

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at Hexham House, Gilesgate, Hexham, Northumberland, NE46 3NH on Tuesday, 12 July 2022 at 4.00 p.m.

PRESENT

Councillor T Cessford
(Chair, in the Chair)

MEMBERS

A Dale
SH Fairless-Aitken
C Horncastle
I Hutchinson
D Kennedy
N Morphet

N Oliver
JR Riddle
A Sharp
G Stewart
HR Waddell

OFFICERS

N Armstrong
G Cowell

T Crowe
D Hunt

C Mead
R Murfin

A Olive
I Stanners
N Turnbull

Principal Planning Officer (West)
Business and Community
Engagement Officer
Solicitor
Neighbourhood Services Area
Manager
Highways Development Manager
Interim Executive Director of
Planning & Local Services,
Regeneration, Commercial &
Economy
Highways Delivery Area Manager
Housing Enabling Officer
Democratic Services Officer

ALSO PRESENT

9 members of the public.

25. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Scott.

Ch.'s Initials.....

26. MINUTES

RESOLVED that the minutes of the meeting of Tynedale Local Area Council held on 14 June 2022, as circulated, be confirmed as a true record and signed by the Chair.

27. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Riddle declared a personal and non-prejudicial interest in agenda item no 6 planning application 21/03415/FUL as he had a very small number of shares in the Auction Mart below the threshold he was required to declare. He confirmed he had written advice from the NCC Legal Service that clarified that this was a non-prejudicial interest

Likewise, Councillor Hutchinson declared a personal and non-prejudicial interest in agenda item no 6 planning application 21/03415/FUL as he had a very small number of shares in the Auction Mart below the threshold he was required to declare.

DEVELOPMENT CONTROL

28. PROCEDURE TO BE FOLLOWED AT MEETINGS

The Chair advised members of the procedure which would be followed at the meeting.

29. DETERMINATION OF PLANNING APPLICATIONS

The committee was requested 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.

RESOLVED that the information be noted.

30. 21/03415/FUL

**Construction of 44no. homes (Use Class C3) and 20no. apartments (Use Class C2) including associated access, landscaping and infrastructure (amended description)
Former Bellingham Auction Mart, Bellingham, Northumberland**

There were no questions arising from the site visit videos which had been circulated prior to the meeting.

The Principal Planning Officer introduced the application with the aid of a powerpoint presentation and reported the following updates:

- A further objection had been received from a resident at Westfield House, which raised concerns in relation to:
 - the proposed Class C2 apartment use on the site;
 - the effect on the character of Bellingham;
 - not enough local people in need of the number of properties proposed;
 - effect on local infrastructure.
- Environmental Protection had initially raised an objection due to insufficient information relating to air source heat pumps (ASHPs). The applicant had since advised that the intention is for ASHPs to only be used on the C3 dwellings, not the apartments, and this would adopt photovoltaic panels with electric panel heaters within the properties. Environmental Protection had subsequently advised that details of ASHPs for the dwellings could be conditioned.
- On the basis of the current layout, and not accepting the Council's position on viability, the applicant had confirmed they would accept the £33,000 financial contribution to progress the application. Whilst this would address the main purpose for recommending refusal reason 4, it should still be included as the Section 106 agreement had not been completed. Reason 4 should also be amended to include reference to affordable housing as one of the obligations that would need to be secured through a S106 agreement.
- Confirmed that the applicants, following discussion with the LPA, had submitted a late amendment to:
 - (1) remove one of the residential units, and
 - (2) allow an increased level of amenity space around the residential block.

The Interim Executive Director of Planning & Local Services, Regeneration, Commercial & Economy commented that the application provided an unusual opportunity to provide a significant number of affordable housing units which benefitted from external funding in a rural location. He also confirmed that the site had remained "fallow" for many years because of site technical issues and consequent viability problems. The scheme proposed therefore represented a viable route to overcome significant problems associated with the site. He also confirmed that the site was allocated for residential development within the Northumberland Local Plan and that the principle of affordable/specialist housing in the location was fully supported. He noted however, that whilst there had been extensive negotiations with the applicant, the application as presented did not fully meet design standards that the Local Plan sought to achieve. He therefore asked Members to determine whether the benefits of the application outweighed the harm, both of which had been outlined.

