



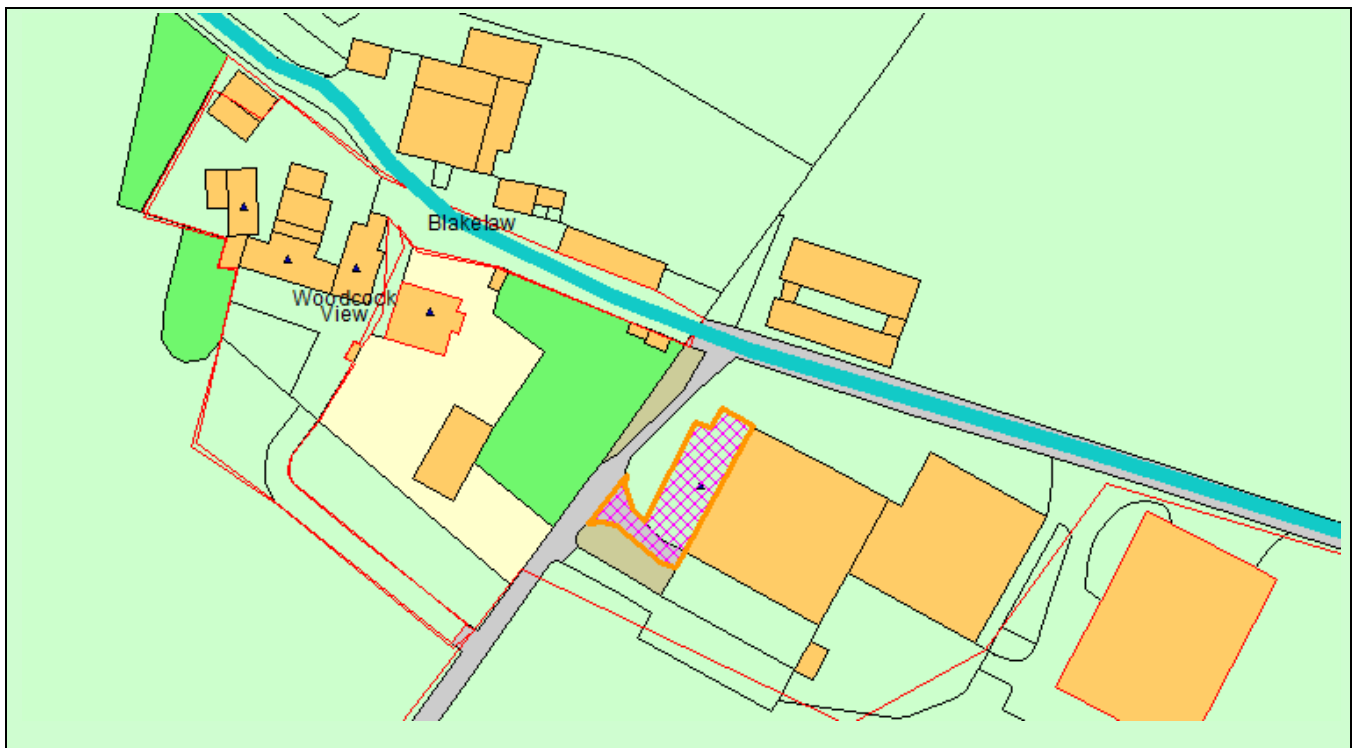
# Northumberland

## County Council

### Tynedale Local Area Council Planning Committee

#### 10 July 2018

<b>Application No:</b>	18/01793/FUL		
<b>Proposal:</b>	Construction of proposed extension to agricultural building to house and control cattle		
<b>Site Address</b>	Land South East Of Blakelaw Farm House, Bellingham, Northumberland		
<b>Applicant:</b>	Mr John Riddle Blakelaw, Blakelaw Farm, Bellingham, Hexham, Northumberland, NE48 2EF	<b>Agent:</b>	Mr John Riddle Blakelaw, Blakelaw Farm, Bellingham, Hexham, Northumberland, NE48 2EF
<b>Ward</b>	Bellingham	<b>Parish</b>	Bellingham
<b>Valid Date:</b>	6 June 2018	<b>Expiry Date:</b>	1 August 2018
<b>Case Officer Details:</b>	Name: Miss Rachel Campbell Job Title: Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		



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## 1. Introduction

1.1 This application falls to be determined by Members of the Tynedale Local Area Council Planning Committee, in accordance with the Council's current Scheme of Delegation, as the applicant is an elected County Councillor in Northumberland.

