



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Thursday 21 June 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, 4 JULY 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. **PROCEDURE AT PLANNING COMMITTEES** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES OF PREVIOUS MEETINGS** (Pages 3 - 12)

The Minutes of the Strategic Planning Committee held on Tuesday, 6 June 2023, as circulated, to be confirmed as a true record and signed by the Chair.

4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

5. DETERMINATION OF PLANNING APPLICATIONS

(Pages
13 - 16)

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

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

6. 23/00618/CCD

(Pages
17 - 52)

Proposed cultural hub comprising cinema, creative play and event space (sui generis), Cafe (Class E). Work to include public realm works to Market Place/Church Gardens and refurbishment of public toilets.

Market, Market Street, Blyth, Northumberland NE24 1BQ

7. 22/03153/FUL

(Pages
53 - 78)

Demolition of the existing In Vessel Composting Facility and erection of an anaerobic digestion facility and associated infrastructure. Ellington Composting and Wood Shredding Site, Ellington Road, Ashington, Northumberland NE63 9XS

8. APPEALS UPDATE

(Pages
79 - 92)

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.

9. 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)



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
- (iv) A reminder that if a Member leaves the Chamber whilst an application is being considered then they may take no further part in that application.

B Record attendance of members

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

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

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

Committee members' questions to Planning Officers

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

Debate (Rules)

Proposal

Seconded

DEBATE

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

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

Vote(by majority or Chair's casting vote)

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

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Council Chamber - County Hall on Tuesday, 6 June 2023 at 2.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball
G Hill
J Lang
G Renner-Thompson
G Stewart
A Wallace

R Dodd
JI Hutchinson
J Reid
M Robinson
M Swinbank

OTHER COUNCILLORS

D Towns

Ward Member

OFFICERS

J Blenkinsopp
G Halliday
L Little
D Love
R Murfin
M Patrick
K Tipple

Solicitor
Consultant Planner
Senior Democratic Services Officer
Senior Planning Officer
Director of Housing & Planning
Highways Development Manager
Senior Planner

Around 2 members of the press and public were present.

1 MEMBERSHIP AND TERMS OF REFERENCE

RESOLVED that the Membership and Terms of Reference for the Strategic Planning Committee as agreed by Council at their meeting on 17 May 2023 be noted.

2 PROCEDURE AT PLANNING COMMITTEES

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

RESOLVED that the information be noted.

3 APOLOGIES FOR ABSENCE

Apologies had been received from Councillors Darwin, Flux, Foster and Watson.

4 MINUTES OF PREVIOUS MEETINGS

RESOLVED that the Minutes of the Strategic Planning Committee held on 7 February 2023, as circulated, were agreed as a true record and were signed by the Chair.

5 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.

6 22/02869/FUL

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

D Love, Senior Planning Officer provided an introduction to the report advising that there were a number of errors within the report where information had not been reproduced correctly and information was provided as follows:

- Information under section 3, planning history – these were references to the planning history of the site and had no material bearing on this application.
- Paragraph 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 Local scale.

- Informative for 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.

The full report would be uploaded to the Council’s website.

An addendum report had also been circulated to Members prior to the meeting and it was confirmed that all Members had read the report prior to attending the meeting. A copy of the addendum report had also been uploaded to the Council’s website.

Councillor Towns addressed the Committee speaking as the local Ward Member. His comments included the following:-

- He along with other residents had no objection to the principle of recycling and he recognised the attractiveness of this site for those operations. However just because the site had cost saving attributes to the applicant it did not mean that the Council should allow industrial processes to recommence in what was a very rural area especially given the sensitive nature of the environment and ecology.
- The objection raised by the Northumberland Rivers Trust was significant. The River Line Restoration Project, which included this Council as a partner, had been running for a number of years. The Trust noted in its objection that the river Lyne had failed its water framework directive assessments and was regarded by the Environment Agency as a priority river. This application appeared to utilise the old lagoons as if they were 100% effective, which they regarded as unlikely. They would be concerned about the hydrological regime within the operation of the site. The status quo would be unacceptable in that this failed to address the current water framework directive failures. There appeared to be no temporal limits to the sites operation and no consideration of water quality monitoring. He would therefore urge Councillors to seek more information on these concerns before making a final decision today.
- Local residents were concerned of three issues in particular, dust, noise and traffic movements. Whilst the proposed conditions aimed to prevent HGVs driving through Longhirst Village this would not be policed. Longhirst village already suffered through a large number of HGV movements, especially through the summer months with the grain processing plant. Whilst management did try to prevent vehicles from entering the village a

number of drivers still choose to do so with little able to be done to prevent this by the Council or the Police.

- Vehicle movements in this case would be limited, however the report stated that it would still allow for up to 3,180 vehicle movements per week on at places narrow B road which already caters for large vehicles using the grain processing site and large agricultural vehicles given the rural setting. This could cause problems and accidents and further deterioration of roads.
- Dust mitigation plans rarely seem to be actively policed and he was aware of similar sites which regularly give rise to complaints from nearby residents. Residents were concerned, perhaps with some justification, that no amount of planning conditions would prevent the air becoming heavy with dust and particulates from who knew what type of material.
- Residents were also worried about noise from the site if materials were constantly crushed and washed. If approved suitable noise mitigation must be included and monitored.
- Longhirst Parish Council and himself both realised that the site had been identified in the Local Plan for mineral infrastructure, although not particularly for this use, and was not directly supported by policy. However, the LPA was recommending approval of the application and if it was approved it was asked that the Committee consider formalising conditions for :
 - Independent monitoring of noise levels at regular intervals;
 - The installation of air quality monitors at the site perimeter;
 - Regular liaison meetings with the two local Parish Councils where issues of concerns could be raised;
 - A community fund to help improve the local parishes in which it would be operating; and
 - Placing a suitable time limit on the planning consent so that future restoration to agriculture or nature uses could be given consideration.
- Whilst detailed consideration had been given to the application by Officers, the Local Lead Flood Authority and Environment Agency responses were only received yesterday and the views of the Northumberland Rivers Trust did not seem to have been taken into account and he would urge Members to consider deferring this application until consideration could be given to these matters.
- The conditions sought by Officers still left a large industrial process in the countryside with nearly 3,200 HGV movements on country roads and with an unlimited timespan that in all reality would look to grow in size.
- Residents needed to be fully protected and whilst recycling was to be encouraged it must be asked if this site was really the best one for this process.

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

- There was no need for passing places to be provided as the road was wide enough and there was an informative regarding the Section 159 Highways Agreement and this would ensure that the road was maintained.
- In relation to the figures in paragraph 7.34 the first figures were the distance to the nearest noise/dust generating activities and those in

- parentheses were from the red line boundary.
- In relation to conditions requested by the Ward Member, it was clarified that the Dust Management Strategy proposed was standard good practice. For noise it was standard good practice to avoid putting pressure on the public purse and therefore operators were required to carry out assessments and Public Protection would view the data provided. Public Protection had provided a detailed response and had not requested any mitigation to be provided. If a statutory noise nuisance occurred then Public Protection would need to investigate. It was standard practice on a large mineral sites for liaison committees to be set up, however the operator had offered to attend Parish Council meetings to provide regular updates and this could be formalised by an additional condition if Members required this. In relation to the provision of a Community Fund, if harm was identified as part of an application then this would be looked to be provided as Part of a S106 Agreement however in this instance, harm had not been identified nor a need for a Community Fund so it would not pass the tests as set out in the NPPF for this and therefore there was no legislative route to request it. The application was for a permanent not temporary permission and therefore no restoration condition was required however if the operator wished to expand the site then a further planning application would need to be submitted.
 - This was an unusual application in that the use of rail was able to be secured for transportation of goods and was an overriding reason for the use of this site.
 - Members were also reminded that the NPPF set out that planning conditions should be kept to a minimum, could only be imposed if they were necessary, relevant to planning and to the development to be permitted, be enforceable, precise and reasonable in all aspects.
 - Members were also advised that great weight was placed on consultee responses and if the Environment Agency or Public Protection had objected then the application would have been recommended for refusal, however the other side of this was that if the consultees did not have objections then the same weight must be applied to their response.
 - There could be an opportunity to address any concerns regarding the operating times of the processing plant within the site with an additional condition should Members be minded to do so with delegated authority given to the Director of Planning for the precise wording to be agreed with the Chair.
 - It was not known what the operator intended to use his current site for and that was not relevant to this application.
 - It was not possible to control from which direction HGVs approached the site, however they would be sheeted and noise measurements taken at nearby receptors. A planning condition required the vehicles to exit the site and turn towards the Potland roundabout therefore avoiding Longhirst village.
 - Water quality in relation to the lagoons was a site licensing issue and controlled by the Environment Agency who were in contact with the applicant.
 - The impact of noise from trains had been considered however the timing of train deliveries had not, and it was accepted that freight uses of the railway often happened outside normal hours due to capacity constraints. However the efficient use of rail was still preferable to the use of HGVs

and there would only be three trains per week. If any additional restrictions on plant operating times were required as above, these would only be for the actual processing equipment and this would take away most but not necessarily all noise.

- The material to be recycled was not rubbish but raw materials which could be converted into products for construction sites. The materials would be processed and then re-used with the vast majority of the materials arriving from Northumberland as the operations would be driven by economics.

Councillor Dodd proposed acceptance of the recommendation as outlined in the addendum report which was seconded by Councillor Reid, following a brief discussion the proposer and seconder agreed to an additional condition to be imposed related to the operating hours of the processing plant equipment on site with delegated authority provided to the Director of Planning in consultation with the Chair to agree the wording of the condition and that an informative related to liaison with the Parish Councils would also be added.

It was clarified that the additional condition regarding timing would only be in relation to the processing plant on the site and would not prevent trains being unloaded and the materials being stockpiled for processing.

During discussions Members advised that they considered that there was sufficient protection being proposed and liaison by the applicant with the parish councils was the right way forward. This would bring a brownfield site back into use and the site itself was suitable for this type of operation.

A vote was taken on the proposal to approve the application as outlined in the addendum report with the additional condition regarding the operating hours of the processing plant equipment the wording of which to be delegated to the Director of Planning in consultation with the Chair with an informative added in relation to consultation with the Parish Council and it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the addendum report with an additional condition added related to the operating times of the processing plant equipment the wording of which was delegated to the Director of Planning in consultation with the Chair and an additional informative added regarding liaison with the Parish Councils.

- 7 **22/02679/VARYCO**
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

G Halliday, Consultant Planner provided an introduction to the report and a power

point presentation. An addendum report which detailed changes to condition 8 had also been circulated to Members in advance of the meeting and uploaded to the Council's website. It was confirmed that Members had received and had read the report.

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

- The forecast for the use of the car park looked at how the rail station was predicted to be used and the car parking phasing was now based on that. The level of car parking would be increased when needed and would not be at an arbitrary date.
- Since the scheme had been given permission construction costs had increased and the Council was in talks with the Government regarding funding. In relation to the car parks, the question was now being asked if the level of parking was required to be provided at the outset when it was not known how the use of the stations would develop and phasing was being considered to cut costs. Similar applications had been made for Newsham and Bebside stations, but the station at Bedlington was different in that the car parking was split between two separate sites. It was likely that an application would be submitted to defer the construction of the Liddle's Street car park, however as the site might be required in the future, discussions were taking place regarding its retention and safeguarding for use by the Northumberland Line scheme.
- If required the provision of the second phase could be accelerated if there was a sudden spike in demand for spaces. It had never been envisaged that all the spaces would be required immediately and what was now being proposed should be sufficient for 5 years but the actual trigger point would depend on the take up of spaces.
- The location of the footpaths had been agreed with the Public Rights of Way Officer and temporary diversions were all in place with no changes required to those arrangements due to these proposals. The reason for fencing being provided around the site was not known and discussions had taken place on who would be responsible for the maintenance of the Phase 2 land before it was required for car parking and it seemed likely that it would be the Council.
- It was clarified that a value engineering exercise in construction was where there was an original design and once the costings had been provided then an exercise would be undertaken to see if there were different ways of doing something to reduce the cost whilst still retaining the overall product. This had been undertaken in this instance and the result was that a planning application was required for the phasing of the car parking.
- There was an overarching principle regarding tree planting in that the smaller the trees were when they were put in i.e. whips, the better they grew. The normal approach would be to use a mix of sizes with a greater reliance on whips. It was clarified that residents had previously held strong objections to the proposals, however following extensive discussions there were now no objections to the current proposals in respect of the tree planting belt.

5.56 pm Councillor Lang left the meeting at this point.

- The car park management plan was a live document and would consider in detail the mix of type of electric vehicle charging points to be installed based on the initial modelling for numbers and usage would be monitored once the station car park opened.
- The construction of the phase 2 car park would have a much shorter construction period than the current construction of the station and phase 1 car park.

Councillor Renner-Thompson proposed acceptance of the recommendation to approve the application as detailed in the report with the change to condition 8 outlined in the addendum report. This was seconded by Councillor Dodd.

Councillor Reid asked that an amendment be made to look at the boundary treatment of the phase 2 land to agree on something better than the wooden fence that was being proposed. It was suggested by the Chair and agreed that rather than an amendment being made that Officers would discuss the necessity of the fence with the applicant.

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

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report with the amendment to condition 8 as per the addendum report.

8 **19/03681/VARCCM**
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

An introduction to, and power point presentation on the report was provided by D Love, Senior Planning Officer.

There were no questions from Members of the Committee.

Councillor Hutchinson proposed acceptance of the recommendation to approve the application as outlined in the report with changes to Condition 5 (c) and (d) to state that grazing/livestock should be cloven hoofed animals or that it did not include horses. The precise wording of the condition be delegated to the Director of Planning in consultation with the Ecologist. This was seconded by Councillor Stewart.

It was clarified that as this was restoration land that the LPA could be prescriptive on the type of uses on it.

A vote was taken on the proposal as outlined above and it was unanimously

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined with the amendment to Condition 5 (c) and (d) to state that grazing/livestock should be cloven hoofed animals or did not include horses and

that the precise wording of the condition be delegated to the Director of Planning in consultation with the Ecologist.

9 **APPEALS UPDATE**

RESOLVED that the information be noted.

10 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....

