

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Committee Room 1, County Hall, Morpeth, Northumberland, NE61 2EF on Tuesday, 3 August 2021 at 4.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball	L Darwin
R Dodd	B Flux
J Foster	G Hill
Jl Hutchinson	J Lang
J Reid	M Robinson
G Stewart	M Swinbank
A Wallace	

OFFICERS

M Bulman	Solicitor
G Horsman	Principal Planning Officer
L Little	Senior Democratic Services Officer
R Murfin	Director of Planning

There was 1 member of the press and public present.

19 PROCEDURE AT PLANNING COMMITTEES

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

RESOLVED that the information be noted.

20 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Renner-Thompson and Watson.

21 MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the Strategic Planning Committee held on Tuesday 6 July 2021, as circulated, be agreed as true record and signed by the Chair.

22 DISCLOSURE OF MEMBERS' INTERESTS

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Councillor Flux advised that he would be speaking as the Local Ward Councillor on behalf of residents on application number 21/00842/VAREIA and was also a resident of Langdale Drive which had been referenced in the report.

23 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.

RESOLVED that the information be noted.

24 21/00842/VAREIA

Planning Variation of condition 4 (approved plans) on approved application B/08/00465/FUL in order to substitute house types on 715 no. plots Land at South West Sector, Beacon Lane, Cramlington, Northumberland

G Horsman, Principal Planning Officer introduced the application to the Committee with the aid of a power point presentation. Updates were provided as follows:-

- In respect of the S106 Agreement and reference to the viability review clause which made reference to 3 areas, foundation cost, changes to Part L of Building Regulations and costs related to Building Regulations in respect of Future Homes. Further discussions had taken place with the applicants and an external Quantity Surveyor and the proposal was now that the review mechanism would only cover foundation costs and Building Regulations in respect of Future Homes and not Part L of the Building Regulations.
- Minor changes were required to some conditions after further amended drawings had been submitted since publication of the agenda which provided updates to detailed drawings as follows: Condition 4, drawing numbers to be updated; minor changes to wordings of conditions 10 and 11 which referenced the drawing numbers in condition 4
- Condition 12 – change to “No dwelling plot development shall take place above damp proof course within any phase
- Condition 23 – add to end “as amended by the approved plans mentioned in condition 4.
- Revised Recommendation : The application be granted subject to the conditions set out in the report with minor amendments to conditions 4,10,11,12 and 23 as outlined above and the applicant entering into a Section 106 Agreement to secure the affordable housing and other contributions detailed in the report and the detail of the viability review mechanism regarding abnormal foundations and future homes costs to be determined by the Director of Planning and the Chair of Strategic Planning Committee.

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Information was provided on the longstanding assumption of development on the site and the viability of the scheme with reassurance given that officers had worked with the developer to secure the highest level of S106 contribution possible whilst enabling the scheme to be deliverable.

Councillor Flux addressed the Committee speaking as the Ward Councillor on behalf of residents. His comments included the following:-

- Residents of Cramlington had been very stoic in respect of the very large applications in the area and there had not been mass objections, however he was disappointed to see this stoicism being rewarded with such a disappointing report with the reductions in S106 contributions and affordable housing as compared to the 2017 application.
- New residents would not relish that £1m would be clawed back through their service charges.
- Roads and roundabouts were a big issue in Cramlington and the link proposed to the site from Langdale Drive was of concern with the possibility of antisocial behaviour and vehicles using this. He wished it to be confirmed that this would only be a cycle lane and if it was to be used for emergency vehicles when would this be used. It was also highlighted that there was already a cycle link at Lowther Square and residents questioned the reason for this additional provision which would remove a parking space for residents on Langdale Drive.
- Residents in Cramlington had been let down with roundabouts not being completed or being overdue, highlighting the one on Fisher Lane which was still incomplete and asked that the Committee look at ensuring that conditions stipulated that certain development thresholds were not exceeded until roads and roundabouts had been completed.
- He noted the healthcare provision in the S106 but it was disappointing that so many other elements had been reduced.

I Prescott, addressed the Committee speaking in support of the application on behalf of the applicants. Comments included the following:-

- G Horsman was congratulated as this was a very complex and challenging site and he did not underestimate the difficulty in writing the report and providing such a succinct presentation. M Bulman was also thanked for her work on the S106 Agreement which was very complex.
- Work had been undertaken by the applicant over many years to provide a viable solution on the site to bring it forward for development. Taylor Wimpey had been partners and had walked away in 2010 as they thought it was too challenging.
- The challenge was that a large part of the site had been used for opencast mining in the mid 1940's when remedial work undertaken was not like it was currently for such sites. Remedial work at that time consisted of big boulders being dropped into the bottom of the open site then back filled very loosely which meant there were a lot

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of boulders on the site with air pockets and loose stones which had settled over the years.

- Work had been undertaken since 2008 on the engineering aspects of the site and then in 2015 when a solution had been found the scheme was approved and the S106 Agreement had been signed in 2017 when it was thought work would start. NHBC had then queried yet again all the proposals for the remediation of the site and between 2017- 2020 all the proposals were gone through in great detail with NHBC, who then insisted that remedial works be carried out on a portion of the site. £130,000 had then been spent jointly between Keepmoat and Barratts to pressure grout the area, filling the voids with stones and re-engineering the layers above and then weight put on it as if there was a house on the land. Following a year of pressure testing the NHBC last year advised that they were happy with the solution and the development could proceed. The viability then had to be looked at again and tenders received for work to be undertaken.
- Work had to start on site soon as the pressure grouting and re-engineering of the soil had to be undertaken when the weather was decent and if not then it would be May 2022 before the work could commence which could result in further viability work needing to be undertaken.
- He advised that when the S106 offer was compared to that of the nearby Arcot site for 1600 houses this offered more, albeit with less affordable housing.

