



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: Lesley.Little@northumberland.gov.uk

Tel direct: 01670 622614

Date: Thursday, 2 May 2024

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CASTLE MORPETH LOCAL AREA PLANNING COMMITTEE** to be held in the **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 13 MAY 2024 at 4.00 PM.**

Yours faithfully

Dr Helen Paterson
Chief Executive

To Castle Morpeth Local Area Planning Committee members as follows:-

D Bawn, J Beynon, L Darwin, S Dickinson, R Dodd (Chair), 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. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 1
- 6)

The minutes of the meeting of the Castle Morpeth Local Area Committee held on Monday 11 March 2024, as circulated, are to be agreed and signed by the Chair.

3. 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.

4. DETERMINATION OF PLANNING APPLICATIONS

(Pages 7
- 12)

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

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

5. 24/00826/VARYCO

(Pages
13 - 20)

Removal of conditions 3 and 4 (footpath) pursuant to planning permission 23/01205/VARYCO

Land North of Southcroft Stables, The Croft, Ulgham, Northumberland

6. PLANNING APPEALS

(Pages
21 - 36)

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.

7. 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

CASTLE MORPETH LOCAL AREA PLANNING COMMITTEE

At the meeting of the **Castle Morpeth Local Area Planning Committee** held at Council Chamber - County Hall on Monday, 11 March 2024 at 4.00 pm.

PRESENT

J Foster (Vice-Chair Planning) (in the Chair)

MEMBERS

J Beynon
S Dickinson
L Dunn
M Murphy

L Darwin
R Dodd
V Jones
G Sanderson

OFFICERS

M Bulman
L Little
E Sinnamon
R Soulsby

Solicitor
Senior Democratic Services Officer
Head of Planning
Senior Planning Officer

There was 1 member of the press/public present.

49 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Towns and Wearmouth.

50 MINUTES

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Planning Committee held on Monday 12 February 2024, as circulated, be confirmed as a true record, and be signed by the Chair with the following amendments noted:

Apologies for Absence – remove Councillor Towns and add Councillor Darwin.

51 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.

52 **23/02165/FUL**

**Development of 32 no. affordable homes with associated infrastructure, drainage and open space
Land South of 15-47 Stakeford Crescent, Stakeford Crescent, Stakeford, Northumberland**

An addendum report was circulated to Members and time allowed for this to be read. The addendum report would also be uploaded to the website and filed with the signed minutes.

An introduction to the report was provided by R Soulsby, Senior Planning Officer with the aid of a power point presentation including photographs of the site.

Craig Stewart addressed the Committee speaking in objection to the application. His comments included the following:-

- When the application had been put online in October, everyone had objected in relation to the top left corner of the site which was a wildlife area with lots of nesting birds, foxes and deer using the area.
- Just after October a third party desecrated the ground with everything being ripped up by the roots and spread around to look like weeds. The site was now being used for fly tipping and looked like wasteland.
- He questioned how planning permission for this destruction had been allowed without any residents being advised. There were rumours that this had been undertaken in order to allow samples to be undertaken.
- It looked as if the plans had already been signed off and there was no point in any consultation taking place and when they asked about the access, were told this would be considered at the planning phase. One of the photographs shown on the presentation had actually been taken from his driveway.

Lesley Allsopp also addressed the Committee speaking in objection to the application. Her comments included the following:-

- She lived on Stakeford Lane and she had concerns regarding the increased traffic that would be generated with the construction traffic and then residential traffic.
- Her own family had four vehicles and had on two occasions had vehicles written off due to them being hit outside her property.
- Would it take a child being seriously injured before anything was done to reduce the speed vehicles travelled on that stretch of road. The increased vehicles numbers from the development would increase the risk to pedestrians.
- The increased number of vehicles on a narrow road posed a risk especially plant and machinery accessing the site.

- Development must be sustainable, and she questioned where the leisure and community facilities were.
- Highway safety was a major concern with vehicles already being damaged in the area.
- There was already a strain on the healthcare system in the area.

Alistair Willis, Agent on behalf of the applicant addressed the Committee speaking in support of the application. His comments included the following:-

- He endorsed the officer report and summary of the application. All aspects of the application had been considered and details challenged in order to ensure it was entirely compliant with the relevant Local Plan policies.
- There were no outstanding consultee objections to the proposed development.
- The application had been prepared in partnership with Bernicia and would provide 100% affordable housing for local needs. The range of house types proposed was in direct response to local needs.
- Initial public consultation had been undertaken in 2019 where a number of local issues had been identified and which the applicant had sought to address through the application.
- An independent parking survey conducted outside of school holidays and over Wednesday to Saturday was also undertaken which had shown that the busiest period was around 7pm but was not at a level which would make the development unacceptable. To address one of the concerns regarding access from Stakeford Crescent and existing parking on that street, six additional off-street parking spaces specifically for residents of Stakeford Crescent would be provided in the area of the site access. Highways Officers had not considered there to be an issue and had in fact requested that the additional spaces be removed, but the applicant considered it was better to retain these additional parking spaces.
- An updated review of local accident data had been provided which had confirmed there had been no accidents along Stakeford Crescent or its junction with Stakeford Lane.
- Overall, with the reduced parking on Stakeford Crescent the proposed development would offer a betterment to the existing situation.
- Bernicia owned a significant amount of affordable housing stock within the wider south-east Northumberland area, however a large amount of historic stock had been lost through right to buy purchases significantly reducing the ability of local families to access good quality, secure, affordable housing.
- The level of interest in properties which became available significantly exceeded the supply and there was a need for further affordable housing provision. These figures had been monitored since 2019 and whilst the figures were consistently high the need was increasing year on year and could only be met through schemes such as this. The delivery of 32 affordable homes for local needs secured through legal agreement was a significant material consideration in the determination of the application.

