



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: lesley.little@northumberland.gov.uk

Tel direct: 01670 622614

Date: Thursday 21 September 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, 3 OCTOBER 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
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

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

1. **PROCEDURE AT PLANNING COMMITTEES** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES OF PREVIOUS MEETINGS** (Pages 3 - 10)

The Minutes of the Strategic Planning Committee held on Tuesday 1 August 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 11 - 14)
- 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. 23/00545/RENE** (Pages 15 - 30)
Erection of ground-mounted solar farm with associated ancillary equipment
Land North East Of Wooperton Station, Wooperton, Northumberland
- 7. 23/01958/VARCCM** (Pages 31 - 44)
Variation of Condition 1 (Time Limit) pursuant to planning permission 15/01643/VARCCM to allow for a 10-year time extension for restoration operations
Shadfen Park Drift, Shadfen, Northumberland
- 8. APPEALS UPDATE** (Pages 45 - 58)
- For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.
- 9. S106 AGREEMENTS UPDATE REPORT** (Pages 59 - 62)
- For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous month.
- 10. 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, 1 August 2023 at 4.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball	L Darwin
R Dodd	B Flux
G Hill	JI Hutchinson
J Lang	J Reid
G Stewart	M Swinbank
A Wallace	

OFFICERS

T Crowe	Solicitor
G Halliday	Consultant Planner
L Little	Senior Democratic Services Officer
E Sinnamon	Planning Manager

Around 13 members of the press and public were present.

18 PROCEDURE AT PLANNING COMMITTEES

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

19 APOLOGIES FOR ABSENCE

Apologies had been received from Councillors Foster, Renner-Thompson, Robinson and Watson.

20 MINUTES OF PREVIOUS MEETINGS

The Minutes of the Strategic Planning Committee held on 4 July 2023, as circulated, were agreed as a true record and were signed by the Chair.

21 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.

22 **23/01070/CCD**

**Demolition of the former Bedlington Station Building (South) to accommodate works to construct the new railway station approved under 21/01106/CCD
Bedlington Railway Station, Station Street, Bedlington, Northumberland NE22 5UZ**

G Halliday, Planning Consultant provided a comprehensive introduction to the application with the aid of a power point presentation. He advised that an additional representation had been received late the previous day from the Victorian Society. This raised similar points as already outlined in the report from other objectors including that as a non-designated heritage asset a balanced judgement was required and demolition should not be allowed due to the heritage significance of the building.

A Hogg, addressed the Committee speaking on behalf of West Bedlington Town Council in objection to the application. His comments included the following:-

- West Bedlington Town Council objected to this planning application for the demolition of the southern building at Bedlington Station and supported East Bedlington Parish Council, objectors and those who had signed the petition to keep the building.
- The building played a major part in the whole Bedlington area history having been built in the early 1900's and had survived the Beaching cuts of the 1960's which closed the route to passengers. It was the only original group of station buildings left on the whole of the Blyth and Tyne railway route that would be opened to the public.
- East Bedlington Parish Council had submitted interest in the buildings over a number of years for them to be used for the community, most recently highlighting the point in the Borderlands Place Programme with a lot of work having been undertaken to submit a bid for turning both buildings into a community hub and heritage centre.
- East Bedlington Parish Council had a proven track record of undertaking major works to bring derelict buildings and land into community use as seen with East Bedlington Community Centre and other local projects.
- The original application for this site highlighted both buildings would stay and a recent Northumberland County Council design showed the building could stay with works undertaken around it, with different designs showing the platform would not reach where the building stood and a grassed bank replacing the platform edge.
- Whilst East Bedlington was not covered by the West Bedlington Neighbourhood Plan area, local residents in the West Bedlington area had highlighted the importance of historical/heritage assets within the area during the Neighbourhood Plan process. As a consequence, West Bedlington Town Council felt that they must object to the demolition of any of the station buildings and support calls for both buildings to be repaired

for use by the local community and commuters. The Committee were asked to support East Bedlington Parish Council and refuse the application in order to allow both buildings to be brought back into use for future generations to enjoy.

K Grimes, addressed the Committee speaking as Chair of East Bedlington Parish Council in objection to the application. His comments included the following:-

- The Parish Council had voted unanimously to object to this proposal. In addition a parish assembly of local electors voted, with only one abstention and no objections, to object to the proposal and a petition by the Northumberland Line Community Heritage Group gathered over 1000 signatures over two weekends.
- Bedlington had a proud 200 year history of railway innovation that was echoed around the world and which the Parish Council wished to preserve.
- The heritage assessment addendum stated that the significance of Bedlington Station lay in its architectural and historic interest as one of only five former stations on the Blyth and Tyne line that had standing buildings. Their location was considered to give them landmark quality and their architectural styling was also readily understandable as railway architecture providing the buildings with architectural and aesthetic value. The report also stated that the two buildings formed a pair with each contributing to the setting of the other.
- The two buildings were two of the oldest buildings, if not the oldest, in the Parish, pre-dating even the construction of St. John's Church.
- The Parish Council had for many years attempted to engage with Network Rail with a view to developing, with grant funding, the buildings as a heritage and innovation centre to provide a community asset that celebrated the important railway heritage of the town. Network Rail had ignored all attempts at dialogue and meanwhile the buildings had continued to degenerate due to lack of maintenance.
- In 2020 the Parish Council was invited by Northumberland County Council to submit an expression of interest in both these buildings and a detailed proposal was forwarded to the County Council. The vision was a development that formed a centrepiece of the town redevelopment providing first class facilities that might be expected in more high profile stations; create a heritage and innovation centre which recognised the achievements of our forebears; restoring civic pride and creating job and business opportunities. The development would provide office space, exhibition space, waiting room, toilet and a café with an atrium area connecting the two buildings allowing for pop up local shops, tourist information and other local services. The Parish Council had earmarked £40,000 to meet its contribution to the scheme and were confident that grant funding would be available. After submission of this scheme no response had been received from the County Council apart from an email acknowledging receipt.
- In March this year, the same proposal was accepted by the Bedlington Innovation Team as one of the proposals to go forward for Borderlands funding as part of the Bedlington Place Plan. This was as a result of almost 18 months of discussions with local Councillors and officers from the County Council's regeneration team. Should the demolition of the south building be allowed then this development could not happen.

- The original planning application for the station clearly showed both buildings as retained on the platform and the Parish Council would like to understand what had changed since that time.
- The material planning considerations were that the proposed demolition would result in a characterless station, not discernibly different from any other; the character of these buildings, unique and original to the historic Blyth and Tyne line would be lost; restoration and repurposing of the buildings would contribute greatly to the restoration of civic pride and give the town a centrepiece to be proud of; development of the buildings would create employment, both paid and voluntary, and attract footfall to the town and become a destination rather than just a stop on the line; and planning proposal 21/01106/CCD, which was the planning document for the station clearly showed both buildings on the platform and it was on that basis that East Bedlington Parish Council had supported that application.
- The Parish Council urged the County Council, Network Rail and Northern Rail to work with the community to find a way of retaining and repurposing both station buildings rather than taking the cheapest and simplest option of demolition.

A Healey, agent for the applicant, addressed the Committee speaking in support of the application. Her comments included the following:-

- The application to approve a new railway station at Bedlington was approved in November 2021, since that time further work had been undertaken to review the constructability of the approved station scheme. This had resulted in the application before the Committee today.
- The submitted application provided a reasoned justification for the proposed demolition and included consideration of the structural integrity of the existing building; the costs of any restoration and commercial viability of re-use along with accessibility.
- A public engagement exercise had been undertaken to demonstrate the public realm improvements which would result from the removal of the building. If the application was approved then engagement would continue to ensure that the landscaping scheme responded to the needs of the local area.
- Discussions regarding the re-use of the northern building continued to advance which was evidenced by Network Rail's offer of a 99 year lease as referenced in the report.
- The proposed demolition was associated with the long awaited reopening of the Ashington, Blyth and Tyne Line which would re-establish Bedlington's relationship on the historic line. However, if the proposed station was implemented in accordance with the previously approved plans the presence of the dilapidated south building would detract from the appearance of the new station and would forego opportunities to improve accessibility and the public realm.
- It was recognised that the south building at Bedlington was a non-designated heritage asset, however National and Local Planning policies required that a balanced judgement be reached when considering the loss of such an asset. The applicant acknowledged the route value of the buildings and associated historic railway structures, however this application provided the opportunity for comprehensive place making by providing improved accessibility and public realm of the station as well as

complementing any future use of the north building. It would encourage use of railway services by residents and provide a more welcoming gateway.

- The application had been thoroughly assessed by Planning and other Officers and was in accordance with relevant planning policies. In particular it had been concluded that the balanced judgement and overall planning judgement was weighed in favour of granting of permission subject to the relevant planning conditions and the Committee were urged to support the application.