Mr Cresswell, a director of Maple Oak Living, the applicant, spoke in support of the application. He highlighted the following: -

- The site had a number of complex issues which was why it had remained undeveloped for 18 years. The project provided a unique opportunity to

deliver a scheme which would bring substantial benefits to the local community.

- They had engaged with a wide variety of local stakeholders to establish the best purpose for the site.
- Discussions had also been held with various departments in the Council including adult services and in response to the 2019 Housing Needs Assessment it was evident that there was an under supply of affordable homes in the area and an under supply of housing for older people and adults who needed supported living. There were concerns that vulnerable adults living with elderly parents would need to move away from their support network.
- Frail elderly residents living in remote areas of the parish placed a strain on the local GP practice which would be eased if they could be accommodated within the scheme and closer to the main service hub of Bellingham.
- The housing needs assessment provided evidence that young families needed affordable housing choice in the area.
- They were committed to establishing a local lettings policy for the site in response to concerns expressed that the scheme could favour people from outside the area.
- Approval would help support school numbers for Bellingham Primary School and Bellingham Middle Schools which could be at risk of closure due to falling rolls. The primary school was currently operating at 63% capacity. One of the reasons for falling rolls being no suitable affordable housing for young families within the parish and having no option but to leave the village.
- The engagement had pointed towards the need for an affordable housing scheme that would accommodate young families, provide older person bungalows and housing that vulnerable adults and older people could safely live in.
- Due to the challenges of the site, the economics were finely balanced and unviable without additional funding. They had successfully secured funding from Homes England and Brown Field Grant Funding from North of Tyne Combined Authority. The money needed to be committed otherwise it was at risk of being reallocated. Approval of the planning application was required whilst refusal would put the funding in jeopardy.
- The scheme and infrastructure were sustainable and included provision of electric car charging points for all dwellings, photovoltaics on roofs and low carbon air source heat pumps.
- They had listened to the council's concerns on design and had amended plans and layouts and added some stone facades, within the constraints of viability.
- A further late amendment proposed the removal of one house to provide additional amenity space around the apartment block. If the Council was minded to accept this, they would commit to the changes and make them work within the brown field grant parameters. Any further loss of units would result in the site becoming unviable for development.

In response to questions from Members of the Committee the following information was provided, both by Planning Officers and the NCC Affordable Housing Officer: -

- The NTCA Brownfield Housing Fund approved funding on a scheme-by-scheme basis and would be contingent on planning permission being obtained.
- The role of planning was to secure the best possible design. The viability issues of the site were acknowledged. Positive discussions had been held between the developer and officers from the pre-application stage until the present day with changes and amendments having been agreed progressively.
- Initial proposals for planning use Class C3 dwellings for the apartment block units had been amended to Class C2 use for the provision of residential accommodation and care to people in need of care following discussions with Adult Social Care and a review of the Housing Needs Assessments in 2019 and Homefinder data. Care staff would not be on site all of the time but there would be support via an alert system and daily visits for those residents who required assistance.
- Whilst it may be not likely be possible to fill all of the units with local residents when lettings commenced, the proportion of local people would likely increase with subsequent lettings as units became vacant over time.
- Residents in rural areas were less likely to engage with the Homefinder system. However, the Housing Needs Assessment in 2019 had identified a need for affordable housing in Bellingham. Comparison was made with a similar large affordable housing scheme in Belford, although it had initially commenced with 10 units and had increased over several phases. In this light, the Committee was advised that while Homefinder data reported on expressed demand, it did not capture latent demand in the area fully.
- A mix of housing tenure was proposed including affordable rented, supported living, older persons shared ownership and rent to buy. The approach was considered to be suitable for the site.
- Two phases of development were set out in paragraph 2.7 of the report. The Section 106 agreement would also allow for a change in tenure types if there were a change in the market or difficulty in finding occupants for a particular type.
- There was a risk if the application were refused that the external funding would be reallocated to another scheme as there were challenging delivery targets to be met.
- Amendments to the scheme had been made in relation to density, amenity space and number of parking spaces to reconcile issues of design with the site-based problems. The applicant stated that the loss of any further units would make the scheme unviable.
- Local policies in the Northumberland Local Plan reflected national guidance and the same difficulties had existed during earlier discussions before the plan was adopted. Members could arrive at a different conclusion when weighing the harm from the layout, scale and design of the development against the benefits of developing a challenging

brownfield site with use of external funds and provision of significant affordable housing.

