231/ful | Land North of Fairfields |
| 20/01292/varyco | Land south of 6 the Wynding, Bamburgh |
| 21/01737/ful | Land south west of Springhill Farm, Springhill Farm, Seahouses |
| 22/00483/ful | Land at the Fleece Inn, 49 Bondgate Without, Alnwick, |
| 23/00435/ful | Land at Time and Tide, Gloster Hill, Amble, Morpeth, NE65 0HJ |
| 23/01203/ful | Land 7 Springfield Meadow, Alnwick |
| 21/03369/ful | Land at 1 Windmill Farm Smallholdings, Choppington Road, Choppington |
| DOV | Land at Park View, Phase three, Hadston, Morpeth, |

Contributions Received

| Payments | Tyoe | Amount Paid |
|-----------------------------------|-----------------|-------------|
| Various CMS | CMS | £90,415 |
| Persimmon Homes | Healthcare | £93,900 |
| Home Group | Healthcare | £64,731 |
| Acklington | Highways | £8390 |
| Lynemouth Windfarm Scottish Power | Community Funds | £42,054 |
| Halton Lea Gate | Community Funds | £30,474 |

Awards and Payments Made

| Awards Paid Out | Project | Amount Paid |
|----------------------------|--------------------|-------------|
| Trustees of Netherton Park | Children Housing | £846,578,10 |
| Karbon Homes | Affordable Housing | £21,232 |
| NCC | Bus Subsidy | £13,000 |
| NHS | Amble GP | £85,000 |
| NHS | Blyth GP | £80,072 |

106 team - Any queries please email: s106@northumberland.gov.uk

Implications

| | |
|---|--|
| Policy | Section 106 obligations are in line with policy unless other stated in individual applications. |
| Finance and value for money | As stated on individual applications |
| Legal | Legal Services will be instructed to assist with the preparation and monitoring of the obligations |
| Procurement | None |
| Human resources | None |
| Property | None |
| Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a | Each application will have regard to the Equality Act 2010 |
| Risk assessment | None |
| Crime and disorder | As set out in individual reports and decisions |
| Customer consideration | None |
| Carbon reduction | As set out in individual reports and decisions |
| Wards | All |

Background papers

Planning applications and 106 Agreements

Report author and contact details

Elizabeth Sinnamon
 Senior Planning Manager - Development Management
 01670 625542
 Elizabeth.Sinnamon@northumberland.gov.uk