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

- Whilst it did not specifically mention the frequency of any grass cutting, Condition 5 required a scheme to be submitted and all landscaping provided to be maintained for the lifetime of the development, and therefore it could be discussed with the applicant as part of that scheme.
- It was clarified that paragraph 5.5 should read "... the southern building lacks the architectural character of the *northern* building...". In the view of the Railway Heritage Trust it was the northern building which had the greater architectural heritage and potential to be developed for beneficial uses. Network Rail had agreed to provide a 99 year lease at a peppercorn rent of £1 per year for the northern building, however there had been no agreement of how any future use would be funded.
- The report estimated that it would be a cost of £375k for the underpinning of the south building, however due to the extensive work required in the removal of the existing platform there was a risk that it could cost an additional £100K to £200K in structural repairs depending on the amount of damage it sustained. An additional sum of £325K - £375K was estimated to be required to be able to bring the existing south building back to a usable standard.
- It was Northumberland County Council that were in charge of the project to provide the Northumberland Line and would be heavily involved in the future of the scheme. There was no proposal to remove the north building which stood further back from the platform than the south building. As far as officers were aware, there was no funding in place, apart from the £40,000 which was referenced by East Bedlington Parish Council, for the repair and restoration required to bring either of the buildings into use. The future use of the buildings was not part of the original approved scheme only that they be retained. Whilst there was some discussion during the first application on future uses of the buildings, it was something that was considered could not be conditioned.
- There was no 100% guarantee on the future of the north building, however all the discussions which had taken place so far were aimed at enabling that building to be brought back into beneficial use. One of the relevant planning considerations to take into account was that spreading any available funding between the two buildings could make it less likely for the buildings to be brought back into beneficial use. If there were any proposal to remove the north building in the future then that would need to be brought to Committee for a decision at that time.
- The Victorian Society were a National Organisation who had been made aware of the application and submitted an objection late the day before the

Committee outlining similar reasons as the Parish Council.

- There were cost pressures on the whole of the opening of the Northumberland Line project due to the increased construction costs following the pandemic with the County Council continually being challenged by Government on the costs. The project team were required to demonstrate that any works were required to serve the railway. It was understood that discussions had taken place regarding the restoration of the buildings, however Government did not consider that to be an essential part of the scheme.
- The south building did not add as much value as the north building to the character of the area and its contribution to the appearance of the station was a lot less than the north building. Its demolition would allow a more attractive public realm.
- It was considered that the inclusion of a condition for the building to be taken down and rebuilt in a different location would not meet the test of reasonableness that any condition attached to a permission must be relevant and necessary for the applicant to undertake in order to allow permission to be granted. The heritage value of the building was as part of the group in its current location and it was not thought that moving it would satisfy any party.
- There were costs associated with condition 3 in relation to the recording scheme and condition 4 regarding the removal of materials for re-use but it was considered that these were justifiable and met the test of reasonableness.

Councillor Hutchinson proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Flux.

The majority of Members expressed their support for the approval of the application citing reasons such as the improved accessibility to the station platform, widening of the cycle track and improved look of the station; the neglected condition of the building and the level of funding that would be required just to provide the under-pinning work required without any guarantee that additional funding would be forthcoming for any restoration work; the lack of any architectural heritage and comments from the Railway Heritage Trust that the focus of restoration should be concentrated on the northern building; and that there was no reasonable argument for the retention of the building.

Members who advised that they would not support the proposal to approve cited their reasons as no consideration had been taken of the community asset that the building could be and alternative uses for which it could be used; the shameful way it had been allowed to deteriorate; the significant rail heritage in Bedlington and the fact that restoration of the building would allow this to be retained for future generations.

A vote was taken on the proposal to accept the recommendation to approve the application as outlined in the report as follows: FOR 10; AGAINST 2; ABSTENTION 0.

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report.

23 **APPEALS UPDATE**

RESOLVED that the information be noted.

24 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....

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Northumberland County Council

STRATEGIC PLANNING COMMITTEE

DATE: 3 OCTOBER 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Housing & Planning (Chief Planning Officer)

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 Housing & Planning
01670 622542
Rob.Murfin@northumberland.gov.uk

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Strategic Planning Committee in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:

- Decision makers are to have regard to the development plan, so far as it is material to the application
- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
- Applications should always be determined on their planning merits in the light of all material considerations
- Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
- Where the Strategic Planning Committee is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward

3. Planning conditions must meet the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions must be:

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

4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

Important Copyright Notice

5. The maps used are reproduced from the Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationery office, Crown Copyright reserved.

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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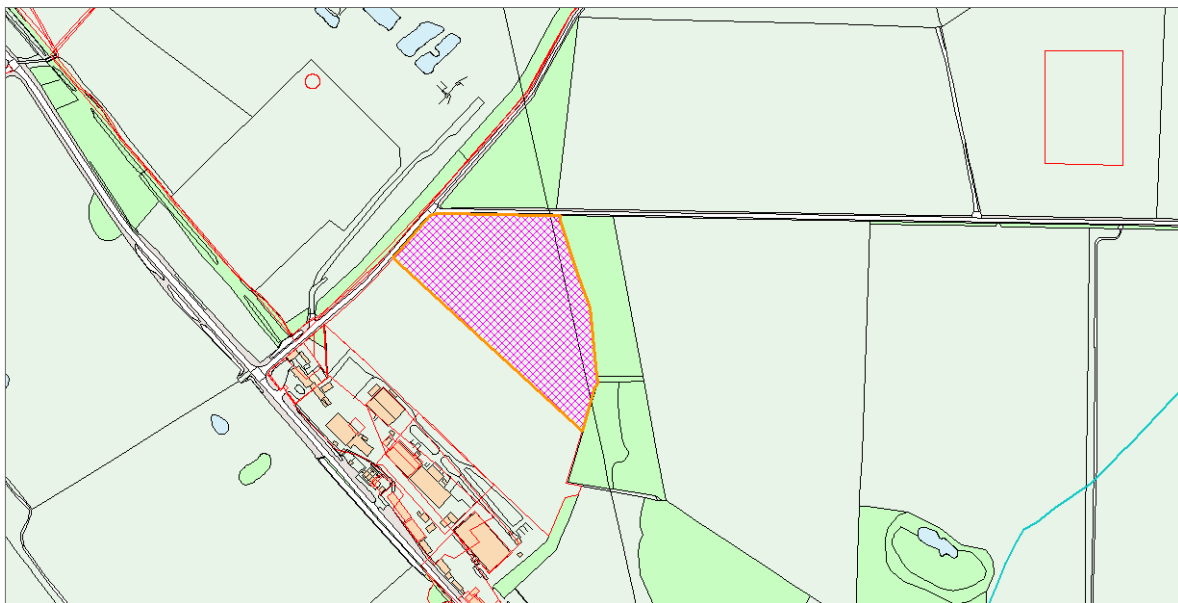


Northumberland County Council

Strategic Planning Committee 3rd October 2023

Application No:	23/00545/RENE		
Proposal:	Erection of ground-mounted solar farm with associated ancillary equipment		
Site Address	Land North East Of Wooperton Station, Wooperton, Northumberland,		
Applicant:	A&J Scott C/O Agent	Agent:	Miss Claire Pegg 1 Marsden Street, Manchester, M2 1HW,
Ward	Wooler	Parish	Bewick
Valid Date:	16 February 2023	Expiry Date:	12 September 2023
Case Officer Details:	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: 07517553360 Email: David.love@northumberland.gov.uk		

Recommendation: It is recommended that this application is approved as a departure to policy MIN 8 subject to the conditions appended below.



1. Introduction

1.1. This planning application represents a major development and therefore is to be considered by the Strategic Planning Committee.

1.2. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out that Environmental Impact Assessments (EIAs) are required for certain developments where the proposal is to have a likely significant effect on the environment. The development proposal was screened by the Local Planning Authority during the determination process which

deemed that the proposed development is not likely to have significant effects on the environment and as such is not considered to be EIA development.

2. Description of the Proposals

2.1 This application is for the erection of a 2.5MW ground mounted solar farm with associated ancillary equipment. This will include a transformer and container housing the solar distribution panel as well as cabling to the existing substation at the site and fencing surrounding the panels. All energy generated will be used by the existing sawmill adjacent to the site and no power is proposed to be exported to the grid.

2.2 Planning permission is sought for a temporary period of 40 years from the date of first exportation of electricity from the site. At the end of this period, the solar panels and associated equipment would be removed

Application Site

2.3 The application site is located approximately 200m north-east of the sawmill business located at Wooperton Station. The site is undeveloped and an application for change of use from agricultural to industrial was permitted in July 2021. It is bounded by plantation woodland to the east, the sawmill to the south and the B6346 road to the north and west.

2.4 The application site is located within an area allocated for sand and gravel extraction under Policy MIN 8 of the Northumberland Local Plan.

3. Planning History

Reference Number: 20/04250/FUL

Description: Change of use: agricultural to general Industrial (B2) including replacement grading line and creation of additional storage

Status: PER

Reference Number: 22/02249/SCREEN

Description: EIA screening request for proposed ground-mounted solar farm with associated ancillary equipment

Status: EIANR

Reference Number: 22/04359/FUL

Description: Erection of ground-mounted solar farm with associated ancillary equipment

Status: APPRET

Reference Number: 23/01360/VARYCO

Description: Variation of condition 5 (Biodiversity Mitigation and Enhancement) on approved application 20/04250/FUL to align the ecological mitigation works to new development proposals.

