

was confirmed that the matter should be considered by the Local Area Council Planning Committee.

2. Description of the Proposals

- 2.1 Planning permission is sought for the erection of 1no dwelling at Kirkups Corner, East Road, Longhorsley.
- 2.2 The existing site consists of a privately-owned parcel of land which serves as a garden area for Kirkups Corner. The proposed 2 storey detached dwelling would measure 15.3 metres in width by 15 metres in length, incorporating a pitched roof that measures 4.6 metres to the eaves and 7.9 metres to the highest point. The dwelling would be a 4 bedroom property with an attached double garage. Access to the site would be from the C137 (East Road) public highway located to the North of the application site.
- 2.3 The dwelling would be constructed with stonework and a slate roof with timber fenestration.
- 2.4 An amended proposal was submitted in regards to the scheme, reducing the no. of dwellings on the site from 2no to 1no. It is these amended details that will be considered within the below appraisal.
- 2.5 The application site is situated within Longhorsley Conservation Area with Listed Buildings located to the West of the site.

3. Planning History

N/A

4. Consultee Responses

Highways	No objections providing inclusion of conditions and informatives.
SE Tree And Woodland Officer	No response received.
Northumbrian Water Ltd	No objection providing inclusion of informative.
Building Conservation	No objection to amended scheme.
Longhorsley Parish Council	Object to the application raising 7no points which are duly considered in the below appraisal. These relate to: <ul style="list-style-type: none">● Discrepancy with plans;● Impact on conservation area;● Two storey aspect;● Heritage statement issues;● Conservation officers response;● Access points;● Trees.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	14
Number of Objections	3
Number of Support	0
Number of General Comments	0

Notices

Site Notice- Affecting Conservation, 11th January 2018

Northumberland Gazette 18th January 2018

Summary of Responses:

Overall, 3no objections were received against the application with 2no objections against the original proposal and 1no objection against the revised scheme; received by a neighbouring property which also objected to the original scheme. Concerns were raised regarding:

- Loss of privacy;
- Not in keeping with the area;
- Impacts on water supply;
- Village green status;
- Construction noise/traffic;
- Loss of view and light;

Whilst some of these concerns are not considered as material planning considerations, planning matters have been considered within the below appraisal with some concerns also to be secured under appropriate planning conditions.

6. Planning Policy

4.1 Development Plan Policy

Castle Morpeth District Local Plan (2003, saved policies 2007)

Policy C1 Settlement boundaries
Policy C15 Trees in countryside and urban areas
Policy C29 Design considerations within conservation areas
Policy H1 Housing Land Supply
Policy H11 Tandem and backland development
Policy H15 New Housing Developments
Policy RE6 Service infrastructure
Policy LHC1 Settlement boundary

Longhorsley Neighbourhood Plan (submission draft 2017)

Policy LNP1 Development within the settlement boundary
Policy LNP4 Design
Policy LNP5 Housing within settlement boundary

Policy LNP16 Water management
Policy LNP19 Landscaping
Policy LNP20 Conservation area

6.2 National Planning Policy

National Planning Policy Framework (2012)
National Planning Policy Guidance (2014, as updated)

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

- Principle of the development
- Housing supply
- Design and visual impact
- Conservation area
- Impact on amenity
- Highways
- Trees
- Drainage

7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration however, the Castle Morpeth District Local Plan (adopted 2003) remains the development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 215 that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF. The Longhorsley Neighbourhood Plan is currently at submission stage and as such, can be afforded significant weight, and will be considered within the appraisal of the application.

Principle of the development

- 7.3 Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
- 7.4 NPPF Paragraph 6 advises that the Policies set out in Paragraphs 18 to 219 of the document, taken as a whole, constitute the Government's view on what sustainable development in England means in practice for the planning system. Paragraph 7 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development, an economic element, a social

element and an environmental element. Paragraph 8 goes on to advise how the three elements of sustainable development are mutually dependant and should not be undertaken in isolation. It makes clear that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

- 7.5 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles.
- 7.6 It is acknowledged that being situated within the centre of Longhorsley Village, the application site is within a sustainable location with adequate access to services on both foot and cycle, negating the need for a private car to access every day services. Public transport is readily available within the immediate surrounding area to the site, allowing access to larger neighbouring towns however, it is recognised that Longhorsley does benefit from a range of community facilities such as a school, shops, pub and Village Hall all in proximity to the application site.
- 7.7 Having regards to the local plan, policy C1 of the Castle Morpeth District Local Plan outlines the settlement boundaries upon the map insets detailing that development should be focused within these defined areas. The application site is recognised as being located within the settlement boundary for Longhorsley with neighbouring residential properties to the North, West and South. Policy C1 looks to focus development within these defined settlement boundaries with this closely linking with policy LNP1 of the Longhorsley Neighbourhood Plan. Policy LNP5 of the Longhorsley Neighbourhood Plan also details that proposals for individual dwellings within the settlement boundary would be supported, providing accordance with other relevant planning policies.
- 7.8 Therefore the principle of development is considered acceptable, in accordance with policies included within the Castle Morpeth District Local Plan and Longhorsley Neighbourhood Plan as well as provisions within the NPPF.