In relation to Councillors declaring an interest in an application, Councillor Dodd advised that it would be useful for information to be provided on the applicant or

who the site belonged to rather than just the details of the agent. He highlighted that he had previously served on the Board of Bernicia.

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

- Officers were satisfied in relation to highways safety and Members were assured that a robust highways assessment had been undertaken along with a parking survey.
- No permission was required to remove vegetation on private land, there were no protected trees on the land in question and it was not in a conservation area. Part of the site had been required to be cleared of vegetation in order for the archaeological test to be undertaken but not the whole site. The clearance of the whole site was a matter for the applicant and no formal permission was required.
- Officers could not confirm the age of the existing properties on Stakeford Crescent or when and why the bollards preventing through access had been erected. Councillor Foster advised that the properties were in existence in 1977 and the bollards had been erected prior to 2008 due to the volume of traffic using Stakeford Crescent. It was clarified that the existing bollards would not be removed, and the only additional traffic would be that generated by the properties on the new estate.

Councillor Murphy proposed refusal of the application due to the material impact and traffic which was seconded by Councillor Foster. Members were advised that a specific reason for refusal would be required.

In response to a concern expressed by Councillor Sanderson in relation to Councillor Foster Chairing the meeting and also being the Ward Member, Members were informed that advice had been taken and as she had no interest in the application, no family or friends living in the street and had only previously lived in the general vicinity of the application site, there was no interest to declare.

In response to a query on what additional information would be needed to refuse on highways grounds if an assessment had already been provided, the Head of Planning advised that a robust highways assessment had been undertaken in line with national standards and this had found that there was not sufficient impact to justify a refusal of the application. Members were reminded of the tests included in the NPPF in relation to unacceptable highways impacts or cumulative impacts on roads. Advice was provided that the technical information provided, and previous experience of the appeals process would make it extremely difficult to argue that refusal of this application on highways grounds would be acceptable.

Members reminded the Committee of the consequences of not having robust reasons for refusal and the difficulties that would be encountered in defending any Appeal along with the need for affordable housing, however they did recognise the concerns raised by residents. The Committee were advised that there was an issue with speeding vehicles on Stakeford Lane and Highways had been approached regarding a scheme for road cushions to be provided.

Councillor Murphy stated that if the provision of affordable housing was considered by itself the application would be fine, however there were issues with

the access to the site. On paper the scheme looked excellent, however in reality the road was narrow, had bollards and a turning circle and was not suitable for the additional traffic which would be generated with 32 additional homes, and she did not believe that the impact would be minimal. She highlighted the restrictions which were coming into force in certain areas of the Country in relation to pavement parking and that no account had been taken should it happen in this area. She did not accept that it was an appropriate access point.

The Head of Planning clarified that in view of Councillor Murphy’s comments the reason for refusal would be “That the application should be refused on highways grounds due to the unacceptable impact on highways safety and the cumulative severe impacts on road safety”. She continued by stating that this was a 100% affordable housing scheme in line with the Northumberland Local Plan. The houses were being provided in an area where they were wanted and met the criteria set out and this carried significant weight. Members also needed to take account of the technical assessments undertaken including highways. She advised that a lot of work had been undertaken by the applicant in relation to highways and the Planning Team were of the opinion that taking all material planning considerations into account recommended that the application should be approved.

A vote was taken on the motion to refuse the application on highways grounds due to the unacceptable impact on highways safety and the cumulative severe impacts on road safety as follows: FOR 2; AGAINST 5; ABSTAIN 2.

Councillor Dodd then proposed that the application be approved in line with the recommendation as set out in the report which was seconded by Councillor Sanderson. A vote was taken on the proposal as follows: FOR 5; AGAINST 2; ABSTAIN 2.

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report and amended in the addendum report subject to a section 106 agreement securing relevant contributions (£19,680 coastal mitigation, £20,400 healthcare, £96,000 education and £20,968.74 open space).

53 **PLANNING APPEALS**

RESOLVED that the information be noted.

CHAIR.....

DATE.....

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Northumberland County Council

CASTLE MORPETH LOCAL AREA PLANNING COMMITTEE

DATE: 13 MAY 2024

DETERMINATION OF PLANNING APPLICATIONS

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

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

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

Key issues

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

Author and Contact Details

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

DETERMINATION OF PLANNING APPLICATIONS

Introduction

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

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application
 - Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Castle Morpeth Local Area Planning Committee is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions must be:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

Important Copyright Notice

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BACKGROUND PAPERS

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

Implications

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

PROCEDURE AT PLANNING COMMITTEE

A. Chairman welcomes members and members of the public

Welcome to also include reference:

- (i) Members are asked to keep microphones on mute unless speaking
- (ii) To switch all mobile phones off.
- (iii) Reminder that if a member leaves the Chamber whilst an application is being considered then they may take no further part in that application.

