

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held at Meeting Room 1, Berwick Leisure Centre, Tweedmouth, TD15 2AS on Thursday, 18 May 2023 at 2.00 pm.

PRESENT

G Castle (Chair) (in the Chair)

MEMBERS

T Thorne
J Watson
I Hunter

G Hill
C Hardy
M Swinbank

OFFICERS

J Blenkinsopp
H Booker

V Cartmell
B Hodgson
R Kain
D Love
B Macfarlane
R Murfin
G Park
G Plaice
J Sharp
N Leadbeatter

Solicitor
Principal Highways Development
Management Officer
Planning Area Manager
Neighbourhood Services Area Manager
Built Heritage and Design Officer
Senior Planning Officer
Planning Officer
Director of Housing & Planning
Environmental Health Officer
Senior Environmental Health Officer
Senior Planning Officer
Housing Enabling Officer

Around 20 members of the press and public were present.

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154 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bridgett, Clark, Mather, Pattison, Renner-Thompson, and Seymour.

155 **MINUTES**

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 20 April 2023, as circulated, were confirmed as a true record, and were signed by the Chair.

156 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Hill stated that had a personal but non-prejudicial interest in planning items 22/03112/FUL and 21/04453/FUL. Councillor Hill also advised that she had a personal and prejudicial interest in planning applications 22/03726/FUL and 22/03727/LBC and would leave the room while the applications were discussed and voted upon.

Councillor Hardy declared that he had a personal and prejudicial interest in planning application 22/03112/FUL and would leave the room while the item was discussed and voted upon.

Councillor Swinbank stated that he had a personal but non-prejudicial interest in planning application 21/04453/FUL.

Councillor Watson stated that while he was the Portfolio Holder for “Promoting Healthy Lives” he did not have any declaration of interest on applications 22/03726/FUL and 22/03727/LBC

Councillor Hardy, Vice-Chair (Planning) in the Chair.

157 **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.

Councillor Hardy explained that the agenda items would be moved to discuss planning application 21/04453/FUL before planning application 22/03112/FUL to allow planning officers to leave the meeting.

RESOLVED that this was noted.

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158 **22/03726/FUL**

Temporary conversion of the Mobilisation Store to provide a 96-seat, cinema facility, including the sitting of a temporary toilet block adjacent to the building.

Berwick Barracks, Parade, Berwick-Upon-Tweed, Northumberland, TD15 1DF

J. Sharp – Senior Planning Officer, introduced the application to members with the aid of a PowerPoint presentation, it was noted that there would be a single presentation for both applications 22/03726/FUL and 22/03727/LBC, with a separate proposal, debate and vote for each application and public speakers were allowed 5 minutes to speak on 22/03726/FUL and 22/03727/LBC but given there was one presentation, public speakers were allowed to use the two 5 minute slots together as a 10 minute speaking slot for both applications.

The following updates were noted by committee members:

- Condition 18 in the report had been removed.
- Condition 19 in the report had been amended to read “The development shall not be brought into use until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles for the duration of when the building is in use.”
- Condition 21 was to be retained.
- Condition 25 was to be retained.
- Condition 10 in the report had been amended to read “Prior to the scheme being brought into use the applicant shall employ a competent acoustic consultant to assess the level of cinema noise emissions from the development at the boundary of the nearest noise sensitive receptors and the applicant shall submit a report based on the consultant's findings to the Local Planning Authority for written approval.
The assessment shall confirm that a noise source of 85dB LAeq within the cinema shall meet the predicted noise level of 27dB LAeq at the boundary to the garden area of the nearest noise residential receptor.
Where the A-weighted noise from a cinema soundtrack can be measured above the A-weighted ambient noise level at the Nearest Noise Sensitive Receptor, then appropriate mitigation measures shall be agreed and implemented in full within a timescale approved in writing by the Local Planning Authority.”
- There was an error in the report on paragraph 7.31 and it should have read “Policy ENV 9 requires that within a Conservation Area, it will be ensured that development enhances and reinforces the local distinctiveness of the conservation area, and respects existing architectural and historic character and cultural associations. If harm is identified as being "less than substantial" this will be weighed against any public benefit.
- There had been a late objection which was circulated to members prior to the meeting, the objection included impact on residential amenity, noise, and impact on a heritage asset.

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J. Montgomery and I. Madeley spoke in objection to the application and gave the committee the following information:

- Berwick Barracks were a unique heritage to the town.
- The Barracks may have been a convenient location, but it was a poor choice.
- The application should be refused.
- Residents would be blighted by the cinema and disagreed that it was a temporary arrangement.
- Three screenings a day over seven days was not temporary.
- Ravensdowne was a tranquil street with little vehicular or pedestrian traffic.
- The application was not a sufficient distance from the listed houses.
- The application would change the character of the conservation area.
- The application did not follow industry guidelines for acoustic data and would be impossible for soundproof.
- Residents requested that members should visit the application site.

