

PONTELAND TOWN COUNCIL

MINUTES OF THE PLANNING COMMITTEE MEETING 14th February 2023

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

1. PLANNING APPLICATIONS

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

1.1 **23/00227/FUL, Land On The Orchards, Callerton Lane, Ponteland, Northumberland, NE20 9EG**

Proposal: Change of use of vacant land and construction of mixed-use development of market square (incorporating food and drink servery, florist, artisan bakery, coffee stall and three street food stands) known as 'The Orchard' comprising of market stalls, street food vendors and retail units, with revised access arrangements and associated parking, landscaping and servicing (resubmission).

An extension had been granted by Northumberland County Council Planning Department for comments to be submitted by 17th February 2023. The Committee deferred the discussions until the next meeting of the Planning Committee on 14th February 2023.

OBJECTION: 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:

- Northumberland Local Plan (2022 – NLP)
- Ponteland Neighbourhood Plan (2017 - PNP)

The NPPF is a material planning consideration. 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.

Principle of development

The proposed use class specified on the application form and referred to within the planning and heritage statement is class E. This use class covers a broad range of uses, including: the display or retail sale of goods; sale of food and drink for consumption (mostly) on the premises; provision of financial services, professional services, as well as other commercial, business services; indoor sport, recreation or fitness; provision of medical or health services; creche, day nursery or day centre; offices; research and development; and industrial processes (which can be carried out in a residential area).

Paragraph 3.1 of the planning and heritage statement highlights that the development will provide a range of commercial activity, with the indicative occupiers identified as, food and drink servery, florist, artisan bakery, coffee stall and street food stands.

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 the resubmitted application contains even less clarity on the uses that are proposed – indeed it expands the proposed to cover the full range of development permitted in class E of the use classes order. It is considered that the submitted technical documents do not address the possible implications of the range of activities allowed in class E.

The need for new development to reinforce the roles of centres is also embedded within the 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 the PNP and NLP 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 TCS1 of the 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.

In making decisions on planning applications Northumberland County Council has a legal duty to ensure they 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 Northumberland County Council 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 welcomes the decision of the applicant to move away from the use of shipping containers and the use of traditional materials, it is considered that the overall density and scale of the development, alongside the significant areas of fencing, and overall height of the development (7.7m) 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 the bridge and 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 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, 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 design, scale and appearance of the proposed development clearly conflicts with the provisions of the development plan. It would result in substantial harm to the significance of the Ponteland Conservation Area and the settings of nearby listed buildings, without any notable public benefit. It is therefore contrary to neighbourhood plan policies PNP2 and PNP5, 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 250 people, whilst it is noted that this capacity has reduced from 350 in the previous application, this remains 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. 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 1026 square metres of new floorspace, this would suggest that 103 parking spaces would be required.

Reference is made to the site being well served by public transport. The opening hours identified on the application form state that the development would be open from 8am to 11.30pm Monday to Friday, 8am to 12am on a Saturday and 9am to 11.30pm on a Sunday/ Bank Holiday. There is a limited bus service after 8.30pm.

PTC also has concerns regarding the impact of the development on highway safety, particularly as Ponteland experiences high levels of congestion on and around the A696. It is considered that the proposed access is inadequate to accommodate the level of visitors to the site. 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 NLP policies TRA2 and TRA4 and paragraphs 110 of the NPPF.

Impact on flooding

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 NLP policies WAT3 and WAT4 and paragraph 167 of the NPPF.

PTC therefore remains 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, NLP policy TCS1 and paragraph 86 of the NPPF;
- The inappropriate 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 notable public benefit. It is therefore contrary to neighbourhood plan policies PNP2 and PNP5, 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 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 NLP policies WAT3 and WAT4 and paragraph 167 of the NPPF.

The application should therefore be refused.

1.2 23/00207/VARYCO, 2 Darras Road, Darras Hall, Ponteland, NE20 9HA

Proposal: Variation of Conditions 2.3, 2.4 and 2.5 (Approved Plans) to allow extension to be used as an ice cream parlour and pizza shop on approved application 18/03957/FUL

Comment: The Planning Committee have no objections to the variations in this application. They did object to the original application with major concerns regarding safety and the proximity of the proposed premises to a busy junction in the centre of Ponteland. They cannot stress enough the potential danger to both pedestrians and vehicles which could be caused by deliveries to these premises and by customers collecting food from the takeaway.

The Committee made no comments about the other 3 applications considered.