Housing Supply

- 7.9 Paragraph 47 of the NPPF requires Local Planning Authorities to boost significantly the supply of housing with Paragraph 49 then advising that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.10 The latest five-year housing land supply position is a crucial matter for consideration. To meet the requirement of the NPPF, LPAs are required to identify and update annually, a five-year supply of deliverable housing land, with an additional buffer of 5% or 20% to ensure choice and competition in the market. The higher buffer must be applied whereby circumstances of “persistent under-delivery” have been evident.

- 7.11 The 'Northumberland Five-Year Supply of Deliverable Sites 2017 to 2022' report was published in November 2017. This outlines that the Council has calculated an OAN in accordance with the methodology set out in the Planning Practice Guidance (PPG), using the most up-to-date official 2014-based household projections as the starting point. From this work, it is considered that the OAN falls within the range of 14,680 to 22,920 dwellings. As a result, Northumberland's OAN for the purposes of calculating a five-year housing land supply is considered to fall at a midpoint within the above range. This equates to 18,880 dwellings over the period 2011 to 2031, an annual average of 944 dwellings per annum. The baseline five-year requirement for the period 2017 to 2022 is therefore 4,720 dwellings.
- 7.12 This latest assessment of the five-year housing land supply position covers the period 2017 to 2022 and identifies where new housing will be built in the next five years. The report confirms that the Council can identify a deliverable supply of housing land equivalent to 6.5 years. The ability to identify a five-year supply of deliverable housing land means that the requirement for new homes does not become the dominating factor in the decision-making process.

Design and visual impact

- 7.13 Policy H15 of the Castle Morpeth District Local Plan outlines the provisions which must be assessed in regards to the creation of new dwellings within the former district. This policy stipulates that proposals must be compatible with any distinctive vernacular character present in the locality, in respect of layout, design and materials. This policy closely aligns with policy LNP4 of the Longhorsley Neighbourhood Plan which seeks to 'respect and enhance the immediate setting and local character' whilst 'maintaining a consistency in the street scene'.
- 7.14 The submitted details indicate a traditional 2 storey dwelling constructed with stonework and slate roof tiles, matching the materials used in the construction of neighbouring dwellings and thus retaining the character of the surrounding area. The overall scale and massing of the dwelling is considered acceptable and would not appear as an incongruous addition to the site, matching the scale of the immediately neighbouring properties located to the South of the application site. Whilst it is noted that an objection against the scheme raised concerns in regards to a two storey dwelling being situated at the site, it was recognised by the officer when visiting the site that a number of two storey properties exist within the immediate surrounding area with the addition of a two storey dwelling on this site not considered to be inappropriate development. The incorporation of a pitched roof upon the application property is considered acceptable, matching that of neighbouring properties whilst fenestration has been appropriately sited at ground and first floor levels.
- 7.15 It is considered by the officer that the submitted details indicate a property of high quality design and therefore the proposals accord with policy H15 of the Castle Morpeth District Local Plan, Policy LNP4 of the Longhorsley Neighbourhood Plan as well as part 7 of the NPPF in terms of high quality

design. A condition has been attached to ensure the local planning authority has control over the window materials to be used.

