

PONTELAND TOWN COUNCIL

MINUTES OF THE PLANNING COMMITTEE MEETING 15th February 2022

Present: Councillors Mrs S Johnson (in the Chair), Mrs K Woodrow, Mr A Hall, Mrs K Overbury and Mr A Varley.

Apologies for absence were received from Mr S Ahmed.

1. PLANNING APPLICATIONS

A list of planning applications received since the previous Committee meeting had been circulated

1.1 Application No: 22/00186/FUL Location: Land on the Orchards, Callerton Lane, Ponteland, NE20 9EG Proposal: Change of use: vacant land to mixed use development of a market square known as “The Orchard” comprising of market stall, street food vendors and retail units, with revised access arrangements and associated parling, landscaping and servicing.

Objection:

Thank you for notifying Ponteland Town Council (PTC) of the above planning application. PTC has reviewed the submitted application documents and considered their contents. PTC objects to the proposed development.

Planning law requires that decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The primacy of the development plan is reaffirmed in paragraph 47 of the National Planning Policy Framework (NPPF).

The policies within the statutory development plan that are relevant to the consideration of this application are contained within the:

- Ponteland Neighbourhood Plan (2017- PNP); and
- Castle Morpeth District Local Plan (2003 - CMDLP).

The NPPF and the emerging Northumberland Local Plan (NLP), as well as its evidence base, are material planning considerations.

As the application site lies within the Ponteland Conservation Area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990), places a legal duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character of the conservation area, when exercising their powers under planning legislation.

It is noted that the applicant has not submitted a planning statement, heritage assessment or transport assessment/ statement, which, given the scale and nature of the development are requirements of the Northumberland County Council’s validation checklist. A planning statement is required for applications which create 1,000 or more square metres of floor space – the application form states 1,204 square metres will be created. As the application site lies within a conservation area, a heritage statement is required. Transport assessments/ statements are needed where a development is likely to generate significant movements. In addition, it is noted that consultees have highlighted further information that has not been provided, in particular from the County Council’s Ecology Team, Lead Local Flood Authority as well as the police. The application should not have been validated without these documents and certainly should not be determined without a full understanding of the implications that they will provide.

Principle of development

The application site lies within the Ponteland Village Centre, as defined by policy PNP19 of the neighbourhood plan. This policy supports proposals which would diversify and enhance the range of local shops, services and community facilities, as well as creating jobs, strengthening the vitality and viability of the centre. Whilst PTC supports the principle of a development that would incorporate town centre uses, there is significant concern that there is a lack of clarity on the uses that are proposed. The application form states that the use would be sui generis, whilst the majority of the development appears to be food and drink related uses.

The need for new development to reinforce the roles of centres is also embedded within the emerging NLP, particularly policy TCS1. This states that proposals which seek to replace significant areas of main town centre uses with other uses will be resisted if it is demonstrable that this would undermine the role of a centre.

Both policy approaches reflect paragraph 86 of the NPPF which requires planning decisions to support the role that town centres play at the heart of local communities.

PTC therefore submits that the lack of clarity regarding the use of the proposed development has the potential to undermine the vitality and viability of the village centre, damaging its role. It therefore conflicts with neighbourhood plan policy PNP19 and policy TCS of the emerging NLP and paragraph 86 of the NPPF.

Impact on heritage assets

The application site lies within the Ponteland Conservation Area and adjacent to several Listed buildings, the Seven Stars Public House and 21-25 Main Street being directly adjacent to the proposed development. There are other Listed buildings and structures to the north of Main Street.

The county council has a legal duty to ensure that planning decisions give a high priority to the objective of preserving or enhancing the character and appearance of the area. If any proposed development would conflict with that objective there is a strong presumption against the grant of planning permission, although in exceptional cases the presumption may be overridden in favour of development which is desirable on the grounds of some other public interest. In carrying out the section 72 duty it is necessary for the planning authority to have regard to the special interest for which the conservation area has been designated.

