



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: Lesley.Little@northumberland.gov.uk

Tel direct: 01670 622614

Date: Thursday 31 August 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CASTLE MORPETH LOCAL AREA COMMITTEE** to be held in the **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 11 SEPTEMBER 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Castle Morpeth Local Area Committee members as follows:-

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



Dr Helen Paterson, Chief Executive
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AGENDA

PART I

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

1. **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 14)

Minutes of the meeting of the Castle Morpeth Local Area Council held on Monday 10 July 2023, as circulated, to be confirmed as a true record and signed by the Chair.

4. **DISCLOSURE OF MEMBERS' INTERESTS**

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

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

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

5. DETERMINATION OF PLANNING APPLICATIONS

(Pages
15 - 18)

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

Please note that printed letters of objection/support are not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

**6. 23/01593/FUL
Proposed Single Storey Extension
Burnside, Grange Avenue, Stamfordham, Northumberland, NE18 0PG**

(Pages
19 - 30)

7. APPEALS UPDATE

(Pages
31 - 46)

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.

8. PUBLIC QUESTION TIME

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

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

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

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

And/or:

- is defamatory, frivolous or offensive;
- it is substantially the same as a question which has been put at a meeting of this or another County Council committee in the past six months;
- the request repeats an identical or very similar question from the same person;
- the cost of providing an answer is disproportionate;
- it is being separately addressed through the Council's complaints process;
- it is not about a matter for which the Council has a responsibility or which affects the county;
- it relates to planning, licensing and/or other regulatory applications
- it is a question that town/parish councils would normally be expected to raise through other channels.

If the Chair is of the opinion that a question is one which for whatever reason, cannot properly be asked in an area meeting, he/she will disallow it and inform the resident of his/her decision.

Copies of any written answers (without individuals' personal contact details) will be provided for members after the meeting and also be publicly available.

Democratic Services will confirm the status of the progress on any previously requested written answers and follow up any related actions requested by the Local Area Committee.

9. PETITIONS

(Pages
47 - 50)

(a) Receive any new petitions:

This item is to receive any new petitions. The lead petitioner handing in a petition at the meeting is entitled to briefly introduce their petition, and a response to any petitions received will then be organised for a future meeting.

(b) Consider reports on petitions previously received:

Petition - On-going planning issues and unfinished works on the Nursery Gardens Site, Stannington Station

To acknowledge the petition of 54 signatures submitted by residents of the Nursery Gardens Site, Stannington Station in respect of unfinished work and breaches of planning.

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

10. THE TOBY HENDERSON TRUST

To receive a presentation from the Toby Henderson Trust.

11. LOCAL AREA COUNCIL WORK PROGRAMME

(Pages
51 - 56)

To note the latest version of agreed items for future Local Area Committee meetings (any suggestions for new agenda items will require confirmation by the Chairman of Council after the meeting).

12. DATE OF NEXT MEETING

The next meeting will be held on Monday 9 October 2023 and will be Planning only.

13. URGENT BUSINESS

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

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

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

Registering Interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

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

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

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

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

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

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

Table 1: Disclosable Pecuniary Interests

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

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

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking
- (iii) If any Member leaves and then returns to the room during consideration of an application then they may not take any further part in that application.

B Record attendance of members

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

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

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

Committee members' questions to Planning Officers

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

Debate (Rules)

Proposal

Seconded

DEBATE

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

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

Vote (by majority or Chair's casting vote)

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

NORTHUMBERLAND COUNTY COUNCIL

CASTLE MORPETH LOCAL AREA COMMITTEE

At the meeting of the **Castle Morpeth Local Area Committee** held at Council Chamber - County Hall on Monday, 10 July 2023 at 4.00 pm.

PRESENT

J Beynon (Chair) (in the Chair)

MEMBERS

L Darwin
L Dunn
R Wearmouth

R Dodd
M Murphy

OFFICERS

A Deary-Francis
Easton
M King
L Little
P Lowes
J Murphy
E Sinnamon
N Snowdon

Ecologist
Public Transport Manager
Highways Delivery Area Manager
Senior Democratic Services Officer
Neighbourhood Services Area Manager
South East DM Area Manager
Planning Manager
Principal Programme Officer (Highways Improvement)

Around 40 members of the press and public were present.

9 **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS**

The Chair advised of the procedure to be followed during the planning part of the meeting.

10 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Dickinson, Foster, Jones, Sanderson and Towns.

11 **MINUTES**

15 May 2023

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area

Council held on Monday 15 May 2023, as circulated, be confirmed as a true record and be signed by the Chair.

12 June 2023

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Council held on Monday 12 June 2023, as circulated, be confirmed as a true record and be signed by the Chair.

12 DISCLOSURE OF MEMBERS INTERESTS

Councillor Darwin advised that he was the Ward Member for both planning applications and whilst he had spoken to residents in respect of these he had remained neutral in order to allow him to take part in deciding the applications. During the first application Councillor Wearmouth advised that the public speaker who spoke in objection to the application was an employee at Advance Northumberland during the time that he had been the Chair of the Board however this was the only capacity he knew the person and this was not prejudicial.

13 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.

14 22/02923/FUL

Provision of playing field, including pitch drainage, and landscaping of viewing mounds.

St Marys Hospital Development Site, St Marys Hospital Drive, Stannington, Northumberland, NE61 6BL

J Murphy, Planning Area Manager provided an introduction to the report with the aid of a power point presentation. Updates were provided as follows:-

- A change to the recommendation was required as Sport England had not removed their objection.
- Two changes were also proposed in condition no.4, and the condition would now read:

“Within 3 months of the date of the decision notice a revised plan for the landscape planting of the site shall be submitted for the written approval of the Local Planning Authority. The plan shall detail the species and the number of trees including fruit trees, hedgerows, shrubs and use only Northumberland native species.”

- It was also suggested that an additional condition be added as follows:

“Within 3 months of the decision notice a Construction Environmental Management Plan (CEMP) will be submitted to and approved in writing by the local planning authority. The CEMP shall apply to all ground and earth works and vegetation clearance and include the following considerations.

1. Risk assessment of potentially damaging construction activities.
2. Inclusion of an appropriate plan identifying the sensitive habitats/features to inform contractors working on site.
3. Practical measures (both physical measures such as warning signs and sensitive working practices) to avoid or reduce impacts during construction.
4. Details for storage and disposal of any waste arising from the works (e.g. excavated soil).
5. Details of remediation works and methods, e.g., making good ground disturbed during construction.
6. Identification of, and remediation measures for, any contamination such as inert building waste in landscaped areas.
7. Responsible persons and lines of communication.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adverse effects on the environment from construction activities are avoided and minimised.”

- The recommendation was now:

To grant planning permission subject to the conditions in the report with the update to condition 4 as outlined and an additional condition, a S106 agreement to secure £240,566.00 for the loss of playing pitches and £45,447.00 for alternative pavilion provision with the S106 agreement to be finalised within 3 months of the date of this meeting and delegated authority provided to officers for the exact wording of the additional condition.