Status: PER

4. Consultee Responses

Architectural Liaison Officer - Police	Concerns can be addressed by a planning condition.
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Climate Change Team	No response received.
County Ecologist	No objection subject to a planning condition securing the management of grassland habitat beneath the solar panels.
Lead Local Flood Authority (LLFA)	The LLFA have no objection to 23/00545/RENE subject to the following conditions, drawings, and documents, being listed as approved. Wooperton Sawmill Solar Panel Farm Flood Risk Assessment Issue Date: 23 JANUARY 2023 Report Number: 23001-FRA Produced by Coast Consulting Ltd Proposed Drainage Strategy Drawing 01 Rev P1 Produced by Coast Consulting dated 09/03/2023
Public Protection	No objection
Northumbrian Water Ltd	No objection but should the drainage arrangements change then we request re-consultation.
Highways	No objection subject to conditions.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	1
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

Notices

General site notice, 22nd February 2023

Berwick Advertiser 23rd February 2023

Summary of Responses:

A single letter of support has been submitted.

The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=RQ10MNQSFH300>

6. Planning Policy

6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)
 STP 2 - Presumption in favour of sustainable development (Strategic Policy)
 STP 3 - Principles of sustainable development (Strategic Policy)
 STP 4 - Climate change mitigation and adaptation (Strategic Policy)
 STP 5 - Health and wellbeing (Strategic Policy)
 STP 6 - Green infrastructure (Strategic Policy)
 ECN 1 - Planning strategy for the economy (Strategic Policy)
 ECN 12 - A strategy for rural economic growth (Strategic Policy)
 ECN 13 - Meeting rural employment needs (Strategic Policy)
 QOP 1 - Design principles (Strategic Policy)
 QOP 4 - Landscaping and trees
 TRA 1 - Promoting sustainable connections (Strategic Policy)
 TRA 2 - The effects of development on the transport network
 ENV 1 - Approaches to assessing the impact of development on the natural, historic, and built environment (Strategic Policy)
 ENV 2 - Biodiversity and geodiversity
 ENV 3 - Landscape
 ENV 4 - Tranquillity, dark skies, and a sense of rurality
 POL 2 - Pollution and air, soil, and water quality
 MIN 4 - Safeguarding mineral resources (Strategic Policy)
 MIN 5 - Prior extraction of minerals
 MIN 6 - Safeguarding minerals related infrastructure (Strategic Policy)
 MIN 7 - Aggregate minerals (Strategic Policy)
 MIN 8 - Aggregate mineral site allocations - Sand and gravel (Strategic Policy)
 REN 1 - Renewable and low carbon energy and associated energy storage

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - 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 is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 In relation to the principle of this development in policy terms, it is considered that the following main matters are relevant and need to be considered:

- Principle of renewable energy development
- Spatial strategy
- Conflict with the Local Plan site allocation for mineral extraction
- Mineral safeguarding and prior extraction
- Climate Change
- Economic benefits
- Ecology

Renewable energy policy and spatial strategy

7.3 Policy STP 1 sets the spatial strategy for Northumberland and directs development towards existing settlements. The site of the proposed development is in the open countryside and outside of an existing settlement. For development in the open countryside to be supported it must align with one of the exceptions listed in the policy. This includes if the proposal provides for essential energy infrastructure in accordance with other policies in the plan.

7.4 Policy REN 1 of the Northumberland Local Plan concerns renewable energy development, including solar photovoltaic developments. Policy REN 1 is supportive of this type of development provided that the environmental, social, and economic effects of the proposal are acceptable or can be made acceptable when considered against the criteria in this policy and the other policies in the development plan. Policy REN 1 does not restrict renewable energy development to the settlements.

7.5 The NPPF is also supportive of new renewable energy development. Paragraph 152 states the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 158 (b) goes on to state that when determining planning applications for renewable energy development, local planning authorities should approve the application if the impacts are (or can be made) acceptable. The NPPF also does not provide specific locational requirements for solar photovoltaic developments.

7.6 It is therefore considered that the proposed development is supported in principle by Policy REN 1 of the Northumberland Local Plan provided that the impacts are acceptable or can be made so when assessed against the relevant policies in the development plan. Policy REN 1 supports renewable energy proposals in principle throughout the plan area and does not restrict the location of development. Whilst the proposed development would not fully align with Policy STP 1, when the Northumberland Local Plan is read it does not restrict development of this nature to the settlements. It is also recognised that this proposed development has locational requirements and that proposals of this size and nature are unlikely to come forward within settlement boundaries.

Conflict with the Local Plan site allocation for sand and gravel extraction

7.7 The proposed development would be located within an area that is allocated for the extraction of sand and gravel for aggregate uses under Policy MIN 8 of the Northumberland Local Plan (identified as Wooperton Quarry east extension). In accordance with Policy MIN 7 this site allocation seeks to contribute to the forecast demand for this mineral from Northumberland over the plan period, provide a landbank of at least seven years at the end of the plan period and provide production capacity to meet the annual rate of demand over the plan period. Policy MIN 7 aims to facilitate a steady and adequate supply of aggregates to meet local and wider needs. This is done through making land available to meet the needs for sand and gravel for aggregate uses as well as maintaining a landbank of permitted reserves of at least seven years. Policy MIN 8 then allocates three sites for sand and gravel extraction, the third of which - Wooperton Quarry east extension - includes the application site.

7.8 The proposed development would therefore conflict with Policy MIN 8 of the Northumberland Local Plan by preventing the extraction of the sand and gravel resource in part of an allocated site from being developed during the plan period. It is

recognised that the proposed development would not sterilise the entirety of the allocated site (the proposed solar development would cover around 25% of the allocated site) with the larger proportion of the allocated site which consists of separate land parcels remaining developable. The allocated site could provide the same annual production capacity but any overall contribution to the future landbank would be reduced.

7.9 The most recent Local Aggregates Assessment covering Northumberland identifies that remaining permitted reserves of sand and gravel in Northumberland and the productive capacity of the remaining sites will not be sufficient to maintain supply over the local plan period. The allocation of sites within the Northumberland Local Plan seeks to address this shortfall. The site allocations could potentially provide approximately 6.8 million tonnes of additional reserves. The Wooperton site allocation is estimated to comprise 1 million tonnes of sand and gravel, with the area that would be sterilised by this proposal constituting approximately 25% of the allocated site by area.

7.10 The supporting statement for the planning application indicates that the quality of the sand and gravel resource present in the part of the allocated site is not economically viable for extraction and there is no commercial interest in extraction (despite the site allocation being promoted by an operator through the Local Plan process). The supporting statement also indicates that the application site is now under the ownership of the applicant and would not be available for a mineral operator to develop.

7.11 The conflict with Policy MIN 7 and MIN 8 will therefore need to be weighed against the benefits of the solar development in the planning balance. The land ownership situation as well as the quality of the resource and information about the lack of commercial interest in extraction within this part of the site are relevant material considerations that impact on the practicalities around the deliverability of part of the allocated site.

Mineral safeguarding and prior extraction

7.12 The issue of mineral safeguarding and prior extraction is linked to the matters associated with the site allocation for sand and gravel extraction discussed above. The Northumberland Local Plan identifies Mineral Safeguarding Areas to protect mineral resources from unnecessary sterilisation by non-mineral development and Policy MIN 4 sets out policy criteria to assess proposals within these areas. The NPPF (Paragraph 212) states that Local Planning Authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working. In addition, where a proposed non-mineral development would lead to the sterilisation of an identified mineral resource Policy MIN 5 supports the prior extraction of this mineral resource where this would be practicable and environmentally acceptable. A small portion of the site at the southern edge sits within a Mineral Safeguarding Area for sand and gravel.

7.13 The applicant has provided information in support of the application to justify why it would not be practical or feasible to extract the mineral resource prior to the proposed development taking place and why the proposed development would accord with Policy MIN 4 and MIN 5.

7.14 The justification provided by the applicant can be summarised as follows:

- The development is temporary in nature;

- The amount of material sterilised is minor and not significant in the context of the reserves for Northumberland which are ample;
- The viability of the development will be affected due to the time taken for extraction;
- There are no reasonable alternative options for the proposed development that would avoid potential mineral sterilisation; and
- The mineral concerned is not of sufficient quality for there to be economic value in it being extracted, and discussions with local mineral extraction firms have confirmed this.

7.15 Taking these points in turn, whilst the development is indeed temporary in nature, the anticipated operational lifespan of the proposed development would be forty years plus additional periods of time required for construction and decommissioning. This is longer than the period covered in the Northumberland Local Plan within which the Wooperton East extension is identified to contribute to the supply of sand and gravel for aggregate uses from Northumberland. Policy MIN 4 does support non-mineral development if it is temporary in nature, but it must also be demonstrated that the proposal would not impact on the potential for mineral extraction within a timescale in which the mineral is likely to be needed. This criterion would not be applicable to the proposed development in isolation given the conflict the identification of the site for extraction in the Northumberland Local Plan, although it is accepted that the resource would not be permanently sterilised and would be available following the cessation of the proposed development.

