



Northumberland

County Council

COMMITTEE : CASTLE MORPETH LOCAL AREA COUNCIL

DATE: 15TH MAY 2023

UPDATE ON PETITION AGAINST ON-GOING PLANNING ISSUES AND ENVIRONMENTAL DESTRUCTION ON LAND TO THE SOUTH OF ST MARY'S PARK, STANNINGTON

Purpose of report Members will recall a report being brought to the Castle Morpeth Committee on 10th October 2022 in respect of a petition that had been received from residents of St Mary's Park, Stannington. The petition was in respect of on-going planning issues within the site. This reports outlines an update of progress since October.

Recommendations

That Members determine the appropriate action to take in respect of progress at St Mary's following the submission of the petition which can include:

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

Link to Corporate Plan

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

- 'how' - The Council faces tough decisions that will not be universally popular. These are not taken lightly and the council pledges to listen and consider views
- 'enjoying' - the Council wants to protect and improve quality places, but also make sure that the places where people live, work and play continue to evolve and grow whilst retaining and deepening their appeal.

Key issues

- The residents of St Mary's Park have submitted a petition raising a series of concerns pertaining to on-going outstanding planning matters on land to the south of the site. The residents feel that nothing has been done by Bellway Homes or Northumberland County Council to rectify matters. The petition contains 311 names.

- A planning application was submitted in 2006 by Bellway Homes for the erection of 172 residential units (66 by conversion / 106 new build) 53,000 sq ft (approx) of commercial development, associated landscaping including restoration of registered gardens and - 2 - associated highway access improvements off and on site, and granted planning permission in 2007. Since then, a number of subsequent applications for reserved matters or variations to the scheme have also submitted and approved.
- A number of planning applications have since been submitted in respect of St Mary's Park since its original approval, however, in summary, the residents consider that planning condition no. 16 of application 13/03761/VARYCO has not been fulfilled. Application 13/03761/VARYCO was to vary condition 2 (approved plans) of planning approval 11/02980/FUL. Condition no.16 of 13/03761/VARYCO reads as follows:
 - *No development shall commence until the applicant has submitted a detailed landscape and planting plan to include the planting of locally native trees, shrubs, grasses and wildflowers of local provenance, re-design of SUDS pond, translocation of soils and sward, timing, methods of working, ploughing, cultivation spreading and aftercare by means of a whole site Habitat Management Plan with all works in compliance with Environment Agency Pollution Prevention Guidance Notes 01, 05, 06 and 21 to be agreed in writing with the Local Planning Authority and to be fully implemented during the first full planting season (November to March inclusive) following the commencement of development.*
 - *Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.*
- The residents feel this condition was set to alleviate the environmental disturbance from across the development and provide an area of open access to residents. Instead, they believe it has been closed off and used to illegally dump construction waste and allowed to grow over. A discharge of conditions planning application has now been submitted to effectively remove the footpaths and gated access available to the public, which the residents believe needs to be immediately blocked/ refused. The application is still under consideration.
- The residents are also concerned that the approved intentions for the recreational field/pavilion to the south of the estate have also not been met. The pavilion was intended to be rebuilt and this has not happened, nor has the recreational area been developed.
- The residents state that construction waste remains on both areas, which contravenes both the planning permission and the recommendations of the Local Government Ombudsman following a complaint.
- The Council takes the matters raised very seriously. This report outlines how decisions are currently made and why, and where relevant identifies some matters which we will look to pursue to improve and refine the planning decision-making process.

Background

1. St Mary's Park is located on the former St Mary's Hospital site in Stannington, Morpeth, which closed in 1996. The site lies 3km to the north west of the village of Stannington and 5km south west of Morpeth.

2. To the immediate north of the site boundary the land is rural in nature with facilities such as the Gubeon Plantation and the Whitehouse Farm Centre. To the east lies further rural fields with the A1 north/south connection beyond. The south and west are also rural in nature. A road at the south east corner of the site leads to Stannington Village.

