

## NORTHUMBERLAND COUNTY COUNCIL

### STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Council Chamber - County Hall on Tuesday, 6 June 2023 at 2.00 pm.

#### PRESENT

T Thorne (Chair) (in the Chair)

#### MEMBERS

C Ball  
G Hill  
J Lang  
G Renner-Thompson  
G Stewart  
A Wallace

R Dodd  
JI Hutchinson  
J Reid  
M Robinson  
M Swinbank

#### OTHER COUNCILLORS

D Towns

Ward Member

#### OFFICERS

J Blenkinsopp  
G Halliday  
L Little  
D Love  
R Murfin  
M Patrick  
K Tipple

Solicitor  
Consultant Planner  
Senior Democratic Services Officer  
Senior Planning Officer  
Director of Housing & Planning  
Highways Development Manager  
Senior Planner

Around 2 members of the press and public were present.

#### 1 MEMBERSHIP AND TERMS OF REFERENCE

**RESOLVED** that the Membership and Terms of Reference for the Strategic Planning Committee as agreed by Council at their meeting on 17 May 2023 be noted.

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## 2 PROCEDURE AT PLANNING COMMITTEES

The Chair outlined the procedure to be followed at the meeting.

**RESOLVED** that the information be noted.

## 3 APOLOGIES FOR ABSENCE

Apologies had been received from Councillors Darwin, Flux, Foster and Watson.

## 4 MINUTES OF PREVIOUS MEETINGS

**RESOLVED** that the Minutes of the Strategic Planning Committee held on 7 February 2023, as circulated, were agreed as a true record and were signed by the Chair.

## 5 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.

## 6 22/02869/FUL

**Hybrid application - Full application - distribution of primary aggregates on site via railhead and distribution out by road, recycling plan for inert construction/demolition waste to secondary aggregates/soil materials; and addition of pumphouses, weighbridge, and wheel wash. Outline application for erection of office, workshops, and security office (amended description 6th April 2023).**

**Butterwell Disposal Point, Longhirst, Morpeth, Northumberland NE61 3NF**

D Love, Senior Planning Officer provided an introduction to the report advising that there were a number of errors within the report where information had not been reproduced correctly and information was provided as follows:

- Information under section 3, planning history – these were references to the planning history of the site and had no material bearing on this application.
- Paragraph 7.25 – The site contains areas of ‘open mosaic habitat on previously developed land’ which is a Habitat of Principal Importance as listed on Schedule 41 of the NERC Act (2006). The proposals will result in a minor reduction in this habitat’s area but continue to be within the

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minimum threshold, so this would be considered a not-significant negative impact on Local scale.

- Informative for Ground Gas Protection – Our adopted guidance provides a guide to what should be included in a gas protection proposal and is included in Appendix 2 of the YALPAG Technical Guidance – Verification Requirements for Gas Protection Systems, Version 1.1 Dec 2016, which can be accessed in the “related documents for environmental protection in development” section at <https://www.northumberland.gov.uk/Protection/Pollution /Advice.aspx>.

Verification of the gas protection should be proposed to address the first gas condition, once the buildings are erected to floor level then the second gas protection condition can be discharged, and the verification should match what is proposed but should broadly consist of the items listed in Appendix 3 of the above guidance document. ....

The full report would be uploaded to the Council’s website.

An addendum report had also been circulated to Members prior to the meeting and it was confirmed that all Members had read the report prior to attending the meeting. A copy of the addendum report had also been uploaded to the Council’s website.

