



**MINUTES OF THE
DEVELOPMENT MANAGEMENT COMMITTEE MEETING**

Wednesday 11 September 2013 from 1330 - 1620

NORTHUMBERLAND NATIONAL PARK, EASTBURN, HEXHAM

In the Chair: Cllr S Bolam

Present: Dr P Cowie, Cllr C France, Cllr V Gibson (till 1610), Cllr A Murray, Mr P Murray, Cllr J Riddle, Cllr G Sanderson, Cllr A Sharp, Rev Canon G Usher (till 1520), Cllr M Walton, Cllr J Wilson, Cllr T Wilson

In attendance: T Adams (Head of Planning and Communities); C Stanworth (Planning Officer); M Miller (Planning Officer); A Miller (Head of Programmes and Conservation); S Evans (Head of Corporate Services) item DMC2013-42, DMC2013-43 and DMC2013-44; T Sunter (Legal Adviser); T Gates [(Chief Executive (National Park Officer)]

PART ONE

Welcome and Apologies for Absence

Apologies were noted from Mr M Bell, Cllr K Francis, Ms Mel Whewell and Cllr J Taylor.

DMC2013-39 Declarations of Interest

The following members declared an interest in the items stated, completed a Declaration of Interest form and left the meeting for the duration of discussions on the relevant agenda item.

1. Cllr M Walton: Personal and non-participatory interest DMC2013-41 (13NP0031)
2. Cllr J Wilson: Personal and non-participatory interest DMC2013-44 (13NP0059)
3. Cllr C France: Personal and non-participatory interest DMC2013-44 (13NP0059)

DMC2013-40 Minutes of Previous Meeting held on 17 July 2013

Cllr A Murray proposed that the Minutes of the Development Management Committee meeting held on 17 July 2013 be approved and this was seconded by Mr P Murray. The minutes were signed by the Chairman and there being no further issues, members

RESOLVED that the minutes of the Development Management Committee meeting held on 17 July 2013 as circulated and amended, be approved as a correct record and signed by the Development Management Committee Chairman.

1340 Cllr M Walton left the meeting

DMC2013-41 Application for Planning Permission

13NP0031 Outline application in respect of construction of seven two-storey dwellings in natural stone and slate and Burnbank Farm, Tarsset, Hexham NE48 1LY

The Chairman advised members there would be public speaking for this item and welcomed Mr K Butler and Dr D Smith.



The Chairman reminded members that the application before them was for outline planning permission with all matters reserved and that members should take due regard of the principles of development, the various conditions as set out in the Planning Officer's report and to be aware of the issues that were deemed as 'reserved matters'.

A site visit had taken place on 6 September which was attended by a number of members.

Planning Officer report

C Stanworth, Planning Officer, advised members to note some amendments to the report:

i) The Recommendation wording to now read:

It is recommended that members are minded to grant permission subject to a Section 106 agreement to secure three units of affordable housing on the site (two units of affordable rent and one unit of shared ownership) and for all seven units to secure that the housing is restricted in perpetuity to that required for people meeting the local housing need criteria.

ii) Condition 6 – 'in accordance with' to be replaced by 'in line with'.

iii) Condition 11 - the reason for this condition had been omitted from the published report.

Reason: In the interests of visual amenity and to ensure that hard surfacing across the whole site is consistent and of a high design quality, allowing the development to accord with Policies 1 and 3 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

iv) Condition 20 - referred to Condition 19 (not 20 as in the report).

v) Condition 26 – referred to in Condition 25 (not Condition 5 as in the report).

The Planning Officer advised members the officer recommendation was to approve the outline planning application subject to conditions. The Planning Officer presented his report, along with a short visual presentation and drew attention to a number of key issues and which included:

- the reserved matters stage, advising that issues such as landscaping, access (which the Highways Authority had some comments about), scale, appearance and layout were reserved matters and not for consideration during the meeting, although outline layouts had been supplied to members for information only. Conditions 7 (material samples) and Condition 8 (site levels) would also be agreed at the reserved matters stage.
- The application had been assessed against local policies including the Authority's Local Development Framework Core Strategy and Development Policies as well as the National Planning Policy Framework which was a material consideration in planning decisions.
- Conditions as listed in the report noting the Highways Authority had a number of conditions.
- The ecological, archaeological and historic environment impact issues particularly with regard to hay meadows and impact on wildlife.
- The phasing-in of the development (Condition 4 and Condition 5).