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

- Whilst some of the land was currently owned by the Council, the Council was not a joint developer in this instance and Members must not take landownership into consideration. If it had been the case that the Council was a joint developer then that would have been set out clearly in the report.
- This was a long standing application site with an existing permission which had been discussed many times over a number of years and which Cramlington Town Council were aware of. They had been consulted on this specific application but had not provided a response.
- There had been an extremely probing examination of the viability of the site undertaken. In 2017 when the application was approved the contributions were appropriate, however due to historic opencast use of the site and the way in which the site had been restored and changes to Building Regulations this was no longer the case. NHBC required extensive land stability works to be undertaken prior to providing insurance for the site.
- There had been a significant improvement in the way in which S106 agreements were now written and a significant amount of work had already been undertaken in relation to the technical requirements on this application. S106 money would be phased through the development and paid when trigger points were hit throughout the building out of the site.

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- Whilst Building Regulations were continually being updated, the changes which would be required due to climate change would be so significant that these were to be phased in so that they could be incorporated into developments. This was a very large application which would be developed over a period where these changes would come into effect and therefore should and had been factored into the viability. This application would set a precedent in respect of the amount of information which would be required during the consideration of viability of sites going forward.
- The Local Plan set out a range of contributions of affordable housing which was now evidenced based and had to be deliverable. This application was a component of the local housing supply within the Local Plan.
- The existence of former opencast workings on this site made it different to other sites within Cramlington and NHBC had pushed for more investigations and stability work to be undertaken on this site prior to them providing a guarantee and costings for all this work had been sought. There was provision for the S106 to be reviewed both ways, if better margins were gained by the developer then increased S106 monies could be due, if less margins then it could be looked at again.
- The S106 agreement contained a number of contributions towards promoting the reduction of CO₂ in line with the climate change agenda, such as the provision of walking/cycle routes and promotion of the use of public transport through the production of a travel plan and a contribution towards the salary of a co-ordinator to facilitate the work. Also PV Solar panels would provide some of the required power to homes and the retention and planting of trees and hedgerows would also contribute to carbon capture.
- Maintenance charges were not uncommon on new large developments such as this in relation to areas such as where the SUDS ponds were located and common open space areas as these areas were no longer adopted by Local Authorities. The private management company who would manage the public open spaces would not be in the ownership of the developer and a charge would be levied on residents to cover the cost of maintenance on an annual basis.
- The Coal Authority and Public Protection had not objected to the application, subject to conditions.
- It was the understanding that the issue of the maintenance of the strip of land between Kielder Avenue and the application site would be resolved as part of the development of the site going forward with formal routes safeguarded and informal routes looked at as part of the layout. Ownership of the land in question was not an issue for the Local Planning Authority.
- Whilst the proposed cycle/walkway could also be used for emergency vehicles, it would be highly unlikely that this would arise as it would only be if Beacon Lane was blocked. The longer term proposals were that there would be a through route to come out on Fisher Lane.
- Mitigation was required to be provided to the whole site in order for NHBC to insure the site.

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- This was a revision of a scheme which had already been agreed and therefore a lot of pre-commencement conditions had already been discharged and a lot of the detail for the upgrading of Beacon Lane agreed.
- Further discussions had taken place with the Council's Ecologist following their initial response and they had agreed that the issues could be dealt with by way of conditions. The applicant had also agreed to fund the coastal mitigation proposals in full as part of the S106 contributions which had not been part of the original S106 agreement.
- Condition 26 in relation to renewal energy was designed to give flexibility as the market for renewal energy changed rapidly and as the site would be built out over a period of time would allow the best outcomes to be achieved at that time.
- There would still be public transport connectivity if the scheme was not built out but it would be advantageous if the scheme progressed.

Councillor Dodd proposed acceptance of the revised recommendation as outlined above which was seconded by Councillor Reid.

In response to comments from Councillor Hill regarding S106 Agreements and a previous audit which had been undertaken in 2013, the Director of Planning confirmed that all issues raised had been implemented and the audit had now been signed off as being complete. As part of the Local Plan S106 contributions and whether they could be justified and were financially appropriate had been included and the Inspector had confirmed in her initial findings that these had been found to be reasonable, proportionate and justified. It was intended that regular planning training sessions for Members would be introduced and S106s would be included within these sessions.

Members indicated their disappointment in the reduction in S106 contributions for affordable housing and education, however after listening to the remedial works which were required to stabilise the land, the explanations provided for the reductions in the S106 contributions and the assurance provided on the interrogation of the viability of the site, felt they were more able to support the application.

Members also made comments in relation to the installation of ground source heat pumps during the development; the layout and density of the houses did not allow for the future extension of individual properties; a change to the layout of the development could reduce costs; and requested that appropriate species of trees were used which would not overshadow properties in years to come.

A vote was taken on the proposal to agree the recommendation as outlined above as follows: FOR 11; AGAINST 1; ABSTENSION 1.

RESOLVED that the application be **GRANTED** subject to the conditions set out in the report with minor amendments to conditions 4,10,11,12 and 23 as outlined above and the applicant entering into a Section 106 Agreement to secure the affordable housing and other contributions detailed in the report and the detail of the viability review mechanism regarding abnormal foundations and future homes costs to be determined by the Director of Planning and the Chair of Strategic

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Planning Committee.

25 **APPEALS UPDATE**

RESOLVED that the information be noted.

26 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....

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