B. Record attendance of members

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

C. Minutes of previous meeting and Disclosure of Members' Interests

D. Development Management: -

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 PUBLIC SPEAKING

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)

Planning Officer confirms and reads out wording of resolution

Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all the consideration of the application)

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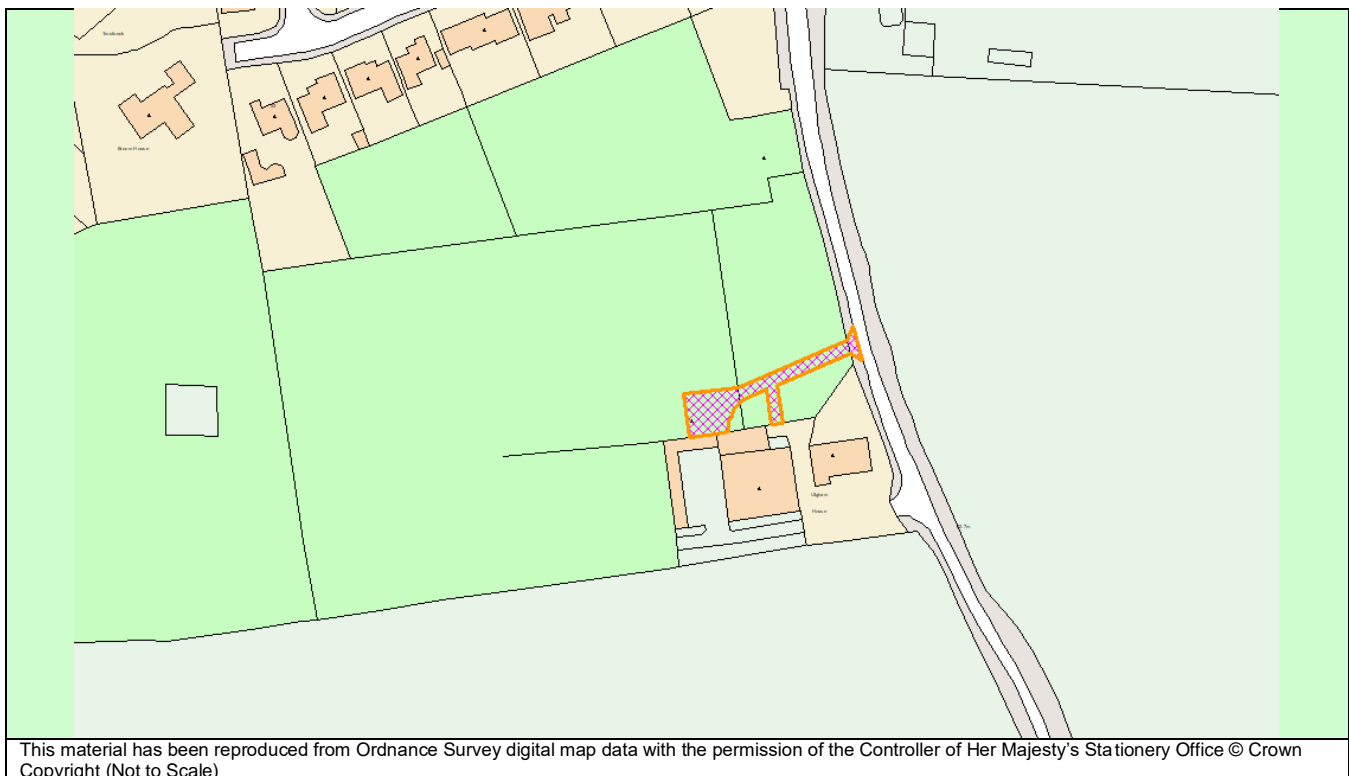


Northumberland
County Council

Castle Morpeth Planning Committee
13th May 2024

Application No:	24/00826/VARYCO		
Proposal:	Removal of conditions 3 and 4 (footpath) pursuant to planning permission 23/01205/VARYCO		
Site Address	Land North of Southcroft Stables, The Croft, Ulgham, Northumberland		
Applicant:	Mr Thomas Forster Miler House, West Road, Tantobie, Stanley Co Durham DH9 9RX	Agent:	Miss Joanne Wood 15 Low Avenue, Chilton, Ferryhill, Co Durham DL17 0DZ
Ward	Pegswood	Parish	Ulgham
Valid Date:	12 March 2024	Expiry Date:	14 th May 2024
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Senior Planning Officer Email: Ryan.Soulsby@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

- 1.1 Following the receipt of an objection from Ulgham Parish Council, the application was referred to the Director of planning and chairs of the Local Area Committee. It was confirmed within their response on 8th April 2024 that the application should be determined by members at Local Area Committee.

2. Description of the Proposals

- 2.1 An amendment is sought to planning application 24/00826/VARYCO on land north of Southcroft Stables, The Croft, Ulgham.
- 2.2 The submitted details propose the removal of conditions 3 and 4 from 23/01205/VARYCO which required the provision of a footpath link between the application site and the existing settlement of Ulgham located to the north.
- 2.3 Both conditions were removed by the Planning Inspectorate under ref no. 23/01214/VARYCO (appeal ref no. APP/P2935/W/23/3324404). The inspector, despite the concerns of the LPA relating to policy conflict, deemed that the loss of the conditioned footpath would not result in an unacceptable impact on highway safety.
- 2.4 The two conditions were also attached to subsequent variation applications, as well as the original full planning application, hence the requirement of this application to remove the condition from a previous variation permission.