N Turnbull, Vice-Chair of the St Mary Park Residents Association, addressed the Committee speaking in objection to the application. His comments included the following:-

- This application represented Bellway’s attempt to find a compromise between appeasing the residents of the village whilst minimising their commercial outlay to deliver an exit strategy from their planning obligations.
- Residents were aware of the scenic nature of the village which drew most purchasers to this location when Bellway sold residents the dream of the environment complete with the cricket pitch, pub, church, water fountain etc. Whilst some elements had been delivered the ecological and environmental damage inflicted upon the sports pitches amounted to an act of vandalism by Bellway that the residents had been forced to live with

for the last 10 years.

- The so called viewing mounds on the cricket field were surplus spoil arising from the construction works. Bellway could have dumped this material on land they owned further south of the village or they could have removed it from the site entirely which would have been a costly operation. They however chose to trash the cricket field which had now become such a health and safety concern that Bellway themselves had fenced the entire area off and put up keep out signs. The area was strewn with glass, rubble, metal reinforcing bars and other debris. The decision to destroy the cricket pitch was made out of commercial expediency to save money and was an insult to residents.
- As well as dumping more than 25,000m³ of material from the building site onto the cricket pitch they also imported contaminated waste from their site at Five Mile Park in Wideopen and dumped that on the two football pitches. For that action they were subsequently prosecuted by the Environment Agency, fined a significant amount of money and ordered to remove the contaminated material from the location at great inconvenience to some residents. They also dumped waste from their site at Killingworth Moor onto open space nearby and attracted a lot of negative publicity as a result.
- Bellway seemed to prioritise short term financial return to shareholders above the long term reputational damage that these irresponsible actions attracted.
- The Company had a responsibility and duty to deliver to its customers what they promised at the point of sale. It was disrespectful to both the Council and this Committee to ignore the original planning approval which sought to deal sympathetically with our historic open spaces and to literally dump construction waste on the village cricket field. That action had significantly reduced the amenity space that the village could enjoy with the 3m high spoil heaps not allowing a view of the trees at the cricket field and them not being accessible to everyone if there were allowed to remain.
- The Committee were asked to reject this compromise application which would result in the south and west mounds, which residents suspected might be contaminated, remaining insitu and instead give Bellway one month to re-submit a planning application which sought to remove all of the surplus spoil from the cricket field and return it to its former glory.

J Ridgeon addressed the Committee on behalf of the applicant in support of the application. His comments included the following:-

- The playing pitches and pavilion had been outstanding issues about which Bellway Homes had been engaging with Northumberland County Council and Sport England since 2010. Bellway Homes had remained committed to resolving the position to the satisfaction of both the Council and Sport England, whilst being mindful of any impact on residents and being considerate of their concerns.
- A number of applications to agree the details in relation to condition 10 of the original planning permission for the site and the Section 106 legal agreement had been submitted and approved.
- A partial Discharge of Condition application for the pavilion was approved in September 2017, on the basis of a like-for-like replacement of the previously existing pavilion. This remained the fallback position. However, following discussions with the Council and Sport England it was agreed

that instead of the Pavilion being erected with no end user in mind and to effectively stand empty, it would be beneficial for the Council to hold the money in trust to enable the residents of St Mary's to spend it how they considered it to be of most benefit on sports facilities. This application therefore included provision for a £45,447 contribution for a like-for-like replacement pavilion or alternative provision, which would be delivered by a Deed of Variation to the original S106 Legal Agreement.

- The additional details that were not approved related to the specification and management of the playing pitch. These details have been subject to ongoing discussions with the relevant stakeholders, as a balance was required to ensure that the pitch that was provided was suitable for the anticipated use whilst not being overly onerous or costly for the residents to maintain.
- The details of the proposed pitch design had been fully considered as part of the previously submitted Discharge of Condition application for condition 10, submitted in February 2019. The details included a full drainage design as prepared by TGMS Limited, a sports surface consultant, which had been updated and was submitted as part of this application. Sport England had requested further details and clarifications during the determination of this application, and the full revised details were now supported by Sport England.
- It was acknowledged that there was a loss of playing pitch area and Sport England carried out its own research regarding anticipated use and their conclusion was that this would be offset by a financial contribution which again, would be held in trust by the Council to enable the residents of St Mary's to spend it how they considered it to be of most benefit. As such, this application included a financial contribution for the sum of £240,566 for the loss of the playing pitches and again this would be delivered by the Deed of Variation to the original S106 Legal Agreement.
- The size and specification of the proposed pitch which was before Members today was considered by the Council and Sport England to be of an appropriate standard and fit for purpose. The pitches were sustainably located adjacent to the wider St Mary's development and the proposed pitch was designed to maximise multifunctional and wider community use, whilst balancing the proposals against the need for a suitable long-term management and maintenance arrangement. Whilst not a planning consideration, the mounds which were to remain in situ were arisings from digging foundations for the St Marys site and should be classified as non-hazardous, and therefore did not pose any risk in this regard.
- The fencing mentioned by the previous speaking was there because the site works had not been completed.
- In conclusion, after long on-going discussions with the Council and Sport England, Bellway Homes would like this matter resolved so that the works could be undertaken as soon as possible for the benefit of the existing residents. Whilst it was appreciated that this might not be the preference for all residents on St Mary's, Bellway considered it to be the most suitable course of action with minimal disruption to residents, whilst broadly maintaining the principles agreed through the original planning approval.
- It was hoped that Members could support the Officer's recommendation, including the proposed amended conditions, and approve this application today.

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

- It was now proposed that the mounds remain in place and advice from the developer was that they were not hazardous or contaminated. Their entire removal would be a large change and result in a major disruption to residents. Permission requested to leave these in place to minimise disruption to residents and also incorporate additional landscaping.
- Concerns from residents were understood however there had been some interesting ecological developments on the site and the landscaping and ecological management plan would ensure that the mounds were established properly. The area on the mound was interesting for invertebrates and enhancing this would be desirable from an ecological point of view.
- The development of the site had been difficult with some enforcement work having to be carried out at the latter part. Planning legislation allowed for developers to ask for a new consent or a variation of conditions. In this application they were requesting to retain the spoil that had been deposited as it had ecological merit. Officers' view was that the ecological merits built up on the site along with the secured financial contribution meant that the application was acceptable, however it was up to Members to decide if they also took this view.
- Condition 2 of any permission granted would ensure that the cricket pitch must be installed within 12 months of the date of permission being granted and the S106 agreement must be signed within 3 months of the date of this meeting. Bellway wished to clear up the site and finish the work and the proposed timescales set would ensure a quick turnaround if approval was provided.
- Although Sport England had advised that they would prefer the S106 contribution to fund sport provision within the wider central area, the Developer would pay the funds to the Council and a decision would be made on how the funds were spent. Councillors could, if they wished to ensure that the money was spent in St Mary's, or surrounding area. There would be 3 months in which to enter the S106, upon receipt of the planning contributions, funding would be held for one year and then allocated to a non-profit making organisation in the Stannington area i.e. a Club or the Parish Council with a time limit of 9 years for use by Groups etc. The funding would need to be returned if it was not used within 10 years.
- The information provided by Bellway in relation to the material in the mounds stated that there was no longer any contamination on the site, and whilst there had been a successful prosecution by the Environment Agency this was not a material planning consideration and Members must decide on the appropriateness of the mounds being left in place.

