



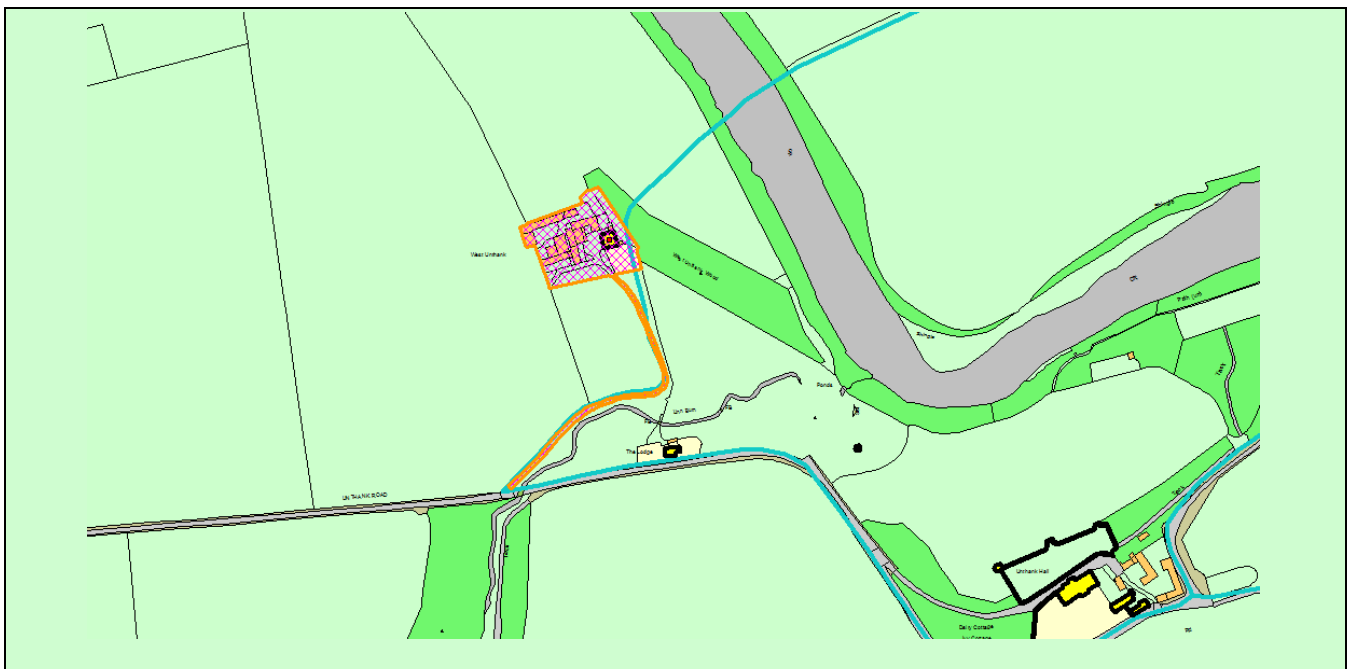
Northumberland

County Council

Tynedale Local Area Council Planning Committee

15 May 2018

Application No:	18/00329/FUL		
Proposal:	Proposed erection of 1.5 storey extension and 2 x single storey links; conversion of 2 x barns; demolition of modern sheds; modification of bothy; modification of first floor rear room layout to farmhouse including part removal of 2 x stud walls and installation of new bathroom fittings,		
Site Address	West Unthank Farm, Unthank Road, Haltwhistle, Northumberland NE49 0HX		
Applicant:	Mr Edward Hoskyns-Abrahall, West Unthank Farm, Unthank Road, Haltwhistle, Northumberland, NE49 0HX	Agent:	Mr Charles Collins, Lancaster Associates Architects, The Woodlands, Wingrove, Rowlands Gill, Northumberland NE39 1DT
Ward	Haltwhistle	Parish	Plenmeller With Whitfield
Valid Date:	29 January 2018	Expiry Date:	18 May 2018
Case Officer Details:	Name: Ms Marie Haworth Job Title: Planning Officer Tel No: 01670 623787 Email: Marie.Haworth@northumberland.gov.uk		



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, in cases where applications are to be recommended for refusal contrary to the support of a Town or Parish Council, they are referred to the Head of Service and the Chair of the relevant Planning Committee for consideration to be given as to whether the application should be referred to the Planning Committee for determination. The matter was duly considered under these provisions and it was confirmed that the matter should be considered by Committee.