3. Planning History

Reference Number: 21/04319/REM

Description: Reserved matters application for access, layout, scale, appearance and landscaping for 4no dwellings on approved application 19/00072/VARYCO.

Status: Approval

Reference Number: 21/04875/FUL

Description: New vehicular access to serve four permitted dwellings

Status: Approval

Reference Number: 23/01205/VARYCO

Description: Variation of condition 2 (Approved plans) on approved application 21/04875/FUL in order to substitute access plan.

Status: Approval

Reference Number: 23/01214/VARYCO

Description: Removal of condition 3(Footpath 1 (HDM)) and 4(Footpath 2 (HDM)) on approved application 21/04875/FUL.

Status: Refused

Reference Number: CM/96/D/557

Description: Removal of agricultural occupancy Condition 9 attached to Planning Permission Ref. 90/D/399 and Condition 5 of Planning Permission Ref. 90/D/652

Status: Approval

Appeals

Reference Number: 23/00044/REFUSE

Description: Removal of condition 3(Footpath 1 (HDM)) and 4(Footpath 2 (HDM)) on approved application 21/04875/FUL.

Status: Allowed

4. Consultee Responses

Ulgham Parish Council	<p>The Parish Council wish to object to the removal of conditions 3 and 4 (footpath) pursuant to planning permission 23/01205/VARYCO. The conditions currently in place, we believe mitigate the Highways Report which stated 'Fundamental concern (Refuse/Withdraw): Concerns so significant that no reasonable action is likely to address the concern.</p> <p>Acknowledging that previous appeals which had similarly-worded conditions were approved (APP/P2935/W/20/3255596, APP/P2935/W/23/3324404), it is believed that circumstances have changes since the latest inspection and would appreciate consideration of the following:</p> <p>It has previously been stated that 'pedestrians or other users could briefly pass onto the grass verges on either side of the lane if required', however open ditches have now been dug on the east side of the road to alleviate flooding problems, making it impossible for pedestrian safety or indeed passing cars to use that side of the road, therefore reducing this as a safe option.</p> <p>The verges are uneven, often waterlogged and not an option for cyclist and those using prams, or residents who need access suitable for mobility aids. Putting this in context, the age demographics of our village are 70% over 50 years of age with a third of our population over 70 years old. With the park located nearby, the lack of a footpath provision would result in the mode of travel by foot being unacceptable, particularly for children, and it is considered the quality of walking experience will be lost unless sufficient infrastructure is provided.</p> <p>'The construction is as described 'only four dwellings' which is a small number of units that would not generate significant pedestrian movement along the lane by occupants of the site walking to Ulgham'. Consideration for safety, is not purely for the residents of the new dwellings walking to Ulgham. Visitors to the dwellings are likely to walk along the lane increasing what is already a well used lane by local residents - cyclists, dog walkers, those exercising/walking/running. The lane has no lighting which also impacts safety during darkness. In lightly used streets a minimum unobstructed width for pedestrians should be provided and should generally be 2m.</p> <p>'Moreover, and stated in the first appeal decision there is minimal traffic on this lane and pedestrians can therefore safely walk along it without fear of collision'. We dispute the inspectors observations, as this appears to be only a snapshot in time. This depends on the time of day or season of the year. Commuters regularly use the lane, a route between two primary roads namely the A197 to the south and B1337 to the</p>
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	<p>north. In spring or early autumn there is a large volume of agricultural vehicles, Ulgham Lane is the only access to agricultural land south of the village. The lane has recently been used as a diversion following a recent traffic accident on the B1337, causing considerable disruption. As building work progresses, there will undoubtedly be an increase in large construction vehicles, a footpath will mitigate concerns for safety during development.</p> <p>In summary the parish council are objecting to the removal of conditions 3 and 4 (footpath) on the basis of safety, referring to STP 5 Northumberland Plan where development proposals are safe and priorities pedestrian and cycle movement. In accordance with policy TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework and in the interest of highway safety, we believe inclusion of the footpath conditions mitigates highways concerns and should remain for public safety.</p>
Highways	Abstain from providing a recommendation in recognition of previous appeal decisions.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	3
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

None received

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=SA6Q08QSH1B00>

6. Planning Policy

6.1 Development Plan Policy

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

Policy STP 1 - Spatial strategy (strategic policy)

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

Policy STP 3 - Sustainable development (strategic policy)
Policy STP 4 - Climate change mitigation and adaption (strategic policy)
Policy STP 5 - Health and wellbeing (strategic policy)
Policy STP 7 - Strategic approach to the Green Belt (strategic policy)
Policy STP 8 - Development in the Green Belt (strategic policy)
Policy QOP 1 - Design principles (strategic policy)
Policy QOP 2 - Good design and amenity
Policy TRA 1 – Promoting sustainable connections (strategic policy)
Policy TRA 2 – The effects of development on the transport network

6.2 National Planning Policy

National Planning Policy Framework (2023) (NPPF)
National Planning Practice Guidance (2024) (NPPG)

7. Appraisal

7.1 As the principle of development upon this site has already been established through the granting of the previous planning permission, the main considerations within this application assessment relate to:

- Highway safety and sustainable transport

Highway safety and sustainable transport

7.2 Policy TRA 1 of the NLP states that developments should "*Promote a spatial distribution which creates accessible development, reduces the need to travel by car, and maximises the use of sustainable modes of transport*" as well as "*Promote sustainable transport choices, including supporting, providing and connecting to networks for walking, cycling and public transport*".

