

**MINUTES OF THE
DEVELOPMENT MANAGEMENT COMMITTEE MEETING**

Wednesday 14 May 2014 from 1415

NORTHUMBERLAND NATIONAL PARK, EASTBURN, HEXHAM

In the Chair: Cllr S Bolam, DMC Chairman

Present: Mr M Bell, Dr P Cowie, Cllr K Francis, Cllr V Gibson, Cllr A Murray, Mr P Murray, Cllr J Riddle, Cllr G Sanderson, Cllr A Sharp, Cllr M Walton, Cllr J Wilson.

In attendance: Mr T Sunter (Legal Adviser); Mrs S Buylla (Development Management Interim Manager); Mr C Stanworth (Planning Officer); Mr T Gates (Chief Executive); Mr A Miller (Head of Programmes and Partnerships), Mr I Stanners, Housing Officer, Northumberland County Council.

PART ONE

Welcome and Apologies for Absence

Apologies were noted from Cllr C France, Ms M Whewell and Cllr J Taylor. It was noted that Cllr T Wilson was no longer a member of the Authority from 7 May 2014. The Chairman advised members there would be public speaking for both applications and that Mr I Stanners, Housing Officer at Northumberland County Council, was in attendance for 13NP0031.

The Legal Adviser reminded members if they arrived late they would be unable to participate in the item being discussed.

DMC2014-06 Declarations of Interest

Cllr M Walton declared an interest in 13NP0031 and completed the Declaration of Interest form. The Legal Adviser reminded members of their responsibility in declaring if they felt in any way they had pre-determined or had appeared to have pre-determined an application and if so, they should complete the Declaration of Interest form and leave the meeting.

DMC2014-07 Minutes of Previous DMC Meeting held on 15 January 2014

It was proposed the Development Management Committee Minutes of 15 January 2014 be approved and signed by the DMC Chairman and there being no further issues, members

RESOLVED that the minutes of the Development Management Committee meeting held on 15 January 2014, as circulated, be approved as a correct record and signed by the Development Management Committee Chairman.
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DMC2014-08 Application for Outline Planning Permission

Cllr M Walton left the meeting

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

Planning Officer report

The Planning Officer provided a summary of the application illustrated with a presentation. He reminded members the application had been brought before DMC as it had not been possible to agree a Section 106 agreement (relating to local need housing and affordable housing) in line with the previous 'minded to grant' determination by members at DMC in September 2013.

The Planning Officer pointed out an error at paragraph 1.1 that the word '*terraced*...' should be removed.

The Planning Officer reminded members that the application was an outline application for housing with all matters reserved, therefore the application's purpose was for the principle of the development to be assessed and not the final details relating to access, appearance, layout, scale and landscaping.

Drawing attention to the recommendation (p20 of his report) the Planning Officer advised that the only change to this refers to the type of affordable housing to be delivered and that this was the only issue requiring further consideration by members.

The Planning Officer highlighted the recommendation was to 'grant permission' subject to the conditions outlined in the report and subject to the applicant entering into a legal agreement to secure three units of affordable housing on the site and local needs for all seven properties. Two of the affordable units had to be intermediate rented units set at a maximum of 80% of market rent and offered to people eligible for social rented housing whilst the other unit could be intermediate rental, sale or shared ownership.

The Planning Officer advised members that Mr I Stanners was in attendance to answer queries re the provision of affordable housing.

The Chairman welcomed members of the public participating in public speaking for this application.

Mr Butler, Agent: Mr Butler spoke in support of the application. He said it was believed the proposal met the aims of National Park policies; that the Section 106 agreement was to ensure housing delivery as per policies; commented on the large number of conditions some of which were felt to be unreasonable and restrictive; advised the applicant was considering a biomass scheme and queried Conditions 5 and 6 controlling the phasing of the agreement; and queried the definition of part of the site as 'hay meadow'.

Dr Smith, objector: Dr Smith had three points to raise: (i) it appeared only one, undated notice regarding this second application had appeared at the site; (ii) the application should be considered a 'major development' if viewed together with the nearby development of three new houses; and (iii) the application was for outline planning permission and believed this was inappropriate as there was no indication of what the final houses would look like. There was concern if the application was approved it could set a precedent for future similar developments, particularly if they involved an Authority member.