G. Davies spoke on behalf of Berwick Town Council and gave the committee the following information:

- There were four iterations of the Town Council's views on the application in the report, which shows the attention Berwick Town Council have given the application and responded to the concerns expressed.
- Berwick Barracks were an important asset in the cultural life of the town centre, as the focus of events such as the visiting pipe bands and the Berwick Slow Food festival.
- The proposed use of the site was compatible in the view of the Town Council with the existing uses of the site.
- The application site and wider area was a typical busy mixed environment on the edge of town
- The Town Council noted the proposed conditions and informatives and felt that they had addressed the concerns that the Town Council had.
- Berwick Town Council were in support of the application.

P. Mawer spoke in support of the application and gave the committee the following information:

- The application was a key step in the regeneration of Berwick Upon Tweed.
- The Maltings Theatre would be closed in 2024 for refurbishment and open again in 2026, the Barracks site would be used during that time for the provision of arts.
- When the new Maltings building would open in 2026, the Berwick Archives would be transferred into the Berwick Barracks building.
- The application was a crucial step as a living and cultural hub and would redevelop the Berwick Barracks.

A. Mowbray also spoke in support of the application and gave the committee the following information:

- The application had well developed construction details.

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- The site would have regular visits from the quality Manager.
- Parking access through Ravensdowne would be restricted except pre-booked accessible parking for blue-badge holders.
- Noise would be minimised.

Following members questions to the planning officer, the following information was provided:

- The planning permission would be temporary for three years.
- The cinema noise outside was predicted to be 9dBs lower than the ambient noise level.
- There would be a car parking management structure to minimise residential impact.
- The predicted noise impact falls within ambient noise thresholds.
- There would be follow up tests to ensure noise levels remain within thresholds and the suitability design was recommended to be subject to a Condition requiring real-world monitoring and further change if required.
- Members were able to add a condition to resolve any acoustic inconsistencies.

Councillor Thorne proposed to accept the officer's recommendation to grant the application subject to the conditions in the report and as updated above with an additional condition to resolve any acoustic inconsistencies with the exact wording of the condition to be delegated to the Director of Planning in consultation with the Chair of Planning. This was seconded by Councillor Castle.

Councillor Watson supported the proposal stating that it was the right spot for the application and was a good value for money for the residents, with the noise issues addressed and an adequate car parking scheme. This was agreed by Councillor Hardy stating that while he had sympathy for the local residents, it was for the betterment of the town.

A vote was taken, and it was unanimously

RESOLVED that the application was **GRANTED** subject to the conditions in the report and as updated above and an additional condition to resolve any acoustic inconsistencies with the exact wording of the condition to be delegated to the Director of Planning in consultation with the Chair of Planning.

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22/03727/LBC

Listed Building Consent: Temporary conversion of the Mobilisation Store to provide a 96-seat, cinema facility, including the sitting of a temporary toilet block adjacent to the building, Berwick Barracks, Parade, Berwick-Upon-Tweed, Northumberland, TD15 1DF

Councillor Thorne proposed to accept the officer's recommendation to grant the application subject to conditions, this was seconded by Councillor Castle.

A vote was taken, and it was unanimously

RESOLVED that the application was **GRANTED** in line with the conditions set out

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in the report.

Councillor Hill returned to the meeting at this point.

160 **22/03112/FUL**

Development of 58no. affordable dwellings with associated infrastructure and drainage (amended description).

Land at Seton Hall, Ord Road, Tweedmouth, Berwick-Upon-Tweed, Northumberland, TD15 2UT

D. Love - Senior Planning Officer, introduced the application with the aid of a PowerPoint presentation. The following update was noted by members:

- The recommendations in the report should have referred to 100% affordable housing and should have read “That this application be GRANTED permission subject to the following conditions and a s106 agreement to secure the contribution of £35,670 towards Coastal Mitigation Service (CMS) and to secure 100% of the housing as affordable in perpetuity.”
- An additional planning condition on the retention of boundary vegetation, to agree the exact locations of noise mitigation fencing, maintenance and enhance the existing boundary treatments, with the exact wording to be delegated to the planning officer.
- A clarification that rented properties were identified as needed and that affordable rented were considered more appropriate than private rented.

T. Stewart spoke in objection to the application and gave the committee the following information:

- The application was the wrong scheme for the land.
- There was no dispute that Berwick needed more affordable housing.
- The site would be isolated from the other housing and the existing community in Tweedmouth.
- Concerns about the smell from the nearby sewage works.
- The access into the site was around a blind bend.
- The site was adjacent to the East Coast Mainline and was part of the existing industrial area.
- The trees on the site would not be maintained, 28 mature trees would be removed leaving one still on the site.