2. DECISIONS: APPLICATIONS AND APPEALS; WITHDRAWN APPLICATIONS

2.1 DECISION: 22/04375/FUL

38 West Road Ponteland Newcastle Upon Tyne Northumberland NE20 9SX

Proposed: New rear extension consisting of two storey extension to West side of property and single storey to East side of property to create new bedroom at first floor and kitchen extension to ground floor. Removal of existing single storey mono pitched extension to rear of West side.

The application was **GRANTED** on 1st February 2023.

The Committee had made no comment about this application.

2.2 DECISION: 22/04442/FUL

79 Whinfall Road, Darras Hall, Ponteland NE20 9ER

Rebuilding of porch with tiled roof, new tiled roofs to the front dormers, new tiled roofs to front dormers, extension to rear dormers with tiled roofs and renewing existing decking. Also new entrance gate and piers with extended driveway to allow for parking and on site turning (retrospective)

The application was **GRANTED** on 1st February 2023.

Comment: The Planning Committee request that the bat survey recommendations are considered. (The ridge tile gable end bat roost found during the 2021 dusk survey appears to be currently not active in 2022, however as this may be a temporary abandonment due to extensive site construction works the client should leave the end of the ridge tile unblocked and allow the roost to remain as is and in situ. This requirement should be conditioned as part of the planning consent.)

2.3 DECISION: 22/04563/FUL

6 Whinfall Road, Darras Hall, Ponteland, Northumberland NE20 9EP

New sun room in lieu of conservatory to rear

The application was **GRANTED** on 2nd February 2023.

The Committee had made no comment about this application.

2.4 DECISION: 22/04032/FUL

Kielder Building Kirkley Hall Kirkley Hall Drive Kirkley Northumberland

Two storey side extension to provide new refectory and classroom facilities

The application was **GRANTED** on 2nd February 2023.

The Committee had made no comment about this application.

2.5 DECISION: 22/04339/VARYCO

Land East of Clickemin Farm Cottage Ponteland Newcastle Upon Tyne

Variation of condition 1 (approved plans) on approved application 21/00439/AGTRES in order to change the layout of the building design.

The application was **GRANTED** on 2nd February 2023.

The Committee had made no comment about this application.

2.6 DECISION: 22/04377/FUL

58 Willow Way, Darras Hall Ponteland Newcastle Upon Tyne Northumberland NE20 9RF

Partial demolition and extension of existing single storey, 3 bed dwelling into a 2 storey, 6 bed dwelling

The application was **GRANTED** on 2nd February 2023.

The Committee had made no comment about this application.

2.7 DECISION: 22/03204/FUL

163 Runnymede Road, Darras Hall, Ponteland, Northumberland, NE20 9HR

Retrospective - Reinstatement of previous driveway entrance onto Runnymede Road, drive access to Langton Court blocked off, pedestrian gate to corner of plot blocked off, new boundary low walls, entrance piers, gates and hedging and new entrance portico

The application was **GRANTED** on 2nd February 2023.

The Committee had made no comment about this application.

2.8 DECISION: 21/01943/LBC

Northumbria Police HQ, Ponteland, NE20 0BL

Repointing and step repairs

The application was **GRANTED** on 3rd February 2023.

The Committee had made no comment about this application.

2.9 DECISION: 22/03331/FUL

92 Errington Road Darras Hall Ponteland Newcastle Upon Tyne Northumberland NE20 9LA

Rear two storey extension and structural alterations to existing chalet style dormer bungalow

The application was **GRANTED** on 3rd February 2023.

The Committee had made no comment about this application.

2.10 DECISION: 22/04553/FUL

88 The Rise, Darras Hall Ponteland Newcastle Upon Tyne NE20 9LQ

Proposed installation of Air Source Heat Pump

The application was **GRANTED** on 6th February 2023.

The Committee had made no comment about this application.

2.11 DECISION: 22/04716/FUL

15 Dunsgreen, Ponteland NE20 9EH

Single Storey front extension and 2 storey rear extension with roof alteration

The application was **GRANTED** on 8th February 2023.

The Committee had made no comment about this application.

2.12 DECISION: 22/04235/FUL

1 Ashdale Darras Hall Ponteland Northumberland NE20 9DR

Extension with decking, extension to garage, and new roof tiles to existing roof, new road crossing and driveway with low wall and planting.

The application was **GRANTED** on 6th February 2023.

The Committee had made no comment about this application.

3. ANY OTHER BUSINESS

DATE OF NEXT MEETING: Tuesday 28th February 2023