Mr Brodie, Parish Council, objector: Mr Brodie had thought the whole application was being re-considered; he spoke about the parish council's first objection submitted in June 2013 and outlined what the objections had been; he was unhappy with the lack of detail; he highlighted access issues as the development was opposite Greenhaugh school and highlighted point 28 in the report which relating to highway safety; and asked that if the application was accepted that careful note be taken on para 5.25 of the report relating to the phasing of the development.

Questions of Fact, Discussion and Debate

A member asked about the undated notice which the Legal Adviser deferred to the Planning Officer who advised the site notice had been displayed and a neighbourhood notice on the Village Hall Notice board, and explained in detail, the procedure for siting notices. The Legal Adviser said the application therefore had been well publicised and was thus not in contravention.

(A member sought further re-assurance that the application had been properly advertised on site and was unsure if neighbourhood notification was necessarily correct notification as this would depend on the location of the neighbours. The Planning Officer said that letters had been sent to twenty properties under 'neighbourhood notification'. He reiterated that one notice had been erected at the corner of the site and the other on the Village Hall notice board and that he had photographic evidence. With regard to the number of objections for the application before the Committee, he added there was often fewer objections to a second application.

The Legal Adviser said that the Planning Officer had confirmed with evidence that letters had been sent and the site notices erected as per legislation and therefore this had been met.

(A member sought clarification regarding the Highways Authority response to reserved matters, particularly relating to access issues. The Planning Officer advised that in an outline application all matters are reserved and the highways access details would be submitted under a reserved matter application and re-iterated the access issues in the report. The Development Management Interim Manager agreed that Highways Authority response was that safe access could be provided in principle, on the site.

A member sought clarification on the issue under discussion at the meeting, drew attention to paragraph 6.1 of the report and suggested that reserved matters were not the issue for discussion at the meeting but elements of affordable housing were particularly with reference to intermediate housing in accordance with the National Planning Policy Framework.

The Legal Adviser advised that members could look at all the issues relating to the application again but would need to provide a justification from departing from their previous resolution.

A member asked Mr Stanners why the application did not meet the housing needs of the area and was advised that people who need to rent houses were registered, the housing does meet local housing needs and the issue was trying to find local people to be able to rent the houses and get onto the housing ladder therefore his advice was that the application did meet local housing needs.

The Chairman reminded members that all new housing in the National Park was for local people as part of the Section 106 agreement.

A member said they appreciated the application returning to the Committee with regard to the Section 106 agreement and asked that if there were any further changes in the future to the Section 106 agreement that they be delegated to the Authority's Chief Executive and DMC Chairman.

A member suggested it was unreasonable to have a phased biomass heating system and asked that this condition be re-visited to make it less onerous. The Planning Officer read out the condition and said there was nothing to stop phasing coming in to prevent the development being staggered and to be able to install the heating scheme needs for all houses to be built at the same time. The Planning Officer said that the infrastructure for the heating system could be in place at the start of the scheme, not just one house at a time.

A member commented on the field and said it was evident the field, at the time of the last site visit (September 2013), was not hay meadow and care had to be taken that relevant conditions proposed were reasonable. However, the Planning Officer advised members that the ecological survey determined the field was a hay meadow and legislation provided for mitigation of damage to habitat. The Chairman said it was felt this condition was not too onerous.

A member queried whether any subsequent purchase be subject to Section 106. The Legal Adviser clarified the procedure for discharging Section 106 obligations and said that the section 106 agreement binds the current owner as well as any future owners of the site and any relaxation of the Section 106 agreement is deemed a variation and would have to come back to the Committee.

Proposal of, and Vote on, Motion

Cllr G Sanderson proposed the motion to grant permission subject to the conditions laid out in the report and the applicant entering into a legal agreement to secure three units of intermediate affordable housing on the site, of which two units must be intermediate units set at a maximum of 80% of market rent and offered to people eligible for social rented housing and the third unit to be intermediate rental, sale or shared ownership unit and that a legal agreement is also required to ensure all seven units of housing are restricted in perpetuity to that required of people meeting the local housing need criteria. This was seconded by Cllr J Riddle, unanimously approved by members and there being no further matters discussed members

RESOLVED to grant permission subject to the conditions laid out in the report and the applicant entering into a legal agreement to secure three units of intermediate affordable housing on the site, of which two units must be intermediate units set at a maximum of 80% of market rent and offered to people eligible for social rented housing and the third unit to be intermediate rental, sale or shared ownership unit and that a legal agreement is also required to ensure all seven units of housing are restricted in perpetuity to that required of people meeting the local housing need criteria.

Cllr M Walton returned to the meeting.