Whilst there is no conservation area character appraisal, as part of the preparation of the neighbourhood plan a community character statement was prepared¹. The application site lies within the central part of the conservation area. The community character statement explains that Main Street contains a diverse set of buildings, including banks, estate agents, restaurants, shops and small offices, as well as the remains of a Pele tower. It highlights the importance of the plan form of this part of the conservation area. Along Main Street buildings were constructed in a linear form, with irregular frontages and with the plots on the southern side extending back to the River Pont. The statements describes the use of sandstone, render and brick with a combination of red tile and grey Welsh slate roofs. Also, that the large numbers of Listed buildings within the central area reinforce its distinctiveness.

Views into and out of the conservation area at Callerton Lane are identified within the character statement. It is detailed that this is the only place where the river can be seen from any part of the village, with an open view to the back of Main Street.

¹ <http://www.pontelandneighbourhoodplan.co.uk/wp-content/uploads/2015/11/Conservation-Area-Character-Appraisal.pdf>

Whilst PTC does not object to the use of modern materials within the conservation area, it is considered that the proposed use of double height shipping containers, the overall density and scale of the development, alongside the significant areas of high fencing, 9.1m apex roof and the implications of the large screen, do not respect the character of the conservation area. As a result, PTC believes it would have a significant harmful impact on the character and appearance of the conservation area and that of the adjacent Listed buildings. It is submitted that the proposed scale, design, and materials would result in substantial harm to the significance of the conservation area, particularly when viewed from Callerton Lane.

Paragraph 199 of the NPPF requires great weight to be given to the conservation of the significance of designated heritage assets. Paragraph 200 goes on to state that any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification. Paragraph 201 requires that where a development would lead to substantial harm, it should be refused unless it can be demonstrated that its loss is necessary to achieve substantial public benefits that outweigh that harm.

Neighbourhood plan policy PNP5 requires that where a development proposal would impact on heritage assets, it must: sustain, conserve and where appropriate enhance the significance of the heritage asset. Furthermore, policy PNP2 requires high quality and inclusive design which would make a positive contribution to its surroundings, identifying that new development must: create a sense of place, by protecting and adding to an areas quality, distinctiveness and character; as well as respecting the character of the site and its surroundings in terms of location, layout, proportion, form, massing, density, height, size, scale, materials and detailed design features. For the reasons set out above, the design of the proposed development does not accord with the provisions of these policies.

The emerging NLP also contains policies to conserve and enhance the significance, quality and integrity of heritage assets (policies ENV1 and ENV7). It is stated that development proposals that would result in substantial harm to the significance of designated heritage assets will not be supported unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh that harm. PTC consider that the applicant has not demonstrated that there would be substantial public benefits to outweigh the substantial harm to both the conservation area and settings of the adjacent listed buildings.

With regard to the design of new development, emerging NLP policy QOP1 requires development to make a positive contribution to local character and distinctiveness and create a strong sense of place, as well as being visually attractive, respecting the historic environment and any significant views.

The inappropriate materials, design, scale and appearance of the proposed development clearly conflicts with the provisions of the development plan and other material considerations. It would result in substantial harm to the significance of the Ponteland Conservation Area and the settings of nearby Listed buildings, without any substantial public benefit. It is therefore contrary to neighbourhood plan policies PNP2 and PNP5, emerging NLP policies ENV1, ENV7 and QOP1, as well as paragraph 201 of the NPPF.

Impact on traffic and highway safety

The application documents highlight that the capacity of the development would be 350 people, this is a significant development which has the potential to generate substantial levels of movement. Only 21 parking spaces are proposed to be provided. Parking is a significant issue for the local community, this is reflected within the neighbourhood plan. Emerging NLP policy TRA4 includes parking standards for new development. For food and drink establishments, which would appear to be the main use, provisions should be made for one space per 10 square metres. If the application would result in 1204 square metres of new floorspace, this would suggest that 120 parking spaces would be required.