Councillor Towns addressed the Committee speaking as the local Ward Member. His comments included the following:-

- He along with other residents had no objection to the principle of recycling and he recognised the attractiveness of this site for those operations. However just because the site had cost saving attributes to the applicant it did not mean that the Council should allow industrial processes to recommence in what was a very rural area especially given the sensitive nature of the environment and ecology.
- The objection raised by the Northumberland Rivers Trust was significant. The River Line Restoration Project, which included this Council as a partner, had been running for a number of years. The Trust noted in its objection that the river Lyne had failed its water framework directive assessments and was regarded by the Environment Agency as a priority river. This application appeared to utilise the old lagoons as if they were 100% effective, which they regarded as unlikely. They would be concerned about the hydrological regime within the operation of the site. The status quo would be unacceptable in that this failed to address the current water framework directive failures. There appeared to be no temporal limits to the sites operation and no consideration of water quality monitoring. He would therefore urge Councillors to seek more information on these concerns before making a final decision today.
- Local residents were concerned of three issues in particular, dust, noise and traffic movements. Whilst the proposed conditions aimed to prevent HGVs driving through Longhirst Village this would not be policed. Longhirst village already suffered through a large number of HGV movements, especially through the summer months with the grain processing plant. Whilst management did try to prevent vehicles from entering the village a

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number of drivers still choose to do so with little able to be done to prevent this by the Council or the Police.

- Vehicle movements in this case would be limited, however the report stated that it would still allow for up to 3,180 vehicle movements per week on at places narrow B road which already caters for large vehicles using the grain processing site and large agricultural vehicles given the rural setting. This could cause problems and accidents and further deterioration of roads.
- Dust mitigation plans rarely seem to be actively policed and he was aware of similar sites which regularly give rise to complaints from nearby residents. Residents were concerned, perhaps with some justification, that no amount of planning conditions would prevent the air becoming heavy with dust and particulates from who knew what type of material.
- Residents were also worried about noise from the site if materials were constantly crushed and washed. If approved suitable noise mitigation must be included and monitored.
- Longhirst Parish Council and himself both realised that the site had been identified in the Local Plan for mineral infrastructure, although not particularly for this use, and was not directly supported by policy. However, the LPA was recommending approval of the application and if it was approved it was asked that the Committee consider formalising conditions for :
  - Independent monitoring of noise levels at regular intervals;
  - The installation of air quality monitors at the site perimeter;
  - Regular liaison meetings with the two local Parish Councils where issues of concerns could be raised;
  - A community fund to help improve the local parishes in which it would be operating; and
  - Placing a suitable time limit on the planning consent so that future restoration to agriculture or nature uses could be given consideration.
- Whilst detailed consideration had been given to the application by Officers, the Local Lead Flood Authority and Environment Agency responses were only received yesterday and the views of the Northumberland Rivers Trust did not seem to have been taken into account and he would urge Members to consider deferring this application until consideration could be given to these matters.
- The conditions sought by Officers still left a large industrial process in the countryside with nearly 3,200 HGV movements on country roads and with an unlimited timespan that in all reality would look to grow in size.
- Residents needed to be fully protected and whilst recycling was to be encouraged it must be asked if this site was really the best one for this process.

In response to questions from Members of the Committee, Officers provided the following information:-

- There was no need for passing places to be provided as the road was wide enough and there was an informative regarding the Section 159 Highways Agreement and this would ensure that the road was maintained.
- In relation to the figures in paragraph 7.34 the first figures were the distance to the nearest noise/dust generating activities and those in