- The requirements for parking provision were lower for Class C2 use than Class C3 use. However, there was insufficient provision for the apartment block which should have 20 spaces and 5 visitor parking spaces as per local policy and the Manual for Streets and impacted on amenity and the long-term quality of the place. (Only 12 spaces had been provided within the courtyard and 6 on grasscrete.)
- The site was allocated for residential development within the Policy HOU 4 of the Northumberland Local Plan and it was therefore expected and had been considered at the Local Plan EIP that development of the site would bring changes to the area and adjacent properties, and that this was acceptable in principle. Issues with flooding had meant that ground levels had needed to be raised at the southern end of the site. House types had been swapped on the eastern boundary to ensure that impacts on existing residents were reduced and new bungalows had been located next to existing bungalows.
- The concerns regarding limited amenity related to future occupants of the development and residents of Maltings Close, particularly in relation to the areas around the apartment block. The block was stepped with the largest block located in the middle and nearest to garages and two-storey dwellings outside the site.
- If the Committee were minded to approve the application with the recently proposed design changes, the agreement of the Chair would be obtained regarding the wording of conditions including a more stringent lettings policy and Section 106 agreement for the financial contribution for affordable housing, open space and healthcare provision.
- Standards regarding open space were set out within the NLP and did not require that play provision be included on site as there were less than 50 Class C3 dwelling units. The policy required that a financial contribution be made via a Section 106 agreement.
- The viability of the site had been evidenced by the developer who had needed to source additional external funding and also demonstrated by the length of time the site had been undeveloped. The site would not be viable if more units were lost to provide open space.
- Rural exception sites were those located outside a settlement boundary and therefore not relevant to this site which was within Bellingham.
- The sustainability of the location had been assessed as part of the NLP examination and approval process.
- It would not be possible to seek additional developer contributions due to the issues regarding the viability of the site. Improvements to connectivity could be achieved through the LCWIP process.
- The Interim Executive Director confirmed that, after hearing all the comments of Committee, that he held the view that the officer recommendation was appropriate and justified, but the matters discussed by members were capable of being material considerations in a decision to approve.

Councillor Dale proposed acceptance of the recommendation to refuse the application for the reasons in the officer's report and inclusion of affordable housing within reason no. 4. This was seconded by Councillor Waddle.

Some of the Members had found the site visit beneficial as it had demonstrated that the site would be suitable for residential development. They expressed their support for the application which would provide a significant amount of affordable housing, a Council priority, particularly in rural areas such as Bellingham. There was concern that the external funding might be lost if approval of the planning application was delayed.

Others highlighted that the apartment block was not a feature replicated elsewhere in the village and were not convinced that the benefits outweighed the harm from the design of the scheme, the impact on open space and amenity to the character of the site and surrounding area, particularly Maltings Close.

Members were in agreement that a stringent lettings policy needed to be adopted, and issues seen at other locations were not replicated. Reference was made to the difficulties parking in Bellingham and frequency and connectivity of public transport.

Upon being put to the vote the results were as follows: -

FOR: 5; AGAINST: 6; ABSTENTION: 1.

The motion failed.

Councilor Oliver proposed that the application be granted, contrary to the officer's recommendation that the application be refused as the benefits of delivering the affordable housing outweighed the harm from the development. If approved, the wording of conditions would need to be delegated to the Director of Planning in consultation with the Chair. This was seconded by Councillor Riddle.

Upon being put to the vote the results were as follows: -

FOR: 5; AGAINST: 5; ABSTENTION: 2.

As this was a tied decision, the Chair exercised his casting vote in favour of the proposal to approve the application and the motion was carried.

RESOLVED that the application be **GRANTED** permission for the reasons stated and that the wording of conditions to be delegated to the Director of Planning in consultation with the Chair, including:

- a) Incorporating the latest amendments to the design and removal of one C3 unit

- b) A condition for a Section 106 agreement for the £33,000 financial contribution to secure affordable housing, open space and healthcare provision.
- c) Details of the phasing, mix of affordable housing tenures, eligibility criteria for local lettings policy to be submitted and agreed in consultation with the local member and parish council.

31. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

Councillor Horncastle left the meeting.

The meeting adjourned at 5.53 p.m. until 6.10 p.m.

LOCAL AREA COUNCIL BUSINESS

32. PUBLIC QUESTION TIME

There were no questions from members of the public.

33. PETITIONS

This item was to:

a) Receive any new petitions:

It was reported that the following new petition had been opened for signatures on the Council's website:

Wentworth Car Park & Hexham Alemouth Road Car Park, Hexham

b) Consider reports on petitions previously received:

There were none to consider.

c) To consider updates on petitions previously considered:

There were none to consider.

34. LOCAL SERVICES UPDATE

Members received the following updates from the Area Managers from Neighbourhood Services and Technical Services:

Neighbourhood Services:

- The service had continued to experience severe staffing challenges in respect of HGV drivers, but with the assistance from colleagues in Highways and other depots, the service had continued with only a few missed collections which emptied on subsequent days. Recruitment was progressing.
- There were 7,200 garden waste customers in the west which was proving challenging when there were large tonnages collected.
- Amenity grass cutting had been impacted by staff assisting with refuse collections however these had been caught up via overtime. 4/5 cuts had been carried out to date with the service on target for 10-13 cuts during the season.
- Weed control was being delivered by a combination of a local contractor and grounds staff. The service was 3-4 weeks behind schedule due to the number of windy days which had prevented weed killer from being applied. Most areas had received a first application. Members were asked to forward any locations which needed another visit.
- Verge cutting was on target for completion by the end of July. Local farmers were engaged to assist with 6.8 million m² of grass verge in the county. Areas would be visited promptly if there were any concerns regarding regrowth at visibility splays. Any safety issues should be reported.
- 105 tonnes of glass had been collected from properties in the Hexham participating in the kerbside glass collection trial. In total 299 tonnes had been collected from across the 4 trial areas between November 2020 to October 2021 and 204 tonnes from November 2021 to date.
- They had worked in conjunction with Town and Parish Councils to ensure that In Bloom and Green Flag routes were well maintained and presented well before judging took place.

Responses to issues raised by Councillors included:

- A food waste trial was scheduled to commence in the Morpeth area in September to gather information on participation and collection amounts prior to it becoming a mandatory service. A hot box composting bin trial would also be commencing in some rural and sparsely populated areas where it would not be technically, economically or environmentally practical to provide a weekly collection.
- The locations of areas of concern regarding the cutting of grass verges should be emailed to the officer to investigate whether there had been regrowth, or the location missed. Verges in the most rural areas were last in the programme and may not yet have been visited.
- Further information on the food waste trial was available in a report considered by the Communities & Place Overview and Scrutiny Committee on 29 June 2022.
- A report on the alternative methods of weed control was being prepared by the Head of Neighbourhood Services and Neighbourhood Services

Divisional Manager. The alternative methods had generally been more expensive and less effective with several more visits being required.

- Vandalism at the bandstand at the Sele had been identified as a priority for the police and community safety colleagues. The damage was being repaired and benches would be replaced when suitable alternatives were sourced.
- An external contractor was responsible for the cutting of the hay meadow at Hexham Middle School.

Technical Services:

- Reactive maintenance following statutory highway inspections and reports from third parties were up to date in the Tynedale area. 98% of actionable defects were repaired in line with the Council's policy. 3,943 actionable defects had been recorded between April and May 2022.
- Work on footways had commenced in Kielder with work also programmed in a number of other locations.
- The gulley tanker continued its routine cleansing programme with a dedicated drainage gang renewing gully pots, cross drains and ditching.
- Discussions were being held by the Construction Manager and Street Works to address concerns of residents regarding the surfacing and pavement works to be carried out during the school summer holiday period in the vicinity of the High School.
- Work at 13 sites was being programmed in to improve U and C roads under the LTP Programme. Provisional dates would be shared with members although were weather dependent.
- Surface dressing work at 9 of 12 sites had been completed within the Tynedale area. This amounted to nearly 135,000m².
- Local safety scheme work was also being carried out at a number of areas including replacement signs and road markings, bollards and tactile repairs.
- Salt supplies were being restocked ahead of the winter period with 28,000 tonnes of salt having been delivered to take the Council to its maximum capacity of 70,000 tonnes. Gritters had been out 'dusting' the roads during recent spells of hot weather.