Public Speaking

Mr K Butler, agent, speaking for the application: Mr Butler said the proposal met the aims of the National Planning Policy Framework and local policy, believed the development would enhance the community of Greenhaugh, advised that a Section 106 notice would be put in place, accepted the proposal was a challenge to the National Park, advised there had been no objections from statutory consultees and reminded members of the philanthropic gift of land from the applicant's family to the community. The applicant had noted the large number of conditions, was concerned with a number of these (including 4, 5 and 16) and was liaising the Authority's planning officers in this regard.

A member asked Mr Butler how the affordable housing element of the application would be quantified. Mr Butler said that Northumberland County Council's housing allocation policies would be the criteria used in this regard,

A member asked about site levels and was advised that a condition would be put in place but that this was a reserved matter.

A member noted Mr Butler said it was felt that Conditions 4 and 5 relating to the phasing of the development were too restrictive and asked what the alternative might be as it was a concern that the site would be delivered as a whole rather than the most southerly houses built first.

Dr D Smith, speaking against the application: Dr Smith believed that outline planning permission should be as it stated. He believed the National Park was entrusted with the special qualities of national parks and felt this development was inappropriate and should be resisted in principle, in relation to the special qualities. There was concern about the size, timing and management of the development; the possible disruption over a long period; the potential increase in car parking and usage in the village; and access issues. It had also been noted the application had been submitted just after an application for three houses across the road from the proposed development at Greenhaugh Farm, therefore possibly resulting in ten new houses in a small hamlet which could be classed as a major development that should now be considered. The question was asked in as much housing was required as there were a number of houses for sale in the area. Dr Smith also stated that he believed there to be a possible breach of statutory legal obligation on the grounds that the National Park, as the planning authority, was required to inform local residents of planning applications by means of dated notices on or near to proposed sites and had failed to do so as the one notice evident in the village of Greenhaugh had no date on it.

The Head of Planning and Communities stated that both the applications would require a Section 106 agreement and that she was minded to approve, under delegated powers, the three house application once the Section 106 agreement had been settled.

The Head of Planning and Communities said she had previously considered Dr Smith's, concern about the site notice. She explained for the benefit of members, the requirements with regard to publicising planning applications which was either a site notice or to individually notify residents adjacent to any proposed development and advised that the Authority's practice was to do both. She agreed that as there was no date on the site notice in this instance, there was some uncertainty as to the 21 day deadline but that the residents of the village had all received a letter containing the details.

The Legal Adviser believed the Authority had complied with their statutory obligations and that no-one in the village had been mis-directed by lack of a date on the site notice.



Questions of Fact

A member asked for clarification of Condition 9 particularly with regard to 'natural stone' and was advised by the Planning Officer that this came under 'reserved matters'. The member was keen to ensure however, that the materials used were not re-constituted stone. Members noted that Condition 9 required for a full metre squared sample of the facing and roofing materials which were to be used to be approved in writing by the planning authority. Mr Butler said the intention was to use natural stone.

A member asked about flexibility in the roof materials to allow for the use of solar tiles. The Chairman said encouraging renewable energy is in line with our policies and suggested this matter be logged as an advisory note.

A member was concerned at the wording of Condition 17 which implied encouraging species such as bats and house-martins in the new houses and suggested an amendment to the wording of this condition. It was agreed to cover this during the debate.

A member commented that the term 'life-time of the development' was very open-ended and suggested a time-limit might be appropriate.

A member referred to Condition 16 and said that having attended the site visit on 6 September, the hay meadow was not that significant, it was not a species-rich hay-meadow and believed this was an onerous condition.

A member asked for clarification on a number of the policies, including 6, 9 and 10, referred to in the report particularly with regard to the definition of 'local needs'. The member also believed the development was on the edge of the village rather than within it. The Planning Officer provided an update and referred to the document 'Local Development Framework Core Strategy and Development Policies' which provided details of the policies.

A member asked about 'local needs' and was advised by the Planning Officer that the Section 106 agreement would cover this. The Legal Adviser clarified that this agreement would be required for the seven properties in the outline planning application and that this information would form part of any future land searches on the properties.