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Northumberland County Council

STRATEGIC PLANNING COMMITTEE

DATE: 4 JULY 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
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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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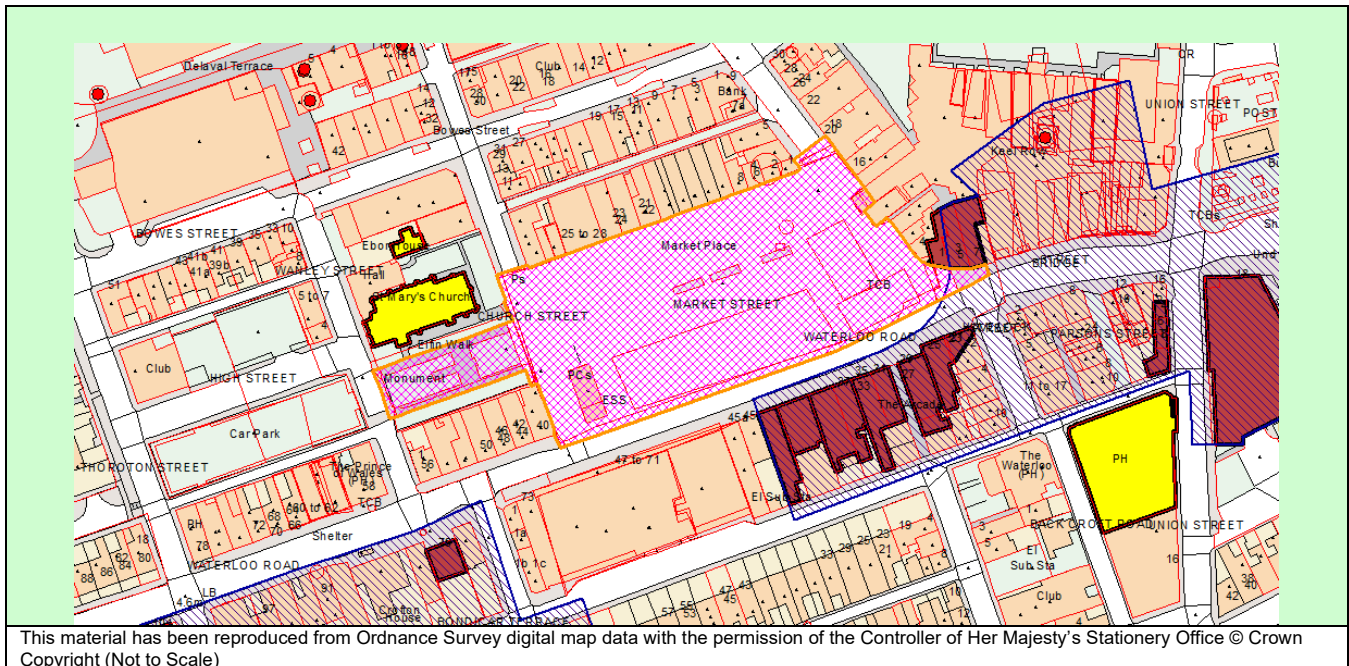


Northumberland
County Council

Strategic Planning Committee 6th June 2023

Application No:	23/00618/CCD		
Proposal:	Proposed cultural hub comprising cinema, creative play and event space (sui generis), Cafe (Class E). Work to include public realm works to Market Place/Church Gardens and refurbishment of public toilets.		
Site Address	Market, Market Street, Blyth, Northumberland NE24 1BQ		
Applicant:	C/o DPP, Studio 012 Haylofts, St Thomas Street, Newcastle Upon Tyne NE14LE	Agent:	Helen Marks DPP, Studio 012, Haylofts, St Thomas' St, Newcastle upon Tyne NE1 4LE
Ward	Croft	Parish	Blyth
Valid Date:	28 February 2023	Expiry Date:	30 May 2023
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being determined at Planning Committee Council as it raises significant planning issues

2. Description of the Proposals

2.1 This application seeks full permission for the construction of a 'Cultural Hub' comprising a cinema, 'creative play', café, and an 'event space', along with public realm works to the wider market place and Church Gardens, plus the refurbishment of the existing public toilets.

2.2 Market Square has been regarded as an underused space and the proposal seeks to bring vibrancy back into the market square, which will then stimulate the wider regeneration and renewal of the town. The proposed scheme forms part of an overarching programme of town regeneration in receipt of funding from Central Government through the Future High Street Fund and the Town Deal.

2.3 The Culture Hub is proposed to comprise a two-storey building of 2,248m² gross internal area. Sub-divided between three digital cinema screens, (capacities ~ 100, 60 and 40), a studio for performance and events with a (capacity ~ 120 seated, 200 standing), a smaller multipurpose space for arts, health and wellbeing activity, a 'cafe bar' and a 'children's play facility'. The main, glazed entrance area to the east of the building would open out onto the remainder of the Market square, which would redesign its public realm with new hard and soft landscaping along with the linked Church Gardens.

2.4. The site is adjacent to two Conservation Areas to the southern side of the Market square, the Blyth Bondicar Terrace and the Blyth Central Conservation Areas. The Northumberland Local Plan has also allocated the surrounding use as key shopping frontages to retain the vitality and viability of the town centre.

3. Planning History

Reference Number: 20/00690/FUL

Description: Installation of a large 2.5 m diameter ellipsoidal sculpture depicting the history of Blyth.

Status: PER

Reference Number: 21/00871/ADE

Description: Advertisement Consent: Installation of a 6 metre high flag pole

Status: PER

Reference Number: 21/03061/ADE

Description: Advertisement Consent: Installation of 6 metre high flag pole for 3 flags (resubmission of application 21/00871/ADE - amended location)

Status: PER

Reference Number: B/04/00559/ADV

Description: 6 No. banner poles (3.0m x 1.0m pvc banners secured by special tensioning arms to 8.0m steel banner poles)

Status: PER

Reference Number: B/07/00195/FUL

Description: Proposed redevelopment of market place to include allowance for the market, events and informal seating

Status: PER

Reference Number: B/74/C/200

Description: DEMOLITION OF ZION CHURCH, CENTRAL CINEMA AND PUBLIC LAVATORIES. ERECTION OF A 2 STOREY SHOPPING AND OFFICE BUILDING, AND RESHAPING MARKET PLACE.

Status: NOOBJ

Reference Number: B/78/C/334

Description: Reconstruction of market square including paving and landscaping

Status: PER

Reference Number: B/07/00195/FUL

Description: Proposed redevelopment of market place to include allowance for the market, events and informal seating

Status: PER

Reference Number: C/07/00059/DCD

Description: Proposed redevelopment of market place to include allowance for the market events and informal seating

Status: NOCOM

Reference Number: B/07/00551/REG3

Description: Extension to provide office space for market/town centre managers, plant room for new water feature and storage space for market stalls.

Status: PER

Reference Number: C/07/00168/DCD

Description: Extension to provide office space for market town centre managers, plant room for new water feature and storage space for new market stalls

Status: NDNCC

Reference Number: 20/01674/FUL

Description: Use of land for the siting of upcycled shipping containers to provide retail and leisure facilities (use class A1,A3, A4 and A5) and tented permanent roof covering

Status: WDN

Reference Number: B/74/C/200

Description: DEMOLITION OF ZION CHURCH, CENTRAL CINEMA AND PUBLIC LAVATORIES. ERECTION OF A 2 STOREY SHOPPING AND OFFICE BUILDING, AND RESHAPING MARKET PLACE.

Status: NOOBJ

Reference Number: B/78/C/334

Description: Reconstruction of market square including paving and landscaping

Status: PER

Reference Number: B/95/C/0159/P
Description: New replacement public convenience
Status: PER

Reference Number: B/04/00559/ADV
Description: 6 No. banner poles (3.0m x 1.0m pvc banners secured by special tensioning arms to 8.0m steel banner poles)
Status: PER

Reference Number: B/07/00195/FUL
Description: Proposed redevelopment of market place to include allowance for the market, events and informal seating
Status: PER

Reference Number: 20/01674/FUL
Description: Use of land for the siting of upcycled shipping containers to provide retail and leisure facilities (use class A1,A3, A4 and A5) and tented permanent roof covering
Status: WDN

Reference Number: B/74/C/200
Description: DEMOLITION OF ZION CHURCH, CENTRAL CINEMA AND PUBLIC LAVATORIES. ERECTION OF A 2 STOREY SHOPPING AND OFFICE BUILDING, AND RESHAPING MARKET PLACE.
Status: NOOBJ

Reference Number: B/78/C/334
Description: Reconstruction of market square including paving and landscaping
Status: PER

Reference Number: B/04/00559/ADV
Description: 6 No. banner poles (3.0m x 1.0m pvc banners secured by special tensioning arms to 8.0m steel banner poles)
Status: PER

Reference Number: B/07/00195/FUL
Description: Proposed redevelopment of market place to include allowance for the market, events and informal seating
Status: PER

Reference Number: B/88/C/130
Description: To provide temporary accommodation for 2 shop units (during the construction of the new shopping development)
Status: PER

Reference Number: B/89/C/130/A
Description: To provide temporary accommodation for 2 shop units (during the construction of the new shopping development) (renewal of permission for a further 18 months)
Status: PER

Reference Number: B/74/C/200

Description: DEMOLITION OF ZION CHURCH, CENTRAL CINEMA AND PUBLIC LAVATORIES. ERECTION OF A 2 STOREY SHOPPING AND OFFICE BUILDING, AND RESHAPING MARKET PLACE.

Status: NOOBJ

Reference Number: B/78/C/334

Description: Reconstruction of market square including paving and landscaping

Status: PER

Reference Number: B/04/00559/ADV

Description: 6 No. banner poles (3.0m x 1.0m pvc banners secured by special tensioning arms to 8.0m steel banner poles)

Status: PER

Reference Number: B/07/00195/FUL

Description: Proposed redevelopment of market place to include allowance for the market, events and informal seating

Status: PER

Reference Number: C/07/00059/DCD

Description: Proposed redevelopment of market place to include allowance for the market events and informal seating

Status: NOCOM

Reference Number: B/07/00589/REG3

Description: Erection of an art feature mounted on a raised granite plinth.

Status: PER

Reference Number: C/07/00185/DCD

Description: Erection of an art feature mounted on a raised granite plinth

Status: NDNCC

Reference Number: B/80/C/231

Description: Change of use of temporary car park for the erection and operation of 35 collapsable stalls on 2-3 days per week

Status: PER

Reference Number: 15/00079/LIC

Description: Premises Licence

Status: NOOBJ

Reference Number: 20/01674/FUL

Description: Use of land for the siting of upcycled shipping containers to provide retail and leisure facilities (use class A1,A3, A4 and A5) and tented permanent roof covering

Status: WDN

Reference Number: 22/02882/SCREEN

Description: Screening opinion for a culture hub and market place

Status: EIANR

Reference Number: B/78/C/334

Description: Reconstruction of market square including paving and landscaping

Status: PER

4. Consultee Responses

Northumbrian Water Ltd	No response received.
County Ecologist	No objection subject to conditions
Environment Agency	No comments
Public Protection	No objection subject to conditions
Tourism, Leisure & Culture	Support
Climate Change Team	No response received.
Architectural Liaison Officer - Police	No objections
Fire & Rescue Service	No objections
Northumbria Ambulance Service	No response received.
Natural England	No response received.
Architectural Liaison Officer - Police	No response received.
Blyth Town Council	No comments
Building Conservation	No objection subject to conditions
Highways	No objection subject to conditions
Lead Local Flood Authority (LLFA)	No objection subject to conditions
The Coal Authority	No objections
Northumbrian Water	No objection subject to conditions

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	200
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Affecting Listed Building 6th March 2023

News Post Leader 17th March 2023

Summary of Responses:

None.

6. Planning Policy

6.1 Development Plan Policy

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

STP1 – Spatial strategy
STP2 – Presumption in favour of sustainable development
STP3 – Principles of sustainable development
STP4 – Climate change mitigation and adaptation
STP6 – Green infrastructure
ECN1 – Planning strategy for the economy
ECN15 – Tourism and visitor development
QOP1 – Design principles
QOP2 – Good design and amenity
QOP4 – Landscaping and trees
QOP5 – Sustainable design and construction
QOP6 – Delivering well-designed places
TCS 1 – Hierarchy of centres (Strategic Policy)
TCS 2 - Defining centres in Main Towns (Strategic Policy)
TCS 3 – Maintaining and enhancing the roles of centres (Strategic Policy)
TCS5 – Keeping high streets vibrant
TRA1 – Promoting sustainable connections
TRA2 – The effects of development on the transport network
TRA4 – Parking provision in new development
ENV1 – Natural, historic and built environment development impact assessment
ENV2 – Biodiversity and geodiversity
ENV3 – Landscape
ENV7 – Historic environment and heritage assets
ENV9 – Conservation Areas
WAT3 – Flooding
WAT4 – Sustainable drainage systems
POL1 – Unstable and contaminated land
POL2 – Pollution and air, soil and water quality
INF 2 - Community services and facilities

6.2 National Planning Policy

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

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 2016-2036 (adopted March 22). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

- Principle of the development
- Design and visual impact
- Impact on amenity
- Conservation
- Ecology

- Highway Safety
- Water Management
- Public Protection

Principle of the development

7.3 Market Square is located within the 'Main Town' of Blyth under the NLP Proposals map, Policy STP1 and TCS 1 which is a focus for employment, housing, retail and services. The site is within the centre of Blyth within a prime location for access to services and transport connections and will boost the Main Town of Blyth and draw more local people and visitors to the town centre and make a contribution to county-wide tourism aims. Policy STP 2 reflects the approach in favour of sustainable development that improve the economic, social and environmental conditions in the area. Policy STP 3 expands on the principle further and the proposed development should seek to:

- *Contribute to building a strong, responsive and competitive economy across Northumberland, support more and better jobs, protect and enhance the vitality and viability of Northumberland's town centres and other important economic sectors;*
- *Support and provide opportunities to improve health, social and cultural wellbeing for all, and provide the infrastructure which is required to enhance the quality of life of individuals and communities;*
- *Contribute to net gains for biodiversity and establish a coherent and resilient ecological network;*
- *Make efficient use of land...through the re-use of brownfield sites);*
- *Demonstrate high quality sustainable design which is accessible to all, and which respects and enhances the local distinctiveness of the natural, historic and built environment, helps promote a sense of place, reduces the need for energy, and facilitates flexible and adaptable buildings and environments;*
- *Be accessible by, or be able to be made accessible by public transport, walking or cycling where feasible, thereby reducing the need to travel for both people and goods, and the dependence on travel by private car.*

7.4 The NLP allocates the site within Blyth Town Centre and the Primary Shopping Area. Policy TCS 1 supports growth within centres at a scale which helps to maintain and reinforce their roles within the hierarchy, as well as their relationship with regional centres. The proposed Cultural Hub aims to achieve this objective and would provide appropriate town centre uses to satisfy the requirements of Policy TCS 2 and under Policy TSC3 to maintain and enhance the role of centres. In particular, the application would directly support Blyth's role as a community and service hub and viable centres for shopping business, culture and leisure as well as a place to live, work and visit. The policy also expands by stating this objective will be achieved in main towns by identifying opportunities and supporting proposals for developments which are physically and functionally integrated with the existing Primary Shopping Area.

7.5 All development of additional 'Main Town' Centre uses will be considered positively if it will deliver social, economic and/or environmental benefits for the centre concerned, but it must be in scale with the size and function of the centre, taking into account the overall size of the settlement and its catchment and planned growth of that settlement over the plan period.

7.6 Policy TCS 5 seeks to keep high streets vibrant and of relevance is the:

“Improvements in the public realm of centres will be designed to encourage people to visit the centre more and remain there longer, through measures such as pedestrianisation, seating, landscaping, complementary services and controlling shop front design; these aspects should:

- a. Adhere to the design policies elsewhere in the Plan and any design guidance that forms part of the Northumberland Design Guide;*
- b. Cater for the needs of people with disabilities; and*
- c. Comply with the requirements of Policy QOP 3 Public Realm Design Principles”.*

7.7 Policy TCS 5 also seeks to ensure that there is no loss of public spaces in central, accessible locations that have the capacity to host markets or other events and activities appropriate to town centres. Furthermore, Policy INF2 encourages the creation of new community facilities where they will meet an identified need. The proposal would partly build upon Market Square, resulting in a loss of public open space. It is acknowledged however, that an alternative community use would be provided, and the remaining area of Market Square will become a more welcoming area with landscape and design enhancements. It also has to be noted that the site accommodated a cinema until 1974 so historically, the demolition of this building increased the size of the Market Place to that which exists today.