Developments should also "*Address the needs of people with disabilities and reduced mobility in relation to all modes of transport*".

7.3 Policy TRA 2 is also relevant within this assessment recognising that developments should "*Minimise conflict between different modes of transport*" and "*Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary*". The NPPF also mirrors the provisions of these policies within part 9 recognising the need to promote sustainable transport. Paragraph 108, part c) outlines that "*opportunities to promote walking, cycling and public transport use are identified and pursued*" in relation to application proposals.

7.4 Consultation was undertaken with the local authority's highways development management team as part of the application assessment. Highway's DM reiterated their previous concerns that a lack of footpath at the application site would not promote sustainable transport and would therefore conflict with policies contained within the Local Plan and NPPF. Nevertheless, were the LPA to refuse this application it is unlikely that PINS stance would change, recognising the previous appeal decision, without substantial evidence or a large increase in traffic or pedestrian trips at the site. As such, HDM abstained from providing a recommendation upon the application.

7.5 The concerns of the Parish Council are recognised and shared by the LPA. Nevertheless, attaching weight to the previous appeal decision, the LPA consider it to be unreasonable to refuse this application and that removal of these conditions has previously been established at appeal, albeit from the full planning application rather than later variation applications. Paragraph 12 of the appeal decision states *“In conclusion, taking all of these considerations together, the absence of a footpath would not result in an unacceptable impact on highway safety. The conditions are therefore not required to ensure that the development accords with Policies TRA 1 and TRA 2 of the Northumberland Local Plan 2022, where they seek to promote sustainable connections, provide effective and safe access and egress, minimise conflict between different modes of transport and facilitate the safe use of the transport network. Furthermore, there would be no conflict with the aims of the Framework set out in paragraphs 110 and 111*. This means that the conditions also do not meet the tests of necessity and reasonableness set out in paragraph 56 of the Framework”* (*paragraphs 114 and 115 following the updated NPPF in December 2023)

7.6 The LPA can therefore in this instance accept the removal of conditions 3 and 4.

Equality Duty

7.7 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

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

Human Rights Act Implications

7.9 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.

7.10 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.

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

8. Conclusion

- 8.1 The local planning authority consider the variation to conflict with the provisions of the Local Plan and National Planning Policy Framework however, the previous appeal decision is a material planning consideration in the assessment of the file. Without substantial evidence or considerable increases in vehicle movements adjacent to the site, it is likely the variation would be allowed at appeal if the applicant pursued this route. There has been no considerable amendments to planning policy since the previous appeal decision.

- 8.2 The application is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of permission ref no. 21/04875/FUL

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans. The approved plans for this development are:-

- 1) Location plan drawing no. 001_01 rev. P1 (received 16th December 2021) (approved under 23/01205/VARYCO)
- 2) Proposed site plan drawing no. 200_01 rev. P9 (received 3rd April 2023) (approved under 23/01205/VARYCO)

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

Date of Report: 8th April 2024

Background Papers: Planning application file(s) 24/00826/VARYCO



Appeal Update Report

Date: May 2024

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?
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>Committee Decision - Officer Recommendation: Approve</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?
23/03037/FUL	<p>Proposed 2no. new dwellings along with new access and parking to serve proposed dwellings along with existing adjacent cottages – land west of 10 West Burton Cottages, West Burton Cottages, Bamburgh</p> <p>Main issues: development in the open countryside in an unsustainable location; harm to the landscape and character of the area; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes</p>	No

	<p>SAC; and lack of information to assess proposed outbuildings.</p> <p>Appeal against non-determination</p>	
23/02794/FUL	<p>Erection of 1 no. dwelling (C3 Use) - Westfield, Cramlington</p> <p>Main issues: fails to positively contribute to and respect the character of the area and the Cramlington Village Conservation Area; and no planning obligation has been completed to secure contributions to the coastal mitigation service or any other satisfactory alternative mitigation.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
23/02200/FUL	<p>Loft conversion of main house with first floor extension to rear and dormer windows to front and side elevations, construction of flat over existing detached garage that will be ancillary to the main residential dwelling and used for this purpose. Garage roof to be converted from flat to pitched. - 238 Western Way, Darras Hall, Ponteland</p> <p>Main issues: front dormer extension would be unduly prominent and poor design; loss of residential amenity; and lack of ecological impact assessment to assess potential risk to protected species.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
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>Delegated Decision - Officer Recommendation: Refuse</p>	No
23/01175/FUL	<p>Demolition of 2no semi detached bungalows and construction of three storey dwelling with garage and associated landscaping – 8-10 Runnymede Road, Darras Hall, Ponteland</p> <p>Main issues: design, siting and scale would create an incongruous, dominant and overbearing building</p>	No