G. Davies spoke on behalf of Berwick Town council and gave the following information to the members:

- There had been no playpark equipment in Five Arches Park since 2017, the playpark could be reinstated but the Town Council did not have a budget for the provision of new play equipment.
- Berwick Town Council occupied two plots of land within the Five Arches Park and the allotments to the northwest of the application site. The Town Council had not been consulted as to whether the proposed acoustic fencing would overshadow the allotments.
- Questioned how Condition 20 would be enforced.
- The Town Council did not feel that their concerns had been fully addressed.

A. Willis spoke in support of the application and gave the committee the following Ch.'s Initials.....

information:

- The site was previously developed upon.
- The site was a brownfield site.
- There had been a reduction from the 61 affordable homes originally proposed.
- The application was well planned and attractive.
- The application included energy efficient proposed homes.
- There was an urgent need for affordable housing in Berwick.
- The scheme was on a sustainable and accessible site.

Following questions from members to the planning officer, the following information was provided:

- The transport statements had been fully assessed, including a road safety audit which would be monitored by Highways.
- The applicant had submitted a viability assessment confirming that they would be unable to contribute any monies towards education, open space and healthcare and would only be able to pay the non-negotiable s106 Coastal Mitigation monies.
- There was a demand for affordable rented properties in Berwick.
- The properties would remain affordable homes in perpetuity.
- There would be noise mitigation schemes in place.
- There would be 15 bedrooms out of 58 plots which would require additional noise ventilation.
- No noise mitigation measures were unique to the site and were not unusual measures.
- North of Tyne and NCC would be contributing monies towards the scheme, contingent on receiving planning permission.
- There was a net gain of biodiversity on the site with hedgerow infilling and completing.
- Black boxes would be placed throughout the application site for bat habitat.
- The trees in Five Arches Park were subject to tree protection measures to ensure that they do not get damaged.

Councillor Hill proposed to accept the officer's recommendation to grant the application subject to the conditions outlined in the report and a s106 agreement to secure contribution of £35,670 towards Coastal Mitigation Service (CMS) and to secure 100% of the housing as affordable in perpetuity, and an additional planning condition on the retention of boundary vegetation, to agree the exact locations of noise mitigation fencing, maintenance and enhance the existing boundary treatments, with the exact wording to be delegated to the Planning Officer, stating that the application was welcome and was very needed in Berwick. This was seconded by Councillor Hunter.

Councillor Thorne expressed that while he would have loved to support the scheme, he felt like it was in the wrong place on such a green site and was disappointed that no monies were to go into the amenity of the surrounding areas such as a new play park in Five Arches Park.

Councillor Castle, Hardy, Watson, and Hunter disagreed and noted that while they had listened to the objectors, Berwick was in desperate need for affordable housing and would be supporting the application.

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A vote was taken as follows: FOR; 4, AGAINST; 2, ABSTAIN; 0

RESOLVED that the application was **GRANTED** subject to the conditions outlined in the report and a s106 agreement to secure contribution of £35,670 towards Coastal Mitigation Service (CMS) and to secure 100% of the housing as affordable in perpetuity, and an additional planning condition on the retention of boundary vegetation, to agree the exact locations of noise mitigation fencing, maintenance and enhance the existing boundary treatments, with the exact wording to be delegated to the Planning Officer.

A comfort break was announced.

*Councillor Hardy left the meeting.
Councillor Castle in the Chair.*

161 **21/04453/FUL**

Retrospective: Installation of Air Handling Unit with supermarket service yard. (Note: the AHU has been re-programmed to not operate between 22:00 and 07:00 hours unless the internal temperature in the store drops below 10 degrees which will only occur under exceptional winter circumstances) Asda, Main Street, Tweedmouth, Berwick Upon Tweed, Northumberland, TD15 2DS

B. MacFarlane – Planning Officer, introduced the application with the aid of a PowerPoint Presentation.

I. Cordingley spoke in objection of the application and gave the committee the following information:

- The AHU was originally in a plant room inside the store.
- From their bedroom and living room windows, the AHU was visible and during the night it was reading as 90dBs.
- The AHU was reprogrammed to not operate from 22:00-07:00 unless the internal temperature of the store fell below 10 degrees, but there was no assurance that it would not kick in to cool the store if the internal temperature rose to 30 degrees.

G. Dodds also spoke in objection of the application and gave the committee the following information:

- Nothing had changed from the last meeting and the AHU was still noisy.

Following questions from members to the planning officers, the following information was provided:

- The AHU had not operated in the past six months overnight except when a fault occurred.
- The temperature inside the store was set between 18-20 degrees and it was highly unlikely that the internal temperature of the store would reach 30 degrees.
- ASDA had employed an acoustical assessment officer, the officer had to follow a code of conduct and a code of ethics, and it was not in their interest

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- to falsify information.
- 90dBs would be the level of sound which would be found in a nightclub.