## 2. Description of the Proposals

2.1 The application seeks permission to construct an extension to an existing agricultural building on land south east of Blakelaw Farmhouse near Bellingham. The proposed extension would measure 22.5 metres by 10.6 metres. The height of the proposed extension would measure 3.6 metres to the eaves and 5 metres to the ridge of the roof. The proposal would include the installation of 6 roof light windows, individually measuring 1.5 metres in length. There would be an opening to the south elevation of the proposed extension to allow access into the building. The proposed extension to the existing agricultural building would be situated within an agricultural field amongst existing agricultural buildings at Blakelaw Farm.

2.2 The supporting information states the proposed extension to the existing agricultural building would be used as a cattle handling facility. The existing agricultural building which is proposed to be extended is currently used to house livestock. The materials used for the proposed extension would be similar to the existing agricultural buildings on the farm steading. The lower parts of the walls would be grey concrete panels to a height of 2 metres and the upper parts of the walls would be Yorkshire boarding. The roof would be natural grey fibre cement sheeting and the extension would have a 150 millimetre galvanised box gutter for rainwater goods.

2.3 The farm steading, Blakelaw, is approximately 1.3 kilometres north of the village of Bellingham and is located within the open countryside. The application site is an area of high landscape value, is within an Impact Risk Zone SSSI and is within a low risk coal advice area.

## 3. Planning History

**Reference Number:** 12/02076/FUL

**Description:** Change of use of agricultural buildings to create 3 no. dwellings, development of new detached garage and non habitable extension, demolition of pole barn and lean to extensions and installation of new package treatment plant

**Status:** Permitted

**Reference Number:** 13/02287/DISCON

**Description:** Discharge of conditions 6,9,12,13 and 14 of planning permission 12/02076/FUL

**Status:** Permitted

**Reference Number:** 14/01685/VARYCO

**Description:** Variation of condition 2 (approved plans) from planning approval 12/02076/FUL (Change of use of agricultural buildings to create 3 no. dwellings, development of new detached garage and non habitable extension, demolition of pole barn and lean to extensions and installation of new package treatment plan).

**Status:** Permitted

**Reference Number:** 14/02031/SCREEN

**Description:** Installation of a 30MW PV solar farm covering approximately 160 acres with related equipment and structures

**Status:** Pending Consideration

**Reference Number:** T/20110036

**Description:** Change of use and conversion of agricultural buildings to create four dwellings and installation of new package treatment plant

**Status:** Refused

**Reference Number:** T/92/E/475

**Description:** Conversion, alteration and extension of farm buildings to provide three self contained holiday homes.

**Status:** Permitted

**Reference Number:** T/77/E/302

**Description:** Erection of suckler cattle unit (as amended by letter dated 23rd May, 1977 and attached plan).

**Status:** Permitted

**Reference Number:** T/990334

**Description:** DETERMINATION: General purpose agricultural building

**Status:** Object

**Reference Number:** T/20020394

**Description:** Agricultural Determination - Construction of agricultural building at

**Status:** Permitted

## **Appeals**

**Reference Number:** 13/00044/COND

**Description:** Change of use of agricultural buildings to create 3 no. dwellings, development of new detached garage and non habitable extension, demolition of pole barn and lean to extensions and installation of new package treatment plant

**Status:**

#### 4. Consultee Responses

Bellingham Parish Council	No response received.
Highways	No response received.