2. Description of the Proposals

2.1 Full planning permission is sought for the following works at West Unthank Farm, Haltwhistle:

- the demolition of modern corrugated farm buildings;
- part demolition of the existing rear porch and bothy which would be replaced in part by the construction of a single-storey glazed link building which would extend northward from the rear of the existing farmhouse;
- a new two-storey extension to the north of the existing farmhouse, which would be connected by the glazed link building, and would contain a new open plan kitchen and family room to the ground floor and a two bedrooms, a bathroom and a w/c to the first floor;
- the construction of a new single-storey extension to the east of the new build which would link to the west barn and which is identified in the plans as a hall and would link the buildings to the existing farm buildings identified on the plans as Barn 1 and Barn 2;
- the conversion of barn 1 and barn 2 to a boot room and utility/boiler room;
- the conversion of the stock barn to a hall, store and w/c; and
- the conversion of the part of the former milking parlour to a drawing room, with a mezzanine glazed gallery.

2.2 West Unthank Farmhouse is part of a planned farm steading and is Grade II Listed. The site is accessed from Unthank Road and is approximately 3 miles south-east of Haltwhistle, and is bounded to the south by the Linn Burn and to the north and east by the River South Tyne and Unthank Wood. The farmstead is situated in open countryside and is part of a larger agricultural estate.

2.3 The site comprises a four bedroom detached farmhouse and traditionally constructed farm buildings arranged in a U-plan with a yard framed by four connecting ranges circa early 19th century. The farmhouse is symmetrical in design with a gabled stone porch to the front elevation. A stone bothy and timber and slate roof porch extends from the rear of the farmhouse with a single-storey range set back from the house enclosing the garden to the west. Orientated south overlooking a garden, the detached Farmhouse has a farmyard to its west enclosed by a range of stone farm buildings under pitched slate roofs. Immediately west of the Farmhouse is the farmyard, which is enclosed by a series of farm ranges consisting of a single-storey dairy with milking parlour, attached two-storey cow house and store, attached two-storey cart/shelter shed and stable range, and detached poultingery. Situated to the west of the farmyard, lies a linear stone outbuilding under pitched slate roof identified as kennels within the application and to the north is a series of modern Dutch barns for hay storage.

2.4 An application for Listed Building Consent has been submitted to accompany this application, which has been submitted under reference 18/00330/LBC, and is also being considered at this Committee.

2.5 The following documents have been submitted in support of this application:

- Design and Access Statement
- Heritage Statement
- Bat and Barn Owl Report
- Screening Assessment

2.6 The application is a revised resubmission of a previous application 17/01441/FUL, which was withdrawn after it was advised by both Planning and Building Conservation Officers that the scheme was unacceptable in terms of massing and the overall amount of proposed development in relation to form, scale and proportions of the extensions; the justification and details relating to the alterations to the farm buildings; and that the scheme was harmful to the listed building, its setting and the farm-steading arrangement.