	<p>out of character with its surroundings; detrimental impact on the residential amenity of neighbouring occupants; and loss of protected trees.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
23/02500/FUL	<p>Extension to home office – 1 Low Middle Moor House, Stannington, Morpeth</p> <p>Main issues: would extend beyond the residential curtilage and encroach into open countryside; and inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
23/03360/FUL	<p>Change of use "Waste Land" to garden (C3) - land to rear of 90 Heather Lea, Bebside</p> <p>Main issues: negative visual impact and incongruous intrusion to green space; and adverse impact on the amenity of neighbouring properties.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03426/FUL	<p>Change of use of existing hotel to 12no. residential units with associated internal alterations – Northumberland Hospitality, Coquet Vale Hotel, Station Road, Rothbury</p> <p>Main issues: insufficient information in relation to highway safety, ecological impacts; and lack of financial contribution to education provision and open space provision.</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
22/03027/FUL	Retrospective Application for the Erection of Storage Sheds – Mickley Bank Farm, Stocksfield Main issues: inappropriate development in the open countryside and the Green Belt and no very special circumstances to outweigh the harm.	26 October 2023 Delegated Decision - Officer Recommendation: Refuse
23/03700/FUL	Change of use from 11 bedroom supported living, care and short-term accommodation (use class C2) to 11 bedroom house in multiple occupation – 86 Regent Street, Blyth Main issues: inadequate size of bedrooms resulting in substandard living conditions and detrimental impact upon the amenity of future occupiers; and alterations would result in a high chance of a disproportionate increase in anti-social behaviour undermining quality of life and community cohesion.	12 December 2023 Delegated Decision - Officer Recommendation: Refuse
21/03496/FUL	Proposed new detached dwelling – Westlea Bed and Breakfast, 29 Riverside Road, Alnmouth Main issues: design, scale, massing and loss of burgage plot would not preserve or enhance the character and appearance of the Alnmouth Conservation Area; and detrimental impact on residential amenity.	3 January 2024 Committee Decision - Officer Recommendation: Approve
21/03781/FUL	Change of use and re-development of Shadfen Park Farm agricultural barn, buildings and land to form new multi-purpose	8 January 2024 Delegated

	<p>development – land west of Shadfen Park, Shadfen</p> <p>Main issues: unacceptable development in the open countryside; and inappropriate development in the Green Belt.</p>	<p>Decision - Officer Recommendation: Refuse</p>
23/02008/FUL	<p>Change of use from staff and holiday accommodation to residential dwellinghouse – outbuilding west of Cragside Stables, Park Lane, Bardon Mill</p> <p>Main issues: creation of new dwelling within the open countryside with insufficient justification; and insufficient information has been provided in respect of car parking provision and vehicle movement to demonstrate adequate parking and safe access.</p>	<p>9 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02898/CLEXIS	<p>Certificate of Lawful Development - Existing development: Commencement of planning permission 14/03746/FUL for the creation of 2no. dwellings – land at 23-25 Western Way, Darras Hall, Ponteland</p> <p>Main issues: insufficient evidence to demonstrate that development had commenced before the expiry of the planning permission.</p>	<p>11 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02636/FUL	<p>2 story rear extension with alterations to access and parking to the front – 3 Normandy Terrace, Longhorsley</p> <p>Main issues: design would be an incompatible addition and incongruous with the existing dwelling and terrace; and lack of bat risk assessment to assess potential impacts on protected species.</p>	<p>16 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/03240/FUL	<p>Change of use of stable building to 1no. residential dwelling, with associated access and parking – land east of Horsley Banks Farm, Horsley</p> <p>Main issues: inappropriate development in the Green Belt and open countryside; design is not in keeping with the traditional character of the area and results in a harmful impact on the Horsely Conservation Area and the rural landscape; and lack of useable outdoor</p>	<p>16 January 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	amenity space.	
23/04122/FUL	Siting of 'Timber Living Trailer' - land south of Jubilee Cottages, West Woodburn Main issues: development in the open countryside in a location that is not sustainable or accessible.	17 January 2024 Delegated Decision - Officer Recommendation: Refuse
23/02140/MAST	Notification of Prior Approval for the installation of 5m extension to existing lattice mast to accommodate 3 no replacement antenna, ancillary radio equipment at new support poles, the installation of 1 no GPS Module and x 2no new cabinets at ground level in compound along with ancillary development thereto – T-Mobile Communications Mast, Hebron Hill Main issues: harm to the visual amenity of the open countryside landscape, and negative impacts on protected trees and dwellings in the locality.	22 January 2024 Delegated Decision - Officer Recommendation: Refuse
23/02839/FUL	Proposed rural workers dwelling, consisting of retention and extension to dwelling located on site – land at east of La Luna Farm, Mill Lane, Heugh Main issues: inappropriate development in the Green Belt.	30 January 2024 Committee Decision - Officer Recommendation: Approve
23/03485/FUL	Retrospective: Erection of holiday chalet within curtilage of East Salmon Wells Farm for holiday let use – land north east of East Salmons Well, Salmons Well, Acomb Main issues: poorly accessible and unsustainable location in the open countryside; inappropriate development in the Green Belt; and harmful visual impact on the rural character and appearance of the site, landscape and openness of the Green Belt.	5 February 2024 Delegated Decision - Officer Recommendation: Refuse
22/02619/FUL	Retrospective Change of Use of White Cottage to Serviced Accommodation in Association with the Joiners Arms – White Cottage, The Inn Road, Newton-by-the-Sea Main issues: overdevelopment of the village with consequent impacts upon the tranquillity of the village and the Northumberland Coast National Landscape.	5 February 2024 Committee Decision - Officer Recommendation: Approve
23/03944/FUL	Demolition of existing bungalow and construction of a new bungalow – Saugh House Farm, Belsay	6 February 2024 Delegated