7.8 Part 1 of Policy INF 5 seeks to prevent the loss, not just of specifically protected open spaces but also of *“other existing open space, sports and recreational buildings and land”* unless the space is surplus to requirements or would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or there is provision on site which clearly outweighs the loss. In this case, all three could be said to apply, insofar as the square has long been regarded as oversized and the new building and improved public realm will more than compensate for the quantitative loss of outdoor space.

7.9 To further support the general development within Blyth Town Centre, Policy ECN 15 supports tourism and visitor development with ‘Main Towns’ prioritised for the development of significant new facilities. A flagship scheme for Blyth would accord with the main aim of this policy by attracting more visitors into the town centre.

7.10 Policy INF 2, part 2 supports improvements in the quantity, quality, accessibility and range of community services and facilities, and the provision of new services and facilities where these will meet an identified need and subject to overcoming any planning constraints. The need for this type of facility has been shown to exist through various studies that preceded this application with a cinema chain expressing interest. The NCC Tourism, Leisure & Culture Team support investment in the sector of measures that strengthen the diversity, depth and breadth of the county's tourism and visitor economy. Development of this nature will contribute new facilities which will in turn improve the visitor experience and facilitate additional visits and related spending within the county.

7.11 The proposal would be supported by NLP Policy STP 5 (Health and wellbeing) to provide access to a range of facilities and create a strong sense of place which encourages community cohesion and social interaction.

7.12 Overall, the principle of development is it accords with the spatial strategy of the NLP and will boost the ‘Main’ town of Blyth. In summary, the proposal would:

- Provide appropriate town centre uses in a sustainable location;
- Support Blyth's role as a community and service hub and a viable centre for shopping business, culture and leisure;
- Supports economic growth;
- Protect and enhance the vitality and viability of Blyth Town Centre;
- Seek to deliver social, economic and environmental benefits in scale with the size and function of Blyth town centre;
- Prioritises a 'Main Town' for the development of significant new facilities and supports tourism and visitor development.

7.13 As such, the application is in accordance with NLP policies STP1, STP 2, STP 3, STP 5, TCS 1, TCS 2, TCS 3, TCS5, INF 2 and INF 5.

Design & Built Heritage

Design

7.14 The introduction of a large building in Market Square is a significant change to the current area of public open space. The building would become the dominant feature in the area and restricting some open views from the surrounding streets. The proposal is better understood when acknowledging the history of the site and the current issues the area faces which has resulted in a large space becoming under-utilised and not a welcoming place to promote social engagement. The application demonstrates a good evolution of the design and reasoning for the preferred option.

7.15 The design principles are established in Policy QOP 1 that states new developments should:

“a. Make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography;

b. Create or contribute to a strong sense of place and integrate the built form of the development with the site overall, and the wider local area, having particular regard to:

i. Building heights;

ii. The form, scale and massing, prevailing around the site;

iii. The framework of routes and spaces connecting locally and more widely;

iv. The pattern of any neighbouring or local regular plot and building widths, and where appropriate, follow existing building lines;

v. the need to provide active frontages to the public realm; and

vi. distinctive local architectural styles, detailing and materials;

c. Be visually attractive and incorporate high quality materials and detailing;

d. Respect and enhance the natural, developed and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting;

e. Ensure that buildings and spaces are functional and adaptable for future uses;

f. Facilitate an inclusive, comfortable, user-friendly and legible environment;

g. Support health and wellbeing and enhance quality of life;

h. Support positive social interaction and a safe and secure environment, including measures where relevant to reduce the risk of crime and the fear of crime;

- i. Not cause unacceptable harm to the amenity of existing and future occupiers of the site and its surroundings;*
- j. Incorporate, where possible, green infrastructure and opportunities to support wildlife, while minimising impact on biodiversity and contributing to environmental net gains;*
- k. Make provision for efficient use of resources;*
- l. Respond to the climatic conditions of the location and avoid the creation of adverse local climatic conditions;*
- m. Mitigate climate change, and be adaptable to a changing climate; and*
- n. Ensure the longevity of the buildings and spaces, and secure the social, economic and environmental benefits over the lifetime of the development.*

2. Great weight will be given to proposals which demonstrate outstanding or innovative design, in line with the requirements set out in national policy and having regard to the relevant guidance in the Northumberland Design Guide”.

7.16 Policy QOP 2 requires development to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area. Policy QOP 3 identifies the public realm design principles as set out in Policy QOP 1. Where relevant, the design of the public realm will be expected to:

- “a. Create diverse, vibrant buildings and spaces which contribute to supporting a range of public activity;*
- b. Be physically and socially accessible and inclusive;*
- c. Be clearly defined from private spaces;*
- d. Have a clear hierarchy of routes and spaces, which are faced by active frontages and maximise natural surveillance;*
- e. Prioritise pedestrian and cycle movement and facilitate access to public transport wherever possible;*
- f. Avoid dominance of vehicles and ensure that parking, where included, is sensitively integrated;*
- g. Maximise urban greening, including the use of street trees and other vegetation as appropriate;*
- h. Respond to opportunities to incorporate public art where possible; and*
- i. Incorporate appropriate street furniture, lighting and surface materials”*

7.17 Policy QOP 6 is also appropriate for this scheme as a robust analysis of the context and character of the site and the local area is advised.

7.28 In summary, the Cultural Hub will comprise the following:

- Three independent fully digital cinema screens, with capacities of 100, 60 and 40
- A Studio (for performance and events) with a capacity of 120 seated and 200 standing
- A smaller multipurpose space directed to arts, health and wellbeing activity
- A cafe bar appropriate to the above with capacity for wider custom
- A creative play facility engaging and supporting families and children

7.19 The existing toilet block in the Market Place will be refurbished as part of the proposed works and extensive public realm works will be carried out to the Market Place to create a vibrant destination space in the heart of Blyth. The works will include:

- Provision of a Market Place, edged with planting and seating;
- A dedicated area for Market Traders;
- Creative outdoor play space;
- Cloister garden adjacent to St Mary's Church with raised lawn and planting;
- A location for the Christmas tree.

7.20 The proposed hard and soft landscaping scheme will include green planting with extensive areas of seating which seeks to establish an area in which the community can gather and enjoy social interaction. Planting will be used to create a softer, more attractive and welcoming space for people to sit and relax.

7.21 The new Cultural Hub building would be positioned centrally and orientated to face east opening out into the Market Square with a redesign the public realm that includes soft landscaping, outdoor seating and a useable area of open space to support social cohesion. The contemporary building design would have an appearance of a double 'gable end' (approximately 18m & 13m high to the ridge) with substantial sections of facing brick without glazing or openings with the exception to the main entrance and some sections of the ground floor on the remaining elevations. The brick elevation is most notable on the southern side, facing towards Waterloo Road which is necessary due to the cinema at the upper floors. A projecting brick feature however, is proposed to add interest to the blank facades. The application highlights that these projecting features can be lit up from the landscape at night and during the day the sun will cast shadows offering relief to the facade. There was a request from the LPA to include more external features such as windows within the façade as NLP Policy QOP 3 supports 'Active Frontages' however, this was considered to conflict with the internal use of the building. The agent confirmed that:

"The ambition for the project is to provide a major attractor that will increase vibrancy and footfall, bring visitors and spending to the town, encourage more of a night-time economy and stimulate the wider regeneration and renewal of the town. The brief for the proposed building; which includes 3 cinema screens, a studio for performance and events, a smaller multi-purpose space, a café bar and creative play space was extensively tested through discussions with potential operators during the design process to understand the operational requirements. The internal function requirements of some of the proposed uses and the advice from potential operators did not include glazing into these spaces due to the need for 'black box' type spaces for performances/screenings. As such, any additional glazing beyond that already provided would need to have the ability to be covered over internally to provide the level of black out required in order for the cinema, studio and multipurpose spaces to function as desired and therefore would not add any additional activation to the building. To mitigate for the lack of window openings on some elevations the design has incorporated a textured facade, using a projecting brick feature across the elevations, to help add animation through shadow. These projecting features can be lit up from the landscape at night and during the day the sun will cast shadows offering relief to the facade. Using the brickwork in this way celebrates the architectural form of the building whilst the landscaped setting of the Market Place softens the building and provides space for activation."

7.22 It is acknowledged that the building lacks active frontages within the design however, the Cultural Hub is a scheme that seeks to bring vibrancy back into the market square, which will then stimulate the wider regeneration and renewal of the town and attract visitors to support the existing shopping frontages in Blyth town centre. The main glazed main entrance and larger windows on the upper foyer provide

a better visual connection to the marketplace and offer increased levels of daylight which would open out onto the retained area of open space. The remainder of the Market Place would see market stalls in a formal arrangement along the northern side, there would be various soft and hard landscaped areas, a “creative outdoor play space” to the rear of the building and a “cloister garden”.

7.23 Whilst the development of a building of this scale could initially appear an incongruent addition since the openness of the square has been a consistent feature since 1974, the new Cultural Hub has been designed to be scaled appropriately, taking into consideration the surrounding area and historical context of Market Place. It reflects the optimum location for seeking to collaborate with existing market traders and local businesses in creating a civic attraction in the core town centre location. The new building is positioned to avoid an overbearing impact to surrounding streets and shop frontages, yet maximising the space required for the intended use. It is therefore considered appropriate in terms of height, mass and scale and creates a contemporary civic aesthetic for Blyth and enhances the Market Place for increased public use.

7.24 It is welcomed that the proposed hard and soft landscaping scheme will include planting and biodiversity enhancements amongst areas of seating to create a place for social interaction.

7.25 The application proposes sustainable design and construction techniques that would accord with Policy QOP 4 & 5 to exceed Building Regulations in respect of the building’s Energy Performance Certificate. The accompanying Sustainability Statement provides a commitment to include the use of designing the building and plant to minimise operational energy use including the use of Solar PV air/ground source heat pumps. A conditions is also imposed to seek further details.

Built Heritage

7.26 Policy ENV 7 relates to the historic environment and heritage assets. It states that development proposals will be assessed, and decisions made to ensure the conservation and enhancement of the significance, quality and integrity of Northumberland’s heritage assets and their settings.

7.27 Policy ENV 9 relates specifically to Conservation Areas and states:

“Development on public and private open spaces that are integral to the special character of a conservation area or form part of its setting, will be assessed in accordance with part 1b of this policy. Such spaces include those which: a. Contribute to the area’s special historic interest; b. Are important spatially and visually to the landscape or townscape qualities of the conservation area; c. Provide views or vistas into, out of or within the conservation area.

Part 1b refers to the level of harm resulting from a new development:

b. Development that would lead to substantial harm to (or total loss of significance of) any aspect of a Conservation Area that contributes to the reasons that it was so designated, will not be supported unless the exceptional circumstances set out in Policy ENV 7(4) apply; if the harm is less than substantial, this will be weighed against any public benefit that the same development may make to part 1(a) above, applying Policy ENV 7 (5)”

7.28 The site is located in proximity to the Grade II listed St. Mary's Church and the Blyth Bondicar Terrace, Blyth Central and Blyth Heritage Conservation Areas. It is therefore considered that the development proposals have the potential to impact the setting and significance of the identified designated heritage assets.

7.29 Building Conservation has been consulted and consideration is afforded to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act which requires the local planning authority to have special regard to the desirability of preserving a listed building, its setting and its special architectural and historic interest. The National Planning Policy Framework (NPPF) is a significant material consideration and cognisance has been given to the advice in Chapters 12 'Achieving well-designed places' and 16 'Conserving and Enhancing the Historic Environment'. Paragraph 126 identifies that Good Design is a key aspect of sustainable development. Paragraph 130 advises that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to work, live and visit. Paragraph 197 directs local planning authorities to take account of '*the desirability of sustaining and enhancing the significance of heritage assets*' in the determination of planning applications. Section 199 stresses that 'when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation'.

7.30 The nature and scale of the proposals will result in a significant change to the Market Place and consequently will impact the setting of the identified heritage assets. As noted, the Market Place's contribution to the setting and significance of the Bondicar Terrace and Central Conservation Areas derives from its role as a transitional space between the two designated heritage assets. While the Market Place is a significant local amenity space, its appearance fails to positively contribute to the setting and significance of the Conservation Areas.

7.31 The submitted Heritage Statement considers a series of viewpoints to assess the impact. It states that the proposed development "*would not adversely impact views towards heritage assets, nor views which include heritage assets*". However, Building Conservation observed that views from the Conservation Area towards the Market Place are channelled and that the listed building enjoys visual dominance. Our ability to appreciate and understand the listed building as a late 19th century Church, is informed by its setting, which in part is formed by the absence of buildings within the Market Place. This fortuitous setting of the heritage asset not only illuminates the Church's intended design but also positively contributes to the history and character of the townscape. The proposed scale of a new building in Market Place will harm this setting.

7.32 Paragraph 206 of the NPPF seeks to explore ways to maximise enhancement and avoid or minimise harm. It is considered that the proposals achieve the following enhancements which serve to ameliorate the identified harm:

- Restore and enhance the Market Place thereby positively contributing to the listed Church and its setting, and the setting of the Conservation Areas;
- Enhance and better reveal the immediate setting of the listed Church with improvements to Church Gardens, improving access to it thereby adding to the public experience of the asset;

- Introduce greater connectivity with the Church, Market Place and wider townscape to include the Conservation Areas, thereby improving interpretation of the assets, their setting and contribution to the town's character;
- Ameliorate impact to setting by good design - while introducing new structures within the setting of the Church, the carefully considered landscape design adds to the public appreciation of the heritage asset.

7.33 The submitted Design and Access Statement demonstrates how the scheme has been informed by an understanding of the site's history and established townscape, with focus on the site's evolution formerly occupied by a music hall, auditorium and cinema. It provides a detailed analysis of the prevailing scale, massing and proportion of the surrounding grain, layout and built form. Equally, considerable consideration has been given to the materiality of the scheme. The design has sought to embody the local material palette (fabric and colour) with modern components chosen for durability and compatibility in marine environments and the opportunity to incorporate renewables (photovoltaic panels).

7.34 The accompanying design narrative in the application serves to illustrate and justify the building's "clean, simple yet powerful silhouette". The result is a contemporary architectural expression of quality design which succeeds in its aspiration to become a new landmark building in the town. The overarching design positively mediates between the established character, connecting with the town core and re-establishing the once lost sense of arrival into the Market Place – the town's heart.

7.35 When the proposed development is evaluated having regard to the strategic design principles of Local Plan Policy QOP 1 (1a, b, c & d) and the NPPF (Paragraph 130, b, c, & d) which states that decisions should ensure that developments "*Are visually attractive as a result of good architecture, are sympathetic to local character and history, establish a strong sense of place, using materials to create attractive, welcoming and distinctive place to work and visit*", it is considered that the scheme accords with both. The only critique in respect of the design relates to the absence of openings to provide further visual interest while providing natural light. Building Conservation recommends that in any grant of permission conditions are attached in respect of external materials and lighting to include specifications and samples.

7.36 The proposals incorporate various soft and hardscaping areas to include a "*creative outdoor play space*" a new "*cloister garden*" and the enhancement of the Church gardens immediately adjacent to St Mary's Church. The design retains the primary function of the Market Place. Of interest is the proposed incorporation of a rain garden, planting, hardscaping elements and street furniture. While the scheme includes the reuse of the existing paving at the site (offsetting carbon emissions for new build), the form, shape and materiality of new features serve to create a visually appealing and safe space which encourages congregation.