Councillor Darwin advised that he did not think that the application was in keeping with the original plans for the site and proposed refusal of the application. Following some discussion on the exact reasons for Councillor Darwin proposing refusal he confirmed that this was due to the impact on amenity and loss of open space and play provision with exact wording for the reasons for refusal to be delegated to the Director of Planning in consultation with the Chair of Planning Committee which was seconded by Councillor Wearmouth.

Members suggested that the application could be deferred in order that the composition of the mounds could be provided before any decision was taken, as they felt that the other parts of the application were acceptable, however they were reminded that a proposal to refuse the application had been made and seconded and this was required to be dealt with before any proposal for deferring the application could be made. Advice was also provided that Members could not decide which parts of an application they would like to see taken forward and they deal with the application which was before them. Deferral could allow an opportunity to see if there was any risk from materials in the mounds which could also be used as a further reason for refusal and it would also allow an opportunity for further discussions to be undertaken with the Developer. Members were also advised that experience on other developments where sporting sites had been provided was that when large clubs took over the running of the facilities this had meant that the facilities were no longer available for local children and residents to use.

Members highlighted the very high level of public feeling against this application in relation to the retention of the mounds and that their removal would increase the level of open space available for residents.

A vote was taken on the proposal to refuse the application as outlined above as follows:- FOR 4; AGAINST 0; ABSTAIN 2.

RESOLVED that the application be **REFUSED** due to the impact on amenity, loss of open space and play provision with the exact wording for the reasons for refusal to be delegated to the Director of Planning in consultation with the Chair of Planning.

15

22/02924/VARYCO

Removal of Condition 10 on approved planning application CM/20060893 in order to omit the Condition to submit a scheme for the restoration and/or provision of playing fields.

St Marys Hospital, St Marys Hospital Drive, Stannington, Northumberland NE61 6AP

J Murphy, Planning Area Manager provided an introduction to the report advising that this application was to remove condition 10 attached to the original approved planning application. However following the refusal of planning application **22/02923/FUL**, this application could no longer be recommended for approval and therefore the recommendation was amended to "Refuse permission".

J Ridgeon addressed the Committee speaking in support of the application. His comments included the following:-

- This application had been made to remove condition 10 from the originally approved application in order to carry out works in accordance with the previous application above.
- The applicant had worked with the Council and Sport England for a long time in order to develop an appropriate vision for the pitch and sports provision.

- If the mounds were to be removed then there would be no S106 contribution towards playing pitches.
- Compliance with Condition 10 would require further consultation with Sport England and it had taken a considerable period of time to get to the current position and now this had been refused.
- Bellway wanted to see the situation resolved and be able to restore the pitch and area for residents to use.
- It was felt that the proposed solution had been the best outcome for all parties. Comments made today would be taken away and Bellway would continue to work with officers to find a solution.

Councillor Wearmouth moved the recommendation to refuse the application as outlined above which was seconded by Councillor Darwin.

Members in recognising the work already undertaken by Bellway in trying to find a solution welcomed the message from Mr Ridgeon advising that the applicant would continue to work with officers as they considered that the application as it stood was not acceptable. Members considered that as a starting point the mounds should not be there and a solution had to be something that would be acceptable to residents.

A vote was taken and it was unanimously:

RESOLVED that the application be **REFUSED**.

16 **APPEALS UPDATE**

RESOLVED that the information be noted.

A short break was held at this point in order to allow officers to leave/join the meeting.

17 **PUBLIC QUESTION TIME**

No questions had been submitted.

18 **PETITIONS**

(a) Receive New Petitions – No new petitions were received.

(b) Petitions Previously Received – Address Speeding Between Jameson Estate (Old Police HQ Site and Grange Lea Care Home on North Road, Ponteland

N Snowdon, Principal Programme Officer (Highways Improvement) provided an introduction to the report which had been prepared in response to the e-petition which closed on 12 April 2023. He advised that following several earlier complaints a series of speed surveys had been undertaken with the results meeting the criteria required by the Northumbria Safety Roads Initiative for

consideration of additional enforcement measures and the location had been added to the Operation Modero database. The site would now be further assessed by the Police and the Council would work with them to identify an appropriate enforcement strategy. It was also highlighted that it was the intention of Ponteland Town Council to introduce a speed indicator display on this section of road. Further speed surveys would be carried out following the period of enforcement and introduction of the speed indicator display to assess impact and determine if any further road safety measures were necessary.

Members advised that this road had been problematic for a number of years with some improvements carried out following the development of the new housing estate, however speeding continued along that stretch of road and beyond and this was also of concern due to the large number of cyclists also using the road.

It was clarified that there were a lot of areas on the Operation Modero database which meant that resources were spready thinly. Members requested that the Police be invited to a future meeting to discuss Operation Modero and other traffic related matters along with representatives from the three different Police areas which covered Castle Morpeth.

RESOLVED that the information be noted and that the actions being proposed be supported with the Police being asked to attend a future meeting.

(c) Receive any updates on petitions for which a report was previously considered – There were no updates.

19 LOCAL SERVICES ISSUES

Neighbourhood Services

P Lowes, Area Manager Neighbourhood Services provided an update which would be circulated after the meeting and included the following:-

- Waste collection services continued to perform well including both the glass and food waste trials.
- The early season for grass cutting had been challenging due to the weather and the bank holidays.
- Weed control was again being undertaken in-house with the first treatment almost complete.
- Verge cutting was ongoing and was on target for completion by the end of July. Visibility splays would continue to be monitored and Members were asked to report any areas of concern.

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

- There had been no change in policy in relation to verge cutting however the work might not be carried out in the same order as it been previously. One contractor had a problem following an injury being incurred, with other resources having to be utilised.
- The sweeper may need to be used following weed treatments but the treated weeds generally dissipate with the weather, any areas of concern

can be reported and we will assess them as needed. A second treatment will be done if necessary but we can only treat weeds that are actively growing, Members were asked to report any areas of concern.

- There are some variations in how verges are cut, largely depending on the custom and practices of each area. New roads are maintained with as balanced an approach as possible, for example one cutter width either side of footpath with the rest being left to wild.

Highways

M King, Area Manager Highways Services provided an update which would be circulated following the meeting and which included the following:-

- There had been a large increase in the number of third party reports requiring reactive maintenance following the introduction of the “Fix my Street” (FMS) system which had impacted on the normal routine maintenance work. Some inspection work had fallen behind and was not meeting the National Code of Practice at the current time.
- A large amount of insurance claims were still being dealt with following the winter period.
- Difficulties in the recruitment of staff were still being encountered with a shortage of suitable candidates.
- Works had been completed on Newgate Street in Morpeth. The improved communications and traffic management had worked well and this system would be utilised in the future.

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

- It was difficult to offer more flexible working practices, i.e. part time or flexible hours on routine work as these required specialist staff to undertake the roles. There was a national shortage of HGV drivers and other organisations i.e. supermarkets etc, were able to pay more than the Council who were restricted by the national pay structure in place.
- The increase in FMS requests would allow evidence to be provided for a business case to be made for an increase in the number of staff needed within the Castle Morpeth area which had always received more third party requests than other areas.

N Snowdon advised that there had been no response received from Newcastle City Council in respect of providing road markings at the roundabout leading to the A69 which had been raised a number of times at this meeting.

Officers were thanked for their attendance.

