



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: lesley.little@northumberland.gov.uk

Tel direct: 01670 622614

Date: Thursday 25 May 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **STRATEGIC PLANNING COMMITTEE** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **TUESDAY, 6 JUNE 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Strategic Planning Committee members as follows:-

C Ball, L Darwin, R Dodd, B Flux, J Foster, G Hill, JI Hutchinson, J Lang, J Reid, G Renner-Thompson, M Robinson (Vice-Chair), G Stewart, M Swinbank, T Thorne (Chair), A Wallace and A Watson



Dr Helen Paterson, Chief Executive
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AGENDA

PART I

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

1. MEMBERSHIP AND TERMS OF REFERENCE

To note the Member and Terms of Reference for Strategic Planning Committee as agreed by Annual Council on 17 May 2023.

Membership

16 members (8:5:2 Ind Gp, 1 LD, 1 Min Gp) (1 Con place given to ING)

Quorum - 4

Chair: T. Thorne

Vice Chair: M. Robinson

Conservative	Labour	Independent Group	Liberal Democrats	Green Party	Ind Non-Grouped
L. Darwin	C. Ball	G. Hill	J. Reid	M. Swinbank	M. Robinson
R. Dodd	J. Foster				
B. Flux	J. Lang				
I. Hutchinson	A. Wallace				
G. Renner Thompson	A. Watson				
G. Stewart					
T. Thorne					

Terms of Reference and Powers

(a) To exercise the powers and duties of the Council as Planning Authority in relation to development management under the Town and Country Planning Acts and other associated/related legislation and in particular, but not limited to, those functions listed in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, including the following matters which specifically require a decision by the Strategic Planning Committee:

minerals and waste planning

development concerning major energy and physical infrastructure proposals such as wind farms

planning applications involving more than 100 houses and/or more than 1,000 sq

metres of commercial floorspace

planning applications involving less than 100 houses and/or less than 1,000 sq metres of commercial floorspace which raise significant strategic planning policy issues, and

any other planning applications which represent a significant departure from the Development Plan

Decisions involving formal enforcement action, when requiring Committee approval, will fall to be determined by Local Area Committees.

All applications are to be determined by the Chief Planning Officer in accordance with the powers set out in the internal scheme of delegation except for the following which fall to the Committee to determine:

Applications submitted by or on behalf of elected Members of the Council or by their spouses/partners

Applications involving land and/or premises in the ownership or under the control of elected Members of the Council or their spouses/partners

Applications in which any senior officer* of the Council has a personal and prejudicial interest

Determination of applications submitted by or on behalf of the Council (or by or on behalf of companies controlled by the Council); or of applications relating to land in which the Council (or company) has a significant interest (NB council to refuse such applications is delegated)

Approval of applications where, in the opinion of the Relevant Officer, such an approval would constitute a departure from the approved Development Plan and would require a reference to the Secretary of State

Any application which an elected Member of the Council requests should be considered by the Committee, provided the request is in writing, is received within 21 days of the application appearing on the weekly list, and is supported by bona fide planning reasons (which will be reported to the Committee together with the Members name)

Any application which the Relevant Officer considers should be determined by the Committee because of special planning issues or considerations it raises including significant local interest, and

Determination of applications where there are contrary comments received within the consultation period given raising bona fide planning issues from statutory consultees as defined in National Planning Practice Guidance.

*For the purposes of the Scheme of Delegation, Senior Officer is defined as Director or Head of Service (or equivalent title)

(b) Those functions prescribed by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as not being executive functions and not elsewhere allocated

2. PROCEDURE AT PLANNING COMMITTEES

(Pages 1
- 2)

3. APOLOGIES FOR ABSENCE

4. MINUTES OF PREVIOUS MEETINGS

(Pages 3
- 8)

The minutes of the Strategic Planning Committee held on Tuesday 7 February 2023 2022, as circulated, to be agreed as a true record and be signed by the Chair

5. 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.

- 6. 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>**
- 7. 22/02869/FUL** (Pages 13 - 44)
Hybrid application - Full application - distribution of primary aggregates on site via railhead and distribution out by road, recycling plan for inert construction/demolition waste to secondary aggregates/soil materials; and addition of pumphouses, weighbridge, and wheel wash. Outline application for erection of office, workshops, and security office (amended description 6th April 2023). Butterwell Disposal Point, Longhirst, Morpeth, Northumberland NE61 3NF
- 8. 22/02679/VARYCO** (Pages 45 - 68)
Variation of conditions 2 (approved plans), 5 (details of boundary treatment), 7 (scheme of intrusive investigations), 8 (signed statement), 12 (detailed landscape scheme), 14 (details of car park bays), 23 (scheme of CCTV), 32 (maintenance and adoption of SuDs features) and 34 (detailed lighting design, of planning permission 21/02253/CCD to enable the phased construction of railway station car park including associated minor changes to internal layout, circulation area and landscaping. Land South East Of Delaval Court, Astley Road, Seaton Delaval, Northumberland
- 9. 19/03681/VARCCM** (Pages 69 - 74)
Variation of condition 5 (restoration) of approved planning application 13/01492/VARCCM in order to allow for the restoration of the site to be completed as amended on 26 February 2021 and 16 June 2021 Halton Lea Farm, Brampton, Northumberland, CA8 7LS
- 10. APPEALS UPDATE** (Pages 75 - 86)
- 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.

11. S106 AGREEMENTS UPDATE REPORT

(Pages
87 - 92)

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.

12. URGENT BUSINESS

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

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

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

Registering Interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

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

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

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

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

Table 2: Other Registrable Interests

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

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

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

A Welcome from Chairman to members and those members of the public watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is able to be viewed on a live stream through You Tube Northumberland TV and a recording will be available after the meeting
- (ii) Members are asked to keep microphones on mute unless speaking
- (iii) To switch all mobile phones off

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

STRATEGIC PLANNING COMMITTEE

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

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

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

OFFICERS

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

Around 10 members of the press and public were present.

50 PROCEDURE AT PLANNING COMMITTEES

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

RESOLVED that the information be noted.

51 MINUTES OF PREVIOUS MEETINGS

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

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

52 DISCLOSURE OF MEMBERS' INTERESTS

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

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

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

53 DETERMINATION OF PLANNING APPLICATIONS

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

Councillor Ball left the Chamber at this point.

54 22/03402/VARCCD

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councillor Hutchinson left the meeting at this point.

55 **APPEALS UPDATE**

RESOLVED that the information be noted.

56 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....



Northumberland County Council

STRATEGIC PLANNING COMMITTEE

DATE: 6 JUNE 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Planning

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

The Strategic Planning 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.

Author and Contact Details

Report author: Rob Murfin
Director of Planning
01670 622542
Rob.Murfin@northumberland.gov.uk

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Strategic 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 Strategic Planning 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 the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions must be:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

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 constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

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BACKGROUND PAPERS

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

Implications

Policy	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for money	None unless stated
Legal	None unless stated
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
Risk Assessment	None
Crime & Disorder	As set out in the individual reports
Customer Consideration	None
Carbon reduction	Each application will have an impact on the local environment and it has been assessed accordingly
Wards	All

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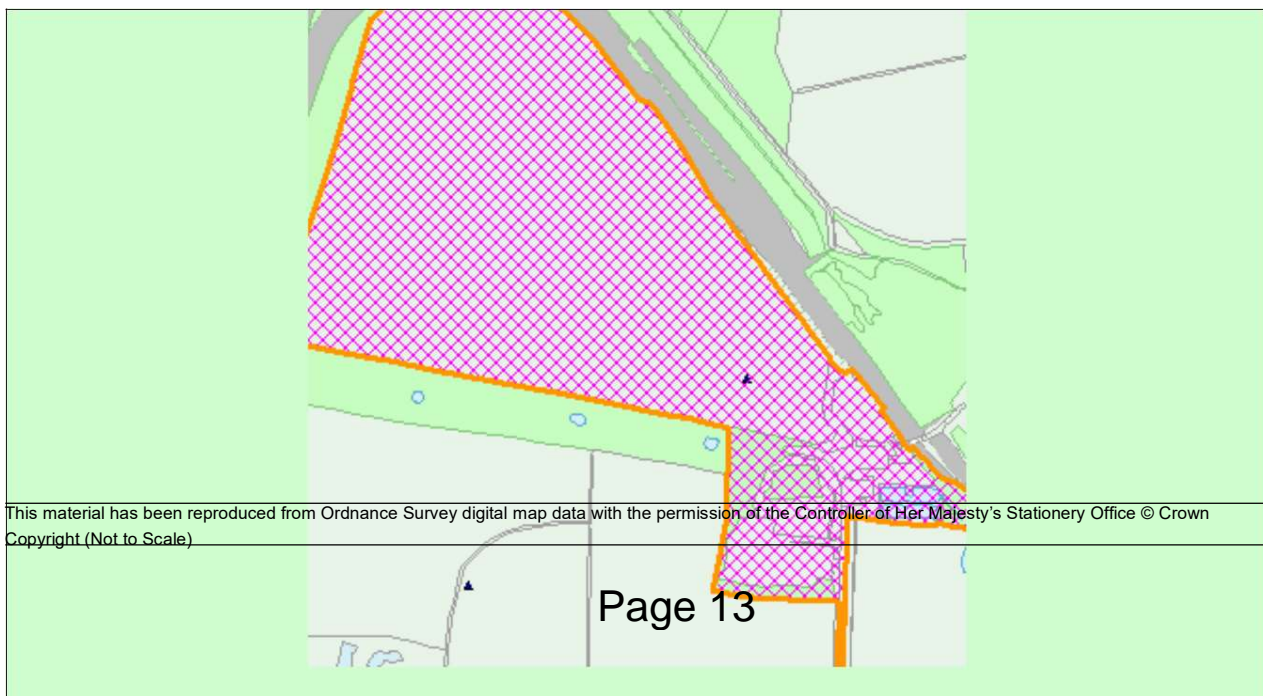


Northumberland County Council

Strategic Planning Committee, 6th June 2023

Application No:	22/02869/FUL		
Proposal:	Hybrid application - Full application - distribution of primary aggregates on site via railhead and distribution out by road, recycling plan for inert construction/demolition waste to secondary aggregates/soil materials; and addition of pumphouses, weighbridge, and wheel wash. Outline application for erection of office, workshops, and security office (amended description 6th April 2023).		
Site Address	Butterwell Disposal Point, Longhirst, Morpeth, Northumberland NE61 3NF		
Applicant:	Clark Butterwell Disposal Point, Linton, Morpeth, England	Agent:	Mr. Barney Corrigan 4 Redhill Drive, Whickham, Newcastle upon Tyne, NE16 5TY United Kingdom
Ward	Pegswood	Parish	Longhirst
Valid Date:	9 September 2022	Expiry Date:	9 June 2023
Case Officer Details:	Name: David Love Job Title: Specialist Senior Officer Tel No: 07517553360 Email: David.love@northumberland.gov.uk		

Recommendation: That this application be minded to GRANT permission subject to conditions and the resolution of comments made by the Environment Agency and the Local Lead Flood Authority.



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1. Introduction

1.1 The application falls to be determined by the Strategic Planning Committee as it is a waste management proposal. Our scheme of delegation requires such applications to be determined at committee.

1.2 The application site is located at Butterwell Disposal Point, approximately 1.3km west of Linton and 2km south-east of Ulgham. The site has been used as a disposal point for coal and other minerals since 1976, with operations largely ceasing in 2016. Temporary planning permission 17/01922/CCMEIA was granted for the transport of coal from the site in 2017 but was not implemented. As a result, the restoration scheme permitted under the previous application - 15/02307/VARYCO and 16/00901/DISCON - remains the default position. This includes retained hard standing on the site of all proposed development other than the proposed distribution of soils.

1.3 Officers are aware that both comments from the LLFA and EA need to be fully resolved prior to the determination by Members. However, it is expected that both consultees will receive additional information and that this will be with officers prior to the meeting of the committee.

2. Development and Site Description

2.1 The site is bounded by the East Coast Mainline to the west and by the railway branch line that serves the site to the north and east. To the south is agricultural land.

2.2 This is a hybrid application and has several components. Full permission is sought for:

- Receiving primary aggregates at a rate of three loads per week via the railhead facility and onward transport of these aggregates by road;
- The erection of plant for recycling of inert construction and demolition waste to produce recycled aggregates and soil materials;

2.3 Outline permission is sought for offices, a workshop, and a security office. The latter will double up as amenity facilities including mess area for staff.

2.4 The application relates to the northern part of the site adjacent to the rail loading pad which was retained following the restoration of the main part of the site. The rail loading pad would be extended as part of this proposal to create improved access and egress from the processing pad.

2.5 Access to the site would be from the existing road access from the C125. Material would be brought in by road and then exported by rail.

2.6 The proposal involves the use of the existing area of hard standing to accommodate processing equipment which would include a crushing plant, two mobile screens and a washing plant. The existing lagoons on site would be retained and these would provide water for an automatic dust suppression system. A weighbridge would be installed at the site along with a wheel washing facility.

2.7 The site was used as a coal disposal point since the 1970's and the restoration plan for the most recent surface mine at the site was designed to retain the rail loading pad to facilitate the future use of the site for this or similar rail transportation purposes.

3. Planning History

Reference Number: C/95/CC/060

Description: Variation to condition of planning permission 94/CC/37 in respect of lorry numbers

Status: REPLY

Reference Number: C/97/CC/079

Description: Variation of condition nos. 34 and 61 of planning permission 88/D/83 in respect of vehicle movements and processing of coal

Status: WDN

Reference Number: C/97/CC/064

Description: Variation of condition no. 1 of planning permission 96/CC/58 in respect of siting of plant and office

Status: PER

Reference Number: C/96/CC/58

Description: Temporary siting of plant and office

Status: PER

Reference Number: C/97/CC/55

Description: Variation of condition no. 1 of planning permission 88/D/83H in respect of renewal of temporary permission of mobile washing and screening plant

Status: PER

Reference Number: C/96/CC/12

Description: Variation to permitted extraction area on 7 ha of land within existing site

Status: PER

Reference Number: C/95/CC/061

Description: Variation of condition no. 1 of planning permission 88/D/83H in respect of coal washing plant

Status: PER

Reference Number: C/94/CC/037

Description: Variation of condition no. 34 of planning permission 88/D/83 & condition no. v(a) of planning permission 87/D/394D in respect of lorry movements

Status: PER

Reference Number: C/94/CC/012

Description: Variation to condition no. 34 of planning permission 88/D/83 and the scheme submitted pursuant to condition no. 18 of planning permission 85/A/53 to permit increased coal lorry traffic from Butterwell & Widdrington Disposal Points

Status: REF

Reference Number: C/94/CC/006

Description: Variation of condition no. 1 of planning permission 88/D/83H to permit extended use of existing coal washing plant

Status: PER

Reference Number: C/93/CC/086

Description: Variation of condition no. 8 of planning permission 81/D/552 in respect of vehicle numbers

Status: PER

Reference Number: C/93/CC/064

Description: Construction of Rapid Loading Rail Facility

Status: PER

Reference Number: C/93/CC/025

Description: Variation of condition no. V(d) of planning permission 87/D/394 to increase the number of fireclay lorries leaving

Status: WDN

Reference Number: C/93/CC/024

Description: Variation of condition no. 34 of planning permission 88/D/83 to increase the number of fireclay lorries leaving

Status: WDN

Reference Number: C/76/D/015 (1)

Description: Construction of connecting railway lines between the London / Edinburgh line and the proposed disposal point

Status: PER

Reference Number: C/76/D/015 (2)

Description: Details of levels of rail link submitted pursuant to condition no. 4 of planning permission 76/D/15

Status: PER

Reference Number: C/76/D/640

Description: Temporary coal haulage road on 0.64 ha, south of Linton Farm

Status: PER

Reference Number: C/76/D/640A

Description: Renewal of temporary permission 76/D/640 for coal haulage route on 0.64 ha south of Linton Farm

Status: PER

Reference Number: C/80/D/223

Description: Opencast works

Status: PER

Reference Number: C/80/D/223A

Description: Details of advanced planting

Status: PER

Reference Number: C/80/D/223B

Description: Draft restoration plan

Status: PER

Reference Number: C/80/D/223D

Description: Final restoration details

Status: PER

Reference Number: CM/80/D/661

Description: Proposed workshop

Status: NONCCZ

Reference Number: CM/81/D/552

Description: General use of the existing site for the preparation and dispatch of opencast coal on 82.49 ha

Status: NONCCZ

Reference Number: CM/81/D/552/A

Description: Variation of condition no. 8 of planning permission 81/D/552 to enable a maximum of 2000 lorry loads of coal (representing 4000 lorry movements) to leave site during any single calendar week

Status: OBJECT

Reference Number: CM/81/D/552/C

Description: Variation of condition no. 8 of planning permission 81/D/552 to increase vehicle movements

Status: PER

Reference Number: CM/83/D/562

Description: Construction of lime handling and dosing plant, as amended by letter received on 12th July 1983

Status: NONCCZ

Reference Number: CM/86/D/428

Description: Construction of a screening and road loading facility for large coal

Status: NONCCZ

Reference Number: C/88/D/083

Description: Extraction of coal and associated fireclay by opencast methods and continued use of Butterwell Disposal Point, haul road and B1337 also provision of a sewage disposal facility and water treatment lagoons, extension of existing haul road

Status: PER

Reference Number: C/91/D/006

Description: Construction of extension to amenity block to provide office accommodation

Status: PER

Reference Number: C/92/D/558

Description: Erection of additional plant and buildings for the processing of coal and storage of geological core

Status: REPLY

Reference Number: C/92/D/559

Description: Continuation of use for reception, processing, stocking, and dispatch of coal by rail and road for a period of 25 years

Status: REPLY

Reference Number: C/E/D/006

Description: Disposal point

Status: REPLY

Reference Number: C/01/00031/CCM

Description: Variation to condition No.12 of planning permission 97/CC/72 to increase weekly permitted lorry movements to 550 per week

Status: WDN

Reference Number: C/05/00173/CCM

Description: Variation to planning application 04/00220/CCM to permit extension of time for completion of restoration until 30 September 2009

Status: WDN

Reference Number: 99/00010/NCCCON

Description: Variation of planning conditions to allow increased vehicle movement (County Consultation)

Status: NOOBJ

Reference Number: C/09/00055/CCMEIA

Description: Extraction of 1.01 million tonnes of coal and 200,000 tonnes of fireclay with subsequent restoration to agriculture, conservation headlands and woodland

Status: PER

Reference Number: 11/00739/DISCON

Description: Discharge of conditions 5, 12, 15, 16, 19, 41, 49, 50, 52, 53, 55, 63, 64, 65, 66 and 67 pursuant to planning permission C/09/00055/CCMEIA.