7.16 In terms of the level of reserves in Northumberland, the most recent Local Aggregates Assessment covering Northumberland identifies that remaining permitted reserves and the productive capacity of the remaining sites will not be sufficient to maintain supply over the plan period for the Northumberland Local Plan. The allocation of sites within the Northumberland Local Plan seeks to address this gap with approximately 6.8 million tonnes of potential additional reserves identified. The Wooperton East extension site allocation comprises 1 million tonnes of potential reserves, with the area that would be sterilised by this proposal constituting approximately 25% of this allocated site by area. This would therefore impact on the quantum of resource available to meet supply over the Local Plan period.

7.17 The applicant states that there is a pressing need for the proposal as there is a need to reduce energy costs in the short term to ensure the viability of the sawmill business. Prior extraction would therefore not be feasible due to the timescales involved for implementing the proposed development. This is relevant in the context of the requirements of Policy MIN 5, although conflict with Policy MIN 8 would remain.

7.18 In terms of other options for the proposed development that would avoid the sterilisation of the mineral resource at the site, the supporting statement for the application states that there are no reasonable alternative options for the proposed development as the application site is the only adjacent land to the sawmill that is in the applicant's ownership and hence the development cannot be sited elsewhere. Given the scale of the proposed development this matter is a relevant consideration.

7.19 Finally, the applicant has submitted that there is no operator interest in extracting the resource from within the application site due to its quality and suitability for market. This contradicts the Northumberland Local Plan where the allocated site was promoted through the Local Plan preparation process by a mineral operator. The applicant has however provided evidence from three potential operators, including the

operator of the adjacent existing Wooperton Quarry site who also promoted the site allocation, who have confirmed they are not interested in extraction. This is a relevant consideration, subject to confirmation that there is not a viable resource within the application site.

7.20 Notwithstanding these points, consideration should also be given to whether the overall benefits of the proposal would outweigh the potential sterilisation of the mineral resource for the duration of development in the planning balance (Policy MIN 4, Part 3, e). In addition to the above, Part 4 of Policy MIN 4 requires proposals in the vicinity of current and/or proposed sites to demonstrate that no unreasonable restrictions on operations will occur because of the proposal being permitted. In the context of this application consideration needs to be given to the current Wooperton Quarry to the north west of the application site and the remainder of the site allocated under Policy MIN 8 of the Northumberland Local Plan to the north and to the east. Given the nature of the development proposed, the existing plantation woodland and the screening mounds that have now been constructed along the northern and western boundaries of the application site it is considered that the proposed development would not place any unreasonable restrictions on the operation of the existing site, or the remainder of the area allocated under Policy MIN 8. It is therefore unlikely that the proposed development would need to include any additional mitigation as could be required by Part 4 (b) of Policy MIN 4.

Climate change

7.21 Policy STP 4 (climate change mitigation and adaptation) supports proposals that mitigate climate change and contribute to meeting nationally binding targets to reduce greenhouse gas emissions.

7.22 The proposed development has a capacity of 2.5MW and would generate electricity from a renewable source to supply the adjacent sawmill. This would enable the existing sawmill business to reduce its reliance on electricity from the grid and from fossil fuel-based sources.

7.23 This would offset existing financial costs associated with use of energy within the business and reduce greenhouse gas emissions. The scheme would support renewable energy generation and could therefore make an important contribution to the objective of achieving the statutory Net Zero target set for 2050 and the commitment to reducing emissions by 78% compared with 1990 levels by 2035. This should be given positive weight in the planning balance.

7.24 It is also considered that the proposed development accords with Part 1 of Policy STP 4 of the Northumberland Local Plan regarding contributing to meeting binding targets to reduce greenhouse gas emissions and contributing to mitigating climate change through the provision of decentralised, renewable energy. The proposed development is also supported by Paragraph 158 (a) of the NPPF which states when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

Economic benefits

7.25 Policy ECN 1 of the Northumberland Local Plan seeks to deliver economic growth while safeguarding the environment and community well-being. Amongst other matters Part 2 of Policy ECN 1 states that development proposals will support existing

businesses and support rural enterprise. Policy ECN 12 states that the growth of the rural economy will be encouraged through (within constraints) facilitating the growth and up-scaling of businesses in rural locations. Paragraph 81 of the NPPF states that planning decisions should help create the conditions in which businesses can expand, invest, and adapt whilst paragraph 84 states that planning decisions should enable the sustainable growth and expansion of all businesses in rural areas.

7.26 The applicant has indicated that the proposed development would support the existing sawmill business in reducing its reliance on electricity from the national grid. The businesses energy costs are significant in terms of the overall costs of the business. The applicant states that further increases in energy costs are a threat to the future viability of the business. The proposed development would help the business to control energy costs, helping to safeguard the existing business and the associated employment. These economic benefits associated with the proposed development should be given positive weight in the planning balance, in accordance with Policies REN 1, ECN 1, ECN 12 and ECN 13 of the Northumberland Local Plan.

Ecology

7.27 Policy ENV 1 and ENV 2 requires proposals to fully consider the ecological impacts of a proposal. This application is supported by an Ecological Impact Assessment which seeks to update the previous work undertaken at the site and assess the impacts of the proposal. A full version of the Defra Biodiversity Metric has been provided separately. There are no significant ecological constraints to the development of the site.

7.28 There is a native hedgerow along the northern boundary of the site. Native species hedgerows are a Habitat of Principal Importance under s41 of the Natural Environment and Rural Communities (NERC) Act 2006, making them a priority for conservation. I note NCC Highways request for details of access and visibility splay which could impact this, but the applicant's confirmation that this is currently achieved.

7.29 The requirement for a 10% net gain does not become mandatory until November 2023 however we welcome the early use of the Defra Biodiversity Metric to quantify losses and gains on site. To achieve a 10%+ net gain it is proposed to improve the ecological condition of the grassland habitat from poor to moderate. This has been complicated by the temporary habitats on site at the time of the ecology survey but the proposed intention to restore it to grassland (as per the 2020 baseline). Justification has been provided as to why it would not be feasible to create a more species-rich grassland, and this is accepted (email from Cushman & Wakefield to planning case officer 11/04/23) and is proportionate to the predicted impact on biodiversity.

Off-site impacts

7.30 The site falls within a Natural England Impact Risk Zone for statutory nature conservation sites; it is located c.1.4km south-west of the River Tweed Special Area of Conservation (SAC) and the Tweed Catchment Rivers – England Till Catchment Site of Special Scientific Interest (SSSI). The nearest tributary to the SSSI/SAC, the Randy Burn, is located 630m to the south of the site, beyond a field of marshy pasture. The EclA has assessed potential impacts and concluded that given the type and location of the development, and the natural topography, there are no perceivable pathways by which activities within the site could potentially impact upon the SSSI or overarching SAC, either during construction or by operation.

Appropriate Assessment / Habitat Regulations Appraisal

7.31 Planning application 23/00545/RENE 'Land North East of Wooperton Station' was considered in light of the assessment requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) by Northumberland County Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration, and location of the project it was concluded that it is eliminated from further assessment because it could not have any conceivable effect on a European site.

7.32 Considering the above the proposal is consistent with the provisions of ENV 1 and ENV 2 and the AA / HRA has been signed off by Natural England.

Decommissioning

7.33 Part 5 of Policy REN 1 in the Northumberland Local Plan requires, where relevant, applications to make appropriate provision for the decommissioning and removal of temporary operations once they have ceased.

7.34 The application proposed that, except for the DNO sub-station, all equipment and below ground connections would be removed at the end of the 40-year operational lifespan of the solar farm. The landscape enhancement measures would remain.

7.35 In order to meet the requirements of Policy REN 1, it is recommended that a planning condition is imposed to require the submission of a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site to be submitted for approval by the Local Planning Authority no later than 39 years and six months from the date electricity is first exported from the site. It is also recommended a planning condition be imposed to require the submission of such a scheme for approval by the Local Planning Authority if the development ceases to operate for a continuous period of 12 months. A further condition would be imposed to require the solar farm and its ancillary equipment to be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

7.36 Subject to the imposition of conditions covering the matters outlined above, it is considered that the proposal accords with Part 5 of Policy REN 1 of the Northumberland Local Plan.

Equality Duty

7.37 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

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

Human Rights Act Implications

7.39 The Human Rights Act requires the County Council to consider 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.

7.40 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.

7.41 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, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 While the principle of this solar photovoltaic development is supported by Policy REN 1 of the Northumberland Local Plan, there is policy conflict with Policy MIN 8 due to the application site overlapping with part of a site allocated for sand and gravel extraction.