3. Planning History

Reference Number: 17/01441/FUL

Description: Construction of a 1.5 storey extension and 2 single storey links: conversion of 2 barns, demolition of "modern" sheds and rear stone structure to farmhouse, modification of first floor rear room layout to farmhouse including part removal of 2 stud walls and installation of new bathroom fittings

Status: WITHDRAWN

Reference Number: 17/01442/LBC

Description: Listed Building Consent: Construction of a 1.5 storey extension and 2 single storey links: Conversion of 2 barns, demolition of " MODERN" sheds and rear stone structure to farmhouse, Modification of first floor rear room layout to farmhouse including part removal of 2 stud walls and installation of new bathroom fittings

Status: WITHDRAWN

Reference Number: 18/00330/LBC

Description: Listed Building Consent - proposed erection of 1.5 storey extension and 2 x single storey links; conversion of 2 x barns; demolition of modern sheds; modification of bothy; modification of first floor rear room layout to farmhouse including part removal of 2 x stud walls and installation of new bathroom fittings

Status: PENDING CONSIDERATION

Reference Number: T/960680

Description: LISTED BUILDING CONSENT: Proposed internal and external alterations

Status: PERMITTED

4. Consultee Responses

Plenmerller With Whitfield Parish Council	<p>Support the application:</p> <ul style="list-style-type: none"> - the development reuses long redundant farm buildings which ensures their preservation for the future - the development involves the removal of unused modern farm buildings which will enhance the setting of the farmhouse and stone built buildings - the modern link between the farmhouse and buildings which are to be incorporated is a clear contrast to the existing buildings and therefore will not impact on the setting or future interpretation of the listed building - the development ensures that the listed building will continue to be lived in as intended, with additional space for a large family which is of considerable benefit to the small rural community - we consider the proposed works to be the best possible use for the farmhouse and buildings for the future and believe that the immediate surroundings will be much improved upon once the works are completed
Highways	No objection subject to conditions
Countryside/ Rights Of Way	No objection subject to conditions.
Building Conservation	Objection - 'less than substantial harm' identified has not been demonstrated as necessary and has not been justified.
County Ecologist	No objection subject to recommended planning conditions and advisory notes.
West Tree And Woodland Officer	No response received.
Lead Local Flood Authority (LLFA)	No objection subject to condition and informative.
Environment Agency	No response received.
Public Protection	No objection subject to conditions and informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	0
Number of Objections	0

Number of Support	20
Number of General Comments	0

Notices

Site notice - 7 February 2018

Press Notice: Hexham Courant - published 9 February 2018

Summary of Responses:

20 representations in support of the application have been received covering a range of issues, which are summarised in the table below:

Topic area	Comments
Design	<ul style="list-style-type: none"> - Preservation of redundant buildings which without the work will fall into decay and disrepair; - Families that are prepared to invest such substantial sums of money on improving listed buildings ought to be able to live in a design that will allow them to move from one part of the house to another without having to go outside; - Concern over the farm buildings falling into further disrepair if the proposed works are not approved. Understand why the owners would not want to invest in the buildings if they cannot be linked to the farmhouse. - The façade of the listed house appears to remain unchanged whilst the rear extension is subservient to the main house; the original dwelling is largely unaffected, which is commendable
Visual amenity	- Removal of modern farm buildings which are an eyesore
Neighbouring amenity	- No negative impact on neighbouring properties or the public
Heritage assets	<ul style="list-style-type: none"> - Sustainability of heritage asset; - The proposed extension will be separated from the farmhouse; - the glass link will separate the old from the new and will not detract from the importance of the listed building; - The proposal will protect the internal features of the building such as the stone work and arches and expose the original building that is currently been hidden by modern buildings.
Other issues	- Concern over the potential loss of the applicants to the community if they were forced to move by being unable to convert West Unthank Farm into a modern family home.

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=P361PNQSLXS00>

6. Planning Policy

6.1 Development Plan Policy

Tynedale Core Strategy (2007)

GD1 Locational policy setting out settlement hierarchy

GD5 Minimising flood

NE1 Principles for the natural environment

BE1 Principles for the built environment

H6 Change of use of existing buildings to housing

Tynedale Local Plan (2000)

GD2 Design Criteria for development, including extensions and alterations

GD4 Range of transport provision for all development

GD6 Car parking standards outside the built-up areas

NE27 Protection of Protected Species

BE21 Alteration and extension to Listed Buildings

BE22 The setting of Listed Buildings

BE23 Change of use of Listed Buildings

H20 Extensions to dwellings in the countryside

H32 Residential design criteria

H33 Residential extensions

LR19 Safeguard existing and promotion of new public rights of way

CS23 Development on contaminated land

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014, as updated)