Status: PER

Reference Number: 11/00750/CCM

Description: Discharge of conditions 14 and 65(2).

Status: PER

Reference Number: 12/01380/VARCCM

Description: Variation to condition nos. 2 and 5 relating to the phasing of the development in relation to application 09/00055/CCMEIA.

Status: WDN

Reference Number: CM/81/D/552/B

Description: Planning permission (reference 81/D/552) in respect of general use for the preparation and dispatch of opencast coal

Status: PER

Reference Number: CM/81/D/552/D

Description: For the period 18-27 October 1993 only condition 8 of planning permission 81/D/552 in respect of vehicle movement

Status: PER

Reference Number: 15/02307/VARYCO

Description: Variation of Conditions 2 and 82 of planning application 09-00055-CCMEIA (relating to approved plans and restoration)

Status: PER

Reference Number: 16/00791/SCREEN

Description: EIA (Environmental Impact Assessment) Screening opinion

Status: EIA

Reference Number: 16/00901/DISCON

Description: Discharge of condition 7 (restoration strategy) and 40 (lighting) pursuant to planning application 15/02307/VARYCO (Variation of Conditions 2 and 82 of planning application 09-00055-CCMEIA (relating to approved plans and restoration))

Status: PER

Reference Number: CM/76/D/157

Description: Erection of a 20000-volt overhead line and the laying of a 20000-volt underground cable to provide a supply of electricity to the coal disposal area at Longhirst the overhead line will consist of three wires supported on wooden poles of 8.5

Status: PER

Reference Number: CM/76/D/592

Description: Amenity block for supervisory staff including offices toilets showers canteen and first aid room

Status: PER

Reference Number: CM/85/D/512

Description: Three hoardings (as amended by letter dated 31st October 1985)

Status: PER

Reference Number: 16/04071/DISCON

Description: Discharge of Condition 99 (Restoration Plan) of approved planning application 09/0005/CCMEIA

Status: PER

Reference Number: 17/01922/CCMEIA

Description: Proposed temporary use of the Butterwell site for the receipt, storage (of unprocessed and processed coal or mineral) and processing of coal and other minerals (using screener, crusher and washing plant) including the erection of ancillary structures and infrastructure works for a 10-year period.

Status: PER

Reference Number: CM/87/D/394

Description: Extraction of coal and associated fireclay by opencast methods continued use of Butterwell disposal point provision of sewage disposal facility and water treatment lagoons diversion of public highway C121 restoration of land to agriculture woodland and creation of nature reserve and associated car parking all on 225 hectares of land as amended by letters and plans of 23rd October 1987

Status: OBJECT

Reference Number: CM/87/D/394B

Description: Extraction of coal and associated fireclay by opencast methods continued use of Butterwell disposal point provision of sewage disposal facility and water treatment lagoons diversion of public highway C121 restoration of land to agriculture woodland and nature reserve with car parking

Status: NONCCZ

Reference Number: CM/87/D/394C

Description: Amended working scheme

Status: PER

Reference Number: 19/00726/DISCON

Description: Discharge of condition 34 (Under Drainage) relating to approved planning application C/09/00055/CCMEIA and 15/02307/VARYCO.

Status: PER

Reference Number: 20/01013/DISCON

Description: Discharge of condition 34 (under drainage) of approved planning application 15/02307/VARYCO

Status: PER

Reference Number: CM/91/D/6

Description: Construction of extension to amenity block to provide office accommodation

Status: NONCCZ

Reference Number: 21/00641/NONMAT

Description: Non-material amendment: (to amend wording of condition 7 (soil handling)) on approved application 17/01922/CCMEIA

Status: PER

Reference Number: 21/01105/DISCON

Description: Discharge of conditions 9(Method statement for the control of invasive weed species) 13(Dust management Plan) 17 (Method statement and road condition surveys) 19 (Construction method statement) on approved application 17/01922/CCMEIA

Status: PER

Reference Number: 21/02498/NONMAT

Description: Non-material amendment to the wording of Condition 3 which currently restricts the use of the site to the receipt, storage, and processing of coal to allow the receipt, storage and processing of minerals and recycled aggregates

Status: APPRET

Reference Number: CM/88/D/83/U

Description: Proposed extension to permitted extraction area to allow the extraction of 430,000 tonnes of coal and associated fireclay at Stobswold Opencast Site, East Stobswold

Status: PER

Reference Number: CM/88/D/83/P

Description: Proposed extension to permitted extraction area to allow the extraction of 430,000 tonnes of coal and associated fireclay at Stobswold Opencast Site, East Stobswold

Status: PER

Reference Number: CM/88/D/83/R

Description: Variation to conditions 19,20,21,22 & 24 attached to PLANNING PERMISSION 88/D/83P (97/CC/92)

Status: WDN

Reference Number: CM/99/D/422

Description: Change of use of former fitting shops and land to storage and operation of micro light aircraft and revised access onto C129 country road.

Status: REF

4. Consultee Responses

Longhirst Parish Council	Concerns raised regarding the lack of consultation with the PC by the applicant and issues relating to noise, dust, and traffic. Since this response, a public meeting has taken place where the applicant attended to answer questions.
Highways	No objection subject to conditions.
Public Protection	No objection subject to conditions relating to public health and prevent loss of amenity.
County Ecologist	No objection subject to conditions. The proposed development may impact on ecology in the absence of avoidance and mitigation measures, which are proposed in the ecological report (Supplementary EclA March 2023, FPCR Environment and Design Ltd). The development is required to provide an enhancement for biodiversity which is proposed through the creation of a butterfly bank and new native species woodland.
Natural England	No objection.
Strategic Estates	No response received.
Climate Change Team	No response received.
LLFA (Lead Local Flood Authority)	Response outstanding, (however final responses are expected prior to members considering the application)
Environment Agency	Response outstanding (however final responses are expected prior to members considering the application)

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	14
Number of Objections	11
Number of Support	0
Number of General Comments	4

Copies of all representations received are available through Planning Public Access on the Councils website.

Notices

General site notice, 11th May 2023

Northumberland Gazette 20th April 2023

Summary of Responses:

There have been eleven objections raising a variety of issues:

- Impact on air quality
- Adverse impacts on the tranquility and rural character of the area resulting from noise and disturbance
- Concern over a lack of consultation with residents and the Parish Council Excessive traffic movements
- Over reliance on assessments paid for by the applicant.
- Concerns over ecological impacts.

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=RGCSJAQSIRH00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036

STP 1 - Spatial strategy (Strategic Policy)

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

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

STP 6 - Green infrastructure (Strategic Policy)

ECN 1 - Planning strategy for the economy (Strategic Policy)

ECN 12 - A strategy for rural economic growth (Strategic Policy)

ECN 13 - Meeting rural employment needs (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

TRA 1 - Promoting sustainable connections (Strategic Policy) TRA 2 - The effects of development on the transport network TRA 5 - Rail transport and facilities

ENV 1 - Approaches to assessing the impact of development on the natural, historic, and built environment (Strategic Policy)

ENV 2 - Biodiversity and geodiversity

WAT 2 - Water supply and sewerage

MIN 3 - Mineral and landfill site restoration, aftercare, and after-use (Strategic Policy)

MIN 6 - Safeguarding minerals related infrastructure (Strategic Policy)

MIN 7 - Aggregate minerals (Strategic Policy)

WAS 1 - Principles for the location of waste re-use, recycling, and recovery facilities (Strategic Policy)

WAS 2 -Development management criteria for waste re-use, recycling, and recovery facilities

POL 1 - Unstable and contaminated land

POL 2 - Pollution and air, soil, and water quality

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)
NPPG - National Planning Practice Guidance (2021, as updated)
NPPW – National Planning Policy for Waste

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. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 The main considerations with this application are:

- Principle of Development
- Waste Strategy
- Outline Permission Elements
- Ecology
- Public Protection including impact on residential amenity
- Highways
- Minerals Safeguarding
- Climate Change
- Broadband Connectivity

Principle of Development

7.3 This is a complex proposal. After consideration of the proposal's alignment with spatial strategy policies, it is necessary to consider the degree of alignment with extant policy of each element of the proposal separately to assess the principle of development for each portion.

The NPPF provides a policy framework supporting the principles of sustainable development. The policies of the Northumberland Local Plan are broadly consistent with the NPPF. The principle of mineral processing at the site was established through previous permissions dating back to the 1970's.

7.3 In determining planning applications, the NPPF advises that Local Planning Authorities should give great weight to the benefits of mineral extraction, including to the economy and ensure that in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health, or aviation safety, and consider the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality.

Spatial strategy

7.4 Policy STP 1 sets the spatial strategy for Northumberland and directs development towards established settlements. Outside of these areas, development will only be supported if it aligns with one of the exceptions listed in criterion g of this policy. This includes if the proposal supports the sustainable growth and expansion of an existing business in accordance with Policy ECN 13.

7.5 Policy ECN 13 states that development in the countryside that will generate employment opportunities will be supported where three criteria are met. The proposal aligns well with the first and third of these, as it re-uses existing buildings and their footprints and has no adverse impact on operational aspects of local farming or forestry. The remaining criterion requires that the proposal be related as closely as possible to the existing settlement pattern, existing services, and accessible places. The site cannot be considered well connected to the existing settlement pattern. However, the distance from nearby large settlements is not excessive and arguably given the proposal's industrial nature would not be well suited to being directly within a rural settlement. The site is considered accessible, being close to the primary road network and possessing a rail freight link.

7.6 The proposal makes use of previously developed land which is encouraged by the wording of the NPPF. Although the proposal is not fully aligned to the requirements of ECN 13 it should be noted that it does make use of a Brownfield site against which considerable weight should be afforded. Other benefits are explored below.

Primary aggregate deliveries via railhead

7.7 The historic railhead and associated loading and unloading facilities remain in place and the applicant proposes to use these to receive up to three train loads per week of primary aggregates. These aggregates will then be transported across the region by road.

7.8 The Northumberland Local Plan does not include a specific policy or policy criteria relating to the development of rail depots for the importation of aggregate minerals. Policy MIN 7 of the Northumberland Local Plan (NLP) sets out the strategy for providing a steady and adequate supply of aggregates to meet local and wider needs. The aim of this policy is to minimise the need for primary aggregates to be imported over large distances into the region. However, this policy does not prevent the importing of aggregates and it is recognised that there will be occasions when this is necessary. The most recent Local Aggregates Assessment identifies that Northumberland has sufficient permitted reserves of crushed rock to meet future need in the long-term. However, for sand and gravel, there is a shortfall in permitted reserves to meet the calculated demand. No specific need for the importation of materials is identified in the Local Plan or Local Aggregates Assessment.

7.9 In general, the principle of rail freight is supported by Policy TRA 5. This states that support will be given to proposals to improve the flow of freight by rail whilst existing rail freight facilities will be safeguarded. There is also support from Policy TRA 1, which seeks to reduce and encourage sustainable modes of transport.

7.10 Overall, it is not possible to say this portion of the development is fully aligned with the objectives of the NLP as it involves the importing of primary aggregates into the region. However, it is recognised that importing of aggregates is necessary in some cases and as there are no direct policy conflicts - and the proposal involves rail freight - the principal of development for this element of the proposal can be considered supported, notwithstanding the issues identified with spatial strategy policies above and any harm identified being acceptable. Erection of plant for recycling of inert construction and demolition waste to produce secondary aggregates and soil materials

7.11 The applicant currently operates two sites which process inert waste to produce an aggregate product. The applicant refers to this product as secondary aggregate, however traditionally this is used to refer to aggregate that is a by-product of an industrial process. The more common term used to describe this product is recycled aggregate, which the NPPF defines as aggregates resulting from the processing of inorganic materials previously used in construction. The applicant proposes to divert operations from these two sites to Butterwell, where the setup would allow the recycled aggregates to be washed. This allows the production of a soil product as well as a higher quality recycled aggregate product. To enable this, the applicant proposes to introduce a water supply pond and utilise existing settlement ponds on site.

7.12 Policy MIN 7 of the NLP is supportive towards proposals that would contribute to the supply of recycled aggregates. It is not clear if the applicant proposes to increase the quantity of recycled aggregates produced, but the quality would be improved. The applicant states that this cannot be achieved on the sites currently run due to the unavailability of settlement ponds.

7.13 Paragraphs 210, 211 and 213 of the NPPF are all broadly supportive of the role recycled aggregates can play in contributing to a steady and adequate supply of aggregates. The site involves the processing of inert construction and demolition waste to produce the recycled aggregate product. Policy WAS 1 sets the principles for the location of waste recycling and recovery facilities. These will be supported where they are located within or close to one of the county's main towns or service centres, or where they would supplement the provision of an accessible network of local facilities and have suitable connections to the transport network. Whilst the site should be considered to have suitable transport connections it does not meet the requirement of supplementing a network of local facilities. This policy also sets a sequential order of preference for locations of waste sites. Third in this hierarchy are sites identified for employment uses or previously developed land (amongst others). This portion of the proposal would involve moving the management of waste away from two sites that are identified for employment uses; however, given that this part of the proposed site (the rail loading pad area) constitutes previously developed land, from a policy perspective this would not conflict with Part 2 of Policy WAS 1.

7.14 Paragraph 4 of the NPPW states that waste planning authorities should plan for the disposal and recovery of waste in line with the proximity principle followed by Policy WAS 1, as well as giving priority to the re-use of previously developed land and sites identified for employment uses.

7.15 Policy WAS 2 sets a series of development management criteria for waste recycling and recovery facilities which the proposal needs to comply with to be supported. These include:

- a. The design is compatible with its location in terms of its siting, scale, mass, form and landscaping and contributes positively to the quality and character of the area where it is located;*
- b. The facility is fully contained within buildings or enclosed structures, unless it can be demonstrated that any unacceptable adverse environmental effects can be effectively mitigated and/or it is a facility that genuinely requires an outdoor location;*
- c. The proposal is well related to the transport network and, where practical, located and designed to enable transport by rail or water. Where road transport is proposed*

the applicant shall demonstrate that there would be no unacceptable adverse effects on the surrounding highway network and infrastructure capacity, or such effects can be suitably mitigated;

d. The proposal helps to support a reduction in the distance waste is transported for management, whilst recognising the economics may mean facilities have to operate over large catchments;

e. The proposal would not result in unacceptable adverse effects on the natural or historic environment, sensitive receptors or residential amenity as a result of noise, dust, lighting, vibration, odour, vermin and birds, litter and visual intrusion; and

f. The proposal would not give rise to unacceptable adverse cumulative effects.