8.2 The appraisal indicates that it would be possible to demonstrate that the benefits of the proposed development outweigh the conflict with the Northumberland Local Plan on balance. The relevant benefits to include those associated with renewable energy generation (including the contribution to reducing greenhouse gas emissions and the reliance on fossil fuel derived energy) as well as the benefits from supporting the viability of an existing rural business (through controlling energy costs that would help to safeguard the viability of the existing business). Other relevant material considerations in relation to the conflict with the minerals relate to the deliverability of this part of the sand and gravel site allocation given the current land ownership (the land is owned by the applicant and is not now under the control of a mineral operator) and the information provided by the applicant on the quality of the sand and gravel within the application site and its suitability for extraction and the market.

8.3 It is considered that the proposal can be supported and is recommended for approval but as a departure from policy MIN 8.

9. Recommendation

9.1 It is recommended that this application is approved as a departure to policy MIN 8 subject to the conditions appended below.

Conditions/Reason

Timescale

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).

Approved Plans and Documents

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

Plans

Location Plan NES217-SL2-R01

Existing Site Plan NES217-SL3-R02

Proposed Site Plan NES217-SL1-R05

Site Schematic NES217-ES2-R00

Proposed Site Plan Array Layout NES217-DD4-R02

Proposed Plans Transformer and Solar DB Enclosure Detail NES217-DD2-R03

Proposed Elevations Ground Mounted Array NES217-DD1-R02

Construction Site Deliveries Access Plan NES217-SL5-00

Documents

Wooperton Sawmill Solar Panel Farm Flood Risk Assessment Issue Date: 23 JANUARY 2023 Report Number: 23001-FRA Produced by Coast Consulting Ltd
Proposed Drainage Strategy Drawing 01 Rev P1 Produced by Coast Consulting dated 09/03/2023

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.

Boundary Treatment

03. 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, security, and highway safety, in accordance with the National Planning Policy Framework and saved Policies of the Local Plan.

Landscape Maintenance

04. Maintenance of grass filter strips, infiltration trenches and bunding shall be undertaken throughout the lifetime of development.

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

Vegetation Cover

05. Vegetation cover under the solar panels shall be present and maintained throughout the lifetime of development. Any erosion shall be rectified and made right.

To minimise the risk of soil erosion and reduce runoff rates.

Construction and Delivery Management

06. The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced 'Construction Traffic Management Plan and Delivery Management Plan' and 'Proposed Site Plan' received on 04 September 2023.

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 Policies TRA1, TRA2 and TRA4 of the Northumberland Local Plan.

Implementation of car parking area

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

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

Expiry of Permission

08. The development hereby permitted shall be for a temporary period only to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the local planning authority within one month after the event.

Reason: The development is not considered suitable for permanent retention and to enable the impacts to be assessed as to the impacts on the landscape character and visual amenity in accordance with Policy ENV 3 and Policy REN 1 of the Northumberland Local Plan

Decommissioning Due to Inoperation

09. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment together with the restoration of the site shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for written approval. The scheme shall make provision for:

- a. the removal of the solar panels and associated above ground works approved under this permission;
- b. the management and timing of any works;
- c. a traffic management plan to address traffic impact issues during the decommissioning period;
- d. an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats;
- e. details of site restoration; and
- f. an implementation timetable.

The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built, and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

Decommissioning Scheme

10. Within a period of 39 years and 6 months following the first export date, a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site, shall be submitted to written approval by the Local Planning Authority (except if Condition 4 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 4 as a minimum. The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built, and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

Decommissioning and restoration time

11. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

Reason: In the interests of natural, built, and historic environment in accordance with the National Planning Policy Framework and Policy REN 1 of the Northumberland Local Plan.

Artificial Lighting

12. No external lighting (other than low level lighting required on ancillary buildings during occasional maintenance and inspection visits), or Floodlighting is permitted to be installed, used, or modified as part of the hereby approved development without the prior written consent of the Local Planning Authority. To apply for consent the operator must provide a detailed report of the proposed lighting which details:

- a. The specific location of all external lighting units;
- b. Design of all lighting units;
- c. Details of beam orientation and lux levels; and

Any proposed measures such as motion sensors and timers that will be used on lighting units

Reason: To protect residential amenity and provide a commensurate level of protection against artificial light, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

Biodiversity Mitigation

13. From first use of the development hereby approved, the grassland habitat beneath the solar panels shall be enhanced through a less intensive

management regime as set out in Section 6.2 and Appendix 3 of the Ecological Impact Assessment (Update) Land Northeast of Wooperton Station (StationSawmill_UeClA_v1.3) by Durham Dakes Ecology including:

- a. Reduced levels of grazing to allow for a varied sward height (at least 20% of the sward height will be <7cm and at least 20% of the sward will be >7cm in height).
- b. Control of invasive non-native species, such as Himalayan balsam (*Impatiens glandulifera*).

The grassland shall be maintained in this manner for the lifetime of the development.

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

Access Gates

14. Access gates to the site from the B6346 shall not at any time open to obstruct the public road.

Reason: In the interests of highway safety and in accordance with policy TRA 2.

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.

Biodiversity and Solar Developments

With appropriate land management, solar farms have the potential to support wildlife and enhance local biodiversity. Published guidance from the BRE providing high level guidance on solar farms and biodiversity is available online <https://www.bre.co.uk/filelibrary/pdf/Brochures/NSC-Biodiversity-Guidance.pdf>

Date of Report:

Background Papers: Planning application file(s) 23/00545/RENE

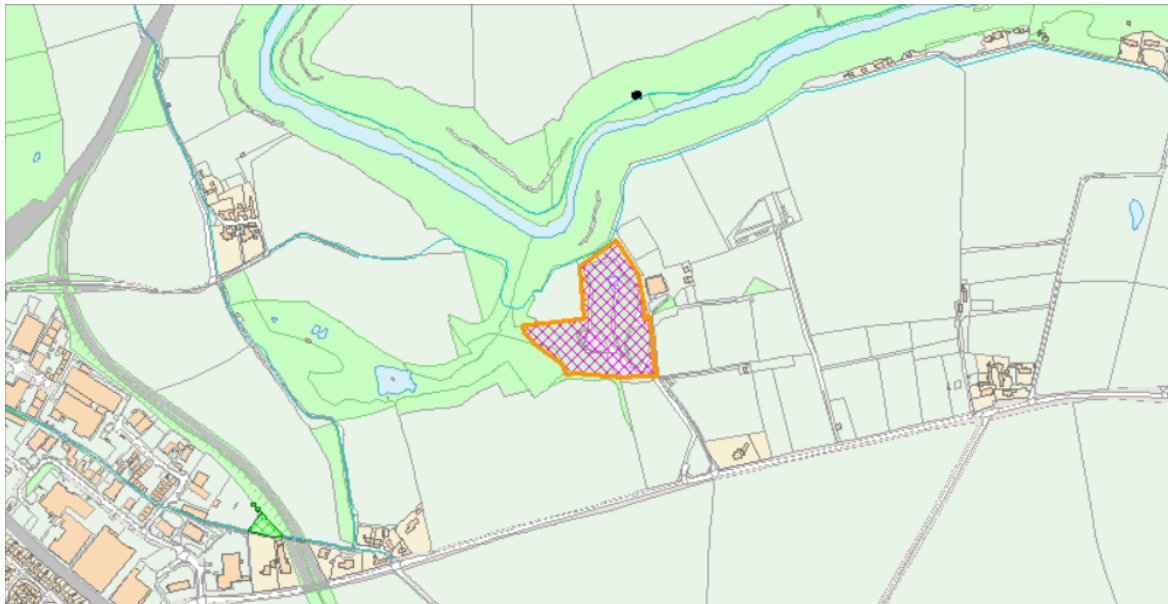
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Northumberland County Council Strategic Planning Committee 3rd October 2023

Application No:	23/01958/VARCCM		
Proposal:	Variation of Condition 1 (Time Limit) pursuant to planning permission 15/01643/VARCCM to allow for a 10-year time extension for restoration operations		
Site Address	Shadfen Park Drift, Shadfen, Northumberland,		
Applicant/ Agent	Mrs Katie Wood 1 Meadowfield Court, Meadowfield Ind. Est., Ponteland, Newcastle upon Tyne NE20 9SD		
Ward	Longhorsley	Parish	Hepscott
Valid Date	30 May 2023	Expiry Date	1 September 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 GRANTED permission subject to conditions.



Introduction

1.1 This application relates to a minerals and waste application to vary a county matter proposal. Therefore, the application falls to be considered at the council's Strategic Planning Committee (SPC).

Site and Description

2.1 The site is the former Shadfen drift mine to the east of Morpeth along the A196. The planning application is for the variation of condition 1 of planning permission reference 15/01643/VARCCM in relation to an extension of time for the restoration of Shadfen Park Drift Mine. Condition 1 of 15/01643/VARCCM requires the importation of waste materials to cease and the site be fully restored, in accordance with the agreed restoration scheme, within four years of the date of the commencement of development, that is by the 14 August 2023. This is an application to extend the life of the site for a further 10 years to allow for tipping to continue and the site to be fully restored. Thus, the site would be operational until August 2033.