7. Appraisal

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

- Principle of development
- Design and impact on the Listed Building
- Landscape and visual impact
- Residential amenity
- Highways safety
- Public Rights of Way
- Ecology
- Flood risk/drainage
- Contaminated land

Principle of the development

7.2 The starting point for any decision is the development plan and decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 66 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest which it possesses.

7.3 The application site is located within the farm-steading of Unthank Farm, which is located approximately 3 miles from Haltwhistle. The site lies within the open countryside where Core Strategy Policy GD1 restricts development to the reuse of existing buildings unless allowed otherwise within alternative policies from the development plan.

7.4 The proposed development seeks permission for a) the internal reconfiguration of the existing farmhouse; b) the demolition of a number of modern corrugated agricultural buildings; c) the construction of a number of extensions, which would be located to the rear of the dwelling house; and d) the conversion and change of use agricultural buildings to form living accommodation which would be linked by the new extensions to the existing farmhouse and e) the increase in residential curtilage. Each element of the proposal will be discussed below;

- a) The scope of works relating to the internal reconfiguration to the Grade II Listed farmhouse, whilst afforded protection under legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), does not constitute development for the purposes of requiring planning permission, although an application for Listed Building Consent has been submitted and is being considered in conjunction with this application.
- b) The demolition of a number of modern corrugated agricultural buildings within the curtilage of a Grade II Listed Farmstead - Policy BE1 of the Tynedale Core Strategy sets out the principles for the built environment giving particular protection to listed buildings, scheduled monuments and conservation areas. It is considered that the buildings proposed for demolition are not of architectural or historic interest and as such the proposed demolition would be considered acceptable in principle.
- c) The construction of extensions to the rear of the dwelling house - Policy H20 of the Tynedale Local Plan allows for extensions to residential properties in the open countryside if proposals are sympathetic to the character of the original building and do not substantially increase its size, and comply with Policies H33 and H34 relating to extensions to dwellings and extensions to provide accommodation for additional people (e.g. dependent relatives) respectively. Policy H33 states that extensions to dwellings will be approved providing they respect the character of the existing building, the surrounding area and the amenities of nearby residents. Whilst the principle of extending existing dwellings is therefore acceptable in the countryside, careful consideration needs to be given to the scale and design of the proposals, which will be discussed later in this report.
- d) The conversion and change of use of agricultural buildings to form living accommodation - Policy H6 of the Core Strategy allows for the change of use of existing buildings to residential use subject to certain criteria, and the proposal to convert these to additional living accommodation would be in general accordance with this policy, subject to further detailed consideration of the design of the proposals.

7.5 Taking the above into consideration the principle of development is considered to be generally acceptable, however this is subject to the criteria set out in each of

the policies detailed above being met, including impacts upon the character and appearance of the site and surrounding area, and the listed building, the details of which will be expanded upon within the content of this report.

Design and impact on the Listed Building

Demolition of Existing Buildings

7.6 Policy BE20 of the Local Plan allows for the demolition of structures within the curtilage of a Listed Building subject to certain criteria and the relevant consents.

7.7 The proposals to demolish the modern steel agricultural buildings and infill structures is welcomed as it is considered that these buildings are not of architectural or historic interest and have compromised the character and special significance of the listed farm buildings. As such their demolition would enhance the setting of the heritage asset and as such would be in accordance with Policy BE20 of the Local Plan and the NPPF.

