

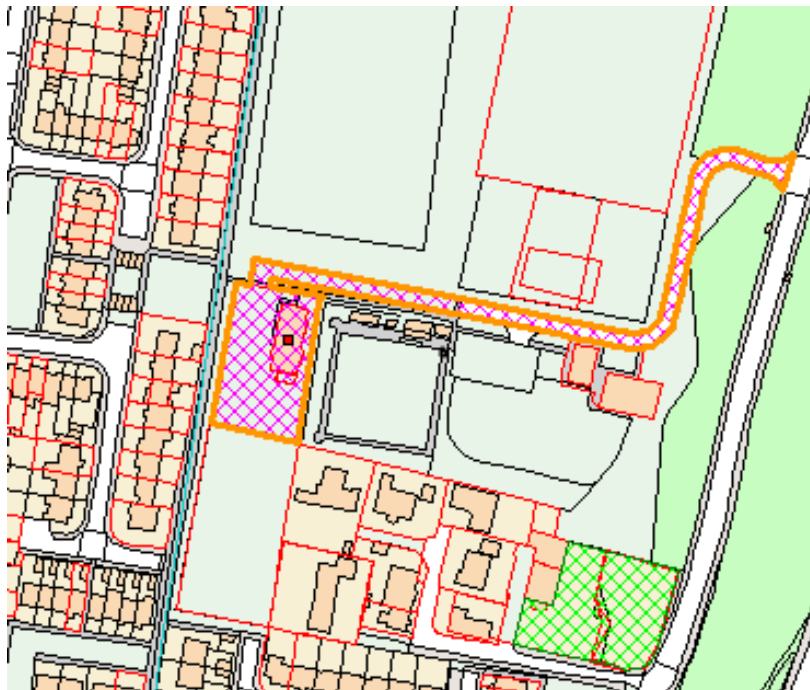


Northumberland County Council

Cramlington, Bedlington and Seaton Valley Local Area Council Committee Meeting 23rd November 2022

Application No:	22/00797/FUL		
Proposal:	Extension to side of existing scout meeting hall to provide improved and safer storage facilities for scout equipment and materials that are currently stored within premises		
Site Address	Scout Hut, Ann Welfare Recreation Ground, Cramlington, Northumberland, NE23 6HR		
Applicant/ Agent	Mr David Bowman 5 Kelfield Grove Cramlington NE23 3QE		
Ward	Cramlington South East	Parish	Cramlington
Valid Date	6 th June 2022	Expiry Date	24 th November 2022
Case Officer Details	Name: Mr Adam Ali Job Title: Planning Officer Email: adam.ali@northumberland.gov.uk		

Recommendation: That Members GRANT planning permission for the proposed development.



1. Introduction

1.1 Following referral to the Director of Planning, the Chair and Vice Chair of the Local Area Council Committee under the current delegation scheme, it was agreed that this application should be considered by Members of Committee.

2. Description of the Proposal

2.1 Planning permission is sought for a side extension to the scouts venue as shown on the plans submitted to the Local Planning Authority. The extension would provide improved storage facilities for the premises.

2.2 The single storey wrap around extension would be approx. 3m in width, max height of just under 3m with an approx 2.5m projection from the rear. The extension would be finished in matching brick.

3. Relevant Planning History

Reference Number: B/09/S/00242/FUL

Description: Storage container at rear

Status: Approved

Reference Number: 09/S/00242/FUL

Description: Storage container to rear of scout headquarters

Status: Approved

Reference Number: 16/02555/FUL

Description: Installation of storage container 20 x 8 at rear of scout headquarters

Status: Approved

Reference Number: B/90/C/242

Description: Scout Group Headquarters (to be used for Scout Group Meetings and activities)

Status: Approved

4. Planning Policy

4.1 Development Plan Policy

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

Policy STP 1 Spatial strategy (Strategic Policy)

Policy HOU8 Residential development in the Open Countryside

Policy QOP 2 Good design and amenity

Policy TRA 2 The effects of development on the transport network

Policy TRA 4 Parking provision in new development

Policy POL 1 Unstable and contaminated land

Policy INF5 Open Space and facilities for Sport and Recreation

Cramlington Neighbourhood Plan (CNP) (2020):

CNP1 The sustainable development of Cramlington

CNP 3 Promoting good quality design in new development

4.2 National Planning Policy

NPPF - National Planning Policy Framework (2021) (As updated)

NPPG - National Planning Practice Guidance (2021) (As updated)

5. Consultee Responses

Cramlington Town Council	No response provided.
Coal Authority	No objection subject to conditions which have been included below.
Public Protection	No comments to make.
Highways Development Management	No objection subject to the imposition of conditions included below.