20 **COLLINGWOOD SCHOOL, MORPETH**

Gillian Linkleter, the Headteacher of Collingwood School and Media Arts College in Morpeth was in attendance to provide a presentation to the Committee. Collingwood School was designated to meet the needs of students aged 2-19 years with speech, language and communication difficulties, autism and

behaviour and emotional disorders. The school shared its largest site in Morpeth with Stobhill First School and following substantial refurbishment and building programmes now offered specialist high quality facilities. It also currently operated a sixth form college at the FUSE in Prudhoe, a community teaching service and Personal Education Centre. The school was also opening an Outdoor Learning and Vocational Centre – The Woodlands based at Hepscoth Park, in September 2023. This was a pilot project initially for one year.

All pupils who attended the school had an Education Health Care Plan (EHCP) and had access to a three way curriculum model of education and a Wellbeing Centre offering therapeutic interventions which was based at Morpeth served all the school sites. Students were also involved in many community activities. A copy of the full presentation would be circulated to Members of the Committee and uploaded to the Council's website.

In response to a question in relation to the new facilities within Hepscoth Park and interaction with residents Members were advised that the centre was located adjacent to the existing horticultural unit and that a Woodlands Manager had been appointed who would be visiting residents to introduce themselves and explain the vision for a community hub.

Pupils were placed in Collingwood through the SEND panel so that it could be ensured that it could meet the individual needs of each child. Collingwood operated an open door policy for parents and tried to involve them as much as possible, although this had been more difficult during Covid. If pupils were not in a position to be able to attend the school, then the community teaching service would undertake the role until the child was ready to join the school.

The possibility of providing the presentation at all other LACs would be explored and a copy of the full presentation would be circulated to Members of the Committee and uploaded to the Council's website following the meeting.

Ms Linkleter was thanked for her attendance and presentation which Members had found most interesting and informative.

21 **NORTHUMBERLAND LOCAL BUS BOARD**

The report requested a nomination for the Northumberland Local Bus Board from the LAC and provided information on the background to the establishment of the Local Bus Boards. The attached cabinet report also outlined the implications of the Bus Service Improvement Plan for Northumberland bus services and infrastructure. N Easton, Public Transport Manager was in attendance to answer any queries from Members of the Committee.

M Murphy expressed an interest in becoming the representative on the Board from this Committee and this would be confirmed following a discussion with N Easton outside of the meeting in relation to the commitment of time that would be required.

RESOLVED that M Murphy be appointed as the representative from this Local Area Committee on the Northumberland Local Bus Board subject to satisfactory discussion regarding the commitment of time required.

22 APPOINTMENTS TO OUTSIDE BODIES

A list of appointments of Members of this Committee to Outside Bodies as agreed in October 2022 was circulated as part of the agenda to confirm if Members were happy to continue in these roles.

RESOLVED that the appointments be confirmed as follows:

Choppington Education Foundation	Mary Murphy
Druridge Bay Regeneration Partnership	Scott Dickinson
Friends of Morpeth Museum	David Bawn
Greater Morpeth Development Trust	Richard Wearmouth
Linton Village Hall Management Committee	Liz Dunn
Lynemouth Welfare Management Committee	Liz Dunn
Stakeford/Bomarsund Social Welfare Centre	Julie Foster Mary Murphy

23 LOCAL AREA COUNCIL WORK PROGRAMME

RESOLVED that the work programme be noted.

24 DATE OF NEXT MEETING

The meeting of the next Local Area Committee was planning only and was scheduled for 4.00 pm on Monday 14 August 2023.

CHAIR.....

DATE.....



Northumberland County Council

CASTLE MORPETH LOCAL AREA COMMITTEE

11 SEPTEMBER 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Housing and Planning

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

The Local Area Committee is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

DETERMINATION OF PLANNING APPLICATIONS

Introduction

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

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application

- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
4. Where Councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

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BACKGROUND PAPERS

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

IMPLICATIONS ARISING OUT OF THE REPORT

Policy: Procedures and individual recommendations are in line with policy unless otherwise stated

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

Report author :Rob Murfin
 Director of Housing & Planning
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 Rob.Murfin@northumberland.gov.uk

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

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

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

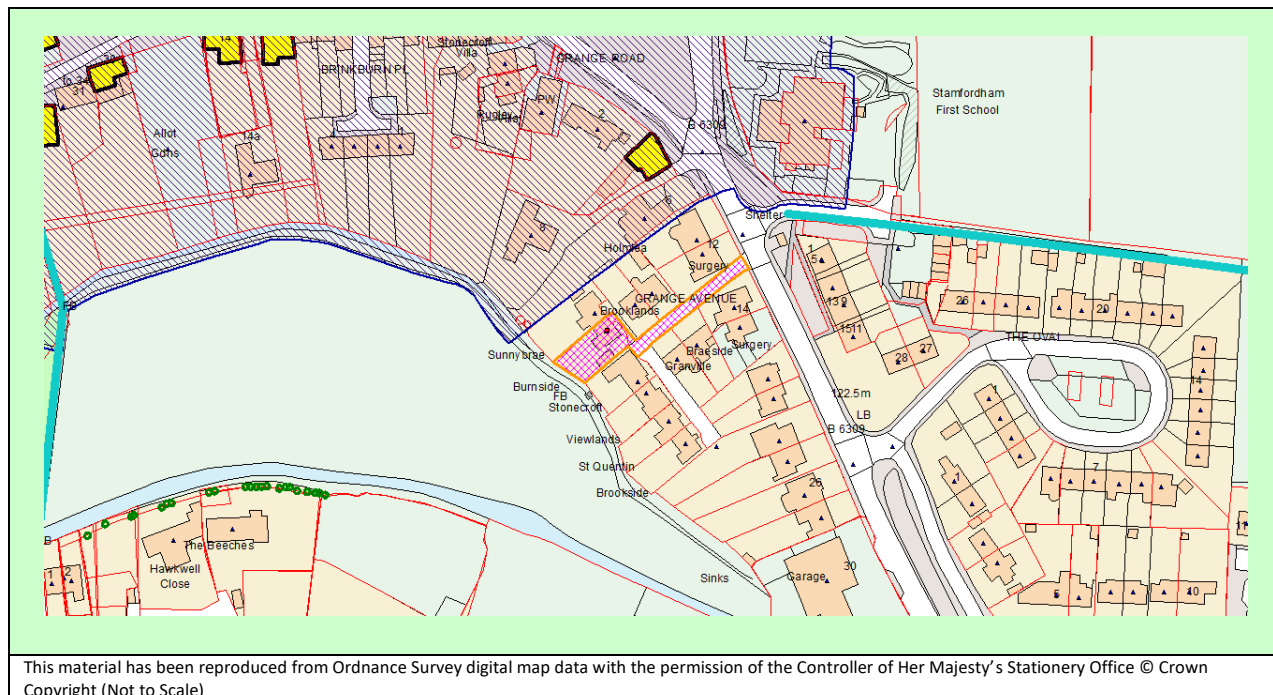


Northumberland County Council

Castle Morpeth Local Area Committee 11th September 2023

Application No:	23/01593/FUL		
Proposal:	Proposed Single Storey Extension		
Site Address	Burnside, Grange Avenue, Stamfordham, Northumberland NE18 0PG		
Applicant/ Agent	Miss Abby Smith Burnside, Grange Avenue, Stamfordham, NE18 0PG.		
Ward	Ponteland West	Parish	Stamfordham
Valid Date	3 May 2023	Expiry Date	25 August 2023
Case Officer Details	Name: Miss Holly Dunleavy Job Title: Planning Technician Email: holly.dunleavy@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



1. Introduction

- 1.1 The application has been referred to the Director of Planning and Chair and Vice-Chair of the Castle Morpeth Local Area Council Planning Committee under the Council's delegation scheme due to the number of objections

received. It was agreed that the application raises issues of wider community or significant County Council interest, and so should be considered by the Committee.