2.2 Shadfen Park Drift Mine is located approximately 1.5km east of Morpeth and covers a total area of approximately 2.7 hectares. It did include an opencast excavation which extended approximately 20m below the surrounding land and which was partially flooded before the restoration works commenced on the site. It also included several audits which were sealed with concrete by the Coal Authority in 1998. However, the site was not restored at this time.

2.3 In June 2006, under planning reference 00/CC/43, planning permission was granted for the importation of inert fill into the void left by the mine. This was to ensure the restoration of this derelict site. Overburden material left on the site was used to create an impermeable clay liner in the base of the void. In addition, 25,000m³ of existing overburden material was tipped into the north face of the quarry to stabilise the northern face. Imported inert materials are then being imported to restore the remaining void. The waste would be finished with approximately 2m of soils to complete the final restoration. It was estimated that the site has an overall capacity of approximately 40,000m³.

2.4 Following discharge of condition tipping commenced in the site on the 1 April 2009. The timeframes for the completion of the tipping and the restoration of the site have subsequently been extended twice (permission references 11/00178/CCM and 15/01643/VARCCM). Condition 1 of the current planning permission, reference 15/01643/VARCCM requires the site to be fully restored by 14th August 2023. The rate of tipping has slowed significantly since work started at the site because of the increasing emphasis on recycling and the move away from landfilling. All the material tipped at the site (mainly soils and clays) have been sorted from a mixed construction, demolition and excavation waste stream and they are the residual elements that cannot be recycled. The type of inert wastes disposed at the site are controlled by the Environment Agency. In addition, Shadfen is operated as a 'closed gate' facility and consequently it is only waste from Watson's of Bedlington own skip hire and haulage business that can be tipped at the site. This ensures that Watson's of Bedlington has control over the waste stream, as required by the Environment Agency permit, but it does result in a slow rate of tipping.

2.5 Furthermore, the request for extension is likely a reflection in the greater emphasis of recycling and advancements in the recovering of materials. It demonstrates that landfilling is increasingly becoming harder to achieve because of positive recycling and reuse of materials.

2.6 It is proposed that condition 1 of planning permission 15/01643/VARCCM should not be altered but remains as follows:

'The importation of material shall cease, and the site be fully restored in accordance with the agreed restoration scheme within 10 years of the date of this permission.'

2.7 Although the proposal does not involve altering condition number 1 it will, by virtue of altering the date on the decision notice, result in an extension of the life of the site by 10 years.

2.8 A plan has been submitted with the application that details the location of the geological barrier and tipping of waste is on the geological barrier. Tipping has occurred at a slow rate as the operator is using waste from his own business only rather than bringing in waste from other operators. This ensures that the operator has control over the waste deposited in the site and he can ensure that it is clean construction and demolition waste as required by the permit. The geological barrier, and the nature of the surrounding land, has resulted in water accumulating in the bottom of the void in inclement weather. There is a pump on site, and this is used when necessary, or when tipping occurs, to allow tipping activities to continue at this site.

2.9 There is a mobile screener in the southwest corner of the site and this screens the material imported into the site; the location of the plant is shown on the attached plan. This piece of equipment has been operated at the site for the last 12 years without resulting in any complaints from the residents of nearby properties. In addition, there are two temporary tracks around the eastern and western sides of the site they are temporary and lead into the void. Again, for clarity their location has been identified on the attached plan however as the working voids moves the location of these tracks will alter over time.

2.10 This application does not include any other alterations to the operation at the site.

3. Planning History

Reference Number: CM/75/D/4B

Description: Extension to underground workings and renewal of temporary permission for existing drift mine, as amended by letter and enclosures received 18th March 1983, letter received 11th July 1983 and plan received on 16th February 1984

Status: NONCCZ

Reference Number: CM/75/D/4D

Description: Construction of office block and shower block with ancillary fencing, car parking and landscape works

Status: NONCCZ

Reference Number: C/78/D/227

Description: Intermediate and final restoration contours submitted in substitution for similar plans received with planning permission 75/D/4A

Status: PER

Reference Number: 11/00178/CCM

Description: Extension of time for restoration of Shadfen Park Drift. Planning reference number 00/CC/43

Status: PER

Reference Number: 15/01643/VARCCM

Description: Variation to condition 2 (importation of material) of application 11/00178/CCM

Status: PER

Reference Number: CM/75/D/4A

Description: Amendment of the working details for proposed coal mine on 7.08 hectares of land, as amended by Plan No. 1A received by Northumberland County Council on 25th June 1976

Status: NONCCZ

Reference Number: CM/75/D/4

Description: Proposed Coal Mine, as amended by plans received by Northumberland County Council on 18th February 1975 and letter dated 10th October 1975 received by Northumberland County Council on 15th October 1975 and amplified by site plan No. 1 received by Northumberland County Council on 8th December 1975

Status: NONCCZ

4. Planning Policy

4.1 Development Plan Policy

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 7 - Strategic approach to the Green Belt (Strategic Policy)

QOP 4 - Landscaping and trees

TRA 2 - The effects of development on the transport network

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

ENV 2 - Biodiversity and geodiversity

ENV 3 - Landscape

MIN 1 - Environmental criteria for assessing minerals proposals (Strategic Policy)

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

WAS 3 - Waste disposal (Strategic Policy)

WAS 4 - Safeguarding waste management facilities (Strategic Policy)

4.2 National Planning Policy

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

NPPF - National Planning Policy Framework (2021)

NPW – National Waste Strategy

4.3 Neighbourhood Planning Policy

5. Consultee Responses

Hepscott Parish Council	No response received.
Highways	No objection subject to continuation of existing conditions
County Ecologist	No objection subject to continuation of existing conditions
Environment Agency	No response but the proposal will be subject to separate legislation governed by the EA.
Natural England	No response received.

6. Public Responses

Neighbour Notification

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

Notices

- General site notice, 3rd July 2023
- Northumberland Gazette 22nd June 2023

Summary of Responses:

- A single letter of support has been received.

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 comprises policies in the Northumberland Local Plan. The National Planning Policy Framework (NPPF) (February 2019) 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:

- Spatial strategy
- Waste Management

Spatial Strategy

7.3 Paragraph 79 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

7.4 Local Plan policy STP 1 sets out the spatial strategy through the associated maps. In this instance the proposal lies within the Greenbelt surrounding Morpeth. There is a general presumption against most types of development. However, the proposal is identified as an existing waste management facility under policy WAS 4. Given the proposal maintains an existing facility and does not impact further on the Greenbelt than that already considered through the Local Plan process the principle of the proposal can be supported through the spatial strategy.

Waste Management

7.5 The Waste Recovery Plan, drawn up in 2012, estimated that 2,500m³ of materials had already been tipped on the site, under the Waste Exemption, leaving a total of 37,500m³ to be imported into the site. Since 2012, it is estimated that approximately 12,000 m³ of material has been bought into the site (19,000 tonnes since 2015). There is a remaining void space equating to approximately 25,000 m³ of material.

7.6 In 2012 it was anticipated that 3-4000 m³ of material would be bought into the site a year however this has dropped due to the emphasis on recycling and now a maximum of 2,000m³ is bought into the site per annum. On that basis, an extension of time for a further 10 years to complete the site restoration is considered appropriate.

7.7 Policy WAS3 Waste Disposal (Strategic Policy) within NLP, under Criteria (1)(c) states the following:

'Encourage the positive use of inert waste material through the restoration of minerals extraction sites and for land reclamation and improvement schemes where it is possible to do so'

7.8 The application is for the disposal of clays and soils that cannot be recycled. The operation benefits from a 'recovery' permit, issued by the Environment Agency and this underlines the fact that the material deposited in the site is being used to restore, that is recover, land that was previously degraded by an old coal mining operation. The use of the waste to restore the Shadfen Drift Mine is supported by Policy WAS 3 in the Local Plan.

7.9 Policy WAS4 states in criteria (1):

'Existing waste management facilities (as shown on the Policies Map) will be safeguarded from development that would prejudice or prevent the use of the site for waste management use.'

7.10 The Shadfen site is identified as an existing waste management facility within the NLP and therefore its continued use is safeguarded under Policy WAS4, until such a point as the restoration is completed.

7.11 Overall, the strategic policies (Policy WAS3 and Policy WAS4) support the retention and the continued use of Shadfen for the disposal of inert wastes to restore and recover the drift mine.

Equality Duty

7.12 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

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

Human Rights Act Implications

7.14 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.

7.15 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.