7.16 The proposal appears well aligned with most of these criteria, however, there remain some issues which require close consideration. The site will not be fully contained; however, this is not an issue if there are no unacceptable adverse effects identified. It could also be argued that the process of washing the inert waste requires an outside location. The applicant has provided a transport statement to demonstrate that there will be no unacceptable adverse effects on the surrounding highway network as well as a dust management plan and noise assessment. These issues are considered below. Cumulative effects should also be considered, given the site's proximity to Ellington Road Landfill Site. Finally, there is no suggestion that the proposal would help to support a reduction in the distance waste is transported for management. Given that the applicant currently operates at sites at Morpeth and Lynemouth, which are closer to large settlements, distances look likely to increase.

7.17 The NPPW requires that several factors be assessed when considering an application which is broadly like those in Policy WAS 2. These include the capacity of existing and potential transport infrastructure to support the sustainable movement of waste (both into and products out of the site) as well as the cumulative impact with existing waste disposal facilities on the well-being of the community.

7.18 In summary, the principle of a recycled aggregates facility producing a high-quality product is supported, however there are a few policy conflicts surrounding the location. The proposal would not supplement a network of local facilities nor is it likely to reduce the distance waste will be transported. The applicant has submitted that the use of this site will enable them to produce a higher quality product utilising a different technique which would not be possible in their current locations on employment sites within (or close to) established settlements. This argument does have merit and is considered to carry a degree of weight in the planning balance.

Outline permission for an office and workshop

7.19 Finally, the proposal also includes a number of buildings described as ancillary to the operations previously described. These would be on the foundations of former office and workshop buildings. This area is identified as 'greenfield' because the extant mineral planning permission makes provision for the restoration of this part of the site to agriculture (unless otherwise determined by another planning permission). Planning permission 15/02307/VARYCO has not been fully complied with and this part of the site has not yet been restored.

7.20 As discussed above, the location of this element of the proposal means that it will need to comply with Policy STP 1 and Policy ECN 13, which is concerned with meeting rural employment needs. This states that existing buildings should be reused, or where this is not possible new buildings should contribute positively to local landscape character. Paragraph 84 of the NPPF states that planning decisions should

enable the sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed new buildings. Whilst the proposed new buildings use only the existing hard standing and foundations. The facility would expect to have an office and a workshop. Such facilities are reasonably expected to have an office and a workshop to attend to any breakdown of machinery etc. It is considered that these elements are consistent with the provisions of the development plan.

Conclusion

7.21 The proposal would enable an increase in the quality (and potentially quantity) of recycled aggregates which is strongly supported by extant policy. There is conflict identified with spatial strategy policies and as a rural location, the proposal does fully align with policies regarding the location of waste recovery and recycling facilities. The applicant has submitted that this location will enable them to produce a higher quality product that would not be possible in other locations, and this will need to be assessed as part of the planning balance exercise. They have chosen this site given the presence of the railhead which allows them to take vehicles off the road. It is not unreasonable to see the reuse of the railhead aligned with such a facility.

7.22 Although there are some minor policy conflicts the site is previously developed land, for which the redevelopment is generally supported though the Local Plan and NPPF, and the reuse of the railhead facility is supported by policy. It is not unreasonable to expect such an operation to be associated with this type of facility. The application allows the applicant to combine their existing sites into a single entity, freeing up employment land for alternative operators whilst allowing the applicant to improve the quality of the recycled aggregate. It is considered that the proposal can be supported by the policies of the Local Plan, albeit as a minor departure.

Ecology

7.23 Policies ENV 1 and ENV 2 of the Local Plan seek to protect and enhance the natural environment. To this end the application is supported by a supplementary Ecological Impact Assessment (EclA) and information to support a Habitat Regulations Assessment:

- Supplementary EclA March 2023, FPCR Environment and Design Ltd.
- Information to Inform a Habitat Regulations Assessment March 2023, FPCR Environment and Design Ltd.

7.24 The supplementary EclA has fully assessed the potential impacts from the proposal on habitats and notable/protected species and designated nature conservation sites. The assessment has been substantiated with clear evidence giving confidence in the results and recommendations. Key impacts to note are summarised below.

7.25 The site contains areas of 'open mosaic habitat on previously developed land', which is a Habitat of Principal Importance as listed on Schedule 41 of the NERC Act (2006). The proposals will result in a minor reduction in this habitat's area but continue to be within the minimum threshold, so this would be considered a not-significant negative impact on a Local scale.

7.26 The site is hydrologically connected to the Northumberland Shore Site of Special Scientific Interest (SSSI) and the Linton Lane Wildlife Trust Reserve; the site lies in the catchment of the River Lyne, a small tributary of the River flows from west

to east through the application site with a discharge from the current settlement lagoons. The Phase 1 Contamination Assessment (Desk Study Report) (DAB Geotechnics, 2023) states that the impacts of the proposals on receptors will be low risk and pollutant linkage to watercourses may be present but the circumstance under which harm would occur are improbable. Runoff from the proposed mineral processing and stockpiling areas should not impact discharge water quality if only inert materials are imported as proposed. The principal contaminant in the runoff will be inert suspended solids which can be removed by simple settlement in silt traps, sumps, and the existing lagoons. A Dust Management Plan has been produced as part of the planning application, this primarily focused on where dust may be a nuisance, however the assessment and mitigation can be applied to consider ecological receptors. It is therefore concluded the effects of the proposals on the Northumberland Shore SSSI and Linton Lane Wildlife Trust Reserve will be neutral.

7.27 The avoidance and mitigation measures identified as necessary as:

- Good practice during construction to help prevent and control pollution and dust deposition (a Dust Management Plan as already submitted with the application).
- Any vegetation removal or works to construct the freshwater storage lagoon will be avoided during breeding bird season (March to August), so that breeding birds would not be affected. If this is not possible, the area will be checked prior to works by an experienced ecologist.
- Great crested newt and reptile working method statement during construction (para. 7.46)
- Bird's-foot trefoil (*Lotus corniculatus*), a food plant of Dingy Skipper, will be translocated to a retained area of open mosaic habitat (para. 7.50)

7.28 Compensation and enhancement measures identified as necessary (Section 8 of the EclA report):

- A new butterfly bank with associated open mosaic habitat has been proposed to compensate for any losses of dingy skipper habitat, should the species be present and also provide further enhancements regardless. The proposed location of the butterfly bank will be within a 100m long x 15m wide (0.15 ha) strip of land on the eastern edge of the 'big field' and within the applicant's ownership, see Figure 7 of EclA.
- Newly planted woodland belt to the east of the lagoon will provide a suitable new terrestrial habitat for GCN providing connectivity around the Site.

7.29 The application is subject to the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). Northumberland County Council is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

7.30 The Northumberland Marine Special Protection Area (SPA) and Northumbria Coast SPA and Ramsar are located c.5.1km and c.5.2km east of the Site, respectively. The applicant has submitted a document of supporting information for the HRA process and an EclA; Supplementary EclA March 2023, FPCR Environment and Design Ltd and Information to Inform a Habitat Regulations Assessment March 2023, FPCR Environment and Design Ltd. Having considered the nature, scale, timing, duration, and location of the project it was concluded that it is eliminated from further

assessment because it could not have any conceivable effect on a European site. This conclusion has been endorsed by Natural England who raise no objection or concerns.

7.31 Considering the above the proposal is consistent with the provisions of policies ENV 1 and ENV 2 of the NLP.

Public Protection

7.32 There are several considerations with respect to policy WAS 2 and to ensure the proposal complies with policy and the NPPF to protect residential amenity.

7.33 It is important to identify the nearest sensitive receptors followed by an assessment against:

- Noise Impacts
- Air Quality / Dust
- Artificial Lighting

Nearest Sensitive Receptors

7.34 There are six residential receptors which comprise the nearest receptors to the site, distances are given as nearest noise/dust generating activities and in parentheses from the redline boundary, there are:

- High Steads at approx. 300 metres (170 metres) to the South of the site
- Crowden Hill Nurseries at approx. 1020 metres (425 metres) to the west-south-west of the site
- The Sanctuary at approx. 975 metres (300 metres) to the North-West of the site
- Hawthorn Bungalow at approx. 550 metres (500 metres) to the east of the site
- Middle Steads Farm at approx. 400 metres (260 metres) to the South-East of the site
- Fairwinds at approx. 1000 metres (960 metres) South-West of the site

7.35 It should be noted that receptors to the south of the site (High Steads and the more distant Old Moor Shaft) will be screened by the proposed buildings along the southern edge are currently with hard standing (former car park on offices for Butterwell DP OCCS).

Noise Impacts.

7.36 The application is supported by a number of studies and reports which have been assessed by Public Protection. In all cases the predicted noise levels are between 3 and 24dB below the measured ambient noise levels at all receptors.

7.37 There was no assessment of ambient or background noise levels at Middlesteads, however given the distance from the C125 road, the noise levels are likely to be similar to those at Hawthorn Bungalow. This would give a predicted noise level about 3dB below the likely ambient noise level at this location.

7.38 Similarly, there was no assessment of ambient or background noise levels at The Sanctuary, however this receptor is a similar distance from the site and the ECML, the noise levels are likely to be similar to those at Crowden Hill Nurseries. This would give a predicted noise level of about 16dB below the likely ambient noise level at this location.

7.39 The applicant's submission concludes that no noise attenuation is required or proposed. This is acceptable, given the separation distances and topography, the area of the rail loading pad is several metres lower than the C125 road, the predicted noise impacts are well below the existing ambient noise levels. This does not mean that noises will not occasionally be audible, but these should not be any more intrusive than road traffic on local network or train passes on the ECML. Public Protection has advised that there is no further information required in respect of noise.

Air Quality / Dust Impacts

7.40 As the site will process waste materials, they will require an environmental permit from the Environment Agency, usually this would be a Waste Management License (WML).

7.41 The processing of primary aggregates may also require some form of regulation, but this may depend upon the redline boundary for any WML and the annual quantities processed. Normally, a WML would require some dust management plan to be in place by the operator to support the permit and act as a management tool.

7.42 However, it is recommended that a dust management plan (which could be the same one used to support any permit) is submitted as part of the planning application to support this.

7.43 A condition has been recommended for the applicant to submit a dust management plan; information has been provided in the informative to assist the applicant. This has been agreed by the applicant.

Artificial Lighting

7.44 Given the separation distances, any fixed or mobile lighting would be unlikely to exceed measurable lux levels at any of the nearest receptors. It is recommended that any fixed or mobile lighting complies with the ILP Guidance Notes for the Reduction of Obtrusive Light, SKU: GN01-20, 2020.

7.45 Any lighting should comply with Environmental Zone E2 - Rural (low district brightness) as contained within the ILP guidance which means any lighting installation (fixed or mobile) would have to meet:

- 5 lux pre-curfew* (vertical plane)
- 1 lux post-curfew* (vertical plane)
- 2.5 per cent Upward Light Ratio (ULR)

**Curfew is taken to be 2300 until dawn.*

7.46 Public Protection has confirmed that the lighting levels are acceptable and that there are no concerns in this regard. In this regard the proposal is consistent with policy WAS 2 subsections 'b' and 'e'.

Highways

7.47 Policy TRA 1 seeks to promote sustainable connections whereas policy WAS 2 subsection 'c' seeks to ensure proposals are well connected to the existing transport network. The proposals should seek to reduce reliance on private vehicles and maximise sustainable modes of transport. Furthermore, applications should seek to promote good design principles in respect of permeability, connectivity and legibility of

buildings and public spaces, and includes access. Applications should also seek to promote and enhance rights of way.

7.48 The proposed development conforms to highways policies TRA1, TRA2, TRA3 and TRA4 of the Northumberland Local Plan and highways paragraphs 110 and 112 of the National Planning Policy Framework. The principle of utilising the site for industrial use was re-established in 2017, subject to planning conditions securing various highway and transportation requirements. This has been considered in the consultee response from Highways.

7.49 This proposal will result in 550 HGVs per operational day (275 in and 275 out) which will see a lesser impact on the highway network than that previously approved in 2017. The operating times for vehicular deliveries/extractions will be 0700-1800 weekdays and 0700-1400 Saturdays which is similar to what was previously approved. It is noted that there will be 3no anticipated train deliveries per week. HDM have considered the accident data where it was noted there have been two incidents close to the site, but both are noted to be driver error and were not HGVs or an HGV was not involved.

7.50 On the basis of the above assessment, the proposed development is unlikely to lead to substantial increases in traffic to the site compared to what has been obtained as part of previous planning approvals. HDM are satisfied the development can be achieved without impacting on highway safety by the provision of planning conditions.

7.51 The access works are required to ensure that vehicles egress the site and turn east onto the C125 towards Potland roundabout. HGV's will not be permitted to turn west and proceed along roads in this direction due to the adverse risk for collisions with other vehicles, major damage to the structural integrity of the carriageway and highway verges and disturbances to residents and wildlife.

The applicant will be required to enter an Agreement with the Highway Authority for the works to the site access which will see the eastern radius increased further as shown on Figure 7 of the Transport Statement. Noting that this was extracted from the previous planning permission, the applicant will need to generate their own plans and provide them as part of future discharge of conditions applications.

7.53 The applicant will also need to enter into a Section 59 agreement for the section of C125 between the site access and Potland Roundabout on the A1068. The applicant must provide up to date condition surveys of the C125 before any works start and entering the Agreement.

7.54 Considering the above the proposal is consistent with policy TRA 2 and WAS 2 subsection 'c'. There are no objections from Highways subject to conditions which form part of this recommendation.

Water Management

7.55 The LLFA has objected to the proposal, but this is on grounds of a lack of clarity on the information supplied by the applicant as opposed to something 'in principle.' Discussions are ongoing with the LLFA, and it is understood that a planning condition can overcome their concerns.

7.56 The Environment Agency are yet to comment but given they did not object to the previous grant of permission in 2017 for a very similar proposal it is not anticipated that this proposal will raise any significant concerns for them. It is considered that conditions will overcome any of their concerns, furthermore the proposal will be subject to the EA's own regulatory regime. A further update will be provided to members prior to any decision being taken.

Mineral infrastructure safeguarding

7.57 The entire proposed site is identified as safeguarded minerals infrastructure under Policy MIN 6 of the Northumberland Local Plan. Policy MIN 6 states that these sites will be safeguarded from unnecessary loss to non-mineral related development on the site or within its vicinity. Whilst using the railhead to import aggregate would be considered a mineral-related development, the rest of the proposal is better described as relating to waste processing. Policy MIN 6 goes on to state that proposals in the vicinity of safeguarded mineral infrastructure will need to demonstrate that it will not place unreasonable restrictions on the infrastructure. As the proposal involves bringing back into use the currently redundant railhead, it is considered the proposal complies with this policy requirement. Therefore, there is no conflict with Policy MIN 6 of the Northumberland Local Plan.

Climate Change

7.58 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.

7.59 Local Plan Policy QOP1 sets out several design principles. Proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.60 Local Plan Policy QOP 5 relates to sustainable design and construction. 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.

7.61 The supporting documents accompanying the application do not provide any information about sustainable design and construction. It is therefore appropriate to attach a condition to the permission to ensure that the proposal will be constructed in accordance with the requirements of Local Plan Policies QOP1 and QOP5.

Broadband connectivity

7.62 Policy ICT2 of the Northumberland Local Plan 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.

7.63 The current application does not state whether full-fibre broadband connections are proposed. It is recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Equality Duty

7.64 The County Council has a duty to consider 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

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

Human Rights Act Implications

7.66 The Human Rights Act requires the County Council to consider the public's rights under the European Convention on Human Rights and prevents the Council from acting in a manner 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.

7.67 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.

7.68 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 much case law. It has been decided that for planning matters the decision-making process, including the right to review by the High Court, complied with Article 6.