2. Description of the Proposals

- 2.1 Planning permission is sought for works to a residential property. The works propose to construct a single storey extension to the front elevation at Burnside, Grange Avenue, Stamfordham.
- 2.2 The application site is located in the central service village of Stamfordham. The site is not within the Stamfordham conservation area situated to the south of the boundary and is outside of the designated Green Belt to the west of the boundary.
- 2.3 The property subject to this application is a semi-detached red brick dwelling with a slate tiled roof. It is proposed to construct a single storey extension to the front elevation of the property. The proposed extension would extend approximately 1.9m from the front elevation of the property and would measure approximately 8.4m in width and would measure approximately 3.4m in height at the ridge and approximately 2.5m to the eaves. The proposed front extension would be finished with red brickwork and slate look roof tiles to match the existing building, and white uPVC windows also in keeping with the original dwelling.
- 2.4 The application has been altered and amended plans submitted in order to remove the step in the front elevation of the proposed extension. The application previously proposed the northwest side elevation of the extension to extend from the front elevation for the existing dwelling by approximately 2.2m. The amended plans propose the front elevation remains flush across the elevation. Therefore, the whole extension is now proposed to extend from the front elevation by approximately 1.9m. The description has remained the same throughout the course of the application and one re-consultation period has been carried out following the amendments.

3. Planning History

Reference Number: CM/00/D/621

Description: Extension to dining room and provision of lobby and shower room on ground floor with 2 additional bedrooms on first floor and internal alterations

Status: Permitted

4. Consultee Responses

Stamfordham Parish Council	No Objections.
Highways	No objections to the proposals subject to the imposition of conditions and informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	8
Number of Objections	9
Number of Support	0
Number of General Comments	1

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

Eight letters of objection and one general comment has been received from five neighbouring properties and four other properties. The objection is specifically regarding potential loss of light, outlook and access to the neighbouring property as a result of the proposed works. The objector's concerns are summarised below for information:

- Block visibility of Sunnybrae from Grange Avenue, the impact of this on locating the property, deliveries, emergency service access.
- Accessibility to the property in regard to the narrow alleyway.
- Accessibility to the property in regard to access with pram or wheelchair if required, current and future access to the property.
- Loss of both natural light and street lighting to the access path, safety concerns in regard to this (Trips and falls etc).
- Negative impacts on the enjoyment of the neighbouring property.
- Detrimental impact upon residential amenities.
- Loss of outlook.
- Loss of daylight/sunlight to the property, particularly the kitchen.
- Grange Avenue streetlight obscured: safety and security implications of this.
- Loss of line of sight.
- The extension will create a blind spot, safety concerns regarding mugging and crime as a result.
- Impact on safety and security concerns.
- Concerns regarding community safety.
- 'Slate' look of the proposed roof is not in keeping with the existing dwelling or surrounding properties.
- Non-compliance with design principles.
- Concerns regarding the over development of the property.
- Out of keeping with extensions seen on other dwellings in the street scene.
- Concerns regarding disruption of the building works to vehicle access.
- Concerns regarding parking.
- Builders blocking access to neighbouring property.
- Windows on the front elevation of the proposal when open would be over the access to Sunnybrae.

- Impact of extension upon resale of neighbouring property.
- Impact on value of neighbouring property Sunnybrae and appeal to future prospective buyers.
- Consider the plans submitted to be inaccurate.
- Siting of the oil tank at Burnside.
- Fire escape from Burnside.
- Concerns regarding the access to the main drain on Burnside's access path.
- 'Box' outside of the redline boundary marked on site plan.
- Proximity of extension to the front door of neighbouring property Sunnybrae.

A site visit has been carried out in order to assess the application and the potential impacts of the proposed works on neighbouring amenity, including upon attached neighbouring dwelling Sunnybrae. Please note the informatives attached to this application to remind the applicant about third party rights and the Party Wall Etc. Act 1996 in relation to the proximity of the works to the neighbouring property, and other permissions that may be required. These informatives aim to satisfy the objections in regard to the access to the neighbouring site, windows over the boundary line, works out of the red-boundary line and the access for building works during the implementation of the works.

Following the re-consultation after the application was amended a further 17 responses were received, eight in support and nine in objection. The objections followed the above points previously set out; one was from a new dwelling the other eight follow objections previously submitted to highlight their previous objections still stand. The eight support comments arise from seven neighbouring dwellings. It is noted that one comment appeared to be a duplication or one already submitted, therefore this comment has only been counted once. The comments of support that have been received during the re-consultation period are summarised below:

- Required as more space is needed within the dwelling.
- Required due to lack of affordable housing within the area for a growing family.
- Applicants have ties to village preventing re-locating as an alternative.
- Proposed development is of modest proportions and in keeping with the neighbouring properties.
- Development is within the boundary of the applicants' property.
- Considered an improvement to this property.
- Grange Avenue is extremely well lit.
- Do not consider plans would be drawn to limit access for emergency services.
- The application site and attached neighbour are almost north facing and look onto the gable view of another house in the street, consider this more likely to cause darkness, than the application by Burnside.
- Most of the properties on Grange Avenue have been extended, varying in style and materials.
- Access to the adjoining property could be improved as the extension sits within the boundary and the existing hedge will be removed which encroaches over the boundary.
- Stamfordham is a safe community-based village with a low crime rate.
- Offer of parking for applicant during the course of the works to minimise impact.
- Feel objections are not material planning considerations.
- Sunny Brae has always had effectively only pedestrian access, therefore the

proposal will not worsen the access.

It is noted some of the concerns raised within both the support and objection comments from the consultation periods are not material planning considerations.

6. Planning Policy

6.1 Development Plan Policy

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

- HOU 9 - Residential development management
- QOP 1 - Design principles
- QOP 2 - Good design and amenity
- TRA 2 - The effects of development on the transport network
- TRA 4 - Parking provision in new development

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021, as updated)

National Planning Practice Guidance (NPPG) (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, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 The main considerations in the determination of this application are:

- Principle of the Development
- Design and Visual Amenity
- Impact upon Residential Amenity
- Highway Safety

Principle of the development

7.3 The application site is located within the service village of Stamfordham. The application proposes development that is domestic in nature within the residential curtilage of an existing dwellinghouse. The principle of development is therefore acceptable and in accordance with Policy HOU 9 of the Northumberland Local Plan and the NPPF, provided it meets other requirements of the development plan policies.