Reference is made to the site being well served by public transport. Whilst details of opening hours are not included on the application form, it is assumed that given the nature of the proposed development, it would be open in the evening. Ponteland is not well served by public transport during the evening. The number 78 serves Ponteland Monday to Saturday. The last bus arrives from Eldon Square at 2031hrs, departing back to Eldon Square at 2042. On Sunday, the last bus arrives from Eldon Square at 1741hrs, on Saturday the number 74 bus departs Eldon Square at 2120hrs, arriving in Ponteland at 2147hrs and continues to Matfen where it turns and takes the same route back to Ponteland, arriving at 2244hrs. It then travels back to Eldon Sq., arriving at 2314hrs. The final bus departs Eldon Square at 2320hrs, travels via Westerhope, arriving at Ponteland at 2343hrs and then back to Hexham.

PTC also has concerns regarding the impact of the development on highway safety, particularly the proposed vehicular exit adjacent to the Seven Stars Public House and that the drop off point and refuse collection areas are located in the same position. Emerging NLP policy TRA2 requires new development to provide effective and safe access and egress to the existing transport network. This reflects the provisions of paragraph 110 of the NPPF, which requires safe and suitable access to sites.

It is submitted that the lack of parking, poor access to public transport and highway safety concerns results in a clear conflict with emerging NLP policies TRA2 and TRA4 and paragraphs 110 of the NPPF.

Impact on flooding

It is noted that the Lead Local Flood Authority (LLFA) has objected to the proposed development. PTC also has concerns that the application does not contain sufficient information to demonstrate that the proposal would not result in surface water flooding. Neighbourhood plan policy PNP27 requires that new development minimises and controls surface water runoff, with sustainable drainage systems being the preferred approach. This is reflected in both emerging NLP policies WAT3 and WAT4 and paragraph 167 of the NPPF.

PTC is therefore opposed to the proposed development. The application lacks sufficient details to fully describe the potential impacts. From the information that has been provided, PTC submit that:

- The development has the potential to undermine the vitality and viability of Ponteland Village Centre, damaging its role. This clearly conflicts with neighbourhood plan policy PNP19 and policy TCS of the emerging NLP and paragraph 86 of the NPPF;
- The inappropriate materials, design, scale and appearance of the proposed development clearly conflicts with the provisions of the development plan and other material considerations. It would result in substantial harm to the significance of the Ponteland Conservation Area and the settings of nearby listed buildings, without any substantial public benefit. It is therefore contrary to neighbourhood plan policies PNP2 and PNP5, emerging NLP policies ENV1, ENV7 and QOP1, as well as paragraph 201 of the NPPF;
- The lack of parking, poor access to public transport and highway safety concerns results in a clear conflict with emerging NLP policies TRA2 and TRA4 and paragraphs 110 of the NPPF; and
- The application does not contain sufficient information to demonstrate that the proposal would not result in surface water flooding. Neighbourhood plan policy PNP27 requires that new development minimises and controls surface water runoff, with sustainable drainage systems being the preferred approach. This is reflected in both emerging NLP policies WAT3 and WAT4 and paragraph 167 of the NPPF.

The application should therefore be refused.

1.2 Application No: 22/00314/FUL. Location 22a Moor Lane, Darras Hall, Ponteland NE20 9AD. Proposal: Erect a residential dwelling with associated garage and infrastructure.

Objection: The committee feels this is an over development of the land available and the scale of the properties is too large, and we refer to the Castle Morpeth District Local Plan policy H11 tandem and back land development policy H11 proposals for the residential development of land will be refused planning permission if they would result in the following:

- i) unacceptable back land or tandem development which would cause a loss of amenity due to a poor relationship with existing dwellings or garden areas and which creates problems of overlooking, loss of privacy, poor access, difficult servicing, substandard parking and turning facilities, loss of trees or inadequate garden area.

Ponteland Planning Committee also objects to the proposal as they believe it is contrary to Policy PNP 2 of the Ponteland Neighbourhood plan.

Development will be supported where it demonstrates high quality and inclusive design.