7.16 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, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The continuation of tipping at the site for a further ten years will ensure that Shadfen Park Drift Mine is restored to the environmental benefit of the area. The void was successfully engineered, in accordance with the planning conditions, and the site has operated successfully since 2012. The overall emphasis on recycling in national and local government policy and the use of only residual material from this process has resulted in the site being restored at a slower rate than was originally anticipated. However, the infilling of this void is supported by strategic planning policy as it will result in the restoration and recovery of degraded land that has result from an old coal mining operation. In addition, the Environment Agency permit now requires the operator to have control over the source, quality and type of waste deposited at the site and that it is restricted to waste from the operators' own business. Overall, it is considered that an additional 10 years would help to ensure that the site would ultimately be restored to the environmental benefit of the area.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following:

Conditions/Reason

01. Timescale

The importation of material hereby approved and subject to this application shall cease, and the site be fully restored in accordance with the approved restoration scheme no later than 10 years from the date of this permission.

Reason: To ensure that the development is carried out within a reasonable period of time.

Approved Plans and Documents

02. The development hereby permitted shall be carried out in complete accordance with the plans and specifications approved by the Waste Planning Authority and specified as follows:

Site Layout 001

Planning Application 00/CC/43

Planning application and supporting statement dated 7 September 2000 (as subsequently amended)

Plan ref. DRG no. SPD-APP

Report on "Shadfen Park Drift Restoration Scheme Revised Proposals" (April 2004) (as subsequently amended)

Report on "Shadfen Park Drift Restoration - Demonstration of Operational Safeguards for Protection of Groundwater" (July 2005)

Letters and attachments from Dickinson Dees of 1 June 2001 and 21 June 2001.

E-mail from Dickinson-Dees, dated 12 January 2005.

Letter and attached documentation relating to structural Stability of Slopes and Stythe, dated 21 February 2006.

Planning Application 11/00178/CCM

Plan ref KW/83097/vkd

Planning Application 15/01643/VARCCM

Application plan S73 2015

Site Layout Plan 001

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

03. Materials

No materials other than inert materials consisting of soils and naturally occurring excavated materials shall be imported into the site.

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

04. Restricted Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no fixed plant or machinery, buildings, structures and erections shall be erected on the site and no mining engineering or other operations shall be carried out.

Reason: In the interests of amenity and to protect the openness of the Greenbelt as per policy STP 8.

05. On Site Amenity

The site offices, site parking and dry wheel wash shall remain in situ for the duration of the use hereby approved.

Reason: In the interests of amenity and compliance with Local Plan policies TRA 2 and WAS 2.

06. Settlement Lagoon

The approved settlement lagoon, as set out in approved plan SHAD/1, shall be retained for the duration of the development hereby approved. The lagoon shall then be removed upon the cessation of on-site restoration work.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2.

07. Soil Stripping Notice

The Waste Planning Authority shall be given at least 48 hours' notice (excluding Sundays, Bank or Public Holidays) of any intended phase of topsoil or subsoil stripping and such works shall only proceed with the approval of the Waste Planning Authority.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2.

08. Soil Stripping Limitation

The stripping and movement of topsoil and subsoil shall only be carried out under conditions where the soil is sufficiently dry and friable to avoid soil smearing and compaction and to ensure that all available soil resources are recovered. Details of appropriate methods of soil stripping should be submitted to and agreed with the Waste Planning Authority for any permanently wet or waterlogged areas of the site and thereafter be implemented in full.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2.

09. Soil Storage Mounds

Any soils or soil-making material stripped or imported and not used in progressive restoration, shall be stored in mounds, the details of which shall be submitted to and agreed with the Waste Planning Authority and implemented in full.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2.

10. Mine Gas Control

The development shall be constructed in accordance with the Mine Gas control measures as specified in the letter from Wardell Armstrong dated 20 February 2006

and the details attached thereto. This includes the provision of granular fill consisting of coarse 40-70mm aggregate covering the mine entrances within the void and extending to the surface of the restored landform.

Reason: To prevent problems occurring from stythe gas emissions as per policy WAS 2.

11. Site Management Plan

The site shall be managed in accordance with the 'Site Management Plan' included within the report on the "Demonstration of Operational Safeguards for Protection of Groundwater" (July 2005).

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

12. Operating Hours

All operations on site shall only take place between the following hours:

Monday-Friday 7.00 am-7.00 pm

Saturday 7.00 am-1.00 pm and

not at any time on Sunday, Bank or Public Holiday.

Reason: In the interests of the proper working, to protect residential amenity and as per policy WAS 2.

13. Dust Management

Measures shall be taken to prevent the raising of dust from any part of the site and such measures shall include the use of a water bowser or similar apparatus and wind break fencing when necessary and shall also include the temporary cessation of relevant operations, if necessary, to prevent the transmission of dust to areas outside any part of the site.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2.

14. Storage Bunding

No fuel, oil, lubricant, paint or solvent shall be stored within the site, without the details of the appropriate storage submitted to and agreed with the Waste Planning Authority; any storage so approved shall incorporate bunding to accommodate at least 110% of the stored materials. The agreed details shall be implemented in full.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

15. Stockproof Fencing

Stockproof fences shall be maintained around the working areas at all times during periods of soils/overburden stripping, and restoration.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

16. Availability of Operational Details

A copy of this permission, all approved plans/documents, subsequently approved details, and the sites operational log shall be kept at the site when in operation and all relevant personnel shall be made aware of their contents.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2

17. Site Security

The site shall be made secure, and the access gates locked when the site is not in use.

Reason: In the interests of the proper working, security, and restoration of the site as per policy WAS 2.

18. Wagons to be Sheeted

All loaded wagons entering/leaving the site shall be sheeted to prevent the spread of dust/debris onto the highway.

Reason: In the interests of highway safety as per policy TRA 2.

19. Vehicular Movements

No more than 33 loaded lorries shall enter the site during any week (Mon-Sat) (equivalent to 6 per 9 hour working day) with a maximum of 20 loaded lorries over any full working day. The operator shall keep a log of vehicles entering and exiting the site to be made available at all reasonable times to the planning authority.

Reason: In the interests of highway safety as per policy TRA 2.

20. Access Restrictions

The access from the A196 on to the private haul road constructed pursuant to planning permission 06/00128/CCM shall be the sole access for vehicles associated with the site.

Reason: In the interests of highway safety as per policy TRA 2.

21. Directional Signage

The directional signage erected adjacent to the site shall be maintained for the duration of the use hereby approved.

Reason: In the interests of highway safety as per policy TRA 2.

22. Restoration and Aftercare

Within 12 months of the date of this decision, a restoration and aftercare scheme shall be submitted and approved by the Waste Planning Authority.

The scheme shall include, but is not limited to, the following details:

- a) An aftercare scheme, including an aftercare period of at least 5 years;
- b) A timetable for the implementation of the works;
- c) Safeguarding of existing areas of grassland and scrub, where possible;

- d) the creation of areas of grassland and scrub including details of species composition, density of cover, and timing and method of establishment. Species rich grassland should be sown directly onto subsoil;
- e) the creation of a reduced area of woodland, including specifications of tree species, stock type and size, and spacing, method, timing and position of planting.;
- f) methods of controlling weeds;
- g) application of fertilisers, or methods of determining fertiliser requirements, if appropriate;
- h) woodland management, including maintenance of tree planting, replacement of dead/dieing trees, and commitment to investigate and remedy site conditions which cause abnormal tree failure;
- i) maintenance of all drainage facilities, and any wetland features provided;
- j) timing and frequency of inspections;
- k) arrangement for submission of a report detailing an annual programme of procedures to maintain planting; and
- l) arrangements for consultations with landowners and occupiers.

Thereafter, the site shall be restored and managed in accordance with the agreed schemes.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

23. Soil Placement

Soils emplacement shall only be undertaken when it and the ground onto which it is to be placed, are in a dry and friable condition.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

24. Soil Depth

A minimum overall soil depth of 750 mm shall be spread, of which 200 mm shall be topsoil.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

25. Site Inspection Prior to Topsoil

The Planning Authority shall be given the opportunity to inspect the site prior to topsoil emplacement.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

26. Wildflower Mix

A Northumberland Wildflower Mix MG5, as approved within the letter from Northumberland County Council to Blackett Hart and Pratt dated 9 November 2007 shall be used to seed restored areas. Should this seed mix not be available, a revised seed mix should be submitted to and agreed by the Waste Planning Authority prior to any seeding commencing and implemented in full.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

27. Perimeter Fencing and Signage

The perimeter fencing and warning signs shall remain in situ, in accordance with plan no DrgNo SPD3 approved by the Planning Authority on 30 January 2009. The fencing and signs shall be maintained in a sound and legible condition for the duration of the use hereby approved.

Reason: In the interests of the amenity and safety of local residents and livestock as per policy WAS 2 and ENV 2.

28. Sandmartins

Should any sandmartins be discovered nesting within the site boundary, a scheme for the protection of the sand martin nesting area within the site shall be submitted to and agreed by the Waste Planning Authority. The development shall thereafter be carried out in accordance with the agreed scheme.

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

29. Water Body Creation

Notwithstanding the details submitted in relation to this planning application, the water body created as a result of the site restoration shall solely be maintained for nature conservation purposes and shall not be used as a fishing lake (either on a commercial or non-commercial basis).

Reason: In the interests of the proper working and restoration of the site as per policy WAS 2 and ENV 2.