	Main issues: appeal against imposition of conditions 3 (construction method statement), 8 (materials), 9 (windows and door details), 10 (removal of permitted development rights) and 11 (sustainable design / construction measures).	Decision - Officer Recommendation: Approve
23/02284/FUL	Extensions, alteration and subdivision of existing single dwellinghouse to create two dwellinghouses – Houghton Moor, Heddon-on-the-Wall Main issues: additional dwelling in an isolated location in the open countryside; inappropriate development in the Green Belt; inappropriate design that fails to make a positive contribution to local character and distinctiveness; insufficient information to demonstrate the proposals will minimise their impact on great crested newts; fails to demonstrate how proposals will sustain, protect and enhance the setting of the Hadrian's Wall World Heritage Site; and insufficient information to demonstrate the proposals will not result in adverse impacts on highway safety.	6 February 2024 Delegated Decision - Officer Recommendation: Refuse
23/03917/FUL	Timber shed on front garden of the property (retrospective) - 7 Beech Court, Widdrington Station Main issues: obtrusive design and detrimental impact on the visual appearance of the area; and detrimental impact on the amenity of neighbouring residents.	7 February 2024 Delegated Decision - Officer Recommendation: Refuse
23/03362/FUL	Retention and change of use from agricultural workers chalet to holiday chalet – Hillfield, Allendale Road, Hexham Main issues: inappropriate development in the Green Belt; and harmful visual impact on rural character and appearance of the site and surrounding landscape.	12 February 2024 Committee Decision - Officer Recommendation: Refuse
23/02041/FUL	(Retrospective) First floor extension over kitchen to create bathroom – 228 Plessey Road, Blyth Main issues: detrimental impact upon the character and visual appearance of the existing dwelling and visual amenity of the wider local area; and detrimental impact upon the amenity of adjoining residents.	12 February 2024 Delegated Decision - Officer Recommendation: Refuse
23/01863/FUL	Construction of a two bedroom bungalow with associated parking and access – land south of The Shieling, Waynriggs Close,	12 February 2024 Delegated Decision - Officer

	<p>Humshaugh</p> <p>Main issues: overdevelopment of the site and would be out of character with the pattern of development within the immediate surrounding local area; reduction in the amount of outdoor amenity space for the dwelling approved to the south to an unacceptable level; adverse impact on residential amenity; and fails to demonstrate that sufficient car parking can be provided, that a safe and suitable access can be achieved and that it would not adversely impact upon highway safety.</p>	<p>Recommendation: Refuse</p>
23/00583/FUL	<p>Change of use of existing public house (Sui Generis) to provide 3no. residential apartments (Use Class C3) and erection of 4no. dwellings (Use Class C3) to rear, utilising existing access off E Ord Road, with associated parking, hard and soft landscaping – The Salmon Inn, East Ord, Berwick-upon-Tweed</p> <p>Main issues: overdevelopment of the site and a density that would appear out of character with the surrounding area and would cause an unacceptable impact on the street scene; unacceptable loss of public amenity space; and insufficient information in respect to pedestrian crossing to demonstrate there would be no significant impact on the safety of the highway.</p>	<p>14 February 2024 Committee Decision - Officer Recommendation: Approve</p>
23/02325/FUL	<p>Erection of a single new self build holiday let including hardstanding and landscaping – land east of Wintrick Farm, Felton</p> <p>Main issues: unacceptable form of development in the open countryside.</p>	<p>20 February 2024 Delegated Decision - Officer Recommendation: Refuse</p>
22/02845/FUL	<p>Demolition of existing redundant buildings and construction of four residential dwellings, gardens, access road, open space and other ancillary works – land north of 18-24 Acklington Village and former Acklington School, Acklington</p> <p>Main issues: harm to the setting of listed buildings; insufficient information on surface water drainage; and fails to incorporate coastal mitigation measures or financial contribution to such measures.</p>	<p>20 February 2024 Delegated Decision - Officer Recommendation: Refuse</p>
23/04295/FUL	<p>Removal of existing roof and attic floor area, rear conservatory, ground floor side and rear elevation extensions. Reconstruction of</p>	<p>23 February 2024 Delegated</p>