Design and visual amenity

- 7.4 Burnside, Grange Avenue, is a semi-detached dwelling located in the service village of Stamfordham. The site is to the west side of Grange Avenue and is surrounded by other residential properties to the northwest, northeast and southeast. The southwest boundary of the site borders on to Protected Open Space. The existing dwelling is predominantly screened from the main public highway (B6309) by the other dwellings on Grange Avenue.
- 7.5 Policy QOP 1 of the Northumberland Local Plan relates to design principles for all forms of development. Policy QOP 1 states development proposals should “respect and enhance the natural, developed and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting”.
- 7.6 In addition to ensuring development is of a proportionate scale to the host property, Policy HOU 9 of the Northumberland Local Plan also seeks to ensure development “respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling and its setting in terms of its design and use of materials, or on the character of the surrounding area”. Similarly, Policy QOP 2 of the Northumberland Local Plan seeks to ensure that the physical presence and design of development preserves the character of the area.
- 7.7 The application proposes to construct a single storey hipped roof extension on to the front elevation of the property. The new extension (to the front, northeast elevation) would be in keeping with the architectural style of the main dwelling. The extension proposes to provide a larger open plan kitchen and a utility room. The proposed roof design would also be in keeping with the character of the existing dwelling house. The scale and massing of the proposed extension would remain subservient to the host dwelling and read as an obvious later addition. Externally the extension will be finished with materials that are in keeping with the existing materials on the main dwelling and would not negatively impact the visual amenity of the property and the wider street scene. The design of the windows is also in keeping with those seen on the main dwelling.
- 7.8 The proposed works would not have a significant adverse impact on the visual amenity of the dwellinghouse or street scene. Therefore, the proposal is considered acceptable in terms of design in accordance with Policies QOP 1 and HOU 9 of the Northumberland Local Plan and the NPPF.

Impact on residential amenity

- 7.9 The dwelling is a semi-detached property, and the proposed development is situated on the front (northeast) elevation of the property. It is acknowledged that a number of objections have been received specifically regarding the impact of the proposed development upon attached neighbouring property Sunnybrae. The objections are primarily surrounding the impact to the amenity in regard to loss of light, outlook and access issues. Policy HOU 9 of the Northumberland Local Plan sets out that *‘Householder proposals for the extension and/or external adaptation of existing dwellings will only be supported where the enhancement: (2b.) Does not have a significant adverse*

impact on the amenity of adjoining properties in terms of structural proximity and unacceptable loss of daylight/sunlight, privacy and visual outlook’.

- 7.10 In order to assess the impact of the proposed development on the attached neighbouring dwelling the 45-degree rule has been considered. The 45-degree rule is a guide used to aid the assessment of the impact of an extension/ enlargement of a property upon an immediately neighbouring dwelling in regard to loss of light, outlook and overbearing impact. It is set out on the ‘Existing and Proposed Ground Floor Plan’, that the immediately neighbouring ground floor window is acceptable in line with the 45-degree rule for width and depth of the extension. In regard to the height of the extension the proposal is acceptable in this respect, as the extension does not come within the 45-degree splay from the centre of the neighbouring window.
- 7.11 In regard to the structural proximity of the extension as set out in HOU 9, the proposed works are set back from the adjoining boundary line by approximately 0.7m. The eaves height adjacent to the immediately neighbouring site is approximately 2.5m. The roof has been hipped to both sides of the extension which further sets the ridge height of the extension away from the boundary by approximately 2.5m, minimising the impact in terms of loss of light and outlook. Therefore, it is considered that the proposed works would not have a significant adverse impact on the amenity in this respect.
- 7.12 The northwest elevation of the proposed development is adjacent to Sunnybrae, there are no windows proposed to be located on this side elevation of the development therefore there would not be a loss of privacy in line with HOU 9. The design of the extension is acceptable in relation to the neighbouring properties; therefore, it is considered that the proposal would not negatively impact the visual amenity of the property and the wider street scene. As such the proposed extension has been assessed and it is considered that it would not result in unacceptable negative impacts on residential amenity, in terms of an overbearing impact, loss of light / outlook, and it would not cause a loss of privacy upon neighbouring properties. The proposals are therefore considered acceptable in this respect, in accordance with Policies QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.
- 7.13 The concerns and objections raised to this application are noted and it is understood the works will have some impact upon neighbouring dwellings. However, they do not justify a refusal of this application. Following a thorough assessment, it is of Officer opinion that the proposed development would not have a significant unacceptable impact upon the residential amenity of the occupiers at the neighbouring dwelling. The proposals are therefore considered acceptable in this respect in accordance with Policies QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.

Highway Safety

- 7.14 The application proposes to add a front extension which could have an impact on the immediate entrance to the site in terms of the occupier’s access to their parking. Therefore, comments on the application have been sought from

NCC's Highways development Management team. When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets. Access to the site would remain unchanged. The host dwelling is a four-bedroom property, which would require a total car parking requirement of three parking bays in line with appendix E. However, officers note the number of bedrooms has not changed as a result of this proposal. Therefore, the parking requirements remain as existing. The Highways officer raises no objection to the proposal from their assessment of the works subject to the imposition of conditions and informatives. Therefore, in this instance the proposal can be considered in accordance with Policies TRA 2 and TRA 4 if the Northumberland Local Plan and the NPPF.

Equality Duty

- 7.15 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

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

Human Rights Act Implications

- 7.17 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.
- 7.18 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.

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

8. Conclusion

- 8.1 National and local planning policies have been taken into consideration when assessing this application. The proposed development at Burnside, Grange Avenue is considered acceptable in principle and would not result in inappropriate development. The proposed works would not have an adverse impact on the appearance of the host dwelling or the character of the area, and the proposed works would not have an unacceptable adverse impact on the amenity of neighbouring properties. Therefore, the proposed development is supported for the reasons set out within this report in accordance with the Northumberland Local Plan and the NPPF.
- 8.2 The application would also be acceptable in all other respects, including technical matters, and it is therefore recommended that the application be approved.

9. Recommendation

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

Conditions

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

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

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

- 001-02: OS Site Location and Existing Boundary Plan
- 010-03: Proposed Site Plan
- 031-03: Proposed Elevations
- 022-03: Existing and proposed Roof Plan
- 021:03: Existing and Proposed First Floor Plan
- 020-03: Existing and Proposed Ground Floor Plan
- 100-03: Existing and Proposed Isometric Views

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy QOP 1 of the Northumberland Local Plan.

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

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

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

Informatives

1. The applicant is reminded that this permission does not convey approval for works affecting third party rights which may exist on the land or any adjoining. The applicant is therefore advised to seek the approval of any parties having an interest in any land affected by this permission.
2. The applicant's attention is drawn to the requirements of the Party Wall Etc. Act 1996 in relation to work close to a neighbour's building/boundary. The applicant should seek independent legal advice about this legislation.
3. 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.
4. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
5. This is a planning permission granted under the Town and Country Planning Act. It does not convey any other form or consent that may be required from the Council. In particular building works may require approval under the Building Regulations and works affecting listed buildings may well require Listed Building Consent. Further information on these approvals can be obtained from the planning department at Northumberland County Council.

EIA

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

Date of Report: 27th July 2023.