Extension to the Dwelling House

7.8 Policy BE1 of the Core Strategy sets out principles for the built environment and seeks to ensure the conservation of listed buildings. Policy GD2 of the Local Plan sets out the design criteria for development, including extensions and alterations. Policy H20 of the Local Plan allows for residential extensions in the open countryside subject to criteria as referred to earlier. Policy BE21 of the Local Plan permits alterations to listed buildings subject to criteria, comprising:

- a) the essential character of the building is retained and its features of special interest remain intact and unimpaired; and
- b) the works proposed make use of traditional and/or sympathetic building materials and techniques which match or are in keeping with those found on the listed building; and
- c) the architectural details (e.g. doors, gutters, windows) match or are in keeping with the listed building; and
- d) the proposal meets the requirements of Policy GD2

Furthermore, Policy BE22 of the Local Plan states that proposals for development which would adversely affect the essential character or setting of a Listed Building will not be permitted and that proposals for development within the setting of a Listed Building will only be appropriate where the detailed design is in keeping with the Listed Building in terms of scale, height, massing and alignment; and the works proposed make use of traditional or sympathetic building materials and techniques which are in keeping with those found on the Listed Building.

7.9 The proposal includes the construction of a new 1.5 storey building to the north of the farmhouse, which would have an overall floor-space of approximately 148m²; a new single-storey extension to the west of the new build with a floor-space of approximately 16.2m²; and a single-storey glazed link, which would be constructed off the rear of the existing outbuilding attached to the Grade II Listed farmhouse, which would equate to 28m² (42m² if the existing outbuildings to be partially demolished are included). The additional new build living space would equate to an increased living space of 76% in relation to the existing dwelling house. It is

considered that the increase in new living space in relation to the existing dwellinghouse would be unacceptable and result in a harmful impact upon its character and appearance in terms of size, scale and massing. The proposals would substantially increase the size of the residential property and would result in disproportionate additions over and above the size of the original building, with a resultant harmful impact upon its character and appearance.

7.10 The site commands a prominent position within the landscape and comprises the detached farmhouse and traditionally constructed farm buildings arranged in a U-plan with a yard framed by four connecting ranges. The application property is a Grade II Listed farmhouse and steading. It is considered that the group of buildings epitomises the steading arrangements, categorised by linear building formations with farmhouse and detached farm buildings, and are considered important for their architectural quality, illustrative value and pleasing hierarchy arrangement of buildings with the architectural quality of the Grade II listed house distinguishing it as a building of status when comparatively viewed with the farm buildings and ancillary structures, whilst having regard to the natural landscape, making West Unthank Farm a fine example of a 19th century steading. Advice has been sought from the Building Conservation Officer as part of this application, and the related application seeking listed building consent, and their comments have been incorporated into this assessment and report.

7.11 The accompanying Design and Access Statement submitted with the application states the works to the existing farmhouse would be restricted to the first floor and rear of the building; the glazed link between the bothy and the new one and a half storey extension would be designed as a simple frameless glass structure to create distinction between the listed farmhouse and the new extension; the new build one and a half storey rear extension would be positioned within the sloping ground and would have the eaves set lower than that of the existing house and the barns, and as such would appear subservient to the existing Grade II Listed farmhouse and the agricultural barn. The Design and Access Statement also states that the materials used in facing the external walls and the pitched roof of the extensions would be of stone and slate and would match the character of the agricultural area.

7.12 Following consultation with the Conservation Officer, although the construction of the extensions would be confined to the rear of the dwelling house, it is considered that the series of extensions proposed would result in a continuous building form that extends from the dominant element by a single storey glazed extension increasing into a two-storey building, terminating by a further single-storey addition into the west barn. Representations have been received in support of the application stating that the glass link building would separate the old from the new and will not detract from the importance of the listed building and that the proposed extension would be separated from the farmhouse. However, having assessed the proposal it is officer opinion that this glazed link and the proposed one and a half storey and single-storey extensions would serve to dilute the farmyard arrangement creating a new 'courtyard' arrangement, which are considered to negatively impact on the character and setting of the detached farmhouse and its steading, thus removing the historic and purpose design intent of separation between the domestic and agricultural buildings, which is considered an integral element to their setting and significance. It is considered that the proposed extension would absorb the listed building into a new dwelling removing the sense of the farmhouse standing within its own curtilage, and

as such the proposed extensions with residential annex would interrupt and dissolve this special relationship and further significantly alter the farmyard arrangement.