7.37 Building Conservation considers the proposed landscaping design enhances the setting of the Listed Church, compliments and positively contributes to the proposed new hub building resulting in a scheme of considerable design quality to accord with NPPF, Paragraph 134 (b). It is recommended that in any grant of permission conditions to cover detailed schedules, specifications and samples of materials and lighting to be used in the public realm.

7.38 The retention of the WC block is welcomed which occupies the western component of the Market Place. The re-use and sensitive refurbishment of this building assists in offsetting (reducing) the carbon emissions from the new build at the site. Alterations to this building are mostly contained within the building. However, it is recommended that a condition to cover the external materials and treatment of the building's brick envelope is conditioned in any grant of permission.

7.39 In conclusion, the application demonstrates how the scheme has been informed by an understanding of the townscape character and heritage assets and their significance, providing justification for the scheme, and demonstrates how the design (new build, landscaping & refurbishment works) has evolved to complement and enhance townscape character. The application accords with policies QOP 1, QOP 2, QOP 3, QOP 4, QOP 5, QOP 6, ENV 7 and ENV 9 of the Northumberland Local Plan, the purpose of which is to ensure that development contributes positively to the people, places, natural environment and enhance the public realm. Furthermore, to significant enhancements to the heritage assets serve to ameliorate the identified harm to the setting of the listed Church.

Residential Amenity

7.40 Whilst the location and scale of the new building within Market Square will create a dominant physical presence, the surrounding area is mainly commercial and ground floor retail units to avoid direct impacts to habitable properties. The proposed building is also positioned at a distance to minimise an overbearing impact to surrounding buildings by retaining 23m to the south and 17m to the north. Any first-floor flats to the north will still enjoy adequate light and amenity facing towards the lower section of the building. There have been no objections received from local residents and a more in-depth assessment to the potential impacts from noise, odours and lighting has been separately appraised by the Environmental health Team that has raised no concerns subject to conditions. The application is in accordance with NLP Policy QOP 2.

Environmental Protection and Coal Mining Legacy

7.41 Policy POL 1 of the NLP outlines that 'development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts'.

7.42 Policy POL 2 of the NLP is also relevant within this assessment and states that 'Development proposals in locations where they would cause, or be put at unacceptable risk of harm from, or be adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances will not be supported'. Both of these provisions are mirrored within the NPPF.

Contaminated Land

7.43 The only historic records is of the former Central Cinema which was built in 1923/24 on the site of the former Central Hall (pre-1858) which was demolished following a fire in 1923. The Central Cinema was a much larger structure than the hall it replaced and had seating for 1400 people, it closed in 1961 and became a bingo hall following this and in 1974 was demolished to redevelop the centre of Blyth and made

way for the current marketplace area. The submitted Phase 1 report has recommended limited, further site investigations, including:

- The thickness and nature of Made Ground;
- The presence, concentrations, and leachability of substances of concern in shallow soils (including Made Ground) on-Site;
- Contaminants of concern in perched water/soil pore water or shallow groundwater beneath Site; and
- Ground gas and/or soil vapour intrusion into future on-Site building

7.44 The Environmental Protection Team have recommended conditions to the LPA to secure these investigations and for the applicant to address unexpected contamination should it be discovered during development and ground gas and/or soil vapour intrusion into future on-site building.

Land Stability

7.45 The Coal Authority notes the submitted Preliminary Geo-Environmental, Coal Mining & Mineral Safeguarding Risk Assessment (13 January 2023, prepared by Delta-Simons), which accompanies the application, and which confirms an assessment of up-to-date geological and mining information. The report confirms the mineral support conditions beneath the site to be satisfactory on the basis that sufficient competent rock cover existing between the shallowest coal seams and the ground surface. The Coal Authority therefore has no objection to this planning application.

Ground Gas Protection

7.46 The development site is in a location where the Environmental Protection Team requires ground gas protection being in a Coal Authority Development High Risk Area.

7.47 Gas protection will need to be to a minimum of Characteristic Situation 2 (CS2) as detailed in BS8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings). For certain building types a certain score from protection elements needs to be achieved as detailed in the British Standard.

7.48 Conditions have been recommended to the LPA to require the applicant to submit details of the proposed gas protection and how that will be verified prior to development and a report of the verification following completion of the installation of the gas protection.

Fixed Plant Noise & Cinema and "Studio Space" Noise

7.49 The Environmental Protection Team had initial concerns with the application and sought additional information on potential noise impacts from any kitchen extraction facilities and ground floor room plant as this was not included within the submitted noise assessment.

7.50 In terms of the potential noise from the cinema and studio space, the conclusions from the submitted noise report highlights is that given the cumulative noise from multiple sources already considered and included in the noise modelling, it is accepted that the impact of these additional sources is likely to be insignificant. In general, the

location is a busy town centre with a number of sources of noise including road traffic, fixed plant, people and any number of activities associated with a town centre location. Additionally, the number of residential receptors is limited and consist of upstairs flats with the noise level not impacting those properties on the building to the east of The Arcade and one flat on Bowes Street. The submitted noise report has recommended a number of attenuation elements which have been included in the acoustic model, including:

- Limits to the internal noise levels for the proposed Studio Space and Cinema,
- Additional mass barrier to be installed to the Studio Space ceiling, consisting of 150 mm void – acoustic hangers – quilt – 2 x 15 mm SoundBloc.
- Additional layer of plasterboard to be installed to the Cinema external wall.
- Sound reduction performance levels for doors have been taken from Allaway Acoustics

door	type	D101A	S35M.
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- Glazing specification with some 43dB of attenuation.

A condition will be imposed to ensure these are incorporated into the design of the building to reduce the noise impacts to the surrounding area.

7.51 The technical assessment of background noise levels on the impact from the proposed use, along with noise attenuation measures is considered to be acceptable by the Environmental Protection Team.

Kitchen Extraction Odours

7.52 The development includes a “commercial kitchen” with an extraction vent stack mounted on the roof on the north facing ridge of the higher roof area. The exhaust point of the stack appears to be at least one metre vertically above the weather surface and over 2.3 metres horizontally from weather surface complying with the building regulations as contained within Approved Document Part J.

7.53 The site is in a location where there are several hot food takeaways and restaurants with extracted kitchen fumes which are closer to the identified receptors.

7.54 Additionally, the stack is at almost 16.5 metres above the local ground level which is substantially higher than most “commercial kitchen” applying for planning permission. The nearest residential receptors are approximately 65 metres and 60 metres from the exhaust point.

7.55 Given all of this, there will be no requirement to assess the impacts of kitchen odour from the proposed development, however the odours should be risk assessed to inform the choice and design of the kitchen extraction odour attenuation. A condition has therefore been recommended for the applicant to consider and propose a kitchen extraction ventilation system with odour attenuation which meets the requirements of the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2018.

Air Quality / Dust

7.56 The submitted construction management plan briefly addresses dust generation from the development but this seems to be mostly focused upon impacts to the highway.

7.57 However, it would appear that the amount and degree of site preparation and earthworks may be limited, and most receptors would be transitory or distant. This is acceptable and no further information is required in respect of construction dust, an informative has been included with information which may be of assistance to the applicant and their consultants.

Lighting

7.58 The submitted External Lighting Assessment Report indicates that once the detailed design of lighting has been confirmed that a lighting assessment for lux levels at the nearest receptors and the Upward Light Ratio (ULR) will need to be carried out to confirm compliance with the ILP Guidance Notes for the Reduction of Obtrusive Light, SKU: GN01-20, 2020.

7.59 The Environmental Protection Team concur with the consultant's consideration of the location as falling within environmental zone E3 - Suburban (medium district brightness) as contained within the ILP guidance which means any lighting installation would have to meet:

- 10 lux pre-curfew (vertical plane)
- 2 lux post-curfew (vertical plane)
- 5 per cent Upward Light Ratio (ULR)

7.60 It is likely that the immediate area already experiences a significant amount of light spill, however the Environmental Protection Team will need to confirm these impacts.

7.61 A condition has been recommended to secure lighting spill plans and any additional information to confirm the lighting impacts once the final lighting design has been confirmed.

7.62 Overall, the Environmental Protection Team has no objection to the application on issues relating to land contamination, ground gas, noise, odour and lighting. As such, the application is in accordance with NLP Policies POL1, POL 2, QOP 2 and the NPPF.

Highways

7.63 Policy TRA 1 of the NLP states that the transport implications of development must be addressed as part of any planning application. Where relevant this includes the use of Transport Assessments, Transport Statements and Travel Plans where applicable and appropriate.

7.64 Policy TRA 2 of the NLP relates to the effects of development on the transport network. All developments affecting the transport network will be required to:

“a. Provide effective and safe access and egress to the existing transport network;

- b. Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;*
- c. Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;*
- d. Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;*
- e. Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and*
- f. Minimise any adverse impact on communities and the environment, including noise and air quality”*

7.65 Policy TRA 4 relates to parking provision in new development where an appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe, accessible and convenient locations prior to the development, as a whole or in part, being brought into use. Vehicle parking should normally be provided in accordance with the parking standards set out in Appendix E of the Local Plan.

Transport Assessment

7.66 Highways Development Management (HDM) has been consulted and consider that the development will see a maximum of circa 8 staff at peak times such as weekends and large events. Therefore, it is considered the trips generated by staff are able to be absorbed into existing car park provision in Blyth. The submitted transport Statement recognises that the development site is located in a good area for public transport utilisation, together with connectivity to the site by walking and cycling which is supported by adequate connectivity subject to the provision of the highway works proposed. HDM agree that the development site is within a sustainable location for the proposed use class and acknowledges the measures that the applicant is proposing together with encouraging the use of sustainable modes by staff and visitors through the Travel Plan. A Framework Travel Plan shall be submitted before the site is occupied and a Full Travel Plan within 12 months of occupation will both secured by condition.

Highway Safety

7.68 The submitted highways plan indicates a visibility splay of 2.4 x 43 in both directions on Waterloo Road which is acceptable and a scheme of works to protect pedestrian accessibility can be secured via condition. In respect to vehicle access control, the highways plan indicates proposed fixed bollards and demountable bollards to the north of the western access via Waterloo Road and the same system of bollards to the east. However, no vehicle control measures are shown at the access from Regent Street, and no details of signage have been provided at this stage. Therefore, a condition is required to secure these details.

7.69 With consideration of all matters, the application site has been examined within the context outlined above and it is considered that the proposals can be accommodated by the local highway network and when the development is completed it will not have any significant impact on the safety of road users of the highway in the area.

7.70 In order to address potential impacts during the construction phase, the applicant will be required to submit a Construction Method Statement and supporting plan which can be secured by condition.

Cycle Parking

7.72 A plan showing cycle parking for the development has been proposed which includes 23 no. standard cycle parking spaces, 3no. nonstandard cycle stands, and a proposed cycle stand cover. This is welcomed, however, it is recommended that these are relocated closer to the main building to avoid any potential for conflict between larger vehicles and cyclists, as the covered stand is located in close proximity to the loading bay for example and is near the escape route rather than the main entrance/lobby. In accordance with LTN 1/20 the requirement is for a total of 45 short-stay cycle spaces based on a ratio of 1 space per 50m² and a further 2 long-stay spaces as a minimum required for 8 members of staff (47 spaces total) based on the visitor numbers provided. Therefore, a condition is outlined below to secure these details.

Refuse Storage and Collection, Servicing

7.73 Access for event vehicles will be provided for along with a service/loading bay, with controlled vehicle access to Market Place and a one-way circulation system from Waterloo Road via Church Street and Market Street to Regent Street proposed.

7.74 For refuse servicing, details of refuse storage are shown on the proposed site plan and street-side refuse pick up is proposed so that refuse vehicles do not enter the market place which would conflict with pedestrians. A condition is outlined below to ensure no external refuse is stored outside of the approved refuse storage area except for on the day of refuse collection. It is recommended that a Delivery and Servicing Management Strategy is secured by condition, which will detail the routes, vehicles and timing for deliveries and servicing of the site, together with a plan to monitor and review the effectiveness of the document and provide biennial reporting to the Highway Authority, by the Local Planning Authority.

• Access and Off-Site Highway Works

7.75 The developer is required to enter into a S278 agreement with the highway authority pursuant to the Highways Act 1980 to carry out access works and all other associated highway works which are secured by condition. It is considered that traffic control measures, and pedestrian accessibility treatments are integral to the delivery of a successful scheme and full details must be secured by condition, with alterations required for the implementation of full highway works detailed below in the conditions. It must be demonstrated that safe and suitable access can be achieved to the site, especially for the most vulnerable of users.

7.76 Overall, HDM has no objection to the scheme and is in accordance with NLP policies TRA 1, TRA 2 and TRA 4.

Flood Risk

7.77 Policy WAT 3 relates to flooding and states that surface water should be managed at source wherever possible, so that there is no net increase in surface water run-off for the lifetime of the development. Where greenfield sites are to be developed,

the surface water run-off rates should not exceed, and where possible should reduce, the existing run-off rates. Policy WAT 4 further promotes Sustainable Drainage Systems that should be incorporated into developments whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local guidance.

7.78 The proposed scheme is partly within Flood Zone 2 and a robust sequential test has been submitted that identifies that other sites within Blyth Town Centre are not available or suitable. Overall, the purpose of the scheme is to regenerate Blyth Town Centre and Market Square is the most sequentially preferable site to achieve this. In accordance with Environment Agency's (EA) Standing Advice, the development is identified to be a 'less vulnerable' use and ground levels have been raised as high as possible with a commitment to incorporate flood resilience measures into the design of the building. Furthermore, there is mitigation identified within the submitted Flood Risk Assessment to sign up to the EA's flood warning system and provide visitors with safe egress during a flood event. There are conditions imposed to seek further details on these issues.

7.79 The application states that surface water flood risk will be managed by the proposed surface water drainage strategy which utilises SuDS features such as tree pits and rain gardens to introduce greater biodiversity and pollution control to the existing site while reducing discharge into the existing combined sewer.

7.80 The Local Lead Flood Authority and Northumbrian Water has been consulted and has no objections to the scheme as an adequate drainage strategy has been submitted with an agreed discharge rates of 37l/s for all rainfall events. This is subject to conditions relating to securing the implementation, maintenance and management of the sustainable drainage scheme; details for the disposal of surface water during construction and a certification report to demonstrate that all drainage systems have been constructed as per the agreed scheme.

7.81 Overall, the application is in accordance with NLP Policy WAT 3 and WAT 4.

Ecology

7.82 NLP Policy ENV 2 seeks to avoid significant harm to protected sites and any adverse impact will be mitigated with net gains secured. Policy QOP 4 highlights that new development will be expected to incorporate well-designed landscaping and respond appropriately to any existing landscape features.

7.83 The proposal is an opportunity to provide meaningful biodiversity into the centre of Blyth which can be a basis for future links and habitats throughout the urban area which currently lacks green spaces. This will provide opportunities for wildlife but also will improve the environment for people, and this is in turn known to lead to health and welfare benefits.

7.84 The current habitat is poorly thriving trees planted into gaps in the concrete via grates which look to be quite constricting. The scheme provides native species tree planting and bat and bird boxes has been identified.

7.85 The proposed new landscaping is part of the enhancement of the public realm which includes new native planting and rain gardens that would improve the natural features within Market Square and the setting of St Marys Church. There is no

objection to this scheme from the NCC County Ecologist with the details of the most recent lighting, bat and bird boxes and landscaping plans to be fully implemented as approved.