The Head of Planning and Communities mentioned the 'village envelopes' and now these were no longer in place, decisions on whether sites were within a settlement or not had to be a matter of judgement.

A member referred to Conditions 4 and 5 and asked the Planning Officer about the phasing aspect of the development. The Planning Officer said the concern was that if building started at the north of the site and the development was not completed there would be an isolated property.

A member referred to the County Council's report following their housing need survey and suggested that the proposed ten houses at Greenhaugh represented a significant proportion of the need identified in the report. The Planning Officer said he had met with the County Council's housing officers, and local need had been identified. The member felt that the report did not contain full information. The Head of Planning and Communities said that the available information had been used but it was not always possible to have definitive evidence for each individual application.

A member referred to the sequential approach (Policy 6) and asked if any sequential testing had been done in other areas as there was no information in this regard in the report and the member



wanted re-assurances. The Head of Planning and Communities explained how the relevant policy worked.

Debate

The Chairman reminded members they could only consider the outline application before them.

A member was concerned there was no indication at this stage as to what the proposed houses would look like. The Head of Planning and Communities explained that there was a mechanism by which the Planning Authority could ask for further details through a full application. However, as the outline application was intended to establish the principle of the development, and as such details could be decided at the reserved matters stage, she had not seen the need to ask for this in relation to the application.

Cllr J Riddle, as the local member for the area, said that of the few concerns that had been raised with him, most were about the appearance of the houses. Members noted that demographics showed the area needed more young people to move in and affordable housing would help attract them, agreeing that issues such as the school (noting about 40 pupils currently attended the school) and parking had to be considered, and more design details would have been useful.

Cllr J Riddle proposed the support of the application seconded by Cllr J Wilson and proposed a motion to accept the recommendation in the report with associated conditions and amendments.

The Legal Adviser reminded members there required to be clarity on the amendments to the Conditions and there would need to be a motion to approve these changes. Changes to the conditions, over and above those already mentioned, would be discussed during the debate and summarised before the motion was proposed for the amendments.

With regard to Condition 17, members agreed that it would be inappropriate to encourage species such as bats and birds into the houses themselves and recommended '*in new houses*' be replaced with '*on the application site*'.

There was some discussion about Condition 16 (hay meadows) and that if an alternative hay meadow had to be created, then this could lead to other arable land being made over for this purpose. The Head of Programmes and Conservation explained how the proposed condition related to the Authority's work on hay meadows and provided related information about the Higher Level Stewardship scheme. Members noted that the hay meadow was a land-related issue, not a property-related issue, in perpetuity. The Head of Planning and Communities said it was appropriate to have a level of mitigation of the impact of the development and officer advice on the hay meadow was therefore necessary.

A member observed that the ¹first purpose of national parks must influence consideration of issues and they wished level of hay meadows to be retained as it was a small price to pay for the likely benefits accruing from such a large development. The Chairman said that conditions had to be reasonable and practicable and a member added that in this instance, 'reasonableness' had to be considered as in the case of the hay meadow, if the property was sold on, then a new owner may not be able to provide the mitigation.

Members discussed at length the issue of the hay meadow and agreed there should be consistency in messages and in this instance, as the Authority had policies set out with regard to biodiversity in the Authority's Local Development Framework Core Strategy and Development

¹ conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park and promoting opportunities for the understanding and enjoyment of the special qualities of (the) areas by the public.



Policies (Policies 1 and 17) and as traditional hay meadows were a Priority 1 habitat (see State of the National Park report), they agreed Condition 16 should remain as in the report.

(AM) A member again raised the matter of the materials being proposed for the development and the Planning Officer reminded members that Condition 9 required samples of materials be approved by the planning authority before any work commenced. Members agreed to an amendment to Condition 9 to refer to '*natural stone (not reconstituted stone) and 'natural' slate (not imported slate)*' and the reason amended to read '*.... of visual amenity and to ensure that the texture, colour and shape of the materials and finishes fit in with the local settlement across the whole site and are consistent and of a*'

The Head of Planning and Communities suggested for clarification a re-wording of Condition 5, deleting '*fully*' and to now read '*.... Each dwelling, or agreed group of dwellings, shall be completed to the satisfaction of the Local Planning Authority in accordance with an approved phasing scheme before the*'.

