

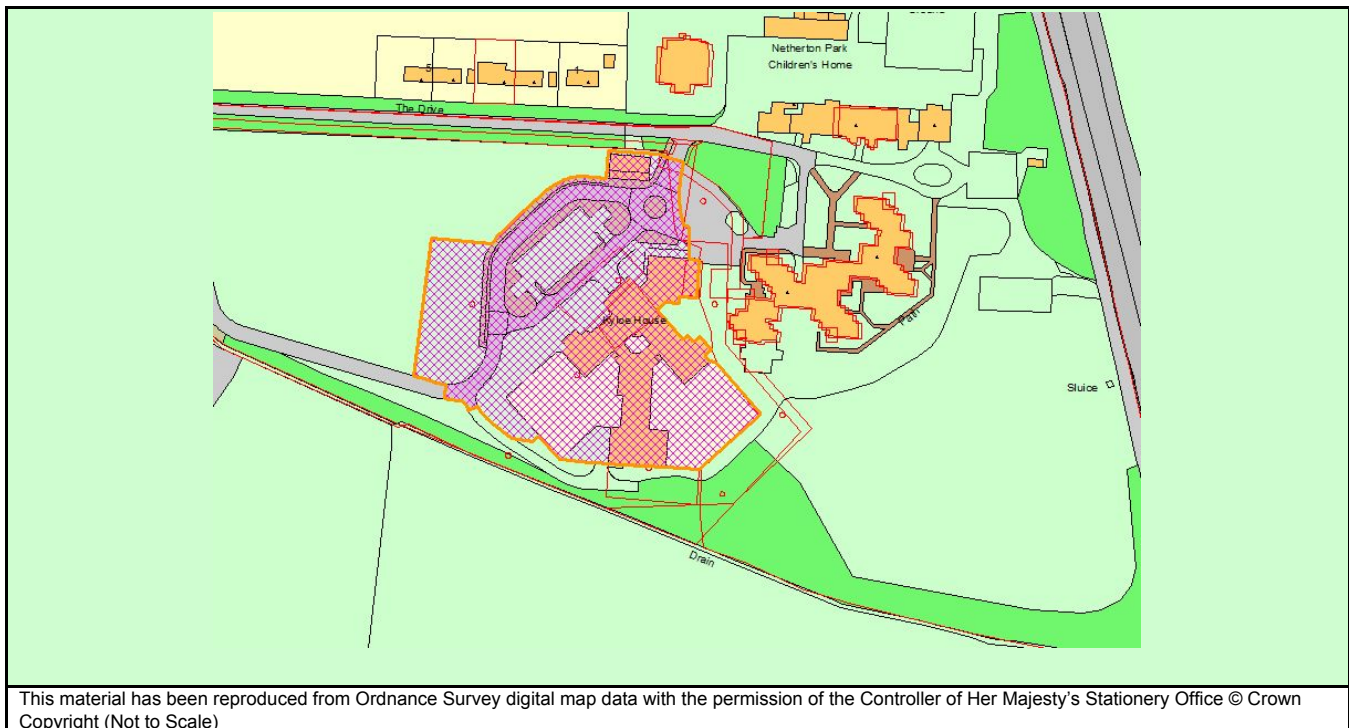


Northumberland County Council

Strategic Planning Committee 6 August 2019

Application No:	19/01693/VARYCO		
Proposal:	Variation of Condition 2 pursuant to planning permission 17/00329/VARYCO in order to amend the design		
Site Address	Kylloe House, Netherton Park, Stannington, Morpeth Northumberland NE61 6EF		
Applicant:	Ms Karen MacDonald County Hall, Morpeth, NE61 2EF	Agent:	Tim Beech Architects Ltd TIM BEECH 13 Lostock Avenue, Poynton, Stockport, SK12 1DR
Ward	Ponteland East And Stannington	Parish	Stannington
Valid Date:	29 May 2019	Expiry Date:	7 August 2019
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by members of the Strategic Planning Committee, in accordance with the Council's current Scheme of Delegation, as Northumberland County Council is the applicant.

2. Description of the Proposals

2.1 Planning permission is sought for the variation of condition 2 pursuant to planning permission 17/00329/VARYCO in order to amend the design of the Vocational extension to Kyloe House

2.1 Planning permission was granted for the construction of an extension to the existing secure children's home to provide a step-down unit and vocational training facility under application reference 15/02776/FUL. The site is located within Netherton Park close to Stannington.

2.3 A subsequent application was approved vary of condition 2 (approved plans) under reference 17/00329/VARYCO. The works consisted of:

- The development is reduced in floor area by over 100sqm;
- The roof of the south west facing vocational training block is to be from a mono pitch to a hipped dual pitched that is similar to the existing roof scape; This results in a reduction in height of the building
- The block that sits beyond the existing secure wall (north west facing elevation) is changed from two storey to single storey. This also has a hipped dual pitched roof.