7.86 The Application is in accordance with Policy ENV 2 of the NLP and the NPPF.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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

8. Conclusion

8.1 The application seeks to bring vibrancy back into the market square to stimulate the wider regeneration and renewal of the town. The application demonstrates how

the scheme has been informed by an understanding of the townscape character and heritage assets and their significance, providing justification for the scheme, and demonstrates how the design and landscaping has evolved to complement and enhance townscape character.

8.2 There are no outstanding objections from consultees or any concerns received from Blyth Town Council or local residents.

8.3 The application is considered to be a positive addition to Blyth and is supportive by the Northumberland Local Plan and the NPPF.

9. Recommendation

That this application be GRANTED permission subject to the following:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

BCC-FBA-XX-ZZ-DR-A-01900 - Site Location Plan
BCC-FBA-XX-ZZ-DR-A-01091 - Site Plan - Existing
BCC-FBA-XX-ZZ-DR-A-01090 - Site Plan – Proposed
BCC-FBA-XX-XX-DR-A-01552- Public WC's Proposed Elevations
BCC-FBA-XX-XX-DR-A-01551- Public WC's Existing Elevations
BCC-FBA-XX-XX-DR-A-01054- Proposed West Elevation
BCC-FBA-XX-XX-DR-A-01053- Proposed South Elevation
BCC-FBA-XX-XX-DR-A-01052-PO2 Proposed East Elevation
BCC-FBA-XX-XX-DR-A-01051- Proposed North Elevation
BCC-FBA-XX-XX-DR-A-01004- Building Section No.4
BCC-FBA-XX-XX-DR-A-01003- Building Section No.3
BCC-FBA-XX-XX-DR-A-01002- Building Section No.2
BCC-FBA-XX-XX-DR-A-01001- Building Section No.1
BCC-FBA-XX-RF-DR-A-01400- Proposed Level 04 Plan- Roof Plan
BCC-FBA-XX-03-DR-A-01300- Proposed Level 03 Plan- Plant Deck
BCC-FBA-XX-02-DR-A-01200-PO2 Proposed Level 02 Plan
BCC-FBA-XX-01-DR-A-01100- Proposed Level 01 Plan
BCC-FBA-XX-00-DR-A-01000- Proposed Level 00 Plan
BCC-LDA-XX-00-DR-L-1101 Landscape General Arrangement Plan
BCC-LDA-XX-00-DR-L-1105 Landscape Softworks Plan (uploaded 2nd May 2023)
BCC-LDA-XX-00-DR-L-1103 Landscape Hardworks Plan
BCC-LDA-XX-00-DR-L-1104 Landscape Furniture Plan
BCC-LDA-00-XX-DR-L-02201 Paving Interface Details
BCC-LDA-00-XX-DR-L-04106 Tree Retention and Removal Plan
BCC-LDA-00-XX-DR-L-04301 Rain Garden and Seat Interface Detail
BCC-LDA-00-XX-DR-L-04302 Rain Garden and Raised Edge Interface Detail
BCC-LDA-00-XX-DR-L-04303 Rain Garden Interface Detail (Uploaded 12th May 2023)

BCC-LDA-00-XX-DR-L-04304 Lawn Edge Interface Details
BCC-LDA-00-XX-DR-L-04306 Bench Details
BCC-LDA-00-XX-DR-L-04308 Seat Details
BCC-LDA-00-XX-DR-L-04309 Rain Garden and Tiered Bench Interface Detail
BCC-LDA-00-XX-DR-L-04311 Stepping Boulders Interface Detail
BCC-LDA-00-XX-RP-L-00019 Landscape Specification
BCC-FBA-SK-040523-RM-001 Bat and Boxes
Planting Schedule (uploaded 2nd May 2023)
Drainage Strategy BCC-CIV-XX-XX-D-C-30001 P04 dated 12/05/2023
Construction Management Plan (Uploaded 17th February 2023)

Documents:

Ecological Impact Assessment by Eco North
Section 7 (Flood Risk Management) of Flood Risk Assessment by Civic Engineers
Preliminary Geo-Environmental, Coal Mining and Mineral Safeguarding Risk Assessment
External Lighting Assessment Report by JH Partners
Noise Impact Assessment by Apex Acoustics
Sustainability Statement by JH Partners
Tree Survey by Eco North
AIA by Eco North
Transport Statement (with outline Travel Plan)

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

03. 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+A1:2019 (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.

04. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 3, 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.

05. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have

been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A site investigation (Phase 2) shall be carried out as recommended by the Preliminary Geo-Environmental, Coal Mining & Mineral Safeguarding Risk Assessment (Delta Simons, Project No: 22-1096.01, Issued: January 2023) to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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.

06. The development hereby permitted shall not be brought into use or continue in use until two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

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.

07. If during development, contamination not previously identified is discovered, then a 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 any measures proposed to deal with the identified 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.

08. Prior to the development being brought into use, or continue in use, the applicant shall provide full details of the kitchen extraction system to the Local Planning Authority for its written approval. The kitchen extraction system shall be designed to provide the

level of odour control shown by an odour risk assessment. The approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against odour.

09. Before the scheme is brought into use, or continues in use, the applicant shall submit a report to the local planning authority for its written approval. This report shall detail the lighting scheme to be used on site and demonstrating compliance with the pre and post curfew Lux levels for Environmental Zone E3 (Suburban -Medium District Brightness), as defined in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light, Guidance Note 01/21, 2021. The approved scheme shall be implemented in full

Reason: To protect residential amenity and provide a commensurate level of protection against light.

10. Prior to the installation of the kitchen extraction system, the system being brought into use or continue in use, the applicant shall provide full details of the odour treatment system to be installed into the development which shall provide a Very High Level of odour control, as defined in the EMAQ guidance document "Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2018". The details shall be submitted to the LPA for its written approval with the approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against odour.

11. During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800

Saturday 0800 to 1300

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

12. Prior to the commencement of development above foundation level a schedule of the types and colours of all materials to be used on the external elevations of the proposed developments shall be made available for inspection on site and approved in writing by, the Local Planning Authority. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of the Northumberland Local Plan.

13. Notwithstanding any description of the materials in the application, no development shall be commenced above foundation level until precise details, to include samples, of the materials to be used in the construction of the external walls and roofs of the buildings have been made available for inspection on site and approved in writing by, the Local Planning Authority. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of the Northumberland Plan.

14. Prior to the commencement of development to the public realm a schedule of the types and colours of all materials and lighting to be used in the public realm shall be made available for inspection on site and approved in writing by, the Local Planning Authority. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of the Northumberland Local Plan.

15. Prior to the first occupation of the development, a detailed landscape management plan shall be submitted to, and approved in writing by, the Local Planning Authority and the approved plan shall thereafter be implemented in complete accordance with the approved details.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, and in accordance with the provisions of the Northumberland Local Plan.

16. No building shall be occupied until the applicant has submitted to and approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan. The approved plan shall thereafter be implemented in complete accordance with the approved details.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site in accordance with the NPPF and Northumberland Local Plan.

17. Prior to the commencement of development above foundation level, precise details of the flood resilience measures identified in the Flood Risk Assessment (by Civic Engineers February 2023) shall be submitted to, and approved in writing by, the Local Planning Authority and the approved plan shall thereafter be implemented in complete accordance with the approved details.

Reason: To limit the risk of flooding in accordance with the NPPF and Northumberland Local Plan.

18. 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 approved scheme and measures shall be implemented in full prior to first occupation and 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.

19. The implementation, maintenance and management of a scheme for surface water using a sustainable drainage scheme has been submitted to and approved by the Local Planning Authority. The scheme shall be in broad accordance with drawing No Drawing number BCC-CIV-XX-XX-D-C-3001 Rev P04 Proposed Drainage Strategy dated 12/05/2023 and designed to dispose and attenuate surface water up to the 1 in 100 year plus climate change event from the development and shall limit discharge from the development to 37l/s (22l/s + 15l/s), for all rainfall events. The scheme shall be implemented in accordance with the approved details, which shall include:

- i. A timetable for its implementation; and,
- ii. A management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or the other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere.

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

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

21. Prior to the first use of the development, a verification report carried out by a qualified drainage engineer or a suitably qualified professional must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- * As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
- * Construction details (component drawings, materials, vegetation);
- * Photographs of the surface water system being installed as per the agreed scheme including flow controls, storage structures, all raingardens and any other SuDS components.
- * Health and Safety file; and
- * Details of ownership organisation/adoption details.

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

22. 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
- vi. Construction traffic management strategy which covers timing and numbers of movements.

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.

23. The development shall not be occupied until details of the external lighting of the buildings and external areas have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

24. The development shall not be brought into first use until a Deliveries and Servicing Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Deliveries and Servicing Management Strategy shall be adhered to in perpetuity. This Deliveries and Servicing Management Strategy must include:

- i. details of the access, routes and vehicles associated with the site;
- ii. details of the timings for deliveries and servicing of the site;
- iii. details of the annual numbers of HGV's associated with the deliveries/servicing of the site;
- iv. a plan for monitoring and reviewing the effectiveness of the Deliveries and Servicing Management Strategy; and;
- v. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

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

25. Development shall not be occupied until details of the highway works, including: full scheme of highways works, including alterations to the U9503 and B1328 to provide vehicle control measures, pedestrian access points, lighting, drainage, signage, resurfacing, street furniture, road markings and all other associated works, have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

26. The development 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 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.

27. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

28. The development shall not be occupied until details of a Framework Travel Plan in respect of each of the occupiers of any building on the application site have been submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Framework Travel Plan shall be implemented in accordance with the approved details. This Framework Travel Plan must include:

- i. the contact details of a suitably qualified Travel Plan Co-ordinator;
- ii. an implementation programme;
- iii. an on-site assessment including details of transport links to the site, on-site facilities and any transport issues and problems;
- iv. clearly defined aims and objectives in relation to travel modes; and
- v. clearly defined senior management and staff responsibilities and roles in the implementation of the Framework Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

29. Twelve months after first occupation of the development details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i. details of and results from an initial staff travel to work survey;
- ii. clearly specified ongoing targets for staff travel mode shares;
- iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

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

Reason: In the interests of the amenity of the surrounding area and highway safety,

in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

31. No development shall commence unless in accordance with the landscaping plans:

- Landscape General Arrangement Plan (DWG.NO BCC-LDA-XX-00-DR-L-1011)
- Tree Retention and Removal Plan (DWG.NO BCC-LDA-XX-00_DR-L-4106)
- Landscape Specification (LDA Design, January 2023)
- Landscape Furniture Plan (DWG.NO BCC-LDA-XX-00-DR-L-1104)
- Landscape Hardworks Plan (DWG.NO BCC-LDA-XX-00-DR-L-1103)
- Landscape Softworks Plan (DWG.NO BCC-LDA-XX-00-DR-L-1105) version submitted 2nd May 2023
- 8185- Blyth Culture Hub- Planting Schedule version submitted 2nd May 2023

To be fully implemented during the first full planting season (November – March inclusive) following the commencement of development. A report will be provided to the LPA confirming that the landscaping has been implemented as agreed.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site in accordance with Policies QOP4 and ENV2 of the Northumberland Local Plan.

32. No work will be undertaken unless in accordance with the recommendations of the report Ecological Impact Assessment NCC Blyth Market Place (Econorth, February 2023), including precautionary working methods during the nesting bird season. Bat and Bird Boxes as shown on the Drawing BCC-FBA-SK-040523-RM-001 will be installed as agreed. Prior to first occupation or use of the building a verification report and/or photographic evidence will be submitted to and approved by the LPA demonstrating that this work has been done.

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

33. Prior to the commencement of development above foundation level, details of the acoustic design elements (including doors, glazing, details of the Studio Space ceiling, additional attenuation to the cinema walls etc.) shall be submitted to the Local Planning Authority for approval in writing. The building envelope shall be constructed so as to provide sound attenuation against internal noise, to achieve façade noise levels of 30dB LAeq at NSR1 and 26dB LAeq at NSR2 (as detailed in the Noise Impact Assessment produced by Apex Acoustics Ltd, report ref: 9333.5 – Rev B dated 20 April 2023). The details submitted should clearly demonstrate that these facade noise levels will be achieved at the nearest noise sensitive receptors.

Reason: To protect future occupants from undesirable noise impacts.

34. Prior to the commencement of development above foundation level, details of the fixed plant to be installed (including air handling units, air source heat pump(s), kitchen extraction system etc.) shall be submitted to the Local Planning Authority for approval in writing. The selected fixed plant and any required attenuation shall achieve façade noise levels of 38dB LAeq at NSR1 and 39dB LAeq at NSR2 (as detailed in the Noise Impact Assessment produced by Apex Acoustics Ltd, report ref: 9333.5 – Rev B dated

20 April 2023). The details submitted should clearly demonstrate that these facade noise levels will be achieved at the nearest noise sensitive receptors.

Reason: To protect future occupants from undesirable noise impacts.

35. Prior to the commencement of development to the public realm, details of the 'creative outdoor play space' shall be submitted to and approved in writing by, the local planning authority. The approved scheme shall be implemented in full prior to first occupation and retained thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of the Northumberland Local Plan.

36. Prior to the commencement of development to the public realm an updated landscape or site plan shall be submitted to and approved in writing by, the Local Planning Authority to identify the locations of the proposed rain gardens, stepping boulders and 'creative outdoor play space'. The approved scheme shall be implemented in full prior to first occupation and retained thereafter.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of the Northumberland Local Plan.

Informatives

Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

Ground Gas Protection

The site is within an area where the Public Health Protection Unit will expect ground gas protection to be installed in any habitable dwellings being erected. (Please see Environmental Protection Team comments or contact the Council for more advice on the BS 8485:2015+A1:2019 "*Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings*," as there is a scoring system for the gas risk and building type that applies to this site.

Please note our adopted guidance - YALPAG Technical Guidance Verification Requirements for Gas Protection Systems, which is available under the related documents section at:

<https://www.northumberland.gov.uk/Protection/Pollution/Advice.aspx>

The British Geomembrane Association lists approved installers and should be qualified to a minimum of NVQ qualification (NVQ Level 2 membrane installation).

The British Geomembrane Association website is:

<http://www.britishgeomembraneassociation.co.uk/>

Sealing of the Annulus on Service Penetrations

Sealing of the annulus of service penetrations should also form part of the gas protection proposals and verified after installation. FiloForm produces a range of duct/service sealing products, including gas resistant sealants such as FiloSeal and FiloSeal+HD.

Please note that on other developments, NWL have confirmed that the FiloSeal range of products are acceptable for use with alkathene water pipes, details of the FiloForm products can be found at:

<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 Plan

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

The Institute of Air Quality Management has produced very current documentation entitled “Guidance on the Assessment of Dust from Demolition and Construction” available at: <http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London’s office has produced robust supplementary guidance document entitled “The Control of Dust and Emissions During Construction and Demolition” which is available at: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/planning-guidance/control-dust-and>

The HSE also provide guidance on construction dust:

<http://www.hse.gov.uk/construction/healthrisks/hazardoussubstances/construction-dust.htm>

As do the CITB through the Construction Dust Partnership:

<https://www.citb.co.uk/health-safety-and-other-topics/health-safety/construction-dust-partnership/>

Odour Risk Assessment

The DEFRA Guidance on the control of odour and noise from commercial kitchen exhaust systems which was withdrawn on the 15 September 2017.

This guidance has been replaced by the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2018, available from:

<https://ee.ricardo.com/downloads/air-quality/control-of-odour-and-noise-fromcommercial-kitchen-exhaust-systems>

This guidance includes the pro-forma for the odour risk assessment which guides the applicant on the level of odour control that will be required for any proposed “commercial kitchen” extraction system.