8. Conclusion and Planning Balance

8.1 The proposal is not consistent with the settlement strategy for economic development proposals in the countryside under policy ECN 13. However, planning policies cannot cover every possible scenario and the application offers the opportunity to re-use the existing rail head which is consistent with various policies of the Local Plan. Also the site is considered PDL, again the use of PDL is consistent with the Local Plan and NPPF. The application will present an opportunity for employment in the countryside in an area accessible by rail and road.

8.2 The development will allow for an existing recycling operator to improve their product offerings and re-use the former minerals processing site. This will result in the use of PDL and the rail head. In this regard the proposal meets most of the requirements subject to policies STP 1, ECN 13 and WAS 2.

8.3 On balance it is acknowledged the proposal represents a minor departure to policy ECN 13, however, the proposal seeks to re-use PDL and a rail head and will not result in adverse environmental, highways or residential amenity impacts.

9. Recommendation

That this application be minded to GRANT permission subject to conditions and the resolution of comments made by the Environment Agency and the Local Lead Flood Authority.

Conditions/Reason

Full Permission Conditions

1. Timescale

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).

2. Full Permission Approved Plans

The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced.

Approved Plans

Existing Surveyed Features BDP/2

Layout as Proposed BDP/3B

Locality Plan BDP/1B

Location Plan BDP/1A

Proposed Overall Layout BDP/3A

Wash Plant BDP/4

Approved Documents

Ecological Appraisal, August 2022

Supplementary EclA March 2023 by FCPR

IHRA, March 2023 by FCPR

Phase 1 Contamination Assessment (Desk Study Report) DAB Geotechnics Ltd,
30th March 2023

Dust Management Plan, 7th July 2022, LA Environmental Consultants

Flood Risk and Drainage Assessment, DAB Geotechnics Ltd, 5th August 2022

Noise Assessment, LA Environmental Consultants, 7th July 2022

Transport Statement, Milestone Transport Planning, June 2022

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and the Local Plan.

Hybrid Conditions

3. Dust Management

Prior to the development being brought into use, the applicant shall submit a written dust management plan to be approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the development's lifetime and shall include measures for the control and reduction of dust emissions associated with the operation of the quarry which are likely to generate dust. The plan shall also include details of how the business will deal with complaints of dust by any nearby receptors.

Reason: To ensure a commensurate level of protection against dust.

4. Ecological Mitigation

All works on site shall be undertaken in accordance with the avoidance and mitigation measures identified in the ecological report 'Supplementary EclA March 2023, FPCR Environment and Design Ltd' including:

i) Any vegetation removal or works to construct the freshwater storage lagoon will be avoided during breeding bird season (March to August), so that breeding birds would not be affected. If this is not possible, the area will be checked prior to work by an experienced ecologist.

ii) A great crested newt and reptile working method statement shall be followed during construction (Para. 7.46).

iii) Areas of Bird's-foot trefoil (food plant of Dingy Skipper) to be lost as identified on 'Figure 6 Impacts and Mitigation' will be translocated to a retained area of open mosaic habitat.

Reason: To avoid and mitigate impacts on biodiversity in line with the NPPF and Local Plan Policy ENV2.

5. Biodiversity Enhancement

To provide enhancement for biodiversity within the design of the development the following features, as detailed in the ecological report 'Supplementary EclA March 2023, FPCR Environment and Design Ltd' will be included as part of the development:

i) Prior to first use of the site a new butterfly bank with associated open mosaic habitat will be created to the northeast of the new water storage lagoon as shown on 'Figure 7 Compensation and Enhancement' plan, and in accordance with the details contained in Section 8. of the report.

ii) Prior to commencement of development a plan for the new mixed native species woodland to be planted along the western and southern boundaries of the site office/workshop area, and between the new freshwater storage lagoon and the active area of site shall be submitted for the written approval of the Local Planning Authority.

The plan shall detail the species and number of trees and shrubs and use only Northumberland native species. Once approved the plan shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development'.

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

6. Construction Method Statement

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.

7. Off-Site Highways Survey

No development shall commence until details of off-site highway surveys have been submitted to and approved in writing by the Mineral Planning Authority.

These details shall involve:

- i. provision for the completion of pre-commencement and post completion of development condition surveys of that part of the C125 road between the A1068 and the access to the Butterwell rail loading facility;
- ii. a mechanism for mitigation measures to be implemented prior to, during and/or following the development along that part of C125 road between the A1068 and the access to the Butterwell rail loading facility which may include the protection of the highway verge, highway structures and culverts and resurfacing of part(s) of this highway;
- iii. provision for monitoring the condition of this length of the highway during the development

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

8. Vehicular Access

The development shall not be brought into use until full details of the vehicular access improvement works off the C125 including a scheme for signage 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 and signage scheme 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.

9. HGV Movements - Timings

No lorries shall enter or leave the site except between the following hours:

- Monday to Friday 07:00 - 1800
- Saturday 07:00 - 14:00

No lorries shall enter or leave the site on Sundays or Public Holidays.

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

10. HGV Movements – Total Number

The maximum number of lorry movements in and out of the site shall not exceed:

- Monday to Friday: 550 (275 in and 275 out)
- Saturdays: 380 (190 in and 190 out)

No heavy goods vehicles shall use the C125 to the west of the development site access at any point.

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

11. Surface Water – Construction

During the construction period all surface water run-off shall be passed through a settlement facility or settlement facilities prior to being discharged into any watercourse, soakaway or surface water sewer. The facility shall be retained and maintained until construction works are complete.

Reason: To prevent silty water from entering the water environment and to protect water quality and biodiversity.

12. Surface Water - Operation

Surface water draining from areas of hard standing shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.

Reason: To reduce the risk of pollution to the water environment

Outline Permission Conditions

13. Commence Development

The development hereby permitted shall be begun before the expiration of

two years from the date of approval of the last of the reserved matters to be Approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended)

14. Approved Plan

Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

Existing Surveyed Features BDP/2

Layout as Proposed BDP/3B

Locality Plan BDP/1B

Location Plan BDP/1A

Proposed Overall Layout BDP/3A

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

15. Reserved Matters

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Notwithstanding details contained within the approved plans, approval of the details of;

- Appearance;
- Landscaping;
- Layout; and
- Scale

hereinafter called the reserved matters shall be obtained from the Local Planning Authority.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended)

16. Cycle Parking

The development(s) shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development(s) is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

17. Refuse Storage Facilities

The development(s) shall not be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved

in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

18. Car Parking including EV (Electric Vehicle) Provision

The development(s) shall not be occupied until full details of the car parking area including provisions for EV charging and disabled parking have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area 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 TRA4 of the Northumberland Local Plan.

19. Climate Change

Notwithstanding the details submitted with the application, prior to the construction of any building 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.

20. Broadband Connectivity

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 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.

21. Ground Gases

No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

22. Validation and Verification

No buildings shall be occupied or used until the applicant has submitted a validation and verification report to the approved methodology in Condition 19, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

23. Contaminated Land

If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

Informative

Ground Gas Protection

Our adopted guidance provides a guide to what should be included in a gas protection proposal and is included in Appendix 2 of the YALPAG Technical Guidance - Verification Requirements for Gas Protection Systems, Version 1.1 Dec

2016, which can be accessed in the "related documents for environmental protection in development" section at: <https://www.northumberland.gov.uk/Protection/Pollution/Advice.aspx>

Verification of the gas protection should be proposed to address the first gas condition, once the buildings are erected to floor level then the second gas protection condition can be discharged, and the verification should match what is proposed but should broadly consist of the items listed in Appendix 3 of the above guidance document.

This may be achieved through

- A recognised gas membrane fitted as a gas membrane - taped or welded, top-hats on services taped or welded to the membrane, fabricated internal corners taped or welded to the membrane following CIRIA C735 and BS 8485:2015+A1:2019.
- A reinforced concrete ground bearing raft/slab floor with limited-service penetrations.

Assuming a gas regime (Characteristic Situation) of CS2 and Building Type C (Table 3 of BS8485:2015+A1:2019) the development will have to achieve a score of 2.5.

Therefore, the applicant should propose gas protection measures meeting the requirements of CIRIA C735 and achieving the necessary 2.5 point in BS 8485:2015 for CS2. BS 8485 defines Building Type C as:

Building Type C = commercial building with central building management control of any alterations to the building or its uses and central building management control of the maintenance of the building, including the gas protection measures. Single occupancy of ground floor and basement areas. Small to large size rooms with active ventilation or good passive ventilation of all rooms and other internal spaces throughout ground floor and basement areas. Examples include offices, some retail premises, and parts of some public buildings (such as schools, hospitals, leisure centres and parts of hotels).

Structural Barrier (Table 5 of BS 8485)

A cast in-situ ground bearing floor slab/raft would achieve a score of 0.5, whereas a well-reinforced cast in situ monolithic reinforced ground bearing raft or reinforced cast in-situ suspended floor slab with minimal penetrations would achieve a score of 1.5.

Gas Membrane (Table 7 of BS 8485)

A gas membrane can achieve a score of 2.0 if it meets the requirements of Table 7 of BS 8485, which are:

- sufficiently impervious, both in the sheet material and in the sealing of sheets and sealing around sheet penetrations, to prevent any significant passage of methane and/or carbon dioxide through the membrane.
- sufficiently durable to remain serviceable for the anticipated life of the building and duration of gas emissions.
- sufficiently strong to withstand the installation process and following trades until covered (e.g., penetration from steel fibres in fibre reinforced concrete, penetration of reinforcement ties, tearing due to working above it, dropping

- tools, etc.); and to withstand in-service stresses (e.g., settlement if placed below floor slab)
- capable, after installation, of providing a complete barrier to the entry of the relevant gas; and;
- verified in accordance with CIRIA C735 [N1].
- Membrane must meet the gas transmission specification in BS 8485 for methane not to exceed 40ml/m²/day/atm.

Service Duct Annulus

The applicant should ensure that as well as any top hats being secured to the membrane (taped or welded) that the internal annulus of the duct holding each of the service pipes and conduits (water, gas, electric etc.) is filled with a recognised and advertised gastight sealant such as FILOseal+ or FILOseal+HD produced by Filoform UK Ltd: <https://www.filoform.co.uk/catalog/category/view/s/re-enterable-duct-sealingsystems/id/9/>

Please note that verification of the sealing of the service ducts will be required to fully discharge the gas protection verification condition.

Dust Management

It would be expected that a dust management plan will be required by condition to identify the risks of dust from onsite operations and how it will be controlled and minimised.

Dust minimisation and control shall have regards to guidance such as:

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- Identify the higher-risk receptors close to the site (school and residential).
- Identify the main sources of dust from the operations.
- Indicate methods to minimise the risks from sources of dust.
- Suggest "toolbox talks" for aspects of plant and general site operations.
- Use the normal wind direction to indicate the likely direction for any wind entrained dust to be carried, using long-term wind rose data.
- Identify an individual who will have overall site responsibility - I.e., site manager, operations manager etc.
- Provide any contact details in the dust management plan for a responsible person/organisation.

- Indicate how the dust management plan will be conveyed to the employees and any sub-contractors (if relevant), unless this is to be through toolbox talks.
- Indicate whether there will be a site notice board for the public with contact details contained on it, especially out-of-hours.

Environmental Permitting

Any mobile plant (crushers or screens) may require appropriate environmental permits under The Environmental Permitting (England and Wales) Regulations 2016 (as amended). Their use may be covered by any WML required by the Environment Agency for the site. Clarification should be sought as to whether processing of virgin products would also be covered by such a permit or require alternative regulation.

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If there is to be any onsite storage of fuels or oils, they should be stored following appropriate guidance and limited to 110 percent of capacity.

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There shall be no burning of any material associated with the construction phase on the site.

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Section 59 Agreement - Extraordinary Expenses

You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the Section 59 Agreement of the Highway Act 1980 relating to extraordinary expenses

Date of Report: 19th May 2023

Authorised by: Elizabeth Sinnamon

Date: 19th May 2023

Background Papers: Planning application file(s) 22/02869/FUL



Northumberland County Council

Strategic Planning Committee

6th June 2023

ADDENDUM REPORT

Application No: 22/02869/FUL

Proposal:

Hybrid application - Full application - distribution of primary aggregates on site via railhead and distribution out by road, recycling plan for inert construction/demolition waste to secondary aggregates/soil materials; and addition of pumphouses, weighbridge, and wheel wash. Outline application for erection of office, workshops, and security office (amended description 6th April 2023).

Site Address:

Butterwell Disposal Point, Longhirst, Morpeth, Northumberland, NE61 3NF

Applicant:

N.B. Clark

RECOMMENDATION:

That this application be GRANTED permission subject to conditions.

1. Introduction

1.1 The purpose of this report is to update Members on the recent consultation responses from the Council's Lead Local Flood Authority (LLFA) and the Environment Agency (EA). Further discussion has been had with the applicant regarding the wording of the conditions and this is detailed below.

2. Details

2.2 Officers are in receipt of comments submitted by the Council's LLFA and EA. Both responses confirm that there are no water issues with the proposals that cannot be addressed by planning conditions. The condition list has been amended and new conditions are added under numbers 24 and 25. These cover a surface water drainage scheme during operation. Please note there are further informative comments, and these are attached below under the relevant consultee heading.

2.3 Since the publication of the original report the applicant and case officer have continued discussions over the wording of the conditions. There are no substantive changes to those in the original report but there some minor amendments to the wording as detailed below:

- Condition three contains a typo and the word 'quarry' should be replaced with 'facility',
- Condition seven has been updated to remove the reference to post completion as this is not a temporary permission.

2.4 A further representation of support has been received. We have now received 11 objections, 4 general comments and one in support. In summary the recent submission supports the application as a perfect location for this type of development providing for secondary aggregates and will support further recycling opportunities. They ask for conditions relating to access, noise, dust and water quality.

2.5 Officers would also like to provide further comment and response to the Parish Council comments dated 9th January 2023. Conditions are attached to avoid excess dust. Public Protection officers have not raised any concerns regarding noise but should there be any concerns residents will have the opportunity to raise this through the Environmental Protection Act for statutory nuisance. The planning department cannot prevent the applicant from using certain public roads however movements are controlled through conditions six to ten. Finally, with respect to liaison meetings and community contributions there are no mechanisms in the planning system to implement these, but the applicant has voluntarily agreed to liaise with the community council. Furthermore, concerns can be raised directly with officers who can consider appropriate action.

3. Conclusion

3.1 In conclusion, there are no material changes to the proposals resulting from consultation responses from the EA and the LLFA or the third-party representation in support of the development. Officers are satisfied with the recommended conditions from the LLFA.

4. Recommendation

That this application be GRANTED permission subject to conditions.

Conditions

Conditions/Reason

Full Permission Conditions

1. Timescale

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).

2. Full Permission Approved Plans

The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced.

Approved Plans
Existing Surveyed Features BDP/2
Layout as Proposed BDP/3B
Locality Plan BDP/1B
Location Plan BDP/1A
Proposed Overall Layout BDP/3A
Wash Plant BDP/4

Approved Documents
Ecological Appraisal, August 2022
Supplementary EclA March 2023 by FCPR
IHRA, March 2023 by FCPR
Phase 1 Contamination Assessment (Desk Study Report) DAB Geotechnics Ltd, 30th March 2023
Dust Management Plan, 7th July 2022, LA Environmental Consultants
Flood Risk and Drainage Assessment, DAB Geotechnics Ltd, 5th August 2022
Noise Assessment, LA Environmental Consultants, 7th July 2022
Transport Statement, Milestone Transport Planning, June 2022

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and the Local Plan.

Hybrid Conditions

3. Dust Management

Prior to the development being brought into use, the applicant shall submit a written dust management plan to be approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the development's lifetime and shall include measures for the control and reduction of dust emissions associated with the operation of the facility which are likely to generate dust. The plan shall also include details of how the business will deal with complaints of dust by any nearby receptors.

Reason: To ensure a commensurate level of protection against dust.

4. Ecological Mitigation

All works on site shall be undertaken in accordance with the avoidance and mitigation measures identified in the ecological report 'Supplementary EclA March 2023, FPCR Environment and Design Ltd' including:

- i) Any vegetation removal or works to construct the freshwater storage lagoon will be avoided during breeding bird season (March to August), so that breeding birds would not be affected. If this is not possible, the area will be checked prior to work by an experienced ecologist.
- ii) A great crested newt and reptile working method statement shall be followed during construction (Para. 7.46).
- iii) Areas of Bird's-foot trefoil (food plant of Dingy Skipper) to be lost as identified on 'Figure 6 Impacts and Mitigation' will be translocated to a retained area of open mosaic habitat.

