

2. Description of the Proposals

- 2.1 Planning permission is sought for alterations to an existing dwellinghouse recognised as 9 Bridge End, West Thirston.
- 2.2 The submitted details indicate the conversion of an existing garage to a studio/art room by way of removal of the existing steel garage door and replacement with a stone wall and wooden sash window. The proposal also includes the provision of an outbuilding within the rear garden and replacement of the existing front door.
- 2.3 A variation of conditions application was approved by the local planning authority on 10th July 2019 under reference no. 19/01342/VARYCO negating the requirement for this garage to be used for vehicle parking. Furthermore, permitted development rights have been removed from the property following the granting of the original planning permission in 2001.
- 2.4 The proposed materials by way of stonework and a wooden sash window would match the existing materials in place at the site. The proposed outbuilding would be constructed using red cedar cladding with Georgian windows and doors.
- 2.5 The application site is located within the designated heritage asset which is West Thirston conservation area.

3. Planning History

Reference Number: CM/00/D/455

Description: ERECTION OF 3 NO TERRACED HOUSES

Status: Refused

Reference Number: CM/90/D/674

Description: ERECTION OF THREE TERRACED HOUSES

Status: Refused

Reference Number: CM/98/D/386

Description: ERECTION OF 3 NO TERRACE HOUSES AS AMENDED

Status: Refused

Reference Number: CM/01/D/065

Description: ERECTION OF 3 NO TERRACE HOUSES WITH INTEGRAL GARAGES

Status: Refused

Reference Number: CM/90/D/203

Description: ERECTION OF 3 TERRACED HOUSES

Status: Refused

Reference Number: 19/01342/VARYCO

Description: Variation of condition 3 (parking) pursuant to planning CM/01/D/065

Granted by Appeal Decision APP/T2920/A/01/1064067 to retain 1 parking space for no other purpose

Status: Permitted

Appeals

Reference Number: 01/00016/REFUSE

Description: ERECTION OF 3 NO TERRACE HOUSES WITH INTEGRAL GARAGES

Status: Allowed

4. Consultee Responses

Building Conservation	Building conservation support the proposal. It is requested details of the replacement door are conditioned upon the granting of any approval.
Thirston Parish Council	No objections.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site notice Conservation & affect LB, 12th September 2019

Northumberland Gazette, 19th September 2019

Summary of Responses:

None received

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PVR4WJQSI4200>

6. Planning Policy

6.1 Development Plan Policy

Castle Morpeth District Local Plan (2003) (Saved Policies 2007) (CMDLP)

Policy H14 - Improvements to Existing Housing

Policy C1 - Settlement Boundaries

Policy WTC1 - West Thirston Settlement Boundary

Policy WTC5 - West Thirston Conservation Area

6.2 National Planning Policy

National Planning Policy Framework (February 2019) (NPPF)

6.3 Emerging Planning Policy

Emerging Northumberland Local Plan Publication Draft (January 2019) with Minor Modifications (May 2019) (NLPPD)

Policy STP1 - Settlement Boundaries

Policy HOU 1 - Making the best use of existing buildings (Strategic Policy)

Policy HOU 9 - Residential development management

Policy QOP 1 - Design principles (Strategic Policy)

Policy QOP 2 - Good design and amenity

Policy ENV 9 - Conservation areas

7. Appraisal

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

- Principle of the development;
- Design and visual character;
- Impact on heritage assets;
- Impact on residential amenity.

In accordance with paragraph 48 of the NPPF, local planning authorities (LPA's) may also give weight to relevant policies within emerging plans depending on the stage of preparation, extent of unresolved objections and the degree of consistency with the NPPF. Policies contained within the NLPPD (including proposed minor modifications May 2019) can therefore be given some weight in the assessment of this application.

Principle of the development

7.2 Policy C1 of the CMDLP, read in conjunction with the inset maps which accompany the plan, outlines that development should be focused within recognised settlements. The application site is located within the settlement boundary for West Thirston with the application proposing works to an existing residential property. As such, the principle of development is considered acceptable in accordance with policy C1 of the CMDLP and the NPPF.

Design and visual character

7.3 Policy H14 of the CMDLP outlines that proposals to alter, extend or improve dwellings must have no adverse impact on the appearance of the property or surrounding area whilst materials used should match or closely complement those of the existing dwelling. Paragraph 124 of the NPPF recognises good design as a key aspect of sustainable development with paragraph 127 going on to note that developments should function well and add to the overall quality of the area.

7.4 Some weight can also be given to relevant policies within the NLPPD including minor modifications. Policy HOU 9 notes that householder proposals should be well-related and subordinate in size and massing to the existing dwelling whilst also respecting the style and character of the existing property.

- 7.5 The proposed works to the residential property are considered acceptable and would not result in an adverse impact upon the street scene or the character of the property. The use of matching materials in terms of stonework and wooden sash windows ensures the traditional nature of the application property and surrounding area are retained with the scale and massing of the proposed summerhouse acceptable to ensure it is not an incongruous addition to the rear of the site. Whilst no details have been provided in relation to the style of the replacement front door, it is considered that this can be appropriately conditioned upon any approval.
- 7.6 It is therefore the consideration of the local planning authority that the proposal accords with relevant local and national planning policies in terms of design.

Impact on heritage assets

- 7.7 The application site is situated within the designated heritage asset recognised as West Thirston conservation area with neighbouring listed buildings to the west of the site, and also further to the east. Under paragraphs 127 and 192 of the National Planning Policy Framework (NPPF) in determining planning applications, local planning authorities should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting; and the desirability of new development in making a positive contribution to local character and distinctiveness.
- 7.8 It is considered that the proposals as outlined within this application accord with the appearance of the conservation area and preserve the local character and distinctiveness of the village. Furthermore, having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act, it is considered the proposals would preserve the ability to appreciate and understand the setting and significance of neighbouring listed buildings.

Impact on residential amenity

- 7.9 Policy H14 of the CMDLP states that proposals to alter, extend or improve dwellings must not result in an adverse impact upon the amenity of neighbouring residents. The NPPF at paragraph 127, part f) mirrors these provisions by stipulating development should provide a high standard of amenity for both existing and future users.
- 7.10 It is the consideration of the local planning authority that the proposal would not result in any adverse impact upon the amenity of neighbouring residents by way of privacy, overlooking or overbearing impacts and therefore accords with relevant local and national planning policy in terms of residential amenity.

Equality Duty

- 7.11 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

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

Human Rights Act Implications

- 7.13 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.
- 7.14 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.
- 7.15 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 The main planning considerations in determining this application have been set out and considered above whilst having regard to the appropriate local plan policies. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

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 (received 11th September 2019)
2. Proposed elevations drawing no. 03 (received 15th August 2019)
3. Proposed floor plans drawing no. 02 (received 15th August 2019)
4. Section through and specification drawing no. 04 (received 15th August 2019)
5. Site layout plan (received 11th September 2019)
6. Summer house specification (received 2nd September 2019)

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

03. The development hereby approved shall be constructed using the materials as described in the received application form.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy H14 of the Castle Morpeth District Local Plan

04. Prior to any works to the existing external front door, details of the proposed replacement door must be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the satisfactory appearance of the development upon the designated heritage asset of West Thirston conservation area

Date of Report: 23rd September 2019

Background Papers: Planning application file(s) 19/02787/FUL