	<p>single storey house to create two storey house with rear two storey rear and side extension, three dormer windows to rear elevation, and rear balcony at first floor level. Addition of central two storey extension with entrance porch at ground level and addition of five skylights to new roof area in front elevation. A small excavated area to the rear to improve vehicle access to the basement garage area – Cottingburn House, 40 Bullers Green, Morpeth</p> <p>Main issues: loss of outlook and amenity for neighbouring property.</p>	<p>Decision - Officer Recommendation: Refuse</p>
23/04096/FUL	<p>Construction of two bedroom detached eco-home (self-build) with free standing solar panels – Hartbank, Hartburn, Morpeth</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; unacceptable design; insufficient information to demonstrate the proposals are acceptable in respect of highway safety; harmful impact in respect of ecology and biodiversity; and harm to setting of listed building.</p>	<p>29 February 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/03790/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: change of use would be undesirable due to impacts upon ancient semi-natural woodland and nearby SSSI therefore proposal is not permitted development; and absence of suitable mitigation to address recreational disturbance to designated sites.</p>	<p>4 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/04157/FUL	<p>Extension of existing property including replacement of existing two storey extension to the side and rear with new pitched roof and part flat roofed two storey extension to the side and rear, including new solar panels to the south and roof lights to the east and west. Replacement of existing single storey flat roof extension to the front with new single storey pitched roof extension with roof light to the west. Replacement of existing windows and doors and formation of new window opening, reroofing, part rendering and general repairs to existing stonework. Replacement of existing garden shed with new garden shed and reconfiguration of existing internal garden wall, landscaping</p>	<p>6 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>and resurfacing of driveway – 22 Cockshaw, Hexham</p> <p>Main issues: scale, design and materials would not be sympathetic to the character of the existing dwelling, street scene and Conservation Area; and harmful impact on the amenity of the neighbouring property due to overbearing impact and loss of light.</p>	
23/03761/FUL	<p>Proposed self build detached dwellinghouse – land south of Border View, Norham</p> <p>Main issues: design, siting and scale would be of poor quality and out of character with its surroundings; and insufficient information to ensure there would be acceptable pedestrian access and for refuse collection.</p>	<p>11 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02821/FUL	<p>Proposed garden room (retrospective) - 8 Broomhouse Steading, Chatton,</p> <p>Main issues: incongruous development out of scale and character with the property and that causes harm to the setting of the Grade II listed farmhouse and farm buildings.</p>	<p>19 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01317/FUL	<p>Proposed 4 bedroom bungalow – land north of 1 and 2 Front Street, Lyneburn Grange, Ellington</p> <p>Main issues: harm to heritage assets; and no contribution secured for the Coastal Mitigation Service.</p>	<p>20 March 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/04359/FUL	<p>Erection of 1 no. self-build dwellinghouse (C3 Use) - 2 Garden Cottage, Cresswell</p> <p>Main issues: poor design with harm to the non-designated heritage asset of Cresswell; insufficient information to fully assess the scale of development; and absence of completed planning obligation to secure a financial contribution to the Coastal Mitigation Service.</p>	<p>3 April 2024</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/03804/VARYCO	<p>Variation of Condition 14 (Occupancy) pursuant to planning permission 12/01313/COU to amend the wording as follows:-</p> <p>'The occupation of the caravan pitches shall be restricted to genuine holiday makers. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times. Details of the alternative occupation of any caravan(s) that may be</p>	<p>11 April 2024</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

	<p>required shall be submitted to and approved in writing by the Local Planning Authority, prior to their first occupation, and shall thereafter be occupied in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.'</p> <p>Morpeth Caravan Park, Longhirst, Morpeth</p> <p>Main issues: the proposal would allow unrestricted residential development within the open countryside and reduce the tourism provision within the locality.</p>	
23/01243/FUL	<p>Develop existing paddock area south of the existing holiday let, to form 4no. plots to contain 4no. two bedroomed lodges/cabins for holiday lets, including on site parking. Residential use for existing holiday let to allow management of the new holiday lets – Hadrians Garden Villa, Bardon Mill, Hexham</p> <p>Main issues: development in the open countryside and not in a sustainable location; insufficient justification for change of use of holiday cottage to permanent residential dwelling; harmful visual impact upon the rural character and appearance of the site and surrounding landscape; and insufficient information to demonstrate safe and adequate parking provision can be achieved.</p>	<p>17 April 2024</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?
21/00080/ENDEVT	Installation of hardcore - land to north of Kiln Cottage, Newton-on-the-Moor	No

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
23/00315/ENFCOU	Material change of use of the land from agricultural use to a storage, distribution (B8) and manufacturing (B2) yard – land north of All Saints Church, Ryal	11 December 2023
20/00504/ENDEVT	Installation of hardstanding for access and 6no. pitches, installation of electricity and water points, installation of a septic tank and erection of building – land north-east of Fieldholme, Embleton	18 December 2023
20/00679/ENDEVT	Erection of brick building – Horsley Banks Farm, Horsley	18 January 2024

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
22/00566/OUT	<p>Outline planning application with all matters reserved except for access, for construction of up to 30no. bungalows for over 55s (Use Class C3) - land west of Furrow Grove, Station Road, Stannington</p> <p>Main issues: residential development in the open countryside; fails to respect the rural,</p>	<p>Hearing – 5 March 2024</p> <p>Delegated Decision - Officer Recommendation:</p>

	<p>dispersed and open character of the site and surrounding area; inappropriate development in the Green Belt; lack of housing needs assessment or evidence to justify 100% specialist housing scheme for older persons in this location; unsustainable location with no services or facilities and access would be reliant on the private car; insufficient information to fully assess hydrology and flood risk; insufficient information to fully assess archaeological impact and mitigation; and lack of completed planning obligations securing specialist housing, affordable housing, open space contribution, healthcare contribution and Coastal Mitigation Service contribution.</p>	Refuse
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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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