Food Safety & Health & Safety Advice

It would be expected that such a food business is already registered with the Council, however given the changes it may be useful to discuss the implications of any changes with the Commercial Team. Therefore it is recommended that the applicant contact

the Commercial Team within the Public Health Protection Unit at an early stage to ensure compliance with food safety / health & safety legislation.

They can be contacted on:

Telephone: 01670 623870

Email: public.protection@northumberland.gov.uk

Toilet Provision

Please see our webpages for details of the requirements for toilet provision in catering premises within Northumberland:

<http://www.northumberland.gov.uk/Protection/Environmental-health/Businesses.aspx#toiletprovisioninfoodpremises>

Should any clarification be required on toilet provision, then please contact the Council and ask to speak to someone in Commercial Team within Public Protection.

Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

The applicant should note that any damage caused to the existing highway carriageway must be made good prior to the development being brought into use.

Contact Traffic Management

You are advised to contact the Council's Traffic Management Section at streetworks@northumberland.gov.uk before and during the construction period in respect of any required temporary traffic management measures to allow access to the site.

Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact

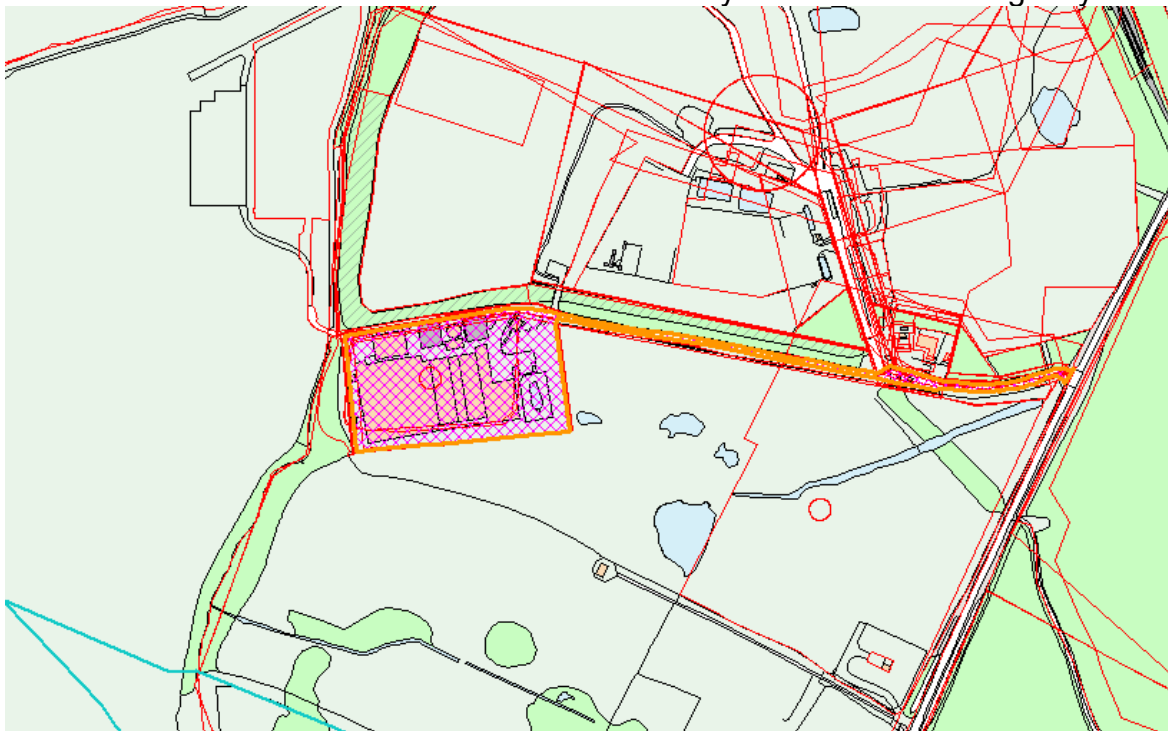
highwaysplanning@northumberland.gov.uk



Northumberland
County Council
Strategic Planning Committee
4th July 2023

Application No:	22/03153/FUL		
Proposal:	Demolition of the existing In Vessel Composting Facility and erection of an anaerobic digestion facility and associated infrastructure.		
Site Address	Ellington Composting and Wood Shredding Site, Ellington Road, Ashington, Northumberland NE63 9XS		
Applicant:	Mrs Corrina Scott-Roy West Sleekburn IWMF, West Sleekburn Industrial Estate, Bedlington, NE22 7LQ	Agent:	None
Ward	Bothal	Parish	Ashington
Valid Date:	1 September 2022	Expiry Date:	1 July 2023
Case Officer Details:	Name: Mr 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.



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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 site is located at the Ellington waste management facility. The development will involve the demolition of the existing In Vessel Composting (IVC) facility which is not currently operational on the site. The Ellington IVC composts the organic fraction of Municipal Solid Waste (MSW) from Newcastle Upon Tyne. SUEZ has a Contract with Newcastle City Council for Mechanical Biological Treatment (MBT) of the residual waste, spread over two sites: Byker (mechanical) and Ellington (biological).

1.3 Officers are aware that comments from the EA need to be fully resolved prior to the determination by Members. However, it is expected that their comments will be resolved prior to the meeting of the committee and members will be updated.

2. Development and Site Description

2.1 The site is located on land at SUEZ's Ellington Road site, Ashington, Northumberland, NE63 9XS. Ellington Road is an active landfill site which also includes an in-vessel composting (IVC) facility and open windrow composting (OWC) and wood shredding operation.

2.2 All of the facilities are accessed off the A1068 and are served by the same weighbridge which is located along the internal access road.

2.3 The site is in a predominantly rural area approximately 1km to the north of Ashington town centre at National Grid Reference NZ261893.

2.4 The proposed development will be in the area where the current IVC facility is located. The current IVC facility no longer processes the volume of material that it was designed to process, this is largely due to alternative contractual arrangements and the availability of more modern processing techniques.

2.5 It is proposed that the IVC will be demolished, however, given the strategic importance of the site and the established use, the AD facility will be sited in its place. The majority of the IVC buildings have been designed to appear similar to agricultural sheds, with a maximum height of approximately 12.6m.

2.6 The nearest residential property, known as 'The Cottage', is located adjacent to the eastern boundary of the site, approximately 150 metres away from the wider site boundary. Hawthorn Cottage is the nearest property to the IVC located 640m to the south east of the facility. The restored Potland Burn opencast coal site is situated to the west.

2.7 The AD facility will be designed to treat 50,000 tonnes per annum (tpa) of food waste. The AD building would be approximately 2,303 m² in area and would be a maximum height of 12m. The AD tanks would vary in diameter between 7m and 20m, the tallest AD tanks (the buffer tanks) would be 16.64m in height. Above ground pipe gantries would link the various components of the AD facility within which, liquid digestate, biogas, reagents and water would be piped.

2.8 The AD facility would provide the treatment of organic food waste (initially from the municipal waste stream only, although this is likely to be expanded to include some

commercial food wastes as further facilities are developed). It would divert waste presently being sent either to landfill or to other treatment facilities. The waste treated in the facility would generate energy (predominantly biomethane 'green gas', but also electricity and heat), the gas and electricity would be exported to the local distribution network and electricity used to power the plant. This energy is classed as renewable.

2.9 The principal advantage of AD over other biological treatment processes is the production of biogas which can be linked to the grid and used to produce local, sustainable and renewable energy and unlike wind power has a high base load capacity (i.e., it is not reliant on the wind to blow to produce electricity).

2.10 A benefit in Anaerobic Digestion is the reduction in greenhouse gases released into the atmosphere, because of the following:

- diversion of food waste from landfill and therefore the associated reduction of methane generated; and
- renewable energy produced by the plant and therefore the reduction of carbon dioxide (CO₂) released from fossil fuels

2.11 The AD process can be summarised as the conversion of biodegradable material into methane (CH₄), carbon dioxide (CO₂), and water through microbial action in the absence of oxygen. Biogas consisting of mainly CH₄ and CO₂, is captured and used in the generation of electricity. The material left from the process is known as digestate which is subsequently separated into solid digestate and liquid.

2.12 The main AD process building is split into three main areas, waste reception, pre-treatment (waste processing) and digestate drying (centrifuge). The waste reception area is in the central third of the building, vehicles delivering food waste would access the site via the weighbridge where vehicles would weigh and be logged. Access to the AD building would be via fast acting doors operated by staff within the AD facility.

2.13 Overall, the AD plant would produce a treated effluent for discharge to sewer of approximately 20,300 m³ per annum. Biogas (carbon dioxide and methane) is produced as a by-product to the anaerobic digestion of the food waste. The biogas is captured from the anaerobic digestion tanks and is piped to a gas holder and then ultimately feeds the combined heat and power (CHP) gas turbine engines which generate energy to power the plant.

2.14 All heat produced by the CHP engines would be utilised in the pasteurisation process within the AD plant. After fulfilling the parasitic energy load, excess biogas would either be treated to remove hydrogen sulphide (H₂S), carbon dioxide and water so that the biogas meets the composition required by the gas distribution network operator; or processed in the CHP engines to produce electricity to be exported to the local distribution network.

2.15 The production of biogas would be prioritised over electricity production if there is sufficient demand.

2.16 It is anticipated that the facility will operate 24 hours a day, in a similar manner to the current IVC but that vehicle movements to and from the site will be restricted to the following hours (which mirror the current permission for the IVC).

- 0700 - 2000 - Mon - Fri.
- 0700 - 1700 - Sat.

2.17 At this stage it is anticipated that deliveries will not need to take place on a Sunday.

2.18 There will be approximately 6 vehicles (12 movements) per day accessing the site, this ensures compliance with the vehicle threshold of an average of 125 vehicles entering the site per day.

3. Planning History

Reference Number: C/98/CC/50

Description: Variation to condition no 1 of decision 89/F/271 in respect of improvements to Civic Amenity Facility as set out in letter dated 11 June 1998 and plans NOR/EL/41; NOR/EL/51 and NOR/EL/52.

Status: PER

Reference Number: C/98/CC/16

Description: Improvement to civic amenity facility

Status: WDN

Reference Number: C/00/CC/17

Description: Variation of condition no. 1 of planning permission 98/CC/36 in respect of composting facility to delay the date by which the permission must be implemented by one year

Status: PER

Reference Number: C/99/CC/30

Description: Variation to condition no. 1 of planning permission 89/F/271 to include composting trial

Status: PER

Reference Number: C/97/CC/24

Description: Siting of mobile toilet / shower unit

Status: PER

Reference Number: C/96/CC/23

Description: Variation of condition no. 1 of planning permission 89/F/271 in respect of provision of lighting and toilet facilities at civic amenity site

Status: PER

Reference Number: C/94/CC/109

Description: Variation of condition no. 3 of planning permission 89/F/271A in respect of lorry numbers

Status: PER

Reference Number: C/94/CC/117

Description: Variation of condition no. 1 of planning permission 89/F/271 in respect of amended restoration contours for the tipping of waste

Status: PER

Reference Number: C/87/F/324

Description: Renewal of 82/F/299 in respect of the tipping of domestic, commercial and non toxic industrial refuse and restoration of site to agriculture on 5 ha

Status: PER

Reference Number: C/86/F/453

Description: Reclamation of 0.75 ha of derelict land to amenity woodland

Status: PER

Reference Number: C/89/F/271

Description: Details of working and restoration together with clay extraction on 30 ha

Status: PER

Reference Number: C/89/F/271/A

Description: Variation to hours of operation and daily traffic

Status: PER

Reference Number: C/89/F/271/B

Description: Variation to approved working hours

Status: PER

Reference Number: C/G/60/89 (2)

Description: Details of grading, levelling, and covering of site with top soil, fencing and access details submitted pursuant to conditions of planning permission G/60/89 in respect of refuse tip

Status: PER

Reference Number: C/E/F/042

Description: Reclamation of pit yard

Status: REPLY

Reference Number: C/05/00069/CCM

Description: Extension to renewable generation plant

Status: PER

Reference Number: 87/00012/777FUL

Description: WASTE DISPOSAL SITE ELLINGTON ROAD ASHINGTON
EXTRACTION OF CLAY FROM EXISTING WASTE
DISPOSAL SITE

Status: PER

Reference Number: 87/00012/778OTH

Description: WASTE DISPOSAL SITE ELLINGTON ROAD ASHINGTON
RENEWAL OF TEMPORARY PERMISSION FOR
WASTE DISPOSAL SITE - 82/299

Status: PER

Reference Number: 89/F/0271

Description: Details of working and restoration of
waste disposal site

Status: PER

Reference Number: 89/F/0271/C

Description: Variation of permitted working scheme to
allow increase in daily traffic numbers N.C.C. Ref. No. 94/CC/109

Status: WDN

Reference Number: 91/00012/781OTH

Description: Extraction of clay from waste disposal site for development of adjacent industrial area

Status: PER

Reference Number: 93/00012/782OTH

Description: Details of landfill gas control scheme N.C.C. Ref. No. 93/CC/106

Status: PER

Reference Number: 94/00012/783OTH

Description: Variation of restoration contours in respect of tipping of waste N.C.C. Ref. No. 94/CC/117

Status: WDN

Reference Number: 95/00012/784OTH

Description: Waste disposal site Ellington Road Ashington landfill gas abstraction scheme N.C.C. Ref. No. 95/CC/64

Status: PER

Reference Number: 96/00012/758OTH

Description: Amenity site Ellington Road Ashington provision of lighting, toilet facilities and gates

Status: PER

Reference Number: 96/00012/770OTH

Description: LANDFILL SITE ELLINGTON ROAD NEWMOOR ASHINGTON
INSTALLATION OF ELECTRICITY GENERATING PLANT

Status: WDN

Reference Number: 96/00012/771OTH

Description: LANDFILL SITE ELLINGTON ROAD NEWMOOR ASHINGTON
EXTRACTION OF CLAY ON 1.25 HA OF LAND

Status: WDN

Reference Number: 97/00124/NCCCON

Description: Siting of mobile toilet/shower unit

Status: NOOBJ

Reference Number: 98/00121/NCCCOA

Description: Variation to planning condition to allow composting trials

Status: OBJ

Reference Number: 98/00181/NCCCON

Description: Improvements to civic amenity facility.

Status: NOOBJ

Reference Number: 98/00224/NCCCON

Description: Excavation of clay material

Status: NOOBJ

Reference Number: C/06/00189/CCM

Description: Temporary storage of soils on land adjacent
Status: PER

Reference Number: 07/00174/NCCCON

Description: Variation to condition 5 of planning permission 03/00076/CCM in respect of hours of operation

Status: NDNCCZ

Reference Number: C/07/00128/CCM

Description: Variation to planning permission 02/00190/CCM in relation to an extension to the green composting area

Status: PER

Reference Number: 07/00406/NCCCON

Description: Variation to planning permission 02/00190/CCM in relation to an extension to the green composting area

Status: NDNCCZ

Reference Number: 07/00460/NCCCON

Description: Construction of permanent leachate holding tanks and methane stripping plant with underground pipeline connection to sewage mains at A1068/ A197 junction in Ashington

Status: NONCCZ

Reference Number: C/08/00119/CCM

Description: Installation of 1 additional electricity generator plus ancillary equipment as an extension to the existing plant compound to recover and utilise landfill gas

Status: PER

Reference Number: C/09/00046/CCM

Description: Installation of additional plant and rationalisation of existing car park and extension to office

Status: PER

Reference Number: C/10/00024/CCM

Description: Exportation of surplus clays

Status: PER

Reference Number: C/11/00009/CCM

Description: Variation to condition 8 of planning permission 07/00128/CCM to permit deliveries to the Open Windrow Composting function on Sundays

Status: PER

Reference Number: 12/01229/VARCCM

Description: Variation of planning conditions 3, 12, 13, 15, 16 on application 11/00009/CCM to allow dual use open windrow composting and wood shredding (As Amended)

Status: PER

Reference Number: 12/02497/NONMAT

Description: Non-Material Amendment to planning application 12/01229/VARCCM - Remove part (c) of condition 8 and reword part (b) to cover both Sundays and bank holidays

Status: PER

Reference Number: 14/03137/VARCCM

Description: Variation of conditions 8 (A) and 8 (B) from application 12/01229/VARCCM.