The following issues were discussed:

- The Council was unable to undertake work at a specified location if a permit for a road closure had been issued to a utility company. Discussions would be held with Street Works regarding delays for NCC work in Riding Mill.
- A damaged / missing roundabout sign on the A68 had been reordered and would be followed up.
- Councillors were invited to arrange a site visit if they wished to discuss issues within their wards.
- Road markings would be renewed around taxi bays in Hexham to deter use by other vehicles at school drop off and pick up times.

It was reported that Hexham Town Council had identified a 20mph speed limit across the town an LTP priority as the current system was confusing. This had been raised with officers.

Several members expressed their gratitude to the officers and their teams for swift response to issues reported.

RESOLVED that the updates be noted.

Councillor Riddle left the meeting at 6.50 p.m.

35. BROADBAND UPDATE

Gill Cowell, Business and Community Engagement Officer, iNorthumberland Programme, was in attendance to give an update and answer questions about broadband and connectivity in the Tynedale area. (A copy of the presentation is enclosed with the signed minutes).

The presentation included information on:

- Current broadband coverage in Tynedale and comparison with Northumberland and national data.
- Expansion of Local Full Fibre Networks using BDUK and NCC funds to act as a catalyst to roll out fibre following installation at public buildings.
- The Openreach Fibre First programme and roll out fibre to additional areas by 2026.
- Delivery of fibre by Altnet suppliers within the next 12-18 months with more locations not yet publicised.
- Project Gigabit provided a subsidy for commercial investment in hard-to-reach parts of the UK that would not be otherwise be viable to help meet the government's target for 85% of UK premises to access gigabit capable broadband by 2025. The closing date for tenders for over 62,000 properties in Northumberland and Durham was 28 July with a decision expected in November 2022. A decision on a smaller Type A lot of around 4,000 properties was expected to be announced in August 2022. A map depicted properties:
 - Green – included within the Type A lot
 - Grey – included within the procurement exercise for Cumbria as served by the Brampton telephone exchange. (A decision was expected in September 2022.)
 - Blue – deferred as potentially being rolled out commercially.
 - Red – included within the initial Type B roll out for Northumberland and Durham.
- Gigabit vouchers had temporarily been frozen during the aforementioned procurement process. The vouchers provided £1,500 for homes and £3,500 for businesses towards the costs of installing gigabit broadband for people experiencing slow broadband speeds in rural areas. NCC had also put in place top up funding to match the Gigabit vouchers to increase the amount available to £3,000 for homes and £7,000 for businesses who

were eligible (i.e. rural designation and current speeds less than 30 Mbps). Alternative methods were to be explored to connect very hard to reach premises.

- The iNorthumberland website pages had recently been revamped and residents were encouraged to input their postcodes to check broadband speeds.
- Officers would be meeting with colleagues in planning regarding gigabit broadband requirements for new developments.

It was noted that rural areas in Northumberland were identified as a priority to improve broadband speeds. Alternative technical solutions would be required for some isolated properties where it would not be practical to dig miles of trenches to lay cables.

Whilst Members were pleased that progress was being made, delivery of the projects in some areas was not expected until 2026, which was frustrating, particularly in areas which did not have a good mobile telephone reception.

It was thought it would be useful if the presentation could also be given parish councils.

The Chair thanked the officer for the useful update and agreed that a copy of the presentation be circulated following the meeting.

RESOLVED that the information be noted.

36. MEMBERS LOCAL IMPROVEMENT SCHEMES – PROGRESS REPORT

The Local Area Council received a progress update on Members' Local Improvement Schemes as at 1 June 2022. (A copy of the report is enclosed with the minutes.)

RESOLVED that the report be noted.

37. LOCAL AREA COUNCIL WORK PROGRAMME

A list of agreed items for future Local Area Council meetings was circulated. (A copy is enclosed with the minutes.)

Members were invited to email any requests to the Chair and / or Democratic Services Officer between meetings.

The following presentations had recently been arranged:

September - North of Tyne Rural Business Growth Service
November – Highways Maintenance

RESOLVED that the work programme be noted.

38. DATE OF NEXT MEETING

The next meeting (planning only) would be held on Tuesday 9 August 2022 at 4.00 p.m.

CHAIR _____

DATE _____