Reason: To avoid and mitigate impacts on biodiversity in line with the NPPF and Local Plan Policy ENV2.

5. Biodiversity Enhancement

To provide enhancement for biodiversity within the design of the development the following features, as detailed in the ecological report

'Supplementary EclA March 2023, FPCR Environment and Design Ltd' will be included as part of the development:

i) Prior to first use of the site a new butterfly bank with associated open mosaic habitat will be created to the northeast of the new water storage lagoon as shown on 'Figure 7 Compensation and Enhancement' plan, and in accordance with the details contained in Section 8. of the report.

ii) Prior to commencement of development a plan for the new mixed native species woodland to be planted along the western and southern boundaries of the site office/workshop area, and between the new freshwater storage lagoon and the active area of site shall be submitted for the written approval of the Local Planning Authority. The plan shall detail the species and number of trees and shrubs and use only Northumberland native species. Once approved the plan shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development'.

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

6. Construction Method Statement

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.

7. Off-Site Highways Survey

No development shall commence until details of off-site highway surveys have been submitted to and approved in writing by the Mineral Planning Authority.

These details shall involve:

- i. provision for the completion of pre-commencement condition surveys of that part of the C125 road between the A1068 and the access to the Butterwell rail loading facility;
- ii. a mechanism for mitigation measures to be implemented prior to, during and/or following the development along that part of C125 road between the A1068 and the access to the Butterwell rail loading facility which may include the protection of the highway verge, highway structures and culverts and resurfacing of part(s) of this highway;
- iii. provision for monitoring the condition of this length of the highway during the development

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

8. Vehicular Access

The development shall not be brought into use until full details of the vehicular access improvement works off the C125 including a scheme for signage 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 and signage scheme 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.

9. HGV Movements - Timings

No lorries shall enter or leave the site except between the following hours:

- Monday to Friday 07:00 - 1800
- Saturday 07:00 - 14:00

No lorries shall enter or leave the site on Sundays or Public Holidays.

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

10. HGV Movements – Total Number

The maximum number of lorry movements in and out of the site shall not exceed:

- Monday to Friday: 550 (275 in and 275 out)
- Saturdays: 380 (190 in and 190 out)

No heavy goods vehicles shall use the C125 to the west of the development site access at any point.

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

11. Surface Water – Construction

During the construction period all surface water run-off shall be passed through a settlement facility or settlement facilities prior to being discharged into any watercourse, soakaway or surface water sewer. The facility shall be retained and maintained until construction works are complete.

Reason: To prevent silty water from entering the water environment and to protect water quality and biodiversity.

12. Surface Water - Operation

Surface water draining from areas of hard standing shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.

Reason: To reduce the risk of pollution to the water environment

Outline Permission Conditions

13. Commence Development

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be Approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended)

14. Approved Plan

Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

Existing Surveyed Features BDP/2

Layout as Proposed BDP/3B

Locality Plan BDP/1B

Location Plan BDP/1A

Proposed Overall Layout BDP/3A

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

15. Reserved Matters

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Notwithstanding details contained within the approved plans, approval of the details of;

- Appearance;
- Landscaping;
- Layout; and
- Scale

hereinafter called the reserved matters shall be obtained from the Local Planning Authority.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended)

16. Cycle Parking

The development(s) shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development(s) is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

17. Refuse Storage Facilities

The development(s) shall not be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

18. Car Parking including EV (Electric Vehicle) Provision

The development(s) shall not be occupied until full details of the car parking area including provisions for EV charging and disabled parking have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area 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 TRA4 of the Northumberland Local Plan.

19. Climate Change

Notwithstanding the details submitted with the application, prior to the construction of any building 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.

20. Broadband Connectivity

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 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.

21. Ground Gases

No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

22. Validation and Verification

No buildings shall be occupied or used until the applicant has submitted a validation and verification report to the approved methodology in Condition 19, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

23. Contaminated Land

If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

Hybrid Condition – Surface Water

24. Before each phase of the development a Flood Risk Assessment and Drainage Strategy providing detail on how the scheme will 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 Qbar for all rainfall events up to and including the 1 in 100 year event, and within its natural catchment unless otherwise agreed by LLFA and the local planning authority.
- ii. Adhere to the principles as set out in the drainage strategy from NB Clarke Morpeth reference drawing number – BDP/3B dated April 2022
- 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.
- vi. Provide detail on how water is treated prior to discharge to watercourse
- vii. Provide a health and safety assessment for each Lagoon or Sustainable drainage system holding volumes of water

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.

Hybrid Condition – Surface Water

25. Prior to restoration a full scheme for the surface water management post-restoration shall be submitted to and agreed by the local planning authority. Any agreed scheme shall be implemented in full.

REASON: To ensure drainage post development does not increase the risk of flooding elsewhere.

Informative

Ground Gas Protection
 Ground gas protection should be provided in accordance with BS8485:2015+A1:2019. The protection should be designed in accordance with the guidance in BS8485:2015+A1:2019. The protection should be designed in accordance with the guidance in BS8485:2015+A1:2019. The protection should be designed in accordance with the guidance in BS8485:2015+A1:2019.

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You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the Section 59 Agreement of the Highway Act 1980 relating to extraordinary expenses

Surface Water – LLFA

Reservoirs below 25,000 m³ are inspected in accordance with the Health and Safety (Enforcing Authority) Regulations 1998 providing a work undertaking exists which means many of the smaller reservoirs will be inspected by HSE.

Mine lagoons do not fall within the Reservoirs Act 1975 but are dealt with by HSE under the Mines and Quarries (Tips) Act. Lagoons associated with quarries are now covered by the Quarries Regulations 1999. For the purpose of these regulations a lagoon containing 10,000 m³, having an embankment higher than four metres and being within 50 metres of an excavation is considered as presenting a significant hazard.

Reservoirs over 25,000m³ fall under the Reservoirs Act 1975 and as such the Environment Agency need to be consulted.

It

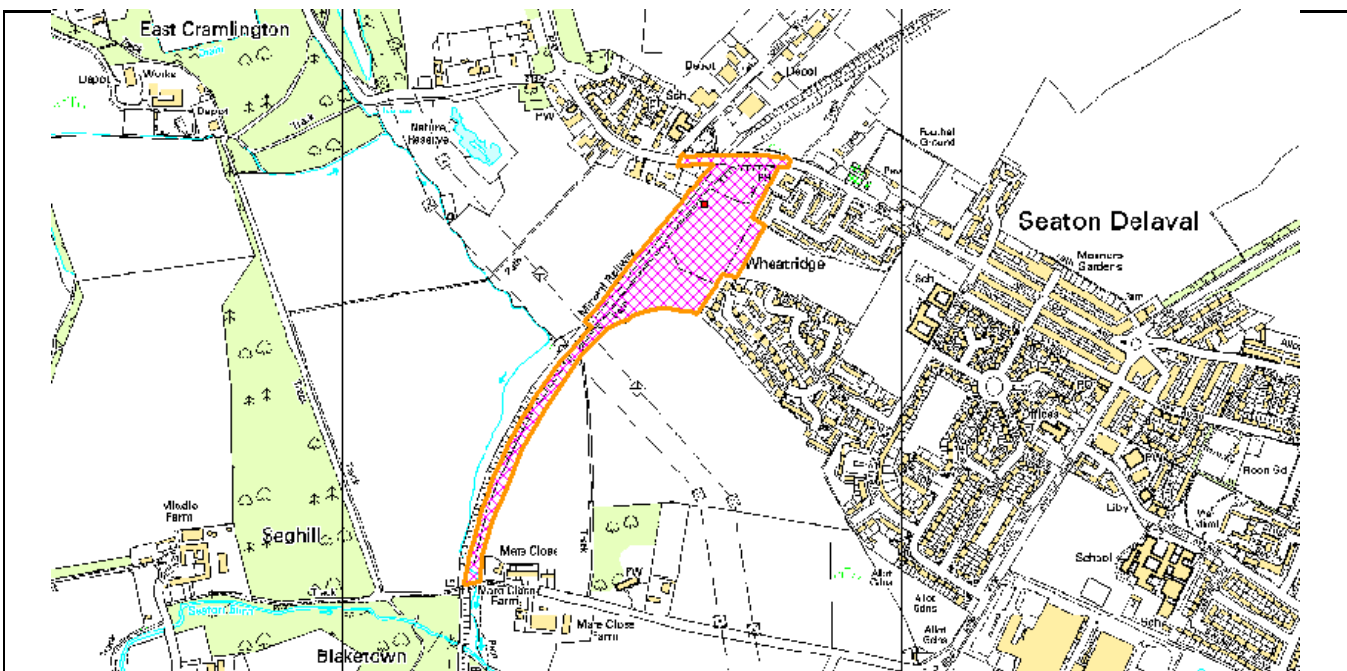


Northumberland County Council

Strategic Planning Committee 6 June 2023

Application No:	22/02679/VARYCO		
Proposal:	Variation of conditions 2 (approved plans), 5 (details of boundary treatment), 7 (scheme of intrusive investigations), 8 (signed statement), 12 (detailed landscape scheme), 14 (details of car park bays), 23 (scheme of CCTV), 32 (maintenance and adoption of SuDs features) and 34 (detailed lighting design, of planning permission 21/02253/CCD to enable the phased construction of railway station car park including associated minor changes to internal layout, circulation area and landscaping.		
Site Address	Land South East Of Delaval Court, Astley Road, Seaton Delaval, Northumberland		
Applicant:	Northumberland County Council County Hall, Morpeth, NE61 2EF,	Agent:	Alannah Healey SLC Property 72 B-Box Studios Stoddart Street Newcastle upon Tyne NE61 2EF
Ward	Seghill With Seaton Delaval	Parish	Seaton Valley
Valid Date:	3 August 2022	Expiry Date:	16 June 2023
Case Officer Details:	Name: Mr Gordon Halliday Job Title: Consultant Planner Tel No: 07785 727053 Email: gordon.halliday@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, in cases where the local authority is the applicant in respect of a planning application for major development, it is required to be determined by the Planning Committee.

1.2 An extension of time to determine the application resulting from the need to submit further information and amended proposals has been agreed by the applicant.

2. Description of the Proposal

2.1 The Northumberland Line scheme seeks to re-introduce passenger services onto the existing freight line that runs between Newcastle Central Station and Ashington. The scheme includes the construction of six new railway stations and associated infrastructure. It is envisaged that there will be a half hourly service with an anticipated journey time between Newcastle and Ashington of 35 minutes.

2.2 The railway line was formerly known as the Ashington, Blyth and Tyne Line. Passenger services on the line ceased in 1964 since when freight trains have continued to operate.

2.3 This application that was submitted in August 2022 sought to vary seven of the conditions (nos. 2, 5, 12, 14, 23, 24 and 34) imposed on planning permission 21/02253/CCD to enable the phased construction of the car park for the new railway station in the western part of Seaton Delaval. Subsequently following a detailed design review, revisions to the application were submitted in December 2022. This added condition nos. 7, 8 and 32 and withdrew condition no. 24 (details of the tannoy system).

2.4 The reasons for the design change were stated to be as follows.

'Unfavourable ground conditions (including contamination, poor bearing capacity and a high water table) have resulted in the need to undertake much more significant volumes of earthwork drainage infrastructure intervention and in-the-ground remediation than previously expected. A value engineering exercise has therefore been undertaken.

The process has identified that a reduction in the footprint of phase 1 (and the car park overall) is the most obvious way of mitigating against the below-ground issues, whilst also ensuring that the station can still be delivered to an affordable budget.

The reduction has been achieved by removing the landscaping strips between the parking bays and reducing the number of parking spaces within phase 1 (whilst keeping within the demand modelling figures identified within the technical note that supported the original submission). The removal of landscaping strips would result in a reduction in the encroachment of the development into the countryside, allows for greater area of wildflower meadow planting on part of phase 1 and provides greater opportunity for additional planting around a possible phase 2'.

2.5 A further revision of the landscaping proposals was submitted in March 2023 to relocate the tree planting proposed to the southern boundary of the development, to the boundary with Whytrigg Close to address further concerns raised by local residents. Following further comments from local residents revised landscaping proposals were submitted on 2 May 2023.

2.6 In April 2023 further information, including a Flood Risk Assessment Addendum, an updated Drainage Strategy and accompanying plans and drawings, were submitted to address concerns raised by the Local Lead Flood Authority.

2.7 The Transport Assessment and associated demand modelling submitted in support of the planning application for the station envisaged an 'average demand' for car parking spaces in 2039 of 274 spaces. The application proposed that 284 spaces should be provided. The proposal now is to provide 156 car parking spaces in phase 1 with an additional 112 spaces in phase 2. The total number of spaces therefore would be 268 which represents a slight decrease compared to the 'average demand' envisaged from the demand modelling.

2.8 Other changes proposed compared to the approved scheme include the following details.

- The route of the drainage outfall is relocated within the railway corridor.
- The drainage design has been amended to provide better water treatment through use of the principles of Sustainable Drainage Systems (SuDS). It incorporate permeable paving within the car park, bioretention rain gardens and dry swale / filter drains to provide increased water quality treatment, amenity and biodiversity benefits. .
- A landscaping scheme provides a detailed landscape plan for Phase 1 that includes the removal of landscape strips between car parking bays and 'rain garden' style planters. It also proposes an interim landscaping solution for the Phase 2 footprint. Tree planting is proposed between Whytrigg Close and the proposed car park.
- A post and rail fence is proposed as the boundary treatment between the Phase 1 and Phase 2 areas.

3. Planning History

Reference Number: 19/02151/SCREEN

Description: Request for a Screening Opinion- Provision of six new train stations, associated upgrading and refurbishment of existing rail infrastructure and engineering works and the reintroduction of passenger train services.

Status: Screening opinion issued

Reference Number: 20/02243/SCREEN

Description: Request for a Screening Opinion- Provision of six new train stations, associated upgrading and refurbishment of existing rail infrastructure and engineering works and the reintroduction of passenger train services.

Status: Screening opinion issued

Reference Number: 21/02253/CCD

Description: Construction of a new single platform railway station including new highway access and signalised junction; modifications to existing highways including pedestrian footways; provision of parking for cars, electric vehicles, motorcycles, cycles, and taxis; works to public rights of way. Construction of: facilities ancillary to the station including, lighting, soft and hard landscaping, surface and subsurface drainage, utilities and other services, boundary treatment and other associated works

Status: PERMITTED

Reference Number: 22/00120/DISCON

Description: Discharge of Condition 4 (Construction Environmental Management Plan) and 35 (Archaeological Written Scheme of Investigation) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway

Station and associated works).

Status: PERMITTED

Reference Number: 22/00175/DISCON

Description: Discharge of Condition 28 (Programme of Works) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/00466/DISCON

Description: Discharge of Condition 25 (Construction Noise and Vibration Management Plan) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/01520/DISCON

Description: Discharge of Condition 9 (Biodiversity Net Gain) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/01695/DISCON

Description: Discharge of Conditions 32 (Sustainable Urban Drainage) and 33 (Car Park Drainage) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/01865/DISCON

Description: Discharge of Condition 3 (Ground levels) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/01944/DISCON

Description: Discharge of Conditions 29 (Land Contamination) and 30 (Verification Report) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/02031/DISCON

Description: Discharge of Condition 6 (Materials, Colours and Finishes) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/02440/DISCON

Description: Discharge of Condition 33 (Car Park Drainage) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works).

Status: PERMITTED

Reference Number: 22/02951/DISCON

Description: Discharge of Condition 7 (Mining Remediation) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works)

Status: PENDING

Reference Number: 23/00065/DISCON

Description: Discharge of Condition 12 (Detailed Landscaping Scheme) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works)

Status: PENDING

Reference Number: 23/00402/DISCON

Description: Discharge of Condition 11 (Arboricultural Impact Assessment) of planning permission 21/02253/CCD (Construction of Seaton Delaval Railway Station and associated works)

Status: PERMITTED

4. Consultations and Publicity

4.1 Consultations and neighbour notification were carried out on both the original application and the revised proposals. Site notices for major development and development affecting a listed building and public right of way were posted on 5 August 2022 and a press notice was published in the News Post Leader on 12 August 2022.