Informative

Ecology

The risk of encountering nesting birds or other protected species in connection with the execution of this planning consent is low, but there is a small risk that individual animals may be encountered during works. Wild birds and their nests are strictly protected under the Wildlife and Countryside Act 1981 (as amended). All wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them. Accordingly, any vegetation removal or soil stripping undertaken between 1 March - 31 August carried out as part of the proposal should be preceded by checks to confirm that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works. In the unlikely event of protected species such as nesting birds being encountered during development then works should cease immediately and professional ecological advice should be sought straight away.

Date of Report: 8th September 2023

Background Papers: Planning application file(s) 23/01958/VARCCM



Northumberland County Council

Appeal Update Report

Date: October 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?
22/01992/OUT	<p>Outline permission (all matters reserved) for erection of 1no. dwellinghouse with granny annex (C3 use class) - land north west and south east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused.

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?
None		

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>
21/01833/FUL	<p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.</p>	<p>10 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02287/FUL	<p>Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington</p> <p>Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; 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>25 January 2023</p> <p>Delegated Decision - Officer Recommendation:</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>	Refuse
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p> <p>Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01297/FUL	<p>Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton</p> <p>Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02704/CLEXIS	<p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p>	<p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03417/OUT	<p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top 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</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	mitigated.	
22/01012/FUL	<p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett</p> <p>Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.</p>	<p>17 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04060/FUL	<p>Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East Bedlington</p> <p>Main issues: fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to demonstrate appropriate off-street car parking provision; fails to demonstrate that appropriate ground gas protection has been incorporated into the development; fails to demonstrate how surface water and flood risk will be mitigated on site; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p>	<p>26 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/04096/OUT	<p>Outline planning permission for residential development for up to four dwellings (All Matters Reserved) with demolition of existing structures - resubmission of application 19/01511/OUT - land at Moor Farm Estate, Station Road, Stanington</p> <p>Main issues: proposal would permanently urbanise an open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p>	<p>5 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02870/FUL	<p>Construction of 8no. bungalows with associated access, parking and landscaping – land north of Hartford Court, East West Link Road, Cramlington</p> <p>Main issues: loss of open space; design, density, siting and layout does not respect the character of the area or contribute to a strong sense of place; impacts on residential amenity; fails to demonstrate how surface water and flood risk will be mitigated on site; fails to demonstrate that safe access and</p>	<p>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

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

22/04675/FUL	<p>Proposed 1.5 storey extension to the rear will provide a new staircase; two extensions onto the west gable will provide two storeys of additional living accommodation, plus a single storey link to the updated outbuilding to be clad in timber; the two storey and 1.5 storey extensions to have roof pitches; double garage with timber clad; the landscape and ground levels will be updated to provide access to the garage and accommodate the extensions - The Hott, Thorngrifton, Hexham</p> <p>Main issues: design would not be in keeping with the traditional character and appearance of the dwelling, existing buildings and surrounding area and would be detrimental to visual amenity and fails to preserve the significance of non-designated heritage assets; and insufficient information to consider the archaeological impacts of the development.</p>	<p>17 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04104/FUL	<p>Change of use, conversion and alteration of the existing buildings to create 6 holiday let units, including landscaping and boundary treatments – 58-60 Middle Street, Spittal</p> <p>Main issues: lack of detail in respect of parking and ecology; and design has not been informed by a structural survey and results in harm to heritage assets.</p>	<p>18 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04526/FUL	<p>Erection of single dwelling with associated access and residential garden – land south-east of The Courtyard, Matfen</p> <p>Main issues: unsustainable and isolated location within the open countryside; insufficient information to fully consider the ecological impacts of the proposal; and insufficient information to fully consider the impact on existing trees.</p>	<p>16 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/00494/FUL	<p>Removal of conservatory to west elevation and construction of two storey side and rear extensions and raising of ridge height – 32 Linden Way, Darras Hall, Ponteland</p> <p>Main issues: inappropriate design with detrimental impact on the character and visual appearance of the existing dwelling and street scene.</p>	<p>17 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/00230/FUL	<p>Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended) - land south of</p>	<p>17 August 2023</p> <p>Committee Decision – Officer</p>

	<p>Broomhouse Lane, Station Road, Prudhoe</p> <p>Main issues: insufficient information to demonstrate that the development would deliver an appropriate mix of housing to meet local housing need; new access with associated disturbance and visual impacts would have a harmful impact on the character and visual amenity of the area and the amenity and living conditions of residents; and insufficient information in respect of energy efficiency measures.</p>	<p>Recommendation: Approve</p>
22/03923/FUL	<p>Proposed first floor extension to dwelling house (as amended 25.05.2023) - 14 Castle Street, Norham</p> <p>Main issues: the development fails to conserve and enhance the Norham Conservation Area and results in harm to the Conservation Area that is not outweighed by public benefits.</p>	<p>18 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04546/CLEXIS	<p>Certificate of existing lawful development for the siting of a twin unit caravan for ancillary residential use as an annexe within the existing residential curtilage – Old Field, Catton, Hexham</p> <p>Main issues: the caravan is not within the residential curtilage so would require planning permission and would have a significant degree of permanency constituting development – the caravan would not be lawful.</p>	<p>24 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04346/FUL	<p>Replace existing building (3no flats/14 no bed sit spaces) with 3no detached houses with 18 bed spaces to be used as holiday accommodation (as amended 20th April 2023) - On the Beach, Harbour Road, Beadnell</p> <p>Main issues: the proposed units would not enhance and reinforce the local distinctiveness of the conservation area and would not integrate with the surrounding built environment; and identified harm is less than substantial but it has not been demonstrated the public benefit outweighs the harm.</p>	<p>29 August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
22/04752/FUL	<p>Change of use and siting of 2no. chalets to be used as holiday accommodation – Rookwood House, Widdrington Village</p> <p>Main issues: development within the open countryside; harm to the setting of the adjacent Grade I listed church; incongruous</p>	<p>30 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	additions in the open countryside resulting in an urbanising effect of a rural environment; and a unilateral undertaking has not been completed to secure contributions to the coastal mitigation service.	
23/01093/FUL	Proposed single storey rear extension, extend above roof above and rear dormer addition – Pethfoot Lodge, Cragside Main issues: incongruous and inappropriate form of development that would be out of character with the existing property and have a harmful impact upon the character and appearance of the site and surrounding area.	5 September 2023 Delegated Decision - Officer Recommendation: Refuse
23/02030/FUL	Proposed erection of holiday dwelling with associated access and residential garden – land south east of The Courtyard, Matfen Main issues: development in the open countryside; and insufficient information to fully consider the ecological impacts of the proposal.	15 September 2023 Appeal against non-determination

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 - land to north of Kiln Cottage, Newton-on-the-Moor	13 June 2023

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
21/02077/FUL	<p>Proposed construction of 13no dwellings (including 2no affordable dwellings), creation of new access, car parking and soakaways (amended description) - land south east of The Manor House, Riding Mill</p> <p>Main issues: harm to the character and appearance of the site and surrounding area and curtilage listed boundary wall; harm to residential amenity; does not make sufficient provision for affordable housing on the site;</p>	<p>Hearing – 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	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 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01362/REM	<p>Reserved matters application for appearance, landscaping, layout and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022) - land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: by virtue of the layout, scale and appearance, the design fails to preserve or make a positive contribution to local character and distinctiveness and the site's surroundings and does not demonstrate high quality sustainable design; and there is no effective and safe access and egress to the existing transport network.</p>	<p>Hearing – 30 August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>

Implications

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

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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

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Northumberland

County Council

S106 Agreements Update Report

August 2023

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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



New Agreements

August	New Agreements completed during month
23/00695/FUL	Plessey Hall Stables, Plessey Hall Farm, Shotton Lane, Cramlington,
22/04429/ful	14 Castle View Seahouses
23/00507/FUL	The Horseshoes, Rennington, Alnwick, NE66 3RS
21/00759/FUL	Land at Former Ammonite Windmill, Haggerston, Dovecote, Berwick-Upon-Tweed
21/001817/ful	Land South of 2 Wembley Gardens, Cambois,
23/00705/OUT	Land West of 2 Wembley Gardens, Cambois,
23/01797/FUL	Land at Bucklaw Cottage, Alnwick
22/04104/FUL	58-60 Middle Street, Spittal, Berwick Upon Tweed, TD15 1RZ (Appeal)
21/04043/ful	Marshall Meadows County House Hotel Berwick
22/04374/FUL	Hunting Hall Farm, U1042 Road to Hunting Hall, Lowick,
22/04276/ful	Fenwick Granary Farmhouse Belford
DofV 1901346OUT	Rogerson Road Belford

Payment of Awards August 2023

Awards Paid Out	Project	Amount Paid
BARNESBURY CYCLING CLUB	New cycling starter gates	£10,400
HEXHAM TENNIS CLUB	Padle Court	£21,000
CORBRIDGE TENNIS CLUB	New flood lights	£5,234

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

Implications

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

Background papers

Planning applications and 106 Agreements

Report author and contact details

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

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