All new development should make a positive contribution to their surroundings. Proposal will be supported where development:

- b) Respect the character of the site and surroundings, in terms of its location, layout, proportion, form, massing, density, height, size, scale, materials and detailed design features
- e) Will not have an unacceptable adverse impact on the amenities of occupiers and nearby properties.

Ponteland planning committee believes the proposed houses would be disproportionately large for the site and have an adverse impact on neighbouring properties. The planning committee would also refer Northumberland County Council to Policy PNP 4.

Proposals for the development of new and replacement dwellings, as well as extensions to dwellings within the Darras Hall Estate, as defined by the Policies map, will be supported where they conform to the following criteria:

- a) The proposed dwelling or extension should be respectful of the scale and massing and separation of adjacent dwellings and the street scene.

The planning Committee are concerned about the accumulative effect of this proposal This site has gone from two houses to four within a very short space of time. The Planning Committee are also concerned about the impact this development will have on the wildlife and ecology of this particular area as it is flourished with wildlife and a high density of trees.

The Panning Committee request this application be refused.

The Committee made no comments about the other 5 applications considered.

2. DECISIONS: APPLICATIONS AND APPEALS; WITHDRAWN APPLICATIONS

2.1 DECISION: 21/04289/FUL, Meadowfield, Ponteland, NE20 9SD. Proposed construction of ground floor extension to front with new first floor over subdivision of unit into 2.

Permission **granted** under delegated powers on 3rd February 2022. The Committee had made no comment about this application.

2.2 DECISION: 21/03886/FUL, 19 Merton Road, Ponteland, NE20 9PY. Proposed removal of existing kitchen extraction ducts and replace with new ducts to rear elevation and roof, demolish part of gable wall to form new openings for new shopfront and signage (amended plans received 13/01/2022)

Permission **granted** under delegated powers on 3rd February 2022. The Committee had made an objection about this application.

OBJECTION: The Planning Committee object to this proposal on a number of grounds. The proposed removal of the bollard raises concerns over public and shop safety. The Committee believe that the planned outdoor tables, chairs and screening would make the footpath unsafe by severely restricting the width of footpath and access to the shops in the precinct, raising concerns for the safety of pedestrians. Committee members further seek clarification on the ownership of this footpath. It is believed that the proposed area for outside seating is above the utilities for the area.

The Planning Committee is concerned that the plans show no accessible facilities and no wash hand basin in the staff facilities

It further asks Northumberland County Council Planning Committee to note that the proposal is contrary to the Local Plan's PNP1, which urges adherence to Sustainable Development Principles, and PNP2 which stresses that development should not have (e) "an unacceptable adverse impact on the occupiers of nearby properties".

The Planning Committee would ask that this application be refused.

2.3 DECISION: 21/04857/VARYCO, Woodside, Ponteland, NE20 0DG. Proposed variation of condition 3 on approved application 20/02570/FUL in order to amend the front entrance projection and introduce pitched roof above existing dormers.

Permission **granted** under delegated powers on 3rd February 2022. The Committee had made no comment about this application.

2.4 DECISION: 21/04814/FUL, 25 Crossfell, Darras Hall, Ponteland, NE20 9EA. Proposed new pitched roof over existing flat roof to garage and lounge.

Permission **granted** under delegated powers on 8th February 2022. The Committee had made no comment about this application.

2.5 DECISION: 21/03779/VARYCO, Northumbria Police HQ, Ponteland, NE20 0BL. Proposed variation of condition 11 (rainwater goods/pipework) pursuant to 17/03698/LBC to allow minor internal amendments.

Permission **granted** under delegated powers on 15th February 2022. The Committee had made no comment about this application.

2.6 DECISION: 21/04827/COU, 21a Broadway, Darras Hall, Ponteland, NE20 9PW. Proposed change of use from office use (class E) into I residential flat (class C3)

Permission **granted** under delegated powers on 15th Feb 2022. The Committee had made no comment about this application.

3. ANY OTHER BUSINESS

3.1 The redundant table and chairs within the alley way of Fratelli's and Cecil Court had been reported to D Foy who will investigate.

DATE OF NEXT MEETING: 1st March 2022