Conservation area

- 7.16 The application site is recognised as being located within Longhorsley Conservation Area within proximity to listed buildings. The original village of Longhorsley comprised of two parallel rows of housing fronting onto a linear village green which is situated on a low east-west ridge. The core of the village contains a large number of traditional dwellings and farmhouses of good architectural quality constructed in local stone with slate roofs. Listed Buildings are located to the West of but are situated a minimum of 80 metres away from the application site.
- 7.17 The National Planning Policy Framework (NPPF) is a significant material consideration in the assessment of proposals. Paragraph 57 of Section 7 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 128, Section 12 of the NPPF requires an applicant to describe the significance of any heritage assets affected in a heritage statement, including any contribution made by their setting;
- 7.18 Paragraph 135 of the NPPF discusses the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets.
- 7.19 Policy C29 of the Castle Morpeth District Local Plan outlines the importance of well designed buildings within designated conservation areas. This policy recognises how the design of buildings can negatively impact upon the conservation area and seeks to preserve or enhance the quality and character of the area through the appearance, massing, use of materials and architectural features. Whilst consideration in regards to design has been given within the design and visual impact part of the appraisal, further considerations regarding the impact upon the conservation area are given below.
- 7.20 Within a consultation response provided by Building Conservation, it is considered that the proposed 1no dwelling is acceptable development within the conservation area with the use of sympathetic materials in regards to stonework, slate roof and timber fenestration retaining the heritage aspect of the surrounding area. The existing boundary of the proposed site is a combination of stone walling and hedges with the submitted details indicating the stone walls are to be retained, this being welcomed by Building Conservation and the planning officer to retain the traditional boundary treatments at the site with these contributing to a positive feature upon the

street scene. Whilst the development would of course result in the loss of existing open space, with the application site recognised as forming part of a registered village green (VG18), it should not be seen as setting a precedent for the creation of additional infill development in the other more significant green spaces within the Conservation Area, most notably to the West of the village. It is recognised that the existing site is bounded by a stone wall and hedging which restricts public access to the site and thus reducing the village green status of the site at present, village greens primarily being considered to benefit from open boundaries allowing for ease of access.

- 7.21 Whilst the proposal cannot be considered to enhance the character and appearance of the conservation area, the current proposal is considered to mostly preserve the character and appearance of the area and would not represent significant harm upon Longhorsley Conservation area, thus ensuring accordance with policy C29 of the Castle Morpeth District Local Plan and policy LNP20 of the Longhorsley Neighbourhood Plan, as well as provisions included within the NPPF.

Impact on amenity

- 7.22 A site visit was undertaken by the officer to assess the proposal and any potential adverse impacts upon the amenity of neighbouring residents with policy H11 and H15 of the Castle Morpeth District Plan seeking to protect residential amenity. The orientation of the proposed dwelling ensures there would be no adverse impacts on privacy caused by the scheme with the primary elevations (front and rear) overlooking open space and a rear garden area. Whilst recognising that there would be first floor windows upon both side elevations, a condition has been attached to any approval requesting that these be opaque glazing to retain privacy at the site and that of neighbouring residents.
- 7.23 Separation distances to neighbouring properties are considered acceptable to ensure no overbearing impact or significant loss of light to existing dwellings that surround the site with a separation distance of 19 metres from the South facing side elevation to the main rear elevation of the neighbouring Hawthorn Cottage with an 18 metre separation distance from the North facing side elevation to the neighbouring properties on the adjacent side of the East Road public highway.
- 7.24 It is therefore considered that the proposed works accord with policies H11 and H15 of the Castle Morpeth District Local Plan and would not result in an adverse impact upon the amenities of neighbouring properties.

Highways

- 7.25 Consultation was undertaken with the local highways authority in regards to the amended scheme and any potential impacts upon highways safety that may be caused by the development. It is considered that the principle of development at the site is considered acceptable in highways terms providing the inclusion of conditions and informatives upon any approval. The creation of a new access at the site onto the East Road public highway must be done in accordance with NCC Type A access specification with it the responsibility of the applicant to arrange for this to be undertaken with the local area highways authority's approval. In terms of car parking at the site, sufficient

space would be located at the site for the provision of vehicle parking in terms of hardstanding and the attached double garage with manoeuvring space to the front of the dwelling also ensuring a safe access out onto the public highway. A condition has been attached to any approval also detailing that a construction method statement must be submitted to and approved by the local planning authority prior to the commencement of any development to retain road safety whilst also ensuring no adverse amenity impacts would be caused to neighbouring properties through the construction process.

Trees

- 7.26 The application site is bounded by a selection of medium sized trees, mostly located to the South of the site in what would be the rear garden of the application site. It was noted when visiting the site and within the submitted proposed site plan that 1 no medium sized tree exists towards the Northern boundary of the site, the application proposing to remove this as part of the proposal. Due to the modest size of the tree, it is not considered to have any significant positive impact upon the visual amenity of the conservation area and therefore removal of this tree would raise no concerns in terms of an adverse impact upon the area. A condition would be attached to any approval stipulating that the remaining trees on the site should remain untouched to retain the character of the area and also assist with partial screening at the application site. It is therefore officer opinion that the inclusion of such a condition would ensure accordance with policy C15 of the Castle Morpeth District Local Plan as well as Policy LNP19 of the Longhorsley Neighbourhood Plan.