Status: PER

Reference Number: 09/00066/NCCCON

Description: Installation of additional plant and rationalisation of existing car park and extension to office.

Status: NOOBJ

Reference Number: 15/03205/NONMAT

Description: Non material amendment from application 14/03137/VARCCM

Status: PER

Reference Number: 95/0225

Description: Landfill gas abstraction scheme

Status: PER

Reference Number: 16/04181/FUL

Description: Change of use of former coal storage pad to compost and waste wood storage with retention of internal access road and rail loading facility.

Status: PER

Reference Number: 17/00495/FUL

Description: Erection of 2 x portable office units for office space

Status: PER

Reference Number: 17/01167/SCREEN

Description: Request for Screening Opinion

Status: EIANR

Reference Number: 17/03520/VARCCM

Description: Variation of Condition 1(i) pursuant to planning permission 07/00056/CCM - amend condition to take account of new pre-settlement contours

Status: PER

Reference Number: 19/04866/CCM

Description: Construction of Landfill Gas Flare

Status: PER

Reference Number: 22/02129/FUL

Description: To replace an existing gas engine and to site a third flare

Status: PER

Reference Number: 22/02804/FUL

Description: Demolition of the existing In Vessel Composting Facility and erection of an anaerobic digestion facility and associated infrastructure

Status: APPRET

Reference Number: C/98/CC/36

Description: Composting facility

Status: PER

Reference Number: C/94/CC/109

Description: Variation of condition no. 3 of planning permission 89/F/271A in respect of lorry numbers

Status: PER

Reference Number: C/94/CC/117

Description: Variation of condition no. 1 of planning permission 89/F/271 in respect of amended restoration contours for the tipping of waste

Status: PER

Reference Number: C/82/F/299

Description: Extension of refuse site (5 ha) and details of restoration of existing site (4ha)

Status: PER

Reference Number: 98/00121/NCCCON

Description: Development of composting facility.

Status: NOOBJ

Reference Number: C/07/00157/CCM

Description: Construction of permanent leachate holding tanks and methane stripping plant with underground pipeline connection to sewage mains at A1068/A197 junction in Ashington

Status: PER

Reference Number: 15/02852/SCREEN

Description: Screening request for proposed solar farm

Status: EIANR

Reference Number: 22/02804/FUL

Description: Demolition of the existing In Vessel Composting Facility and erection of an anaerobic digestion facility and associated infrastructure

Status: APPRET

4. Consultee Responses

Highways	No objection subject to conditions
Ashington Parish Council	No response received.
Public Protection	Environmental Protection has no objection to the application subject to conditions
The Coal Authority	No objection
County Ecologist	No objection subject to conditions
Lead Local Flood Authority (LLFA)	No objection subject to conditions
Environment Agency	Currently outstanding but due 28 th June 2023.

5. Public Responses

Neighbour Notification

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

Notices

General site notice, 1st October 2022

News Post Leader 24th February 2023

Summary of Responses:

A single objection has been received raising concerns over impacts of traffic movements and the resultant increase at the site and issues with odours.

Comment: The proposal is a replacement facility and Highways Development Management has recommended a planning condition limited the vehicle movements and requested a Travel Plan. This will mitigate the impact.

With respect to odours the AD plant should address a current issue. There are no objections from Public Protection.

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=RHFOMQQSJ8S00>

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)

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

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 5 - Sustainable design and construction

TRA 1 - Promoting sustainable connections (Strategic Policy)

ICT 2 - New developments

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

ENV 2 - Biodiversity and geodiversity

WAT 4 - Sustainable Drainage Systems

POL 2 - Pollution and air, soil and water quality

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

WAS 3 - Waste disposal (Strategic Policy)

WAS 4 - Safeguarding waste management facilities (Strategic Policy)

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, October 2014

7. Appraisal

7.1 The starting point for the determination of planning applications is the development plan, as required by section 38(6) of the Planning and Compulsory Purchase Act 2004. This states that the determination of planning applications shall be made in accordance with the development plan unless material considerations indicate otherwise.

7.2 This is restated in the NPPF. Paragraph 11 of the NPPF establishes the presumption in favour of sustainable development which, for decision taking, means approving development proposals that accord with the development plan without delay (unless material considerations indicate otherwise); and where the development plan is absent, silent or relevant policies are out of date) granting permission unless:

“Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or Specific policies in this Framework indicate development should be restricted. “

7.3 Paragraph 219 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

7.4 The key issues in the consideration of this application are:

- Principle of development
- Waste Management
- Residential Amenity
- Ecology
- Renewable Energy
- Other matters – climate change, broadband connectivity, equality duty, crime and human rights

Principle of development

7.5 The site lies in the open countryside but forms part of the Ellington Waste Management facility. This consists of a landfill operation, recycling centre and IVC plant. Policy STP 1 supports development in this location where it supports existing established businesses in accordance with policy ECN 13. This policy provides support for proposals in the countryside where:

- Existing buildings can be used, or new buildings contribute positively to the local landscape character and local building traditions.
- The proposal should relate as closely as possible to the existing settlement pattern, and
- The proposal will not have an adverse impact on the farming or forestry.

7.6 The proposal clearly does not comply with the established spatial strategy. However, chapter 11 of the NPPF makes clear that planning authorities should make appropriate use of previously development land. Furthermore, the site is an existing operational waste management facility, therefore resulting in no change of use. Despite not being consistent with the spatial strategy the proposed use has already been firmly established through the grant of permission and operation of the IVC plant which is a key material consideration.

7.6 Given the site history, the use of PDL and the consistency with the current use class the principle of development can be supported and these factors taken together outweigh the spatial strategy.

Waste Management

7.7 Proposals for new and / or enhanced waste management facilities for the re-use, recycling and recovery of materials need to be assessed against strategic policy WAS 1. The initial policy assessment provides that proposals will be supported where:

- They are located within or close to one of Northumberland's Main Towns or Service Centres, or
- They are location outside of one of Northumberland's Main Towns or Service Centres but would supplement the provision of an accessible network of local facilities and have suitable connections to the transport network.

7.8 The second policy test relates to location. Proposals should seek to address waste where it arises, or failing that on an existing waste management use and with complementary activities, including extension of existing facilities, where it can be demonstrated by the applicant that there are no unacceptable adverse cumulative effects from site operations or the transportation or waste, and sites identified for employment uses, previously developed land, active quarries for managing inert construction and demolition waste or redundant agricultural and forestry buildings and their curtilages.

7.9 The third policy test is not relevant where the second has been complied with whilst the fourth seeks to encourage the utilisation of heat and energy recovery proposals.

7.10 The application is on previously development land in an existing waste management site. Therefore, the first two policy tests are met. The third is not relevant given this position and the AD plant seeks to operate as a Combined Heat and Power (CHP) facility exporting energy to the national grid. In this regard the fourth policy test is also met.

7.11 In conclusion the application is consistent with policy WAS 1 of the NLP.

7.12 Policy WAS 4 seeks to support existing waste management proposals. In this instance the application replaces an existing IVC plant with an AD facility. This proposes the same types of waste with a similar volume. The difference is the method

of treatment. The application will address some existing issues with the IVC. Policy WAS 4 has two tests. The initial is that the proposal will not impact on the existing waste management uses, which this proposal meets. The application is by the same operator as the wider site and allows for the processing of waste that cannot be landfilled.

7.13 The second test requires the proposal to demonstrate that the application will not impact on existing waste management operations. In this instance there are six sections to the second policy test. However, these are all met by virtue of replacing an existing facility that processes MSW with a different one that results in the same outcome. The applicant is swapping the technology types. Therefore, the application is consistent with policy WAS 4. Issues of residential amenity, transport and ecology are addressed below.

Character and Design

7.14 Policy WAS 2 provides that proposals for waste management facilities should respect the wider environment in terms of siting, scale, mass, form and landscaping. The proposal should contribute positively to the quality and character of the area. In this instance the proposal seeks to replace an existing built facility.

7.15 The existing facility is made up of large sheds and tanks with an industrial character befitting the use and is compatible with the character of the wider waste management facility. The proposal provides for less floor area but all within the footprint of the site. There will be more tanks for digesters etc., with sheds for including a reception hall and processing. An office / admin building will be at the entrance. The site will be enclosed with security fencing. Overall, there will be less developable footprint than the existing facility. The buildings are of a certain industrial character befitting of the wider use class. This is considered acceptable and consistent with the wider area which is characterised by large agricultural sheds and industrial operations. The proposal is considered to meet the requirements of policy WAS subsection 1a.

Public Protection

7.16 Subsection 1e of policy WAS 2 requires that proposals will not result in an unacceptable impact on the residential amenity because of dust, noise, lighting, vibration, odour, vermin and birds, litter and visual intrusion.

7.17 To lawfully operate, the proposed development requires an Environmental Permit under The Environmental Permitting (England and Wales) Regulations, 2016. The Environmental Permit (granted by the Environment Agency (EA) will regulate the sites potential odour, noise and vibration emissions and therefore Paragraph 188 of the NPPF applies to this development. The EA's enforcement approach includes pro-active inspections and the facility to respond reactively to environmental complaints. Given the provisions of Paragraph 188 of the NPPF it is not considered to be necessary for the Local Planning Authority to control potential odour, noise and vibration emanating from the site.

- Contamination / Ground Gas Risk

7.18 The Phase I report has identified a potential risk to future development from lateral migration of ground gas from landfill. A landfill has been identified (South Moor Landfill site also referred to as Ashington Refuse Disposal site) which accepted a variety of wastes in the 1960's and 1970's prior to the law requiring effective lining of landfills and waste separation. The report highlights that the construction of the IVC c. 2005 may have incurred into the western extremity of the landfill. Discoloured

groundwater has been noted at surface level on site. Ground Gas monitoring to define the necessity of any ground gas mitigation measures is necessary for this development.

7.19 There is a low risk of contamination due to the site being greenfield prior to c. 2005 but chemical testing is proportionate.

- Odour (from Transport Sources & Potential Emergency Release)

7.20 Policy TRA 2 of the NLP requires development to minimise any adverse impact on the transport network – odour emissions via transport to a Permitted site is not controlled via the Environmental Permit. As any odour emissions whilst the municipal solid waste (MSW) (or waste after the AD process) is in transit would be transient in any one location the risk to human health is negligible. Any emissions released to the atmosphere to avoid a health and safety incident would be rare / non-existent and their impact upon human health would be suitably controlled via existing Health and Safety legislation. The Environmental Permit will regulate the appropriate height of Stacks – the height of Stacks is an integral factor in ensuring the rapid dispersal and dilution of any emitted pollutants.

- Air Quality

7.21 Due to the contained nature of the proposed operation – Environmental Protection does not have a concern in relation to the impact of the development upon Local Air Quality. Air Quality within Northumberland is consistently within the defined standards of the National Air Quality Standards and the development does not pose a risk to this status. The scale and type of waste used on site is like the existing.

7.22 The Air Quality report has demonstrated that the distance to sensitive receptors is a sufficient control to protect residents from dust emitted during the demolition and construction phase – health and safety legislation will also control potential dust pollution emanating from the site.

- Noise (Demolition & Construction Phase only)

7.23 Due to the scale of the required demolition and construction it is proportionate to protect surrounding residential amenity through the imposition of conditions restricting the works to the least noise sensitive times only.

7.24 The proposal is consistent with the provisions of policy WAS 2 with respect to impacts on nearby residents.

Ecology

7.25 The supplementary Ecological Impact Assessment (EclA) has assessed the potential impacts from the proposal on habitats and notable/protected species and designated nature conservation sites, and made recommendations for avoidance, mitigation and enhancement measures.

7.26 Ecological surveys were conducted in 2022 and comprised a desk study and site habitat survey. The site contains existing buildings and associated hardstanding, a small area of amenity grassland and a larger area of species-poor semi-improved grassland. There is a catchment lagoon to the east of the site which is described as having a low water level and being devoid of submerged or emergent vegetation. To the site boundaries are areas of scattered scrub and dese scrub to the west, and to the north of the site is a mixed plantation woodland.

7.27 The habitats on site are considered to have low suitability to support notable and protected species. The buildings were not identified as having potential to support roosting bats or nesting birds. Waterbodies within 250m of the site were assessed for their potential to support great crested newts and those suitable were subject to an eDNA survey; all results were negative. The scrub along the site boundaries will be suitable for nesting birds.

7.28 It is anticipated that all habitats within the site will be lost, and the catchment lagoon repositioned. The EclA states that existing boundary vegetation will be retained throughout the works and that tree and shrub planting is proposed along the eastern site boundary and access road. It is also proposed to create species-rich neutral grassland on site. This has not been shown on any of the site plans, but it is considered achievable and therefore it is acceptable for the details of this to be secured by a pre-commencement planning condition. Additionally, it is proposed that a Landscape and Ecological Management Plan or equivalent detailing the habitat creation and enhancement measures is secured by planning condition.

Air Quality

7.29 The main air quality assessment included two ecological receptors, Hawthorn Cottage Pasture Site of Special Scientific Interest (SSSI) and Queen Elizabeth II Country Park Local Nature Reserve (LNR). The additional air quality technical note has included the Potland Burn species rich grassland located south of the site as this is a high-quality habitat of SSSI value.

7.30 The impact of nitrogen oxide (NO_x), sulphur dioxide (SO₂), acid deposition and nitrogen deposition were assessed. The calculated values are acceptable in this instance and therefore impacts can be screened out as insignificant.

7.31 The main air quality assessment also included impacts from dust emissions during demolition and construction but excluded ecological receptors on the basis that there were none identified within 50m. Around half of the Potland Burn grassland is within 50m of the site southern boundary, however, this habitat doesn't include important populations of especially dust-sensitive species such as lichens and the impacts would be temporary. It is proposed that a Dust Management Plan will be produced, and key measures for this are outlined in the Air Quality Assessment. This primarily focusses on where dust may be a nuisance/have a human impact, however, the assessment and mitigation can be applied to consider ecological receptors.

7.32 Considering the response from Ecology the proposal is consistent with the ecological requirements of policy WAS 2 and ENV 2.

Renewable Energy

7.33 The proposal offers not only a waste management facility but also one that produces biomethane which can then be processed to provide electricity and gas into the grid.

7.34 Policy REN 1 provides general support for renewable energy proposals where it can be evidenced that the application will not result in unacceptable environmental, social or economic impacts. In this instance it has been demonstrated through the assessment against the waste management policies of the Local Plan that the proposal will not result in unacceptable impacts.

Climate Change

7.35 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.

7.36 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.

7.37 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.

7.38 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

7.39 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.