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- parentheses were from the red line boundary.
- In relation to conditions requested by the Ward Member, it was clarified that the Dust Management Strategy proposed was standard good practice. For noise it was standard good practice to avoid putting pressure on the public purse and therefore operators were required to carry out assessments and Public Protection would view the data provided. Public Protection had provided a detailed response and had not requested any mitigation to be provided. If a statutory noise nuisance occurred then Public Protection would need to investigate. It was standard practice on a large mineral sites for liaison committees to be set up, however the operator had offered to attend Parish Council meetings to provide regular updates and this could be formalised by an additional condition if Members required this. In relation to the provision of a Community Fund, if harm was identified as part of an application then this would be looked to be provided as Part of a S106 Agreement however in this instance, harm had not been identified nor a need for a Community Fund so it would not pass the tests as set out in the NPPF for this and therefore there was no legislative route to request it. The application was for a permanent not temporary permission and therefore no restoration condition was required however if the operator wished to expand the site then a further planning application would need to be submitted.
  - This was an unusual application in that the use of rail was able to be secured for transportation of goods and was an overriding reason for the use of this site.
  - Members were also reminded that the NPPF set out that planning conditions should be kept to a minimum, could only be imposed if they were necessary, relevant to planning and to the development to be permitted, be enforceable, precise and reasonable in all aspects.
  - Members were also advised that great weight was placed on consultee responses and if the Environment Agency or Public Protection had objected then the application would have been recommended for refusal, however the other side of this was that if the consultees did not have objections then the same weight must be applied to their response.
  - There could be an opportunity to address any concerns regarding the operating times of the processing plant within the site with an additional condition should Members be minded to do so with delegated authority given to the Director of Planning for the precise wording to be agreed with the Chair.
  - It was not known what the operator intended to use his current site for and that was not relevant to this application.
  - It was not possible to control from which direction HGVs approached the site, however they would be sheeted and noise measurements taken at nearby receptors. A planning condition required the vehicles to exit the site and turn towards the Potland roundabout therefore avoiding Longhirst village.
  - Water quality in relation to the lagoons was a site licensing issue and controlled by the Environment Agency who were in contact with the applicant.
  - The impact of noise from trains had been considered however the timing of train deliveries had not, and it was accepted that freight uses of the railway often happened outside normal hours due to capacity constraints. However the efficient use of rail was still preferable to the use of HGVs

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and there would only be three trains per week. If any additional restrictions on plant operating times were required as above, these would only be for the actual processing equipment and this would take away most but not necessarily all noise.

- The material to be recycled was not rubbish but raw materials which could be converted into products for construction sites. The materials would be processed and then re-used with the vast majority of the materials arriving from Northumberland as the operations would be driven by economics.

Councillor Dodd proposed acceptance of the recommendation as outlined in the addendum report which was seconded by Councillor Reid, following a brief discussion the proposer and seconder agreed to an additional condition to be imposed related to the operating hours of the processing plant equipment on site with delegated authority provided to the Director of Planning in consultation with the Chair to agree the wording of the condition and that an informative related to liaison with the Parish Councils would also be added.

It was clarified that the additional condition regarding timing would only be in relation to the processing plant on the site and would not prevent trains being unloaded and the materials being stockpiled for processing.

During discussions Members advised that they considered that there was sufficient protection being proposed and liaison by the applicant with the parish councils was the right way forward. This would bring a brownfield site back into use and the site itself was suitable for this type of operation.

A vote was taken on the proposal to approve the application as outlined in the addendum report with the additional condition regarding the operating hours of the processing plant equipment the wording of which to be delegated to the Director of Planning in consultation with the Chair with an informative added in relation to consultation with the Parish Council and it was unanimously

**RESOLVED** that the application be **GRANTED** for the reasons and with the conditions as outlined in the addendum report with an additional condition added related to the operating times of the processing plant equipment the wording of which was delegated to the Director of Planning in consultation with the Chair and an additional informative added regarding liaison with the Parish Councils.

- 7 **22/02679/VARYCO**  
**Variation of conditions 2 (approved plans), 5 (details of boundary treatment), 7 (scheme of intrusive investigations), 8 (signed statement), 12 (detailed landscape scheme), 14 (details of car park bays), 23 (scheme of CCTV), 32 (maintenance and adoption of SuDs features) and 34 (detailed lighting design, of planning permission 21/02253/CCD to enable the phased construction of railway station car park including associated minor changes to internal layout, circulation area and landscaping.**  
**Land South East Of Delaval Court, Astley Road, Seaton Delaval, Northumberland**

G Halliday, Consultant Planner provided an introduction to the report and a power

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point presentation. An addendum report which detailed changes to condition 8 had also been circulated to Members in advance of the meeting and uploaded to the Council's website. It was confirmed that Members had received and had read the report.