Drainage

- 7.27 Consultation was undertaken with Northumbrian Water in regards to drainage at the site with the submitted details indicating connection to the existing mains sewer. No issues have been raised by NWL in regards to the scheme with an informative attached in relation to surface water management at the site. The scheme is therefore considered to be in accordance with policy RE6 of the Castle Morpeth District Local Plan as well as LNP16 of the Longhorsley Neighbourhood Plan.

Parish Council response

- 7.28 An objection was submitted by Longhorsley Parish Council on 29th May 2018 in relation to the amended scheme raising concerns regarding a number of points. Whilst the majority of these have been addressed within the above appraisal in terms of design/scale, impact on trees, impact on conservation area, village green status and highways safety it is recognised that further concerns were also raised.
- 7.29 A discrepancy in the plans was identified which has since been rectified by the agent and passed onto Longhorsley Parish Council with concerns also raised in terms of the heritage statement submitted by the agent and lack of reference to the Longhorsley Neighbourhood Plan. Whilst not referenced with the supporting documents, this neighbourhood plan has been given sufficient weight by the planning officer in the assessment of the proposal which can be noted within the above appraisal.

Equality Duty

- 7.30 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

- 7.31 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

- 7.32 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.33 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 7.34 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

- 8.1 Consideration has been given to potential effects on character, visual amenity, highway safety and drainage at the site and surrounding area. There are not considered to be any significant harmful impacts, and any effects could be satisfactorily mitigated through appropriate conditions where necessary. It is

therefore considered that sustainable development would be achieved in this case having regard to the relevant policies of the development plan, neighbourhood plan and the NPPF. The identified development plan policies set out are considered to be consistent with the NPPF.

- 8.2 It is officer opinion that the proposal included within the application is acceptable and would not result in an adverse impact upon the surrounding landscape, neighbouring properties or Longhorsley Conservation Area. The application is therefore considered to be in accordance with policy C1 and H15 of the Castle Morpeth District Local Plan as well as LNP1 and LNP5 of the Longhorsley Neighbourhood Plan, as well as provisions within the NPPF.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Location plan drawing no. PL_853_001 Rev. A (received 27th November 2017)
2. Proposed site plan drawing no. PL_853_101 Rev. A (received 8th March 2018)
3. Proposed elevations drawing no. PL_853_303 Rev. B (received 31st May 2018)
4. Proposed floor plans drawing no. PL_853_301 Rev. B (received 31st May 2018)
5. Proposed roof plan drawing no. PL_853_302 Rev. B (received 31st May 2018)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

03. Prior to the first occupation of the building hereby permitted, the windows at first floor level upon both the North and South facing side elevations, serving bedroom 3 and 4 as well as bedroom 2 and a bathroom, as shown on drawing no. PL_853_301 Rev. B shall be fitted with obscure glazing, and that glazing shall be permanently retained in that condition thereafter.

Reason: In the interests of residential amenity and in order to avoid any overlooking or loss of privacy which may otherwise have resulted, in accordance with the provisions of policy H15 of the Castle Morpeth District Local Plan.

04. Notwithstanding any description of the materials in the application, no development shall be commenced until precise details, of the materials to be used in the construction of the window frames/lintels/sills of the building have been submitted to, and approved in writing by, the Local Planning Authority. All window frames/lintels/sills materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of policy H15 of the Castle Morpeth District Local Plan.

05. All trees and hedges within, and to the boundaries, of the site identified on the approved application plans as being retained, shall be retained and protected throughout the course of development in accordance with a detailed scheme of works which shall first be submitted to, and approved in writing by, the Local Planning Authority. These measures shall be implemented in complete accordance with the approved scheme and shall remain in place throughout the course of the construction of the development, unless otherwise approved in writing with the Local Planning Authority. Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with the provisions of H15 of the Castle Morpeth District Local Plan.

06. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

07. The development shall not be occupied until the car parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

08. The development shall not be occupied until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

09. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

10. No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Chapter 7 of the National Planning policy Framework.

Informatives

- 1) You should note that under the Highways Act 1980 a vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: centralareahighways@northumberland.gov.uk.
- 2) Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345600 6400 for Skips and Containers licences.
- 3) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- 4) Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of

priority: Discharge into ground (infiltration) Discharge to a surface water body
Discharge to a surface water sewer, highway drain, or another drainage
system As a last resort, discharge to a combined sewer.

Date of Report: 25th June 2018

Background Papers: Planning application file(s) 17/04301/FUL