7.13 As such, the proposals would have a detrimental impact and would lead to less than substantial harm to the significance of the designated heritage asset. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

7.14 Whilst it is acknowledged the proposals would provide additional desired living accommodation, there has been no evidence presented that the future of the farmhouse would not be viable without the proposed harmful extensions or that there are public benefits to outweigh this harm. The applicant states within the Heritage Statement that the proposals for the extension to the farmhouse and link to the renovated farm buildings would precipitate investment in the property, which would create a public benefit. However, it is considered that clear and convincing justification has not been presented that there are public benefits that would outweigh the harm to the heritage asset in this instance, and as such the proposals would be contrary to Policy BE1 of the Core Strategy, Policies BE21, BE22, H20 and H33 of the Local Plan and the NPPF.

Change of Use of Existing Agricultural Buildings

7.15 Policy BE23 of the Local Plan allows for the change of use of a Listed Building in order to restore or maintain its viable use, provided the proposal accords with Policy BE21. Historic England has produced guidance for the conservation of traditional farm buildings (The Conversion of Traditional Farm Buildings: A guide to good practice) and details that farmsteads and their buildings must be understood in terms of the function or functions they were intended to house and that buildings may in addition need to be understood as reflections of a particular vernacular building tradition or as expressions of a wider architectural or landscape design embracing a whole farmstead or perhaps an entire estate.

7.16 The change of use of the existing agricultural buildings to residential use identified on the plans as barn 1, barn 2 and the former milk parlour would provide 198m² of additional living accommodation. The buildings are of permanent construction and considered to have visual and historic merit and as such would broadly accord with Policy H6 of the Local Plan in principle. However, although the conversion may be considered acceptable, when considered in the context of this application, the increase of approximately 198m² in addition to the 192m² contained within the new extensions, the proposals would equate to an increase of approximately 150% in residential accommodation.

7.17 A number of neighbour representations were received highlighting concerns that the existing farm buildings would fail into disrepair if the proposed works were not approved; however when considered in the context of Paragraph 133 of the NPPF, the farm buildings are not considered 'at risk', although the repair and ongoing stewardship of listed buildings could be seen as a public benefit, notwithstanding the responsibilities of their owners. Whilst there is no objection to the principle of

adapting farm buildings for a new use, this is on the basis that the use is consistent with the heritage asset's conservation and has carefully considered the treatment of historic fabric and features of significance. Following consultation with the Conservation Officer, the ethos of repair is acknowledged. However details of the treatment of roof structures, walls and floors, which retain historic cobbles and trinkets have not been fully considered or justified in the proposals. The proposals seek to insert concrete floors and line traditional masonry walls. However such proposals are not deemed compatible and sympathetic with the form and fabric properties of vernacular buildings. Neither does the application include details pertaining to the installation of services and the proposed mezzanine within the cartshed.

7.18 In respect of the conversion of the farm buildings the Conservation Officer is unable to support the planning and listed building consent applications, as there remains outstanding information and justification required in which to fully assess the impact of the proposals on their historic fabric and character. It is therefore considered that the proposals are not deemed compatible and sympathetic with the form and fabric of the buildings, and as such would not be in accordance with Policies BE1 and H6 of the Core Strategy, Policies BE21, BE22 and BE23 of the Local Plan, and the NPPF.

Landscape and Visual Impact

7.19 Policy NE1 of the Core Strategy establishes principles for the natural environment, one of which seeks to protect and enhance the character and quality of the landscape, biodiversity and geological interest of the District and give particular protection to areas and sites recognised for their environmental and scientific interest. The Policy also seeks to manage the relationship between development and the natural environment in order to minimise risk of environmental damage and avoid the urbanisation of the countryside.