The Chairman asked members if they wished to move the proposal in the report but a member said they wished the debate to continue as they wished for a more general discussion on the application, particularly with regard to sequential testing and to debate if the development was within the identified settlement now there were no longer village envelopes and asked what was defined by a 'settlement'. Members were reminded of the three houses being built at Greenhaugh Farm, across the road from the proposed development.

The Head of Planning and Communities referred to the Authority's Local Development Framework Core Strategy and Development Policies document and Policy 5 which identified the 'local centres' preferred for development, and Policy 6 which sets out a sequential approach. The Head of Planning and Communities said, in her opinion, the outline planning application was not in isolated countryside. It was arguable within the village (if the school were taken as a current boundary), or was at least adjacent to the village.

A member said that whilst they had no issue with additional housing, they had a number of concerns - there was no evidence of sequential testing in the area, was the area defined as 'greenfield' and if, in the future, similar developments were proposed then a comprehensive report from the County Council's 'Demand and Needs' team should be part of the submission.

A member referred to the public consultation process which had taken place during the preparation of the Authority's Local Development Framework Core Strategy and Development Policies document and advised that from the consultation, local communities had not wanted the retention of the 'village envelopes'. As a result current developments were becoming linear now and the member felt that although this development could be classified as 'linear' it also provided some aspect of 'infill'.

The Head of Planning and Communities commented that one of the risks in removing the village envelopes was the chance of an increase in applications for linear developments, but that members should only consider the application before them on its own merits and not what might come up in the future.

A member asked for a definition of 'major development' in the context of the National Park and the Head of Planning and Communities drew attention to Policy 3, para 6.13 in the Authority's Local Development Framework Core Strategy and Development Policies document.



Proposal of Motion

Cllr J Riddle noted the application was a revision of 12NP0105 Burnbank Farm and moved the proposal of the motion to grant outline planning permission of 13NP0031 Burnbank Farm subject to the amendment to the recommendation, amendments to the conditions and to section 106 agreements being agreed.

Amended recommendation

To amend the original recommendation to (*Grant outline planning permission subject to the following conditions and subject to the applicant entering into a legal agreement to secure three units of affordable housing on the site (two units of affordable rent and one unit of shared ownership) and to secure that the housing is restricted in perpetuity to that required for people meeting the local housing needs criteria*) to

'It is recommended that application reference 13NP0031 be minded to grant permission subject to

- (i) 'a Section 106 agreement to secure three units of affordable housing on the site (two units of affordable rent and one unit of shared ownership) and for all seven units to secure that the housing is restricted in perpetuity to that required for people meeting the local housing need criteria' and the conditions with amendments noted as follows:
- (ii) Amendments to Conditions

Condition 5 - deleting 'fully' and to now read '*... Each dwelling, or agreed group of dwellings, shall be completed to the satisfaction of the Local Planning Authority in accordance with an approved phasing scheme before the'*

Condition 6 – '*in accordance with*' to be replaced by '*in line with*'.

Condition 9 - to now read '*natural stone (not reconstituted stone) and 'natural' slate (not imported slate)*' and the reason amended to read '*... of visual amenity and to ensure that the texture, colour and shape of the materials and finishes fit in with the local settlement across the whole site and are consistent and of a'*

Condition 11 - the reason for this condition had been omitted from the published report.

Reason: In the interests of visual amenity and to ensure that hard surfacing across the whole site is consistent and of a high design quality, allowing the development to accord with Policies 1 and 3 of the Northumberland National Park Authority Core Strategy & Development Policies Document and the National Planning Policy Framework.

Condition 17 - '*in new houses*' be replaced with '*on the application site*'.

Condition 20 - referred to Condition 19 (not 20 as in the report).

Condition 26 – referred to in Condition 25 (not Condition 5 as in the report).

Cllr J Wilson seconded the proposal and Members voted on the proposal

For – 10. Abstention – 1. The motion was carried.

There being no further matters discussed members



RESOLVED that it was recommended that application reference 13NP0031 be minded to grant permission subject to:

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Condition 20 - referred to Condition 19 (not 20 as in the report).

Condition 26 – referred to in Condition 25 (not Condition 5 as in the report).

1520 Rev Canon G Usher left the meeting. There was a short break.

1530 Cllr M Walton returned to the meeting