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

- The forecast for the use of the car park looked at how the rail station was predicted to be used and the car parking phasing was now based on that. The level of car parking would be increased when needed and would not be at an arbitrary date.
- Since the scheme had been given permission construction costs had increased and the Council was in talks with the Government regarding funding. In relation to the car parks, the question was now being asked if the level of parking was required to be provided at the outset when it was not known how the use of the stations would develop and phasing was being considered to cut costs. Similar applications had been made for Newsham and Bebside stations, but the station at Bedlington was different in that the car parking was split between two separate sites. It was likely that an application would be submitted to defer the construction of the Liddle's Street car park, however as the site might be required in the future, discussions were taking place regarding its retention and safeguarding for use by the Northumberland Line scheme.
- If required the provision of the second phase could be accelerated if there was a sudden spike in demand for spaces. It had never been envisaged that all the spaces would be required immediately and what was now being proposed should be sufficient for 5 years but the actual trigger point would depend on the take up of spaces.
- The location of the footpaths had been agreed with the Public Rights of Way Officer and temporary diversions were all in place with no changes required to those arrangements due to these proposals. The reason for fencing being provided around the site was not known and discussions had taken place on who would be responsible for the maintenance of the Phase 2 land before it was required for car parking and it seemed likely that it would be the Council.
- It was clarified that a value engineering exercise in construction was where there was an original design and once the costings had been provided then an exercise would be undertaken to see if there were different ways of doing something to reduce the cost whilst still retaining the overall product. This had been undertaken in this instance and the result was that a planning application was required for the phasing of the car parking.
- There was an overarching principle regarding tree planting in that the smaller the trees were when they were put in i.e. whips, the better they grew. The normal approach would be to use a mix of sizes with a greater reliance on whips. It was clarified that residents had previously held strong objections to the proposals, however following extensive discussions there were now no objections to the current proposals in respect of the tree planting belt.

5.56 pm Councillor Lang left the meeting at this point.

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- The car park management plan was a live document and would consider in detail the mix of type of electric vehicle charging points to be installed based on the initial modelling for numbers and usage would be monitored once the station car park opened.
- The construction of the phase 2 car park would have a much shorter construction period than the current construction of the station and phase 1 car park.

Councillor Renner-Thompson proposed acceptance of the recommendation to approve the application as detailed in the report with the change to condition 8 outlined in the addendum report. This was seconded by Councillor Dodd.

Councillor Reid asked that an amendment be made to look at the boundary treatment of the phase 2 land to agree on something better than the wooden fence that was being proposed. It was suggested by the Chair and agreed that rather than an amendment being made that Officers would discuss the necessity of the fence with the applicant.

A vote was taken on the proposal to accept the recommendation to approve the application as outlined above as follows: FOR 10; AGAINST 0; ABSTAIN 1.

**RESOLVED** that the application be **GRANTED** for the reasons and with the conditions as outlined in the report with the amendment to condition 8 as per the addendum report.

8 **19/03681/VARCCM**  
**Variation of condition 5 (restoration) of approved planning application 13/01492/VARCCM in order to allow for the restoration of the site to be completed as amended on 26 February 2021 and 16 June 2021**  
**Halton Lea Farm, Brampton, Northumberland, CA8 7LS**

An introduction to, and power point presentation on the report was provided by D Love, Senior Planning Officer.

There were no questions from Members of the Committee.

Councillor Hutchinson proposed acceptance of the recommendation to approve the application as outlined in the report with changes to Condition 5 (c) and (d) to state that grazing/livestock should be cloven hoofed animals or that it did not include horses. The precise wording of the condition be delegated to the Director of Planning in consultation with the Ecologist. This was seconded by Councillor Stewart.

It was clarified that as this was restoration land that the LPA could be prescriptive on the type of uses on it.

A vote was taken on the proposal as outlined above and it was unanimously

**RESOLVED** that the application be **GRANTED** for the reasons and with the conditions as outlined with the amendment to Condition 5 (c) and (d) to state that grazing/livestock should be cloven hoofed animals or did not include horses and

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that the precise wording of the condition be delegated to the Director of Planning in consultation with the Ecologist.

9 **APPEALS UPDATE**

**RESOLVED** that the information be noted.

10 **S106 AGREEMENTS UPDATE REPORT**

**RESOLVED** that the information be noted.

**CHAIR**.....

**DATE**.....

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