7.20 The site lies within the open countryside and is within an area of high landscape value. The Grade II listed Farmhouse has a distinctive garden area directly to the front and to the rear a defined garden area, which extends northwards to the existing barn, beyond which is a continuation of the farmstead consisting of agricultural grassland bounded by the remnants of a dry stone wall and fencing containing a gate leading to the fields beyond. The rear garden is enclosed by a dry stone wall and fencing to the east, whilst beyond the wall the land level falls steeply, and a public right of way. The farmstead includes a number of mature trees bordering the south and west, to the immediate north is a woodland area that extends eastward and down to the River South Tyne. To the north is pasture land. The farmstead is bounded by stonewalling, which is incomplete and beyond is open countryside. The proposed works would be contained within the existing farmstead and to the rear of the existing farmhouse, however it is considered that the proposed extensions to the north of the existing farmhouse would alter the character of the farmstead and would be highly visible from the public right of way and the countryside to the north and east. The proposals would appear incongruous and would have a negative impact on the visual character and appearance of the existing landscape and as such would not be in accordance with Policy NE1 of the Core Strategy or Policy GD2 of the Local Plan.

Impact on neighbouring amenity

7.21 Due to the location of the proposed development away from other residential properties the proposal would not have any impact upon the amenities of any neighbouring residents. It is therefore considered that the proposed development would accord with Policies GD2 and H33 of the Local Plan and the NPPF.

Impact on Public Right of Way

7.22 Policies LR19 and TP27 of the Local Plan seek to safeguard existing footpaths, bridleways and public rights of way. The Parish of Plenmeller with Whitfield Public Bridleway passes through the proposed site. Advice was sought from the Public Right Of Way Officer who has raised no objection to the application on the condition that Public Bridleway No.2 is protected throughout. It is therefore considered that the proposals accord to the relevant policies.

Highways safety

7.23 Policy GD4 of the Local Plan relates to achieving an appropriate form of development in respect of access and highway safety matters, whilst Policy GD6 details the car parking requirements outside of the built up areas. The proposed development seeks to add one additional bedroom that would result in the number of bedrooms increasing to five, which would increase the number of car parking spaces to 4 as detailed in the Tynedale Local Plan Appendix 1. Access to the property would remain the same. The Highways Department have been consulted and have raised no objections to the proposals, and it is therefore considered that the proposals accord to Policies GD4 and GD6 of the Local Plan.

Ecological Impact

7.24 Policy NE27 of the Tynedale Local Plan looks to safeguard protected species. The application site is located within open countryside. Work would be undertaken to convert existing farm buildings into accommodation ancillary to the existing dwelling house. A bat report has been submitted with this application. The County Ecologist has been consulted and has raised no objection subject to planning conditions and advisory notes, and therefore the proposal would be in accordance with Policy NE27 of the Local Plan.

Flood risk/drainage

7.25 The application site is bounded to the south by the Linn Burn and to the north and east by the River South Tyne. The site is contained within an area identified by the Environment Agency as Flood Zone 1, which is identified as having a low probability of flooding. As such, the proposals are considered to be acceptable in accordance with Policy GD5 of the Tynedale Core Strategy, and the aims of the NPPF.

7.26 Tynedale Local Plan Policy CS27 is concerned with the treatment of sewage and states that use of septic tanks will only be considered if connection to the mains sewerage is not feasible. The application form states that the existing septic tank would be utilised as part of the works and details are provided on Plan No UT-BB-01-01C. It is therefore accepted that mains connection in this instance would not be feasible and the septic tank would be capable of dealing with any increase in

usage. It is therefore considered that the proposals would accord to the relevant policies.