Background Papers: Planning application file(s)

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Northumberland County Council

Appeal Update Report

Date: September 2023

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

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

Link to Corporate Plan

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

Key issues

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



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
18/03394/REM	<p>Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping and other associated infrastructure – land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: the design fails to preserve or make a positive contribution to local character and distinctiveness, and the site's surroundings, and fails to create or contribute to a strong sense of place. The development does not demonstrate high quality sustainable design, is not visually attractive, does not incorporate high quality materials and detailing, and is substantially altered from the approved outline planning application.</p> <p>Committee Decision - Officer Recommendation: Approve</p>	Yes – claim for full costs allowed
22/00913/FUL	<p>Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Maini issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/00437/FUL	<p>Change of use of land from equestrian grazing use to campsite use – land north east of Bolam Lake Boat House Wood Car Park, Belsay</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>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?
22/03696/FUL	<p>Retrospective application for works carried out to add pillars with metal railings between at front boundary wall; stone face side wall between front and rear garden and construction of raised timber deck – Woodstock, Mill Lane, Haltwhistle</p> <p>Main issues: harm to the character and appearance of the Conservation Area; and harmful impact on residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/04507/FUL	<p>Demolition of existing ground floor rear extension and replacement with two storey rear extension – The Coach House, Fenwicks Close Farm, Earsdon</p> <p>Main issues: inappropriate development in the Green Belt; and disproportionate addition that would be incongruous with the character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/04208/FUL	<p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the North Pennines AONB; visibility splays from the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/01812/FUL	<p>Proposed detached single storey garage and store with associated formation of driveway – Eland Close,</p>	No – claim

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

22/04665/FUL	<p>Proposed first floor extension over existing sun room and installation of a fixed window to the southern gable wall at high level – 63 Merley Gate, Loansdean, Morpeth</p> <p>Main issues: the extension would constitute an incongruous addition that would be out of character with the dwelling and built context; and harmful impact upon residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/00637/FUL	<p>Alterations and extension – 2 West Hedgeley, Powburn</p> <p>Main issues: design would be out of scale and character with the existing property and surrounding area, and would harm the setting of Grade II listed buildings</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/04592/FUL	<p>Demolition of 2 no. youth hostel cabins and erection of 8 no. caravan pitches and children's play area (as amended) - Hareshaw Linn Caravan Park, Bellingham</p> <p>Main issues: harmful visual impacts on the character and appearance of the site and surrounding area; and harmful impacts on residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/04246/FUL	<p>Proposed single storey garage extension including a study and a shower room – 57 Church Street, Amble</p> <p>Main issues: scale and design results in adverse impact on the character and appearance of the existing dwelling and the surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Withdrawn

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

Planning Casework Unit Referrals

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

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</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</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	justification of this harm or public benefits to outweigh the harm.	
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>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p> <p>Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	setting.	
22/01297/FUL	<p>Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton</p> <p>Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02704/CLEXIS	<p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p>	<p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03417/OUT	<p>Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top Cottage, Morpeth</p> <p>Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03876/FUL	<p>A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt.</p>	<p>16 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01012/FUL	<p>Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett</p> <p>Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.</p>	<p>17 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

22/03217/FUL	<p>Erection of a forestry shelter and the location of a storage container (retrospective) - land east of Aydon Dipton Woods, Corbridge</p> <p>Main issues: development in the open countryside and inappropriate development in the Green Belt.</p>	<p>23 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 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</p>	<p>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	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.	
22/03128/FUL	Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland 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.	13 June 2023 Delegated Decision - Officer Recommendation: Refuse
23/00732/FUL	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 Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.	15 June 2023 Delegated Decision - Officer Recommendation: Refuse
22/01992/OUT	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 Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.	19 June 2023 Delegated Decision - Officer Recommendation: Refuse
23/01214/VARYCO	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 Main issues: the proposed removal would not promote sustainable connectivity between the wider development and existing infrastructure.	26 June 2023 Delegated Decision - Officer Recommendation: Refuse
22/04676/LBC	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 Main issues: less than substantial harm to the character and significance of the listed building that has not been justified.	27 June 2023 Delegated Decision - Officer Recommendation: Refuse
23/01138/ADE	Advertisement consent for 1no. totem sign –	5 July 2023

	<p>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>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</p>	<p>17 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	visual appearance of the existing dwelling and street scene.	
20/00230/FUL	<p>Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended) - land south of 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>17 August 2023</p> <p>Committee Decision – Officer 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>

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; insufficient information to fully assess the impacts of the proposed development on ecology and biodiversity and net gain for biodiversity; does not secure necessary planning obligations in respect of affordable housing, open space and education.</p>	<p>Hearing – 12 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03915/LBC	<p>Listed Building Consent for demolition of a section of existing curtilage listed boundary wall to create access for residential development – land south east of The Manor House, Riding Mill</p> <p>Main issues: loss of historic fabric and unacceptable alteration of the historic curtilage listed boundary wall.</p>	<p>Hearing 12 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

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Northumberland County Council

COMMITTEE : CASTLE MORPETH LOCAL AREA COMMITTEE

DATE: 11TH SEPTEMBER 2023

PETITION RECEIVED CONTAINING 54 SIGNATURES AGAINST ON-GOING PLANNING ISSUES AND UNFINISHED WORKS ON THE NURSERY GARDENS SITE, STANNINGTON STATION.

Report of: Rob Murfin, Director of Housing and Planning (Chief Planning Officer)

Cabinet Member: Cllr Colin Horncastle

Purpose of report

To acknowledge the petition submitted by residents of the Nursery Gardens Site, Stannington Station in respect of unfinished work and breaches of planning.

Recommendations

That Members determine the appropriate action to take in response to the petition, which can include:

- Making Recommendations to Full Council, Cabinet, a Committee or to Officers
- Taking no further action
- Accepting the actions officers propose to take as set out in this report

Link to Corporate Plan

The issues raised in the petition and the Council's response to the petition are indirectly relevant to priorities included in the Northumberland County Council Corporate Plan 2020-2024 as follows:

- 'how' - The Council faces tough decisions that will not be universally popular. These are not taken lightly and the council pledges to listen and consider views

- 'enjoying' - the Council wants to protect and improve quality places, but also make sure that the places where people live, work and play continue to evolve and grow whilst retaining and deepening their appeal.

Key issues

- A petition has been submitted and received by Northumberland Planning Department from the residents of Nursery Gardens, Stannington, raising a series of concerns pertaining to on-going outstanding planning matters on the residential site. The petition states that building on the site began nearly 4 years ago and the last house was completed more than 2 years ago. Despite numerous complaints by residents to the Developer, the Builder, the Parish Council, Northumberland County Council and their local MP, the residents are still awaiting completion of the outstanding work. They feel they have been promised resolutions with no follow up action.
 - The residents state in the petition that they demand that Northumberland County Council takes immediate action to ensure that all work is completed on their estate in accordance with the planning application agreed with Ludgate Ltd, trading as Willow Homes, including incomplete work on roads, kerbs, pavements, signage and the amenities area and appropriate enforcement action taken.
- A planning application was submitted in 2016 by Ludgate Ltd for the residential Development of 34 no. dwellings with associated access and landscaping (as amended by reduction of 2 no. dwellings, revisions to layout and house types). Since then, a variation of conditions application was submitted to allow for a change in house types, which was approved. A number of applications to discharge the planning conditions attached to that variation have since been submitted and approved with the exception of one in relation to ground gas protection, which is still under consideration. The conditions related to landscaping, open space management, surface water drainage, foul water disposal, access, estate phasing, street management and maintenance, construction management and method, external lighting and contaminated land. Once these conditions have been discharged, the works can be carried out.
- Since the determination of these applications and as the development has progressed in construction, the residents have become increasingly concerned at the level of incomplete works and/or works that they consider have not been in line with the planning conditions attached to the permission that was granted.
- The Council takes the matters raised very seriously. This report outlines how decisions are currently made and why, and where relevant identifies some matters which we will look to pursue to improve and refine the planning decision-making process.