Consultation Responses

Seaton Valley Parish Council	No response received.
Network Rail	No comments.
County Highways	No objections subject to all previously recommended highways conditions that have not been discharged, together with the amended/additional conditions relating to the implementation of the car park area in two phases, being transferred to the VARYCO decision notice.
County Ecologist	No response received.
Public Protection	No objections.
Lead Local Flood Authority	No objections
Northumbria Police	No response received.
British Transport Police	No response received.
Countryside/ Rights Of Way	No objection to the revised proposals subject to the public right of way that passes through the application site being protected for the duration of the development.

Public Responses

Number of Neighbours Notified	92
Number of Objections	
Number of Support	
Number of General Comments	2

Summary of Responses:

4.2 One representation was received generally welcoming the revised proposals submitted in December 2022 and requesting that consideration be given to additional screening and the construction of a berm behind the houses in Whytrigg Close. A further representation submitted in April 2023 requested that the proposed tree planting to the rear of Whytrigg Close be extended to the south to screen all properties. The revised landscaping scheme submitted on 2 May 2023 extends the tree planting.

4.3 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=QU30QFQSGW300>

5. Planning Policy

Development Plan Policy

5.1 The Development Plan in respect of the application site is the Northumberland Local Plan (NLP) adopted in April 2022. The following policies in the NLP are relevant to the consideration of the application.

STP 1: Spatial Strategy
<i>STP2: Presumption in favour of Sustainable Development</i>
STP3: Principles of Sustainable Development
STP4: Climate Change Mitigation and Adaptation
STP5: Health and Wellbeing
STP8: Development in the Green Belt
QOP1: Design Principles
QOP2: Good Design and Amenity
QOP4: Landscaping and Trees
QOP6: Delivering Well-designed Places
TRA1: Promoting Sustainable Connections
TRA2: The Effects of Development on the Transport Network
TRA4: Parking Provision in New Development
TRA5: Rail Transport and Safeguarding Facilities
ENV1: Approaches to assessing the impact of development on the natural, historic and built environment
ENV2: Biodiversity and Geodiversity
ENV7: Historic Environment and Heritage Assets
WAT3: Flooding
WAT4: Sustainable Drainage Systems
POL1: Unstable and Contaminated Land
POL2: Pollution and Air, Soil and Water Quality

5.2 Following a local referendum on 29 July 2021, the Seaton Valley Neighbourhood Plan (SVNP) was formally 'made' on 7 September 2021. The plan therefore becomes part of the statutory development plan and decisions on whether or not to grant planning permission in the Seaton Valley Neighbourhood Area need to be made in accordance with the plan, unless material considerations indicate otherwise. However, the issue of reopening of the railway for passengers and the development of a station at Seaton Delaval are not covered in the SVNP, the community having chosen to focus the plan on a vision to protect green and other open spaces to benefit the area's character and the local community.

National Planning Policy

5.3 The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

6. Appraisal

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

- Principle of the development
- Impact on the Green Belt
- Provision for car parking
- Other highway considerations
- Impact on residential amenity
- Impact on the character and appearance of the area
- Drainage

Principle of the Development

6.2 The principle of the Seaton Delaval Station development was established by the permission granted to the original application in November 2021. In June 2022 the Secretary of State approved an application for the Northumberland Scheme under the Transport Works Order Act Order, further confirming the principle of the Seaton Delaval Station development.

Impact on the Green Belt

6.3 The application site is mainly 'white land' (i.e. the land is not allocated for any particular use) in the Development Plan. However, land in the south west of the application site is in the Green Belt. In the original planning application for the station it was proposed that part of the land in the Green Belt would be developed for car parking with the remainder proposed for landscaping and SuDS. However, the officer report concluded that this represented '*local transport infrastructure*' under the terms of paragraph 150 of the NPPF and as such was not inappropriate development in the Green Belt.

6.4 In the revised proposals only a small part of the phase 2 car park is in the Green Belt with the major part of the Green Belt area being proposed for landscaping. This reduction of built development in the Green Belt is considered to be a benefit of the revised proposals. It is concluded therefore that the revised proposals are in accordance with national and local Green Belt policy.

Provision for car parking

6.5 Policy TRA4 in the NLP states that an appropriate amount of off-street vehicle parking sufficient to serve new development should be made available in safe,

accessible and convenient locations. However, the NLP does not identify any minimum or maximum parking standards for developments such as the Northumberland Line. The NPPF states that maximum parking standards should only be set where there is clear and compelling justification that they are necessary for managing the local road network or for optimising the density of development in town centres where the aim should be to improve the quality of parking alongside measures to promote accessibility by pedestrians and cyclists (paragraph 108).

6.6 The car parking proposals were the main grounds of objection to the original planning application for Seaton Delaval Station. Following the submission of the current application the applicants met with local residents to discuss the revised proposals. This led to the submission of revised proposals to address the points raised by local residents.

6.7 This application proposes that the car park for the station is developed in two phases. Phase 1 would be developed first and provide 10 accessible parking spaces, 8 electric vehicle charging spaces, 2 accessible parking spaces with electric vehicle charging and 135 other car parking spaces, a total of 156 spaces. An additional 112 spaces would be provided in Phase 2. The total number of spaces therefore would be 268. This represents a slight decrease compared to the 'average demand' envisaged from the demand modelling in 2039 of 274 spaces.

6.8 County Highways note that whilst the proposed number of spaces sits at the lower scale of the demand forecasting, the quantity of parking proposed still satisfies the updated modelling which incorporates the DfT's estimates in relation to rail demand. County Highways are satisfied that the proposal includes an appropriate number of accessible spaces and electric vehicle charging bays. They conclude therefore that the proposed variation of the conditions will allow the car park to be delivered in two phases, in accordance with the predicted parking demand associated with the phasing and delivery of the Northumberland Line project as set out in the submitted Technical Note.

6.9 In the interests of highway safety and in accordance with the National Planning Policy Framework and Policy TRA 4 of the NLP, County Highways have recommended that the original condition 14 (details of car park bays) is broken down into two new planning conditions - one prior to the commencement of passenger rail services for the first phase of the car park as shown on the submitted drawing and a second new planning condition requesting the details of the extended / full car park area required for phase two. The recommended conditions accord with these comments.

6.10 It is considered that the revised car park proposals are in accordance with Policy TRA4 in the NLP and the NPPF subject to the conditions recommended by County Highways.

Other Highway Considerations

6.11 Policy TRA1 in the NLP requires the transport implications of development to be addressed as part of any planning application and sets out various planning criteria that the development will be required to address. When assessing a variation of condition application, County Highways check that any proposed variation does not have an adverse impact on the safety of all users of the highway or on the wider local highway network. County Highways have reviewed the submitted information and are satisfied that the variation of conditions will not have an adverse impact on highway safety.

6.12 Therefore, County Highways have no objections to the variation of the conditions with all previously recommended highways conditions that have not been discharged, together with the amended / additional conditions relating to the Implementation of the car park area in two phases, being included on the decision notice for the application. County Highways ask that the original conditions 2, 5, 12, 23 and 34 (as well as condition 14 referred to in paragraph 6.9 above) are broken down into two new planning conditions for each phase – one prior to the commencement of passenger rail services for the first phase and a second new planning condition securing the details for the second phase. These amendments have been incorporated in the proposed new conditions.

6.13 it is considered that the revised car park proposals are in accordance with Policy TRA1 in the NLP and the NPPF subject to the conditions recommended by County Highways.

Impact on residential amenity

6.14 Policy STP5 in the NLP states; *'Development proposals will be required to demonstrate where relevant and in a proportionate way, that they ... (f) prevent negative impacts on amenity; (g) protect, and alleviate risk to people and the environment, and do not have a negative impact upon...vibration, air and noise pollution'*.

6.15 The impacts on residential amenity were considered in detail in the officer report for the station application. That report concluded that with the proposed mitigation measures and subject to the imposition of appropriate planning conditions, the proposed development complied with Policy STP5 in the NLP.

6.16 The revised proposals result in the car park being located further away from residential properties at Whytrigg Close. For other properties the impact of the revised proposals on residential amenity is not changed. Public Protection has not objected to the application. It is concluded therefore that the proposals comply with the requirements of Policy STP5 in the NLP.

Impact on the Character and Appearance of the Area

6.17 Policy QOP2 in the NLP requires development to provide a high standard of amenity for users and not cause unacceptable harm to the amenity of those living in the area. Development proposals should ensure that the physical presence and design of the development preserves the character of the area and does not have a visually intrusive or overbearing impact on neighbouring uses. Policy QOP4 in the NLP states that: *'Where relevant, new development will be expected to incorporate well-designed landscaping and respond appropriately to any existing landscape features'*.

6.18 The impact of the proposed development on the character and appearance of the area was assessed in the officer report for the original planning application taking into account the submitted Design and Access Statement and Landscape, Townscape and Visual Appraisal document. The assessment also had regard to the fact that notwithstanding the generally low landscape quality of the site and its contained character, local residents clearly value the site as an undeveloped open field edged with woodland. It was concluded that with the proposed mitigation measures and subject to the imposition of appropriate planning conditions, the proposed development complied with Policies QOP2 and QOP4 in the NLP.

6.19 The current submission includes new landscape proposals. The revised landscaping scheme provides a detailed landscape plan for Phase 1 that includes the removal of landscape strips between car parking bays and 'rain garden' style planters. It also proposes an interim landscaping solution for the Phase 2 footprint. Following representations from local residents direct to the project team, the originally submitted proposals have been revised to relocate and strengthen the tree planting proposed to the southern boundary of the development, adjacent to Whytrigg Close.

6.20 It is considered that the revised landscaping proposals are acceptable and continue to be in accordance with Policies QOP2 and QOP4 in the NLP, subject to the imposition of a planning condition requiring a detailed scheme for the Phase 2 car parking area to be submitted before that area comes into operational use.

Drainage

6.21 Policy WAT 3 in the NLP requires development proposals to demonstrate how they will minimise flood risk to people, property and infrastructure. Policy WAT 4 states that Sustainable Urban Drainage Systems will be a requirement for any development where it is necessary to manage surface water drainage.

6.22 The LLFA raised no objections in principle to the revised proposals as they were originally submitted but requested further information on various matters. In response, and after some delay whilst the information was assembled, the applicants subsequently submitted an addendum to the Strategic Flood Risk Assessment, an updated Drainage report and a number of supporting plans and drawings.

6.23 The LLFA has reviewed the submitted information and has no objections to the proposed variation subject to compliance with the submitted information. Furthermore the LLFA do not object in principle to separate conditions relating to the drainage of the Phase 1 and Phase 2 developments.

6.24 It is concluded therefore that the proposals comply with the requirements of NLP policies WAT 3 and WAT 4.

Other Matters

6.25 Other matters that were assessed in respect of the original application included biodiversity, heritage assets, coal mining legacy, land contamination and public rights of way. The current proposals do not raise any new issues in respect of these matters. A public right of way (footpath 300/128) crosses the site. The public rights of way team has raised no objection to the revised proposals subject to the public right of way being protected for the duration of the development.

Equality Duty

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

Crime and Disorder Act Implications

6.27 The proposed variations to conditions do not give rise to any implications for crime and disorder.

Human Rights Act Implications

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

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

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

7. Conclusion

7.1 The principle of the development of a station in the western part of Seaton Delaval as part of the reintroduction of passenger rail services on the Northumberland Line has been established by previous consents.

7.2 The proposed variations to conditions to allow the car parking provision to be phased are considered to be acceptable in principle. County Highways consider that the number of car parking spaces proposed is supported by the modelling and will ensure that cars are not required to be parked in residential areas in the vicinity of the proposed station. Local residents welcomed the original submission for the phasing of the car park but they asked the applicants to consider making a number of detailed changes, including to the landscaping proposals. The applicants subsequently amended the proposals to address the concerns identified by residents. Further information on drainage was also submitted to address issues raised by the Local Lead Flood Authority.

7.3 It is concluded therefore that the proposal is in accordance with the Northumberland Local Plan and the NPPF. The recommended conditions reflect the

fact that a number of conditions imposed on the original planning permission for the proposed development have been discharged since permission was granted.

8. Recommendation

That this application be GRANTED permission subject to the following conditions.

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following plans and documents.

Plans

60604435-ACM-XX-ZZ-DRG-LEP-000011 (Rev PO1.1) Site Location Plan
60601435-ACM-03-PL-DRG-ECV-000100 (Rev PO1) Existing / Demolition General Arrangement
60601435-ACM-03-ZZ-DRG-EHW-030006 (PO4) Car Park Traffic Sign and Road Marking Layout
60601435-ACM-03-ZZ-DRG-EHW-030009 (Rev PO4) Vehicle Tracking Sheet 1
60601435-ACM-03-ZZ-DRG-EHW-030011 (Rev PO2) Vehicle Tracking Sheet 2
60601435-ACM-03-ZZ-DRG-EHW-030010 (Rev PO3) Seaton Delaval Car Park Existing Public Utilities Layout
60601435-ACM-03-PL-DRG-ECV-000001 (Rev PO3) Platform General Arrangement
60601435-ACM-03-PL-DRG-ECV-000005 (Rev PO1) Platform Section and Details
60601435-ACM-03-PL-DRG-ECV-000006 (Rev PO1) Platform Services and General Arrangement Details
60601435-ACM-03-ZZ-DRG-EPT-000060 (Rev PO2) E&P Proposed Lighting Layout Seaton Delaval Car Park
60601435-ACM-03-ZZ-DRG-HLG-001301 (Rev PO2) Highways Lighting Proposed Lighting Layout
60601435-ACM-03-ZZ-DRG-HLG-001302 (Rev PO2) Highways Lighting Contours Layout
60601435-ACM-03-ZZ-DRG-HLG-001303 (Rev PO2.1) Highways Lighting Calculation Results
60601435-ACM-03-ZZ-REP-HLG-001301 (Rev PO2) Lighting Calculation Report
60601435-ACM-03-ZZ-SKT-HLG-001300 (Rev PO2) Highways Lighting Proposed Lighting Class
270_SD_P_400 Sections Seaton Delaval Station
173726-AEC-SN02-ZZ-DRG-EHW-900004 (Rev B01) (Seaton Delaval Car Park Phase 1 Indicative General Arrangement)
173726-AEC-SN02-ZZ-DRG-EHW-900005 (Rev B01) (Seaton Delaval Car Park Phase 2 Indicative General Arrangement)
173726-AEC-SN02-ZZ-DRG-EDR-500001 (Rev B02) (Seaton Delaval Car Park Drainage Layout) 23 February 2023
173726-AEC-SN02-ZZ-DRG-EDR-500002 (Rev B02) (Seaton Delaval Station Pavement Sub-Surface Drainage Scheme) 23 February 2023
173726-AEC-SN02-ZZ-DRG-EDR-500003 (Rev B02) (Seaton Delaval Station Car Park Drainage Standard Details)

173726-AEC-SN02-ZZ-DRG-EDR-500004 (Rev B02) (Seaton Delaval Station Car Park Drainage Planter Sections)
173726-AEC-SN02-ZZ-DRG-EDR-500005 (Rev B02) (Seaton Delaval Station Offsite Drainage Sheet 1 of 2) 23 February 2023
173726-AEC-SN02-ZZ-DRG-EDR-500006 (Rev B02) (Seaton Delaval Station Offsite Drainage Sheet 2 of 2) 23 February 2023
173726-AEC-SN02-ZZ-DRG-EDR-500007 (Rev B02) (Seaton Delaval Station Headwall Detail)
173726-AEC-SN02-ZZ-DRG-EDR-500008 (Rev B01) (Seaton Delaval Station Car Park Non-Standard Chamber Details)
173726-AEC-SN02-ZZ-SPE-EDR-000001 (Rev B02) (Seaton Delaval Station 0500 Specification Drainage)
173726-LAC-SN02-ZZ-DRG-ENV-600001 (Rev P05) (Seaton Delaval Landscape General Arrangement)
173726-LAC-SN02-ZZ-DRG-ENV-600002 (Rev P05) (Seaton Delaval Landscape Planting Plan)
173726-LAC-SN02-ZZ-DRG-EHW-600003 (Seaton Delaval Landscape Construction Details Sheet 1 of 2)
173726-LAC-SN02-ZZ-DRG-EHW-600004 (Seaton Delaval Landscape Construction Details Sheet 2 of 2)
173726-LAC-SN02-ZZ-DRG-ENV-600005 (Rev P05) (Seaton Delaval Landscape Planting Schedule)

Documents

Planning Statement. SLC Property. 27 May 2021
Design and Access Statement. SLC Property. 2 June 2021
Heritage Statement. AECOM. January 2021
Landscape, Townscape and Visual Appraisal. SLC Property. 5 May 2021
Health and Wellbeing Statement. SLC Property. 13 May 2021
Air Quality Assessment. AECOM. 21 December 2020
Transport Assessment. Aecom. May 2021
Transport Assessment Addendum. Aecom. September 2021
Transport Technical Note. Aecom. October 2021
Phased Delivery of Seaton Delaval Car Park. July 2022
Noise and Vibration Impact Assessment. Aecom. December 2020.
Preliminary Sources Study Report. Aecom. 2 February 2021
Flood Risk Assessment Addendum. AECOM. Report Number 60628487. March 2023
Drainage Strategy. AECOM. (Rev F03) 2023

Plans and Documents relating to Previously Discharged Conditions

(a) Discharged by discharge of Condition 3. (Application No. 22/01865/DISCON)

60601435-ACM-03-ZZ-DRG-EHW-030003 (Rev PO4) Car Park Highways Typical Cross Sections Sheet 1 of 2
60601435-ACM-03-ZZ-DRG-EHW-030007 (Rev PO4) Car Park Highways Typical Cross Sections Sheet 2 of 2

(b) Discharged by discharge of Condition 11. (Application No. 23/00402/DISCON)

Arboricultural Impact Assessment, Aecom. May 2021

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

3. The development hereby permitted shall be carried out in accordance with the ground levels approved under decision 22/01865/DISCON dated 13 June 2022.

Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, having regard to amenity, access, highway and drainage requirements in accordance with the NPPF.

4. The provisions of the Construction and Environmental Management Plan approved under decision 22/00120/DISCON dated 3 March 2022 shall be adhered to throughout the demolition and construction period.

Reason: To prevent nuisance in the interests of residential amenity in accordance with the National Planning Policy Framework, to ensure that the risk of flooding does not increase during the construction phase, to limit the siltation of any site surface water features, to ensure the welfare of site operatives and to ensure trees are protected from construction works.

5a. Details of the proposed boundary treatment to the site shall be submitted to and approved by the Local Planning Authority. The details shall include plans showing the location of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of the proposed new boundary treatments. The approved scheme shall be implemented before the station is brought into operational use.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy QOP 2 of the Northumberland Local Plan.

5b. Details of the proposed boundary treatment to the Phase 2 car parking area shall be submitted to and approved by the Local Planning Authority. The details shall include plans showing the location of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of the proposed new boundary treatments. The approved scheme shall be implemented before the Phase 2 car parking area is brought into operational use.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy QOP 2 of the Northumberland Local Plan

6. The materials, colours and finishes to be used on all external surfaces shall be carried out in accordance with the details approved under decision 22/02031/DISCON dated 27 June 2022.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy QOP 2 of the Northumberland Local Plan.

7a. No development shall commence in respect of the Phase 1 development (excluding any grouting works that are required) until:

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works a / or mitigation measures to address land stability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy Framework.

7b. No development shall commence in respect of the Phase 2 development (excluding any grouting works that are required) until:

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works a / or mitigation measures to address land stability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy Framework.

8. Prior to the development being brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and / or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy framework.

9. The development shall be carried out in full accordance with the provisions in the scheme ("the offsetting scheme") for the offsetting of biodiversity impacts at the site approved under decision 22/01520/DISCON dated 31 May 2022.

Reason: To provide net gains for biodiversity in accordance with the NPPF.

10. No development shall take place unless in accordance with the mitigation measures detailed in the report *Ecological Impact Assessment Seaton Delaval station. SLC Property. June 2021*, including:

- Priority within the planting scheme to be given to native species, ideally of local provenance.
- Retention where appropriate of the mature trees on the site.
- Retained and created habitats to be subject to a suitable management plan.
- Any felling or arboricultural works outside of the woodland to follow a method statement.

- No felling or trimming works to be carried out on any tree with bat roost potential within the woodland without a licence first being obtained from Natural England.
- Retention and appropriate management of the mature hedgerow to the south east of the site.
- Installation of at least 5 bat boxes and at least 5 new nest boxes within the retained trees.
- Works to proceed under Great Crested Newt Mitigation licence from Natural England.
- Creation of new habitats within the site suitable for use by the great crested newt, including a fish-free pond, hibernaculum and areas of terrestrial habitat.
- Works to proceed on a precautionary method statement for red squirrel and badger.
- Checking survey within one month prior to the start of works, to ensure no setts have been established in the interim.
- Site clearance works shall not be undertaken during the nesting period (1 March – 30 September) unless a checking survey by a suitably qualified ecologist has confirmed no active nests have been present within the 5 days before the survey was undertaken.

Reason: To maintain the biodiversity value of the site and avoid harm to protected species that may be present in accordance with Policy ENV 2 of the Northumberland Local Plan.

11. The development shall be carried out in full accordance with the provisions in the updated Arboricultural Impact Assessment approved under decision 23/00402/DISCON dated 24 February 2023.

Reason: In order that retained trees are protected during construction and to ensure that the proposed development does not have an adverse effect upon the appearance of the area in accordance with Policy QOP 2 of the Northumberland Local Plan.

12a. Within one month of start on site, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason: To ensure that important features are protected and retained in the interests of amenity and to ensure a satisfactory standard of landscaping in accordance with Policies QOP 2 and QOP 4 of the Northumberland Local Plan.

12b. Prior to the start on site to develop the Phase 2 car parking area, a detailed landscaping scheme for this area shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be implemented in accordance with the approved details within the first available planting season following the approval of details.

Reason: To ensure that important features are protected and retained in the interests of amenity and to ensure a satisfactory standard of landscaping in accordance with Policies QOP 2 and QOP 4 of the Northumberland Local Plan.

13. No trees, shrubs or hedges within the site which are shown as being retained in the approved landscaping scheme required by condition 12, shall be felled,

uprooted, wilfully damaged or destroyed, cut back in any way or removed during the development phase other than in accordance with the approved plans or without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within three years from the completion of the development hereby permitted shall be replaced, within the next planting season, with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that important features are protected and retained in the interests of amenity and to ensure a satisfactory standard of landscaping in accordance with Policy DC17 of the Blyth Valley Borough Local Development Framework Development Control Policies.

14a. Prior to the commencement of passenger rail services at the station the Phase 1 car parking area indicated on the approved plans, including any disabled and EV car parking spaces contained therein, shall be hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the Phase 1 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 provision of passenger rail services at the station.

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

14ab Prior to being brought into operational use, the Phase 2 car parking area indicated on the approved plans, including any disabled and EV car parking spaces contained therein, shall be hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the Phase 2 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 provision of passenger rail services at the station.

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

15. Prior to the commencement of passenger rail services at the station, a car parking management strategy detailing the number of car parking spaces, including disabled, EV and other spaces for non-public use, and details as to how these spaces will be made available, shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented in accordance with the approved details before the commencement of passenger rail services at the station.

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

16. Prior to the commencement of passenger rail services at the station, details of the proposed highways works to shown indicatively in the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The highways works shall include the provision of:

- New vehicular, pedestrian and cyclist signalised access junction to the A192 Astley Road;

- Improvements to the Public Right of Way between A192 Astley Road and the approved car park;
- New footway connections to Wheatridge and Whytrigg Close;
- Relocated and upgraded bus stops on A192 Astley Road;
- All other associated works.

No passenger rail services at the station shall commence until the highways works have been implemented in accordance with the approved plans.

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

17. Prior to the commencement of passenger rail services at the station, details of the proposed advanced directional signage for vehicles, cyclists and pedestrians, shall be submitted to and approved in writing by the Local Planning Authority. No passenger rail services at the station shall commence until the details have been implemented in accordance with the approved plans.

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

18. Prior to the car parking area being made available for public use, an Operation, Management and Maintenance Strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The operation, management and maintenance strategy shall detail, how the areas of the development including the car parking area, access roads, drainage, landscaping, CCTV and lighting will be operated, managed and maintained upon completion of the development and the boundaries between any multiple parties in this respect. Following the car parking area being made available for public use, the development shall be managed and maintained in accordance with the approved details.

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

19. Prior to any change in charging strategy for the car parking area, details of the amendments and any associated mitigation associated with that change shall be submitted to and approved in writing by the Local Planning Authority. The approved details and associated mitigation shall be implemented prior to the change in charging strategy being implemented.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

20. Prior to the commencement of passenger rail services at the station, the cycle parking shown on the approved plans shall be implemented in accordance with the approved plans. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

21. The development shall be carried out in accordance with the provisions of the Transport and Construction Method Statement, together with supporting plan

approved under decision 22/01695/DISCON dated 7 July 2022. The approved Method Statement shall be adhered to throughout the construction period.

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

22. The temporary construction access from the A192 Astley Road approved under decision 22/01695/DISCON dated 7 July 2022 shall be retained in accordance with the approved plans and the agreed timetable for use.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

23a. A scheme for the provision of a network of closed circuit television cameras (CCTV), including the proposed location cameras, mounting columns, proposals for the use and management of the system and proposals for its installation shall be submitted to and approved in writing by the Local Planning Authority. The CCTV system shall be installed in accordance with the approved details before the station is brought into operational use.

Reason: In the interests of the safety and security of users of the station and car park in accordance with the NPPF.

23b. A scheme for the provision of a network of closed circuit television cameras (CCTV), including the proposed location cameras, mounting columns, proposals for the use and management of the system and proposals for its installation for the Phase 2 car parking area shall be submitted to and approved in writing by the Local Planning Authority. The CCTV system shall be installed in accordance with the approved details before the Phase 2 car parking area is brought into operational use.

Reason: In the interests of the safety and security of users of the station and car park in accordance with the NPPF.

24. Prior to any amplified voice or tannoy system becoming operational, full details of the system shall be provided to the Local Planning Authority to show how the system will be operated and managed to minimise noise impacts to local noise sensitive receptors. The proposed system shall be installed, operated and maintained to the satisfaction of the Local Planning Authority in accordance with the details submitted to and approved in writing by the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy QOP 2 of the Northumberland Local Plan.

25. The development shall be carried out in full accordance with the provisions of the construction noise and vibration management plan approved under decision 22/00466/DISCON dated 21 March 2022.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy QOP 2 of the Northumberland Local Plan.

26. During the construction period, there shall be no deliveries to or collections from the site, on Sundays or Bank Holidays or outside the hours of 08.00 – 18.00 on Monday to Friday or 08.00 – 13.00 on Saturday.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy QOP 2 of the Northumberland Local Plan.

27. Prior to the development being brought into use or continuing in use, details of the acoustic barrier(s) as outlined in the document Seaton Delaval Railway Station Noise and Vibration Impact assessment, Aecom, December 2020 shall be submitted to and approved by the Local Planning Authority. The details shall include location, specification, design and performance. The approved scheme shall be implemented in full before the development is brought into use and shall be maintained to ensure it meets the agreed performance for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy QOP 2 of the Northumberland Local Plan.

28. The development, including any works of demolition, shall be carried out in accordance with the programme of works, including 'enabling works', and the full disclosure report ('Verification Report') approved under decision 22/00175/DISCON dated 8 February 2022.

Reason: To provide an identifiable separation of works that will allow the imposition of conditions aimed only at the main demolition and construction works.

29. The development shall be carried out in accordance with the scheme of assessments, investigation and remediation for potential land contamination approved under decision 22/01944/DISCON dated 30 June 2022.

Reason: To ensure that risks from land contamination to the future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to future users in accordance with Policy POL 1 of the Northumberland Local Plan.

30. If during the development, contamination not previously considered is identified, then an additional Method Statement regarding the material shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the developer shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land are minimised and to ensure that the development can be carried out safely without unacceptable risks to future users in accordance with Policy POL 1 of the Northumberland Local Plan.

32a. Prior to its first use, details of the adoption and maintenance of all SuDS features related to the Phase 1 development shall be submitted to and approved in writing by the Local Planning Authority. The SuDS features shall thereafter be implemented and maintained for the lifetime of the development.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the lifetime of the development in accordance with Policy WAT 4 of the Northumberland Local Plan.

32b. Prior to its first use, details of the adoption and maintenance of all SuDS features related to the Phase 2 car park shall be submitted to and approved in writing by the Local Planning Authority. The SuDS features shall thereafter be implemented and maintained for the lifetime of the development.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the lifetime of the development in accordance with Policy WAT 4 of the Northumberland Local Plan.

33a. Prior to first use a lighting scheme for all areas of the site including, but not restricted to, the Phase 1 car parking area and footpaths, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting shall be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not unduly affect residential amenity or prevent bats using their territory (e.g. for foraging or commuting) or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the approved scheme and no external lighting shall otherwise be installed without prior approval in writing from the Local Planning Authority.

Reason: To protect residential amenity and maintain connectivity along commuting and feeding corridors for protected animal species in accordance with the NPPF.

33b. Prior to first use of the Phase 2 car parking area a lighting scheme for the Phase 2 car parking area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting shall be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not unduly affect residential amenity or prevent bats using their territory (e.g. for foraging or commuting) or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the approved scheme and no external lighting shall otherwise be installed without prior approval in writing from the Local Planning Authority.

Reason: To protect residential amenity and maintain connectivity along commuting and feeding corridors for protected animal species in accordance with the NPPF.

34. The development shall be carried out in accordance with the archaeological scheme approved under decision 22/00120/DISCON dated 3 March 2022.

Reason: The site is of archaeological interest and to comply with Policy ENV 7 of the Northumberland Local Plan and the National Planning Policy Framework.

Informatives:

1. Any intrusive activities including initial site investigation boreholes, and / or any subsequent treatment of coal mine workings / coal mine entries for ground stability purposes require the written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action.

2. The prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice. Failure to address issues of noise, dust and light at the

development stage does not preclude action by the Council under Section 79 of the Environment Protection Act 1990 in respect to statutory nuisance.

3. British Standards 5228 (Code of practice for noise and vibration control on construction and open sites) sets out noise limits that the developers will be expected to adhere to, particularly in relation to working outside 'normal working hours'.

4. There shall be no burning of any material associated with the construction phase of the development.

5. It is recommended that the lighting scheme approved under condition 29 is designed in consultation with the project ecologist and follow guidance set out in Institution of Lighting Professionals Advice Note 08/18 (2018).

6. The application for the temporary closure and / or diversion of section of path 300/128 will be required prior to any works starting that might affect the footpath.

7. Offsite highway works required in connection with the proposed development are controlled by the Council's Technical Services Division. These works should be carried out before the car parking area is made available for public use. The Council will undertake such works at the applicant's expense. Highways Development Management (highwaysplanning@northumberland.gov.uk) should be contacted to progress this matter.

8. A highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from the site. Highways Development Management (highwaysplanning@northumberland.gov.uk) should be contacted to arrange a survey.

9. The Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk should be contacted before and during the construction period in respect of any impacts to current and proposed Traffic Regulation Orders.

10. Building material or equipment shall not be stored on the highway unless otherwise agreed. The Streetworks Team on 0345 600 6400 should be contacted for Skips and Containers licences.

11. The Council's Lighting Section at highwaysstreetlighting@northumberland.gov.uk should be contacted before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

12. In accordance with the Highways Act 1980, no mud, debris or rubbish shall be deposited on the highway.

13. Road safety audits are required to be undertaken. The Council offers this service and can be contacted at highwaysplanning@northumberland.gov.uk or 01670 622979.

14. The demand for EV car parking spaces is likely to increase in the future to reflect the inevitable increased take up of electric vehicles.

Date of Report: 16 May 2023

Background Papers: Planning application file 22/02679.VARYCO (this application) and 21/02253/CCD (station application)

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Northumberland County Council

Strategic Planning Committee 6 June 2023

ADDENDUM REPORT

Application No:	21/02679/VARYCO		
Proposal:	Variation of conditions 2 (approved plans), 5 (details of boundary treatment), 7 (scheme of intrusive investigations), 8 (signed statement), 12 (detailed landscape scheme), 14 (details of car park bays), 23 (scheme of CCTV), 32 (maintenance and adoption of SuDs features) and 34 (detailed lighting design, of planning permission 21/02253/CCD to enable the phased construction of railway station car park including associated minor changes to internal layout, circulation area and landscaping.		
Site Address	Land South East Of Delaval Court, Astley Road, Seaton Delaval, Northumberland		
Applicant:	Northumberland County Council County Hall, Morpeth, NE61 2EF,	Agent:	Alannah Healey SLC Property 72 B-Box Studios Stoddart Street Newcastle upon Tyne NE61 2EF

Planning Conditions

The following amendment to the list of conditions in the Committee report is suggested.