3. The development is now fully complete and occupied.

4. The reason for the petition from the residents of the estate relates to 2no planning conditions. These are condition no. 10 of application CM/20060893 which has been discharged, however, the site has not been developed in accordance with that condition, and condition no.16 of application 11/02980/FUL (listed above), which has not been discharged

5. For ease of reference, condition no.10 is shown below: No development shall take place until a scheme for the restoration and/or provision of playing fields and associated facilities, and their availability to the community has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of the current playing field quality and measures to improve it, details of the refurbishment or replacement of the pavilion and details of a management plan to ensure use of the facilities by the community. Development shall take place in accordance with the approved plans. Reason: In the interests of retaining and improving sports facilities and their accessibility to the community.

6. In preparing this report these cases have been reviewed in respect of the issues raised in the petition. However, this report does not seek to go over the details of each case. The Planning Officer's report relating to application CM/20060893 accounts for the considerations which informed the planning decision, details of which are publicly available via the Council's public access website. Instead, this report focusses on the actions the petitioners request that the Council address. The following takes each of the suggested action points in turn and sets out the Council's response.

UPDATE SINCE PETITION

7. The Petition expressed dissatisfaction at the lack of action taken by Northumberland County Council on Bellway following their lack of adherence to the approved planning permission for St Mary's Park.

8. The Council acknowledged that not all conditions attached to the aforementioned planning permissions had been fully adhered to, specifically conditions 10 of application CM/20060893 and 16 of application 11/02980/FUL. It is the responsibility of the developer, in this case Bellway Homes, to ensure all conditions are complied with. Any shortfall of that can result in the County Council pursuing enforcement action.

9. Since October, officers of the Planning Department have walked St Mary's site with Bellway officers on two separate occasions. The first visit was to understand in more detail the extent of the issues and the second was to observe the subsequent improvements and progress made.

10. The first meeting confirmed that no progress had been made in developing the playing pitches and there was no evidence of any planting or landscaping on the land to the south of the estate. There was evidence of building rubble and broken bricks scattered around

the grassed areas and the viewing mounds did not reflect what had been granted planning permission. With regards to the pavilion that the residents have wanted to see reinstated, Bellway were advised that the originally suggested £25k towards other sports provision for the site in lieu of the pavilion was insufficient.

11. To address these matters, Bellway have since submitted two fresh planning applications that are currently under consideration and are intended to be brought to Members of the Castle Morpeth Committee in June 2023. The first application is a variation of application CM/20060893, which seeks to remove condition no.10 (listed earlier in the report). In doing this, it will allow a new scheme for the restoration and/or provision of the playing fields. In tandem with this, a separate application has been submitted for the provision of the playing field, including pitch drainage, and landscaping of viewing mounds. Discussion also took place around the maintenance of a hedgerow/trees situated alongside a track leading to the sports field. Bellway have since confirmed that this area was contained within the overall approved landscape management plan for the site. Once the pitch is completed, the area (the pitch, woodland and hedgerows) will be transferred to the management company for their maintenance in accordance with the management plan. The two applications are therefore being considered together.

12. In respect of the £25k financial contribution towards other sports provision, Bellway have been asked to consider a more substantial contribution to realistically cover the expected costs of alternative provision. Bellway have agreed to this and the final sum, once agreed, will be relayed to Members at the June committee meeting.

13. In addition the developer has employed a contractor to implement Condition no.16 13/03761/VARYCO, the detailed landscape and planting plan. Work has been ongoing through the winter months and it was clear to officers during the second walk over the site that there have been marked improvements since the first visit with circa 2,000 trees having been planted and landscaping underway. In addition scattered rubble and bricks have been removed as the land is being prepared to be grassed over. Once the grass has been established mown footways will be cut through to provide walkways and accessibility throughout this area.

In summary

14. It is considered that Bellway are taking appropriate measures to remedy the issues at St Mary's that have significantly impacted the site for a number of years to the detriment of its residents. What was granted planning permission and what residents were reasonably expected to enjoy within St Mary's has not been delivered. Notwithstanding this, with the two planning applications currently under consideration to address all of the matters discussed within this report, St Mary's will see significant improvements to the site.

Recommendation:

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

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