Background

1. Full planning permission was granted for 34 dwellings with associated garages on land at the site of Stannington Nurseries and Birchwood Nurseries on Station Road, Stannington. The site extended to 1.29 hectares in area and lies within the Green Belt. The submitted plans showed a development of 34 two-storey dwellings across the two sites. 5 affordable units (3 x 2 bedroom and 2 x 3 bedroom) were proposed on-site which

equated to 15% provision. The remaining properties comprised 7 x 3 bedroom properties, 16 x 4 bedroom and 6 x 5 bedroom.

2. The eastern part of the site (Stannington Nurseries) has an extant outline planning permission (15/01760/OUT) on 0.6 hectares of land for up to 27 dwellings including 15% affordable housing. The committee report for that application identified the land as being previously-developed and in commercial use, including a commercial nursery with retail sales, a cafe, retail workshops, stores, hardstandings and car parking areas.

3. The remaining part of the site was occupied by land and buildings associated with Birchwood Nurseries.

4. Station Road forms the northern boundary of the site, along with the dwellings at 58 Station Road and a dwelling associated with Birchwood Nurseries. The site is bound to the east and south by agricultural land and to the west by the property at 56 Station Road and paddock land. Trees and hedgerows form the east and western boundaries of the site, with a small woodland located to the southern boundary.

5. The development of the dwellings is now fully complete and all are occupied.

UPDATE SINCE PETITION

▪ Northumberland County Council Planning Department became involved in this site in November 2022 following complaints largely in relation to the unfinished site, lack of landscaping and play area. Our enforcement officers have since been in regular communication with the developers and the landowners with a view to addressing the breaches of planning control that have occurred.

▪ Since the involvement of the enforcement officers, communication and actions from the developer had recently and notably improved and works had gathered momentum on site. Works to the amenity areas of the site raised by residents were underway (when weather conditions allowed) which involved levelling the site, spreading and levelling the topsoil, planting, seeding and installing the pathway and play equipment. With regards to the surfacing, kerbs and paths, the landowners/developers are in the process of engaging with an alternative contractor with a view to commencing works at the end of August.

▪ Notwithstanding this, the Council has prepared a Breach of Conditions Notice ready to be served on the developer should works stall or stop altogether and, regrettably, progress does appear to have again stalled. At the time of compiling this report, enforcement officers were visiting the site to discuss the situation with the developer and to inform that the Breach of Conditions Notice would be imminently served, if necessary.

In summary

▪ It is considered that the developer has taken some appropriate measures to remedy the issues at Nursery Gardens that have impacted the site since development commenced and equally since the build work was completed. Notwithstanding this, what was granted

planning permission and what residents were reasonably expected to enjoy within Nursery Gardens has not been fully delivered to date. In view of this, the Council is reserving the right to serve the BCN, which has no right of appeal. The developer will be required to complete the works within a scheduled timeframe. If the developer does not comply with the Notice, this constitutes an offence for which a significant fine can be imposed. It is hoped matters will not need to progress to that stage, however, the Council's enforcement officers are closely monitoring the situation and are ready to pursue the next course of action without further delay, if necessary.

- Members will be fully updated of the situation at committee.

Recommendation:

That Members accept the actions officers propose to take as set out in this report. Members are also advised that planning officers will proactively monitor of the site.

Author and Contact Details

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**Northumberland County Council
Castle Morpeth Local Area Committee
Work Programme 2023-2024**

Lesley Little: 01670 622614 - Lesley.Little@northumberland.gov.uk

UPDATED: 31 August 2023

TERMS OF REFERENCE

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

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

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Planning Applications (monthly), Public question time (bimonthly, not at planning only meetings), petitions (bimonthly, not at planning only meetings).

To be listed:

Northumberland County Council
 Castle Morpeth Local Area Committee
 Work Programme 2023-24

11 September 2023

- Planning
- Petition Report – On-going planning issues and unfinished works on the Nursery Gardens Site, Stannington Station
- Presentation from the Toby Henderson Trust

9 October 2023

- Planning

13 November 2023

- Planning
- Local Services Update/ Winter Preparations

11 December 2023

- Planning

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**NORTHUMBERLAND COUNTY COUNCIL
LOCAL AREA COUNCIL - CASTLE MORPETH MONITORING REPORT
2023-24**

Ref	Date	Report	Decision	Outcome
1	15.05.23	Petitions – Island outside Blossom Park, Pegswood	RESOLVED that the actions proposed to be undertaken as set out in the report be accepted.	
Page 55	15.05.23	Updates on Petitions previously received – On-going Planning Issues and Environmental Destruction on land to the South of St Mary’s Park, Stannington.	RESOLVED that the proposed actions set out in the report be accepted and it be noted that Planning Officers were proactively monitoring the site.	
	3	10.07.23	Petition Report - Address Speeding Between Jameson Estate (Old Police Hq Site) and Grange Lea Care Home on North Road, Ponteland	RESOLVED that the information be noted and that the actions being proposed be supported with the Police being asked to attend a future meeting.

4	10.07.23	Presentation from Collingwood School	N/A															
5	10.07.23	Northumberland Local Bus Board	RESOLVED that M Murphy be appointed as the representative from this Local Area Committee on the Northumberland Local Bus Board subject to satisfactory discussion regarding the commitment of time required.															
6	10.07.23	Appointments to Outside Bodies	<p>RESOLVED that the appointments be confirmed as follows:</p> <table border="1" data-bbox="913 512 1809 815"> <tr> <td>Choppington Education Foundation</td> <td>Mary Murphy</td> </tr> <tr> <td>Druridge Bay Regeneration Partnership</td> <td>Scott Dickinson</td> </tr> <tr> <td>Friends of Morpeth Museum</td> <td>David Bawn</td> </tr> <tr> <td>Greater Morpeth Development Trust</td> <td>Richard Wearmouth</td> </tr> <tr> <td>Linton Village Hall Management Committee</td> <td>Liz Dunn</td> </tr> <tr> <td>Lynemouth Welfare Management Committee</td> <td>Liz Dunn</td> </tr> <tr> <td>Stakeford/Bomarsund Social Welfare Centre</td> <td>Julie Foster Mary Murphy</td> </tr> </table>	Choppington Education Foundation	Mary Murphy	Druridge Bay Regeneration Partnership	Scott Dickinson	Friends of Morpeth Museum	David Bawn	Greater Morpeth Development Trust	Richard Wearmouth	Linton Village Hall Management Committee	Liz Dunn	Lynemouth Welfare Management Committee	Liz Dunn	Stakeford/Bomarsund Social Welfare Centre	Julie Foster Mary Murphy	
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