7.40 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

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

7.44 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.

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

8. Conclusion

8.1 The proposal seeks to replace an existing IVC facility with an AD for the reasons set out above. Given the site history, the use of PDL and the consistency with the current use class the principle of development can be supported and these factors taken together outweigh the spatial strategy in the Northumberland Local Plan. The proposal is consistent with the waste provisions of the LDP and seeks to address an existing problem with waste management but deploying a different technology that will resolve current issues and provide benefits.

8.2 The proposal is consistent with the Northumberland Local Plan and is recommended for approval subject to conditions and the resolution of the comments made by the Environment Agency.

9. Recommendation

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

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

Location Plan EII-PADP-0422-01
Existing Roof Plan 1440_PL012 Rev -
Existing Floor Plan 1440_PL011 Rev -
Existing Site Layout 1440_PL010 Rev -
External Works – As built survey LC-DA-1660-007 Rev J

Proposed Site Layout, 1440_PL100 Revision C
Elevations of Proposed Buildings 5081231 Rev P2
Grey Water Tank and Biofilters - Plans and Elevations 1440_PL306 Rev B
NaOH, Propane, & Clean and Waste Oil Tank & CHP Engine - Plans and Elevations 1440_PL304 Rev B
Digester and SBR Tank - Plans and Elevations 1440_PL302 Rev B
Replacement Office Building - Proposed Roof Plan 1440_PL123 Rev A
Replacement Office Building - Proposed Floor Plan 1440_PL122 Rev A
Main Process Building - Proposed Elevations (Sheet 2 of 2 1440-PL301 Rev A
Main Process Building - Proposed Elevations (Sheet 1 of 2) 1440-PL300 Rev A
Proposed Site Elevations - South and West - With Outline of Existing 1440_PL2-03 Rev B
Proposed Site Elevations - North and East - With Outline of Existing 1440_PL202 Rev B
Proposed Site Elevations - South and West 1440_PL201 Rev A
Proposed Site Elevations - North and East 1440_PL200 Rev A
Main Processing Building - Proposed Floor Plan 1440_PL120 Rev A
Buffer, PDST & SRB Feed Tanks + Gas Upgrade & Supply - Plans and Elevations 1440_PL303 Rev B
Pasteurisation Plant, Gas Flare & Boiler - Plans and Elevations 1440_PL305 Rev B

Surface Water Drainage Strategy SUEZ anaerobic digestion facility, Ellington, Date 12/05/2023 Rev A
Proposed Drainage Layout Drawing number 230404 –KRD-XX-EX-DR-C-0502 Rev P01 dated 12.05.2023
Drainage Details Sheet 1 Drawing number 230404 –KRD-XX-EX-DR-C-0510 Rev P01 dated 12.05.2023
Drainage Details Sheet 2 Drawing number 230404 –KRD-XX-EX-DR-C-0511 Rev P01 dated 12.05.2023
Drainage Details - Sheet 3 Hydrobrake And Pond Long Section 230404 –KRD-XX-EX-DRC-0512 Rev P01 dated 12.05.2023
Drainage Details Sheet 4 Drawing number 230404 –KRD-XX-EX-DR-C-0513 Rev P01 dated 12.05.2023
Drainage Sections - Wet Well And Pumping Station 230404 –KRD-XX-EX-DR-C-0514 Rev P01 dated 12.05.2023
Drainage Long Sections 230404-KRD-XX-ZZ-DR-C-0515 dated 12th May 2023

Preliminary Ecological Appraisal by Wood Group UK Limited, June 2022.
Technical Note: Suez Ellington Anaerobic Digester Plant Ecological Impact Assessment by WSP Environment & Infrastructure Solutions UK Limited March 2023.
Air Quality Assessment Wood Group UK Limited, June 2022.

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

03. Prior to first occupation details of the adoption and maintenance of all surface water drainage features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

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

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

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

05. The development shall not be occupied until details of the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

Reason: In the interests of visual amenity and highway safety, in accordance with the National Planning Policy Framework and Policies TRA 1 and TRA 2 of the Local Plan.

06. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

Reason: In the interests of amenity and highway safety, in accordance with the National Planning Policy Framework and saved Policies TRA 2 and QOP 2 of the Local Plan.

07. Noisy Working Hours

During the demolition and construction phase of the development, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise

08. Construction Delivery / Collection hours

Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:
Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

09. Potentially Contaminated Land

The construction phase of the development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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.

10. Contaminated Land Verification Report

Prior to the development being brought into use, the applicant shall submit a full closure (Verification Report) report to the Local Planning Authority for its written approval. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

[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.

11. Contamination not Previously Discovered

If during redevelopment contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is

identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority - the written method statement must be written by a competent person. 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.

Competent Person has the same definition as defined within the National Planning Policy Framework (NPPF) 2021.

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.

12. Further Assessment of Ground Gas Risk

The hereby approved anaerobic digestion facility must not be constructed above damp proof course level until Parts A and B of this condition are fully satisfied.

a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any ground gas (land contamination) risk to human health (as recommended in the approved Phase 1 report). It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the ground gas (land contamination) risk to human health affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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.

13. Ground Gas Verification Report

The development hereby permitted shall not be brought into its final approved use until two full copies of a full closure (Verification Report) report shall be submitted and approved by the Local Planning Authority. The report shall provide verification that the required works regarding ground gas (land contamination) risk to human health have been carried out in accordance with the approved Method Statement(s). The results of the verification assessment shall be included in the closure report to demonstrate that the required remediation has been fully met in accordance with current guidance. The results of the verification assessment shall be included in the closure report to demonstrate that the required remediation has been fully met in accordance with current guidance.

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.

14. Demolition/Construction Method Statement

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

- i. site contact details - name, telephone number etc;
- ii. details of temporary traffic management measures, temporary access, routes and vehicle types and total vehicle numbers;
- iii. vehicle cleaning facilities;
- iv. the parking of vehicles of site operatives and visitors;
- v. the loading and unloading of plant and materials;
- vi. 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.

15. Implementation of car parking area

The development shall not be brought into use until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

16. Means of vehicular access

Means of vehicular access to the permitted anaerobic digestion facility shall be from the existing access to the A1068 road only

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

17. Implementation of cycle parking

The development shall not be brought into use until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times

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

18. Implementation of EV Charging

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

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

19. Full Travel Plan

Twelve months after first occupation of the development, details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- I) details of and results from an initial staff travel to work survey;
- II) clearly specified ongoing targets for staff travel mode shares;
- III) a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- IV) a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policies TRA 1 and TRA 2 of the Northumberland Local Plan.

20. Details of refuse storage strategy

The development shall not be brought into use until details of 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.

21. Total Vehicle Movement Restrictions

The total number of all vehicular movements entering the wider site daily for all movements associated with construction and operation shall not exceed 150 movements in any direction when measured as a maximum figure subject to an average daily figure over each three calendar month period of 125.

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

22. Permanent Vehicle Cleaning Facilities

Notwithstanding the details submitted in the application the site shall be installed with an effective permanent wheel wash within three months of the date of this

permission. The wheel wash shall be retained and used for all vehicles leaving the site for the duration of works on site.

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

23. Prior to the commencement of works on the construction of the Anaerobic Digester facility a Dust Management Plan, as per the recommendation within the Air Quality Assessment Wood Group UK Limited, June 2022 for the operation and management of the facility shall be submitted for the prior approval of the planning authority and therefore complied with at all time.

Reason: To ensure the development is consistent with NPPF 180 and Local Plan Policies POL2 and ENV2 (4d).

24. Biodiversity Design and Management Plan:

No development shall take place until a Biodiversity Design and Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details for the creation of species-rich neutral grassland within the site and tree and shrub planting along the eastern site boundary and access road. The details will cover;

- i) Purpose and conservation objectives of the proposed works.
- ii) Extent and location/are of proposed works shown on appropriate scale maps.
- iii) Detailed working methods to establish the habitats.
- iv) Timetable for implementation.
- v) Details of initial aftercare and long-term maintenance (including an annual work plan).
- vi) Details for monitoring and remedial measures.

The Biodiversity Design and Management Plan shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To conserve and enhance local biodiversity in line with NPPF para. 180 and Local Plan Policy ENV2.

Informative

Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the StreetWorks team on 0345 600 6400 for Skips and Containers licences.

Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway

Habitat Creation

A species-rich grassland mix is now produced in Northumberland from seed harvested within grassland SSSIs in the Northumberland National Park, which can be bought through British Wildflower Seeds. It has a high proportion of yellow rattle, which is helpful to its establishment in existing grasslands <https://britishwildflowermeadowseeds.co.uk/collections/wildflower-meadowseeds/products/northumberland-meadow-seed-mix>

A list of suitable trees is available online from Northumberland Wildlife Trust <https://www.nwt.org.uk/what-we-donews-and-publications/publications> Please note it is no longer recommended to include Ash in planting schemes due to the prevalence of ash die back disease (Chalara). Native hedgerows should comprise a minimum of 50% hawthorn (*Crataegus monogyna*) mixed with other species such as elder (*Sambucus nigra*), blackthorn (*Prunus spinosa*), crab apple (*Malus sylvestris*), hazel (*Corylus avellana*) and holly (*Ilex aquifolium*).

Good practice during construction

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

- i) To protect trees and hedgerows retained on and adjacent to the site, all works should be carried out in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012, including the use of protective fences/barriers.
- ii) A pre-commencement check for nesting birds should be undertaken by a suitably experienced ornithologist if tree removal and shrubby vegetation clearance is undertaken between March and August inclusive.
- iii) During site clearance Reasonable Avoidance Measures for amphibians and reptiles should be implemented, including hand-searches by the project ecologist and supervised vegetation removal.
- iv) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- v) Contractors should be aware of the potential to spread invasive non-native plant species either from or onto the site and take appropriate biosecurity measures to avoid this, guidance on what to do can be found here <https://www.nonnativespecies.org/what-can-i-do/training/site-workers/>.
- vi) All works on site should adhere to the Pollution Prevention Guidance for Businesses provided by DEFRA and the Environment Agency. For further information follow the link: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Sensitive Lighting Scheme:

External lighting should be designed in consultation with the project ecologist and follow guidance set out the Institution of Lighting Professionals Guidance Note 8: Bats and artificial lighting (08/18) (<https://theilp.org.uk/publication/guidance-note-8-batsand-artificial-lighting/>) to minimise light spill on to adjacent habitats.

LLFA

Any areas of hardstanding areas (car parks, driveways etc.) within the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable surface:

- Using gravel or a mainly green, vegetated area.
- Directing water from an impermeable surface to a border rain garden or soakaway.
- Using permeable block paving, porous asphalt/concrete.

Further information can be found here - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

In addition, the development should explore disconnecting any gutter down pipes into rainwater harvesting units and water butts, with overflow into rainwater garden/pond thus providing a resource as well as amenity value and improving water quality

Date of Report:

Authorised by:

Date:

Background Papers: Planning application file(s) 22/03153/FUL



Northumberland County Council

Appeal Update Report

Date: July 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?
22/03324/FUL	Erect a feed barn for storage of animal feed – Eastside, Partnership Field, Springwell, Ovington Main issues: inappropriate development in the Green Belt. Delegated Decision - Officer Recommendation: Refuse	No
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. Delegated Decision - Officer Recommendation: Refuse	No

Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
22/01121/FUL	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 Main issues: development in the open countryside; and absence of suitable mitigation to address recreational disturbance with adverse effects on the	No

	<p>Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC</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 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</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>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 the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

21/01833/FUL	<p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.</p>	<p>10 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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 and the North Northumberland Dunes SAC.</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer</p>

	<p>Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.</p>	<p>Recommendation: Refuse</p>
22/01297/FUL	<p>Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton</p> <p>Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02704/CLEXIS	<p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p>	<p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03417/OUT	<p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top 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>
22/03696/FUL	<p>Retrospective application for works carried</p>	<p>22 March 2023</p>

	<p>out to add pillars with metal railings between at front boundary wall; stone face side wall between front and rear garden and construction of raised timber deck – Woodstock, Mill Lane, Haltwhistle</p> <p>Main issues: harm to the character and appearance of the Conservation Area; and harmful impact on residential amenity.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
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</p>	<p>13 April 2023</p> <p>Delegated</p>

	<p>Park, Belsay</p> <p>Main issues: inappropriate development in the Green Belt.</p>	<p>Decision - Officer</p> <p>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</p> <p>Decision - Officer</p> <p>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 that is not outweighed by public benefits.</p>	<p>25 April 2023</p> <p>Delegated</p> <p>Decision - Officer</p> <p>Recommendation: Refuse</p>
22/03876/FUL	<p>A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt.</p>	<p>16 May 2023</p> <p>Delegated</p> <p>Decision - Officer</p> <p>Recommendation: Refuse</p>
22/01012/FUL	<p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett</p> <p>Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.</p>	<p>17 May 2023</p> <p>Delegated</p> <p>Decision - Officer</p> <p>Recommendation: Refuse</p>
22/03217/FUL	<p>Erection of a forestry shelter and the location of a storage container (retrospective) - land east of Aydon Dipton Woods, Corbridge</p> <p>Main issues: development in the open countryside and inappropriate development in the Green Belt.</p>	<p>23 May 2023</p> <p>Delegated</p> <p>Decision - Officer</p> <p>Recommendation: Refuse</p>
22/04060/FUL	<p>Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East Bedlington</p> <p>Main issues: fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to demonstrate appropriate off-street car parking provision; fails to demonstrate that appropriate ground gas protection has been incorporated into the development; fails to</p>	<p>26 May 2023</p> <p>Delegated</p> <p>Decision - Officer</p> <p>Recommendation: Refuse</p>

	demonstrate how surface water and flood risk will be mitigated on site; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.	
20/04096/OUT	<p>Outline planning permission for residential development for up to four dwellings (All Matters Reserved) with demolition of existing structures - resubmission of application 19/01511/OUT - land at Moor Farm Estate, Station Road, Stanington</p> <p>Main issues: proposal would permanently urbanise an open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p>	<p>5 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02870/FUL	<p>Construction of 8no. bungalows with associated access, parking and landscaping – land north of Hartford Court, East West Link Road, Cramlington</p> <p>Main issues: loss of open space; design, density, siting and layout does not respect the character of the area or contribute to a strong sense of place; impacts on residential amenity; fails to demonstrate how surface water and flood risk will be mitigated on site; fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to promote the use of sustainable travel within the development; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p>	<p>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03128/FUL	<p>Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland</p> <p>Main issues: loss of landscaping and detrimental impact on the character and appearance of the area; and subdivision of the plot would have a harmful impact on the character and appearance of the area.</p>	<p>13 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/00732/FUL	<p>Retrospective - Proposed full timber decking outdoor seating area with timber frame outbuilding / shed for outdoor store and service area – The Schooner Hotel, 8 Northumberland Street, Alnmouth</p>	<p>15 June 2023</p> <p>Delegated Decision - Officer Recommendation:</p>

	Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.	Refuse
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Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

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

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

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
18/03394/REM	<p>Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping and other associated infrastructure – land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: the design fails to preserve or make a positive contribution to local character and distinctiveness, and the site's surroundings, and fails to create or contribute to a strong sense of place. The development does not demonstrate high quality sustainable design, is not visually attractive, does not incorporate high quality materials and detailing, and is substantially altered from the approved outline planning application.</p>	<p>Hearing - 27 June 2023</p> <p>Committee Decision - Officer 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</p>	<p>Hearing date to be confirmed</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	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.	
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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