Delete Condition No. 8 and replace by the following two conditions.

8a. Prior to the Phase 1 car park being brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and / or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy Framework.

8b. Prior to the Phase 2 car park being brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of

any remedial works and / or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, as the site lies in an area where historic unrecorded shallow mine workings are likely to have taken place, in accordance with the National Planning Policy Framework.

Author and Contact Details

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Date: 2 June 2023

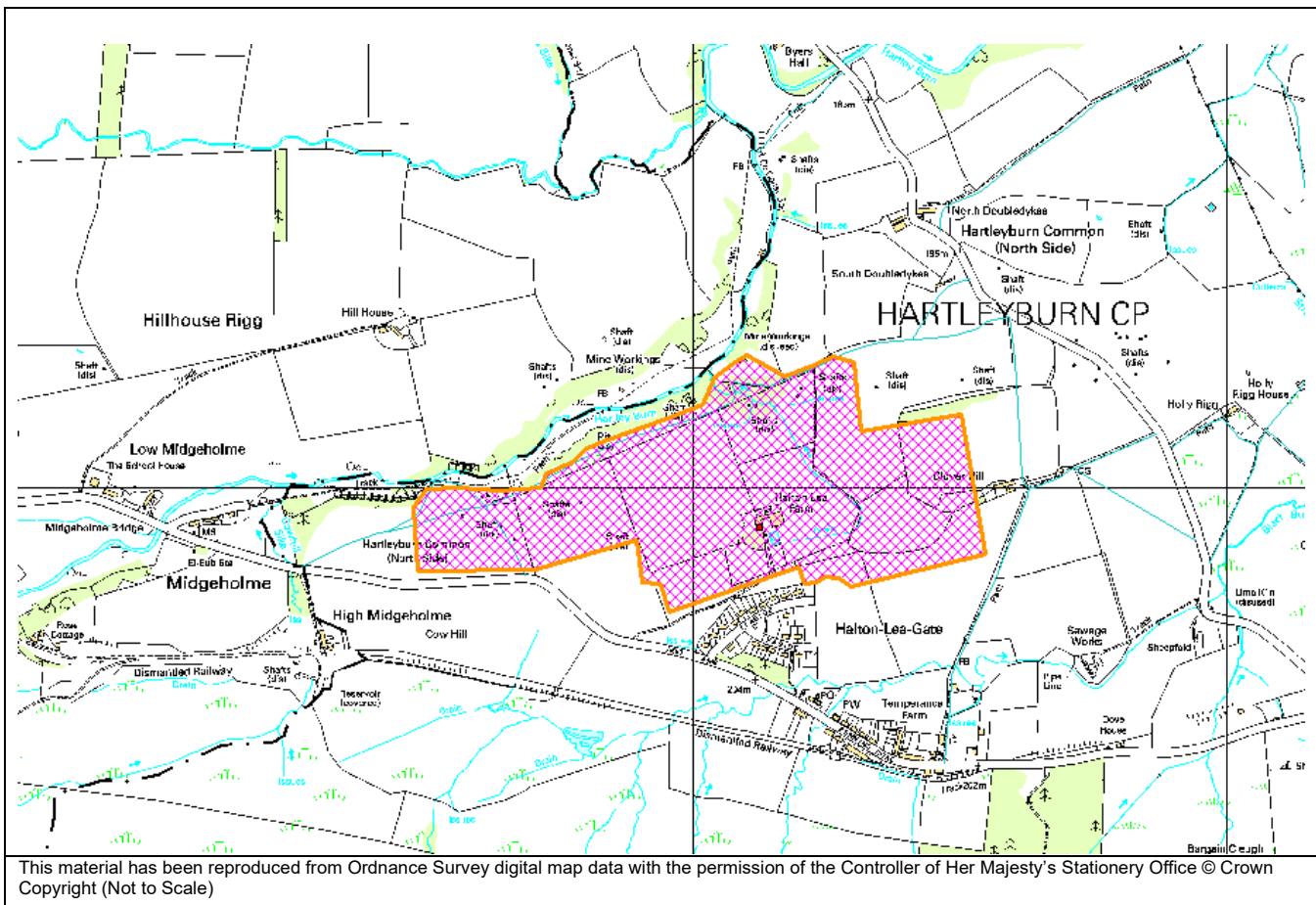
Background Papers: Planning application file 21/02679/VARYCO (this application) and 21/02253/CCD (station application)



Northumberland County Council

Strategic Planning Committee, 7 September 2021

Application No:	19/03681/VARCCM		
Proposal:	Variation of condition 5 (restoration) of approved planning application 13/01492/VARCCM in order to allow for the restoration of the site to be completed as amended on 26 February 2021 and 16 June 2021		
Site Address	Halton Lea Farm, Brampton, Northumberland, CA8 7LS		
Applicant:	Mr David Booth c/o 21 Ben Nevis Drive, Leasham, Little Sutton, Cheshire CH66 4YZ	Agent:	Christine House House Associates
Ward	Haltwhistle	Parish	Hartleyburn
Valid Date:	29 August 2019	Expiry Date:	30 May 2021
Case Officer Details:	Name: Mr David Love Job Title: Senior Planning Officer Tel No: Email: David.Love@northumberland.gov.uk		



Recommendation: That this application be GRANTED permission subject to conditions and the completion of a S106 agreement to secure the following obligations:

- Community contribution in lieu of the original Community Fund to comprise of any monies remaining from the Project Account on the date of completion of the restoration
- S39 agreement for the extended aftercare of the site for biodiversity management of the site
- Remove obligations from the original S106 which are no longer relevant or required

1.1 1. Introduction

1.1 This application was previously approved by the SPC on the 7th September 2021. At that time it was granted on the recommendation of a S106A towards a community fund. This has now been signed, but given the determination was made under the saved policies of the Minerals Local Plan it is incumbent on Members to hear the application again but based on the updated policies of Northumberland Local Plan.

1.2 The Northumberland Local Plan (NLP) (2018-2038) was adopted in March 2022 as such this plan now forms the main development plan to which applications will be assessed. This report was written prior to adoption of the NLP whilst the S106A was being secured. The appraisal has not been updated to reflect the policies of the NLP, however the development has been re-assessed and it is considered to accord with the NLP in all respects.

1.3 As a result the recommendation remains the same, but the conditions have been updated to reflect the up-to-date Local Plan. The purpose of this report is to update Members on the policy position but not to seek to review the original decision. The original officer report can be found in Appendix 1. It is recommended that Members take note of this report and endorse its recommendations.

2. **Planning Policy**

2.1 Development Plan Policy

Northumberland Local Plan 2018 – 2036 (adopted March 2022)
Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment
Policy ENV 2 Biodiversity and geodiversity
Policy ENV 3 Landscape
Policy ENV 6 North Pennines Area of Outstanding Natural Beauty
POL 3 Agricultural Land Quality
MIN3 Mineral and Landfill site restoration, aftercare and after-use

2.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Policy Guidance (NPPG) (2014, as updated)

3. **Conclusion**

3.1 The main planning considerations in determining this application have previously been considered by Members on the 7th September 2021. At that time Members endorsed the positive officer recommendation of approval subject to conditions and a S106A legal agreement. This report advises that the adoption of the Northumberland Local Plan does not materially alter the policy position under which the application was determined. As such the recommendation remains the same.

3.2 It is therefore considered that the proposal remains in accordance with the National Planning Policy Framework and policies of the Northumberland Local Plan

4. Recommendation

That this application be GRANTED permission subject to conditions and the completion of a S106 agreement to secure the following obligations:

- Community contribution in lieu of the original Community Fund to comprise of any monies remaining from the Project Account on the date of completion of the restoration
- S39 agreement for the extended aftercare of the site for biodiversity management of the site
- Remove obligations from the original S106 which are no longer relevant or required

Conditions/Reason

01. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan: NT10659 Figure 1.1 (from 13/01492/VARCCM)
Planning Application Boundary: NT10659-002A (from 13/01492/VARCCM)
Barrel Wash Restoration Methodology (Washery Discard Lagoons) – DAB Geotechnics – dated 16 October 2020
Removal of Water Treatment Area Method Statement Drawings V01
Water Treatment Area Method Statement V02 Dated 9 February 2021
Proposed Contours HLG-20-41 dated 14/12/20
Revised Restoration Plan HA21-02-LA-02 Rev: P4 dated 29/07/21
Site Access Layout HA21-02-LA-03 Rev: P1 11/06/21
Landscape and Ecological Management Plan - House Associates - dated August 2021

Reason: To ensure that the site is correctly restored (Policy SM1 of the Northumberland Minerals Local Plan)

02. The Aftercare Period for the site shall extend for a period of 5 years effective management from the date of final top soil restoration of the land. The aftercare period for areas of grassland, ecological areas and scrapes/ponds shall be extended to 30 years from the commencement of the Aftercare Period.

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan)

03. Before 30 September of every year during the Aftercare Period, and not less than four weeks prior to the Annual Review Meeting, a report in accordance

with current national and local planning framework and guidelines shall be submitted by the developer to the Mineral Planning Authority and other interested parties, recording the operations carried out on the land since the date of restoration, or previous aftercare meeting, and setting out the intended operations for the next 12 months.

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan)

04. Before 30 November of every year during the Aftercare Period, the land owner shall arrange to attend a site meeting with the Mineral Planning Authority on a mutually agreed date to discuss the report prepared in accordance with Condition 03, and to which the following parties shall also be invited:
- (a) All owners and occupiers of land within the site.
 - (b) Representatives of other statutory bodies as appropriate.
- The developer shall arrange additional aftercare meetings as required by the Mineral Planning Authority.

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan)

05. During the Aftercare Period the following shall be carried out:
- (a) The soil to be tested annually with fertiliser and lime applied in accordance with good agricultural practice, and at a rate targeted either:
 - To achieve the following nutrient levels under the Index System described in Defra Reference Book 209 "Fertiliser Recommendations:"
 - Potash - Index 2
 - Phosphate - Index 2
 - pH - 6.0
 - Or appropriate nutrient levels for the agreed vegetation establishment.
 - (b) Reseeding any areas where a grass sward fails to become well established, with approved species mixture.
 - (c) The grass sward to be reduced to 50-100mm in length, by cutting or grazing, before the end of October during each year of aftercare.
 - (d) The condition of the grass sward to be inspected annually, with appropriate measures taken to control weed infestation.
 - (e) No vehicles, (with the exception of low ground pressure types required for approved agricultural work), machinery or livestock shall be permitted on the land during the months of November - March inclusive, without the prior consent of the Mineral Planning Authority.

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan)

06. The period of aftercare shall be deemed to have been successfully completed following compliance with Condition 02 as confirmed in writing by the Mineral Planning Authority.

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan).

07. If the area marked as Community Land on the proposed restoration plan is not transferred to Hartleyburn Parish Council within 12 months of the date of this permission the land shall be incorporated into the overall site and managed in line with the approved Landscape and Ecological Management Plan

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan).

08. Land within the application site which is not included in the section 106 agreement and extended management plan shall be fenced with a stock proof fence within 6 months of the date of this permission.

Reason: In the interests of the satisfactory restoration and aftercare of the site (Policy SM1 and EP19 of the Northumberland Minerals Local Plan).

Background Papers: Planning application file(s) 19/03681/VARCCM

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Northumberland County Council

Appeal Update Report

Date: June 2023

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
22/03313/AGTRES	<p>Prior notification for change of use and conversion of agricultural building to single dwelling – The March Barn, Welton</p> <p>Main issues: the proposal involves significant building operations that go beyond what is reasonably necessary to convert the building and therefore it is not permitted development.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/00394/FUL	<p>Retrospective: Construction of pergola and decking within existing beer garden – The Dyvels Hotel, Station Road, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt with no demonstrated very special circumstances to outweigh the harm; and harm to the character and appearance of the building and the surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Partial award

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?
19/04687/OUT	<p>Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham</p> <p>Main issues: inappropriate development in the Green</p>	No

	<p>Belt; lack of information in relation to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
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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 commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>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>
21/02696/S106A	<p>Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland</p> <p>Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.</p>	<p>7 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00913/FUL	<p>Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Main issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04208/FUL	<p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the North Pennines AONB; visibility splays from</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.	
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>
22/01812/FUL	<p>Proposed detached single storey garage and store with associated formation of driveway – Eland Close, Eland Land, Ponteland</p> <p>Main issues: inappropriate development in the Green Belt and the open countryside.</p>	<p>24 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02287/FUL	<p>Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington</p> <p>Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy.</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03609/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

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

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

22/04246/FUL	<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>
22/04507/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>3 April 2023</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>4 April 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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 impact upon residential amenity.</p>	<p>12 April 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>
22/03911/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>24 April 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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</p>	<p>25 April 2023</p> <p>Delegated Decision - Officer Recommendation:</p>

	that is not outweighed by public benefits.	Refuse
22/03876/FUL	A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge Main issues: inappropriate development in the Green Belt.	16 May 2023 Delegated Decision - Officer Recommendation: Refuse
22/01012/FUL	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 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.	17 May 2023 Delegated Decision - Officer Recommendation: Refuse

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm, Kiln Pit Hill, Consett	No
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	No
22/00571/ENDEVT	Unauthorised siting of a caravan – land south-west of Hartburn Bridge, Morpeth	No

	(enforcement notice upheld with some variations)	
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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

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
18/03394/REM	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	Hearing - 27 June 2023 Committee Decision - Officer

	<p>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>Recommendation: Approve</p>
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>

Implications

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

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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Northumberland

County Council

S106 Agreements Update Report

February – April 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 months of February, March and April.



New Agreements

New Agreements completed and added to Database	
February	
21/04209/FUL	Doxford Farm Wedding Venue, Doxford,
22/00492/ful	Land at Alnwick Retail Park, Taylor Drive, Alnwick

March	
21/04037/ful	Land at SW of Elm Bank Farm Spittal
22/03609/AGT RES	Land at Waterside Cottage, Acklington, Morpeth, NE65 9AD (Appeal)
21/03415/ful	Bellingham Auction Mart
21/01613/ful	DOV for Land SW Wansbeck Hospital
10/S/00473/ful DofV	Land at Arcot, Cramlington
22/01602/FUL	Land at Units 1 to 4, 36 Northumberland Road, Tweedmouth
April	
22/01268/FUL	Land at Eastfield Lodge, C95 to Warworth Road passing Eastfield, Easfield,
22/04402/COU	Land at The New House, Foxton Road, Alnmouth
21/02505/CCMEIA	Land North East of Anick Grange Haugh, Anick Grange, Hexham
21/02505CCMEIA	Land NE of Annick Grange Haugh
14/00808/OUT	Land at Netherton Park, Northumberland (supplemental)
10/00267/CCMEIA	Halton Lea Gate (deed of variation)
21/04074/FUL	Land south of Greensfield Farm, Weavers Way, Alnwick

Contributions Received

Development	Type of Contribution	Amounts Received
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Development	Type of Contribution	Amounts Received
19/01296/FUL Car Park of Fairnington Centre, Corbridge Road, Hexham	Affordable Housing	£294,987.18
22/02324 Lyndon House	Play Blyth	£1,684.00
21/00842/Vareia SWS Arcot	Travel Planning Scheme	£15,189.00
21/00842/Vareia SWS Arcot	Travel Plan Co-ordinator	£6075.00
21/00842/Vareia SWS Arcot	Local Centre Maintenance	£2,500.00
21/00842/Vareia SWS Arcot	Healthcare	£26,295.00
21/04209/ful Doxford Farm Wedding venue	Coastal Mitigation Service	£2,016.00
21/04037/ful landElm Bank Caravan Park Cow Road	Coastal Mitigation Service	£7,949
19/04986/ful Old Pump House Alnmouth	Coastal Mitigation Service	£710.21
19/04986/ful lyndon House	Coastal Mitigation Service	£7,995.00
22/01309/out Westholme Farm Road East	Coastal Mitigation Service	£615.00
22/01268/ful Eastfeild lodge	Coastal Mitigation Service	£345.00
22/04402/cou	Coastal Mitigation Service	£345.63

Awards and Payments Made

Awards Paid Out	Project	Amount Paid
Broomhaugh and Riding Parish Council HDF 2022-185	Play Area	£2,082.00
Hexham and Tynedale Community Trust HDF 2021-183	Community Space	£17,359.20

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

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