Councillor Hill proposed to refuse the application stating that the noise issue had not been dealt with, it was not seconded, and the motion failed.

Councillor Watson proposed to accept the officer's recommendation to grant the application subject to conditions with Councillor Thorne seconding the motion.

A vote was taken as follows: FOR;5, AGAINST; 1, ABSTAIN; 0

RESOLVED that the application was **GRANTED** in line with the conditions set out in the report.

*Councillor Hardy returned to the meeting at this point.
Councillor Hardy in the Chair.*

162 **SUSPENSION OF STANDING ORDERS**

As the meeting approached the 3-hour limit Members were asked if they wished to suspend standing orders in order to continue the meeting. Upon being put to the vote it was:

RESOLVED that in accordance with the Council's constitution, standing orders be suspended and the meeting continue over the 3-hour limit.

163 **20/03697/FUL**

**Extension and conversion to provide 18No additional hotel rooms and improved pub/restaurant facilities.
Bamburgh Castle Inn, Seafield Road, Seahouses, NE68 7SQ**

D. Love – Senior Planning Officer, introduced the planning application with the aid of a PowerPoint presentation. The following update was provided to members:

- An update on the recommendation in the report to read the same as the title page. The recommendation should have read "That this application be GRANTED, subject to conditions and a legal agreement in relation to a Coastal Mitigation Service Contribution of £5,166.

G. Renner-Thompson had registered to speak as the Local Member and submitted a speech to be read out by an officer at the meeting, in accordance with the Public Speaking Protocol. The committee were given the following information:

- The issues surrounding the application remained the same as they did in August 2021.
- The North Northumberland Coast Neighbourhood Plan was passed by referendum in 2018. The Plan covered the three coastal Parishes of North Sunderland, Bamburgh and Beadnell.
- Policy 8 of the Neighbourhood Plan stated development within the settlement boundary would be supported only if "sufficient car parking space is provided within the curtilage of the proposed development to ensure no

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additional on-street parking on nearby streets”

- The neighbouring estate to the hotel often had its entrance and estate roads blocked by inconsiderate parking on both sides of its narrow roads.
- The Highways Development Team considered that nearby car parks were sufficient to cater for any excess parking that may overflow from the proposal however the Neighbourhood Plan specifically states that car parking spaces must be provided within the curtilage of the site.
- The nearby car parks were Pay and Display and were often at capacity. The car parks were there for day visitors and locals to come in and support the village, not for overnight parking.
- When car parks were full, the overflow would spread into residential streets.
- The needs of tourism must be balanced with the needs of the local people.

Councillor Thorne proposed to accept the officer’s recommendation to grant the application subject to conditions, this was seconded by Councillor Castle.

A vote was taken as follows: FOR;6, AGAINST; 1, ABSTAIN; 0

RESOLVED that the application was **GRANTED** in line with the conditions set out in the report.

164 **APPEALS UPDATE**

RESOLVED that this was noted.

A comfort break was announced to allow officers to change over.

165 **PUBLIC QUESTION TIME**

No questions had been received.

166 **PETITIONS**

- (a) No new petitions had been received.
- (b) There were no petition reports for members to discuss.
- (c) No updates on previous petitions.

Councillor Thorne left the meeting.

167 **LOCAL SERVICES ISSUES**

Highways

G. Bucknall – Highways Delivery Area Manager had provided a written update on highways which had been circulated prior to the meeting.

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Local Services

B. Hodgson – Neighbourhood Services Area Manager, provided an update to members.

Waste Collections

Residual and Recycling waste collection services had continued to perform well. The team were in the final stages of completing a detailed review of all kerbside collection rounds.

Demand for the bulky waste service remained high however performance was good, and the service was being constantly monitored and booking slots adjusted accordingly.

The garden waste service had commenced for the year and was also performing well.

Grass Cutting

Grass cutting started in late March/early April, and the team had commenced cut three of the seasons. The wet weather at the start of the season had been challenging for the teams however they plan to recover during May.

Weed Control

Weed spraying was taking place in the area with the spraying of obstacles under way also, with blue dye added to solution.

Verge Cutting

Verge cutting works would take two months, running through June and July with the schedule remaining unchanged from the previous year.

There was 6.8 million sq. metres of verge to cut in the county, with the teams engaging local farmers to assist with the significant workload.

Members thanked Bob and the Local Services team for their continued hard work.

RESOLVED that this was noted.

168 **DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Council was scheduled for Thursday, 20 April 2023 at St James URC, Pottergate, Alnwick, NE66 1JW

RESOLVED that this was noted.

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CHAIR.....

DATE.....

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