The above is a summary of the comments. The full written text is available on our website:

<http://publicaccess.northumberland.gov.uk/onlineapplications/applicationDetails.do?activeTab=summary&keyVal=PXKKJWQSJNT00>

<https://www.northumberland.gov.uk/Planning/Planning-and-building.aspx>

6. Public Responses

Neighbour Notification

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

Notices

No Site or Press Notice Required.

Summary of Responses:

None received.

The above is a summary of the comments made. The full written text is available on our website:

<https://www.northumberland.gov.uk/Planning/Planning-and-building.aspx>

7. Appraisal

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan 2016-2036 (adopted March 22) and the Cramlington Neighbourhood Plan (CNP) 2020. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

Principle of the development
Design and visual impact
Residential amenity
Highway Safety
Land stability and contamination

Principle of the development

7.2 The site is located within the recognised settlement boundary of Cramlington. The principle of development is therefore acceptable in that regard in accordance with policies STP 1 of the Local Plan, CNP 1 of the CNP and the NPPF.

7.3 The application site is also designated as protected open space in the Northumberland Local Plan. Policy INF 5 of the Local Plan states:

“Development of ancillary facilities on open space will be supported where:

- a) It would be appropriate in scale and would not detract from the character of the site or surroundings;
- b) It would not have an unacceptable negative impact upon residential amenity;
- c) It would not be detrimental to any other function that the open space performs;
- d) It would contribute positively to the setting and quality of the open space; and
- e) It is necessary to or would facilitate the functioning of the open space.”

7.4 The proposed extension; is appropriate in scale and does not detract from the character of the site or surroundings, does not negatively impact residential amenity, is not detrimental to the function the open space performs, positively contributes to the setting and quality of the open space and is necessary in facilitating the functioning of the open space. The proposal therefore represents an appropriate form of development in protected open space in accordance with policy INF 5 of the Northumberland Local Plan.

7.5 The principle of development has been found to be acceptable in accordance with policies STP 1 and INF 5 of the Northumberland Local Plan, CNP 1 of the CNP and the NPPF.

Design and visual impact

7.6 Policy QOP 2 of the Local Plan states:

“The physical presence and design of the development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development is not oppressive and the best outcomes for outlook are achieved wherever possible.”

7.7 Similar design standards are echoed in policy CNP 3 of the CNP.

7.8 The proposed wrap around single storey extension is considered subordinate to the existing building and the extension would be finished in materials to match the existing building. The proposal would cause no adverse harm to the character and appearance of the subject site or surrounding area and as such the proposal is considered acceptable on design and visual amenity grounds in accordance with policies QOP 2 of the Local Plan, CNP 1 and 3 of the CNP and the NPPF.

Residential amenity

7.9 Policy QOP 2 states:

“Development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area.”

7.10 The proposal has been assessed and it is considered that the proposal would cause no adverse harm to residential amenity or the amenity of neighbouring land users. The proposal is therefore considered acceptable on amenity grounds in accordance with policies QOP 2 of the Local Plan, CNP 1 of the CNP and the NPPF.

Highways safety

7.11 The Council’s Highways Development Management Team was consulted on the proposal and following the submission of requested further information they stated that they had no objection subject to the inclusion of conditions which have been included below. The proposal is therefore considered to be acceptable on highway safety grounds in accordance with policy TRA 2 of the Local Plan, the CNP and the NPPF.

Land Contamination

7.12 Policy POL 1 of the Local Plan states:

“Development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts.”

7.13 The Coal Authority was consulted on the proposal and they stated they had no objection to the proposal subject to conditions which have been included below. With the inclusion of conditions the proposal is considered acceptable on land contamination and stability grounds in accordance with policy POL 1 of the Local Plan and the NPPF.

7.14 The Council's Public Protection team was consulted on the proposal and they stated they had no comments to make on public protection matters. The proposal is therefore considered to be acceptable on such matters.

Other Matters

Equality Duty:

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

Crime and Disorder Act Implications:

The proposal has no implications in relation to crime and disorder.

Human Rights Act Implications:

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

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and

public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Recommendation

That members GRANT planning permission subject to the following:

Conditions/Reasons:

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

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

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

1. Drawing numbered: 21276, titled: Existing (received: 6th June 2022)
2. Drawing numbered: 21276, titled: Proposed (received: 2nd March 2022)
3. Drawing numbered: 21276, titled: Location Plans (received: 6th March 2022)
4. Design and access statement (received: 2nd March 2022)
5. Coal Mining Risk Assessment (received: 31st May 2022)

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

03. No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the safety and stability of the development, in accordance with the National Planning Policy Framework.

04. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the

approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the development, in accordance with the National Planning Policy Framework.

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

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

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

06. The proposed extension shall not be brought into use until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the proposed extension is brought into use. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

Informatives

1. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

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

Planning Application ref no: 22/00797/FUL

Report compiled: 09.11.2022