2.4 The extension and alterations to Kyloe House are now complete with the exception of the vocational facility room. This is now proposed to be used as an administration building with minor revisions to the design including a pitched roof from a lean-to. The application is to ensure that the revised minor alterations to the overall design has planning approval. The footprint would provide a 11.5sqm increase from 126sqm to 137sqm and from a hipped pitched roof with a ridge height of 8.5m from the lean-to height of 7m

3. Planning History

Reference Number: C/96/CC/96

Description: Details of landscape works submitted pursuant to condition no. 3 of planning permission 95/CC/32 in respect of construction of new secure unit

Status: PER

Reference Number: C/95/CC/32

Description: Construction of 12 bed secure unit

Status: PER

Reference Number: C/04/00026/CCD

Description: Construction of extension to provide additional administration facilities

Status: WDN

Reference Number: C/04/00231/CCD

Description: Construction of extension to provide additional administration facilities

Status: PER

Reference Number: C/08/00019/CCD

Description: Extension of existing external CCTV system including additional cameras and columns

Status: PER

Reference Number: C/10/00216/CCD

Description: Single storey extension

Status: PER

Reference Number: C/10/00238/CCD

Description: Proposed 52 metre squared secure vehicle drop off area

Status: PER

Reference Number: 11/03295/CCD

Description: Erection of an additional 8M Camera tower to south of Kylloe House.

Status: PER

Reference Number: 12/00956/CCD

Description: Installation of solar photo voltaic panels on the school roof

Status: PER

Reference Number: 15/02776/FUL

Description: Extension to existing unit to provide a Step-Down unit and Vocational training facility

Status: PER

Reference Number: 17/00329/VARYCO

Description: Variation of condition 2 (plans) of approved planning application

15/02776/FUL

Status: PER

Reference Number: 18/00706/FUL

Description: Creation of new car park with 29 parking spaces to serve a newly constructed stepdown/vocational unit.

Status: PER

Reference Number: CM/04/D/932 NCC

Description: Extension to provide additional administration facilities

Status: NOOBJ

Reference Number: CM/04/D/092/NCC

Description: Proposed extension to existing secure unit to provide additional admin facilities.

Status: NOOBJ

4. Consultee Responses

Stannington Parish Council	No response received.
Highways	No objections
Education - Schools	No objections

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

General site notice 21st June 2019

No Press Notice Required.

Summary of Responses:

The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PS7CXLQSGBA00>

6. Planning Policy

6.1 Development Plan Policy

C1 Settlement Boundaries - Castle Morpeth District Local Plan

Saved Policy S5 of the Northumberland and National Park Joint Structure Plan

6.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2014, as updated)

6.3 Emerging Policy

Northumberland Local Plan Publication Draft Plan (Regulation 19)

Policy STP 1 – Spatial strategy

Policy STP 2 - Presumption in favour of sustainable development

Policy STP 3 - Sustainable development

Policy HOU 8 – Residential development in open countryside

Policy HOU 9 - Residential development management

Policy QOP 1 - Design principles

Policy QOP 2 - Good design and amenity

Policy TRA 4 – Parking provision in new development

Policy ENV 2 – Biodiversity and geodiversity

Policy ENV 3 – Landscape

Policy WAT 3 – Flooding

Policy WAT 4 – Sustainable drainage systems

7. Appraisal

7.1 In determining this application, the main planning issues to be considered are the principle of the development, and any issues of amenity.

Principle of Development

7.2 The application site lies outside of any settlement boundary as defined by Saved Policy C1 of the Castle Morpeth Local Plan and therefore falls within the Open Countryside. The emphasis of policy C1 is to restrict development beyond settlement boundaries however, the proposal is for an alteration to a previously approved modest extension which is part of Kyloe House at Netherton Park. The principle of development within the Open Countryside has therefore already been established under application 17/00329/VARYCO.

7.3 The proposals are not identified as being located within the green belt under the Castle Morpeth Local Plan however, Saved Policy S5 of the Northumberland and National Park Joint Structure Plan identifies an extension of the Green Belt outside of Morpeth that includes the application site, although it is considered to be ambiguous for those locations on the inner outer boundaries of the proposed Green Belt Policy S5 however, the site at Netherton Park is clearly within the general extent. There are appeal cases that identify great weight can be afforded the Policy S5. The NPPF lists certain categories of built development that are not necessarily inappropriate in the Green Belt. It includes extensions to buildings provided they do not result in disproportionate additions over and above the size of the original building under paragraph 145.

7.4 The proposed works are considered to be limited extensions to an existing property that would not result in deterioration to the openness of the proposed green belt or be visually detrimental. The proposal is therefore acceptable in principle as it would be in accordance with the NPPF.

Design and amenity

7.5 The site is located within a small group of buildings known as Netherton Park near Stannington which includes commercial, residential and agricultural uses. This building is located some distance from the neighbouring buildings, the closest of which are currently vacant. The extensions to the existing building are to house additional facilities for the secure children's home, not to create an open unit. The design, scale and massing of the proposed development is considered to be acceptable in relation to the existing building and the surrounding area. The plans demonstrate a minor increase to the footprint and height of the roof pitch from the previously approved vocational block which overall, is a small addition to the size of the larger building. The proposed roof design would be more in keeping than the previously approved lean-to roof.

7.6 In relation to amenity, the nearest residential properties close to the site are 100m away and it is not considered that amenity would be affected by the development to any more significant degree than at present.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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 and the emerging Core Strategy. 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 carried out in accordance with the following approved plans:

KY 1000-10,
KY 1000-11,
KY 000-12,
KY 000-13,
KY 1000-14

Reason: For the avoidance of doubt and in the interests of proper planning

Date of Report: 22.07.2019

Authorised by:

Date:

Background Papers: Planning application file(s) 19/01693/VARYCO