Contaminated Land

7.27 Policy CS23 of the Local Plan sets out the principles for development on contaminated land subject to certain criteria. A Contamination Assessment: Screen Assessment Form was submitted with the application and advice has been sought from the Public Protection Team. In response it is stated that a Phase 1 Report (Preliminary Risk Assessment) should have been submitted due to the past land use but this could be dealt with by way of a planning condition. Concern was also raised regarding potential contamination from historical agricultural use and the potential for roof sheeting to small lean to contain Asbestos Cement Materials, which would need to be disposed of in accordance with Health and Safety Executive's requirements. Public Protection have raised no objections subject to recommended conditions and informatives being added, and on this basis the proposal would be in accordance with Policy CS23 of the Local Plan.

Other matters pertaining to the proposed alterations

7.28 A number of neighbour representations were received in support of the application; many of the issues identified have been addressed within the main body of this report. Concern was raised regarding the loss of the applicants to the community if they were forced to move by being unable to convert West Unthank Farm into a modern family home. Whilst these concerns are noted these personal circumstances are not considered to be a significant material consideration that can be given weight, and in any event would not outweigh the harm that has been identified to the site and the heritage asset.

Other considerations

7.29 This application has been assessed under the Equality Act, Crime and Disorder, and the Human Rights Act. A short assessment of these is provided below.

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 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 The principle of development is considered to be generally acceptable having regard to the development plan and the NPPF in relation to the extension of an existing dwelling, reuse of buildings and demolition of more modern structures of no historical or architectural importance. However, careful consideration needs to be given to the scale and form of development and its impact on the existing buildings, heritage assets and the character and appearance of the area.

8.2 The demolition of more modern buildings would enhance the setting of the heritage asset, however the increase in new living space in relation to the existing dwelling house would be unacceptable in terms of size, scale and massing.

8.3 The proposed extensions and conversion of the existing agricultural buildings would be out of scale in terms of layout, scale, massing and design, and would result in disproportionate additions over and above the size of the original building and would have a harmful impact upon the character and appearance of the site and surrounding area and the listed building. The proposal would not be in accordance with Policies BE1 and H6 of the Core Strategy, Policies BE21, BE22 and BE23 of the Local Plan, and the NPPF.

8.4 The development would impact directly upon designated heritage assets, and would affect the setting of listed buildings; it is considered that the development proposals represent harm to the heritage asset's significance and the degree of harm is less than substantial, whilst public benefits have not been demonstrated that would outweigh this harm. The proposals are contrary to Policy BE1 of the Tynedale Core

Strategy, Policies BE21 and BE22 of the Tynedale Local Plan and Chapter 12 of the NPPF.

8.5 The layout, scale, massing and design of the extensions would appear incongruous and would have a negative impact on the visual character and appearance of the existing landscape and as such would not accord with Policy NE1 of the Core Strategy and Policies GD2 of the Tynedale Local Plan.

9. Recommendation

That this application be REFUSED permission for the following reasons:

Conditions/Reason

01. By virtue of its layout, scale, massing and design, the development as a whole would be out of scale and character with the application site, resulting in disproportionate additions over and above the size of the original dwelling. The proposals would have a harmful impact upon the character and appearance of the existing dwelling and the surrounding area and would be contrary to Policy BE1 of the Tynedale Core Strategy, Policies GD2, H20 and H33 of the Tynedale Local Plan and the National Planning Policy Framework.

02. By virtue of its layout, scale, massing and design, the development as a whole would have a detrimental impact upon, and would adversely affect the setting of, the Grade II Listed farmhouse and steading, resulting in less than substantial harm for which there are not considered to be any demonstrated public benefits that would outweigh this harm. The proposal would therefore be contrary to Policies BE1 and H6 of the Tynedale Core Strategy, Policies GD2, BE21, BE22, BE23, H20 and H32 of the Tynedale Local Plan and the National Planning Policy Framework.

03. By virtue of their layout, scale, massing and design, the proposed extensions would appear incongruous in this location and would have an adverse visual impact on the character and appearance of the site and surrounding landscape, and as such would not be in accordance with Policy NE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale Local Plan and the National Planning Policy Framework.

Background Papers: Planning application file(s) 18/00329/FUL, 18/00330/LBC