#### 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: General – expires 29th June 2018  
No press notice required.

##### Summary of Responses:

None yet 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=P8VA81QS0K400>

#### 6. Planning Policy

##### 6.1 Development Plan Policy

Tynedale LDF Core Strategy (2007)

Policy BE1 – Principles for the built environment  
Policy GD1 – The general location of development  
Policy GD4 – Principles for transport and accessibility  
Policy NE1 – Principles for the natural environment

Tynedale District Local Plan (2000)

Policy GD2 – Design criteria for development, including extensions and alterations  
Policy GD4 – Range of transport provision for all development  
Policy BE14 – New agricultural and forestry buildings and roads in the open countryside

##### 6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2012)

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

## **7. Appraisal**

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

- Principle of the development;
- Design and impact upon the landscape;
- Impact upon residential amenity; and
- Highway safety.

### Principle of the Development

7.2 Policy GD1 of the Tynedale LDF Core Strategy refers to the principles for the general location of development. The policy states development should be limited to the re-use of existing buildings within the open countryside unless otherwise allowed under alternative policies in the development plan. The farm steading, Blakelaw, is located in the open countryside and is to the north of the village of Bellingham.

7.3 Policy BE14 of the Tynedale District Local Plan relates specifically to agricultural and forestry buildings and roads in the open countryside. Policy BE14 states that where planning permission is required, development for the purposes of agriculture or forestry within the open countryside will be permitted provided that it does not have an adverse impact on:

- a) The landscape; or
- b) Sites of recognised nature conservation value; or
- c) A scheduled monument or other archaeological site or their setting; or
- d) A listed building or its setting; or
- e) Neighbouring dwellings

7.4 These issues will be assessed further below. The development would not impact on the site or setting of any scheduled monuments, other archaeological sites and listed buildings.

### Design and Impact upon the Landscape

7.5 The proposed development would be to the south east of the farm steading and would be highly visible from the road and the wider public domain. The single track road adjacent to the proposed development is part of the Pennine Way National Trail.

7.6 Policy BE14 of the Tynedale District Local Plan states that the use of traditional and sympathetic materials is preferable for agriculture or forestry buildings. The materials used to construct the proposed development would be similar to the existing agricultural buildings on the farm steading and are considered to be acceptable. The materials are considered to be traditional and sympathetic to the surrounding, existing agricultural buildings and the wider landscape.

7.7 The height of the proposed extension to the existing agricultural building would be acceptable and would be proportionate to the existing agricultural buildings which surround it. The siting of the proposed extension to the west elevation of the existing agricultural building and within close proximity to the other, existing agricultural buildings on the application site is considered to be acceptable and minimises the impact upon the wider landscape as a result of them being clustered together. Whilst visible, agricultural buildings are prevalent and an acceptable form of development in rural areas, and their design and siting are important factors to consider. The design, materials and siting of the proposed development would be sympathetic to the surrounding agricultural buildings and the wider landscape and there would be no adverse effect on the character of the farm steading or the wider landscape. The proposed development would accord with Policy NE1 of the Tynedale LDF Core Strategy and Policies GD2 and BE14 of the Tynedale District Local Plan in relation to design.

#### Impact upon Residential Amenity

7.8 There are four dwellings on the farm; Blakelaw, Woodcock View, Oldcote and Curlew Cottage. The four dwellings are all located to the west of the proposed development.

7.9 The application form states the proposed extension would be used as a cattle handling facility. The separation distances between the four dwellings and the proposed development ranges from 50 metres to 100 metres, with Blakelaw Farmhouse being the closest dwelling. The single track road separates the dwellings from the proposed development and there is a high hedgerow and vegetation which aligns this road which acts as a screen. The separation distances combined with the screening is considered to be acceptable, particularly as the existing building is already used for cattle handling. The proposed development would not further adversely affect the residential amenity of these neighbouring properties. It would not have an overlooking, overshadowing or overbearing impact on these four dwellings. The proposed development would be in accordance with Policies GD2 and BE14 of the Tynedale District Local Plan.

#### Highway Safety

7.10 Policy GD4 of the Tynedale District Local Plan sets out the criteria relating to transport provision for all types of development. Policy GD4 of the Tynedale LDF Core Strategy sets out the principles for transport and accessibility. Paragraph 34 of the NPPF has similar characteristics to Policy GD4 of the Tynedale District Local Plan and relates to sustainable transport methods, safe and sustainable access and limiting significant impacts of development. Highways comments are awaited, but with little change to the arrangements of the workings on the farm it is considered that the proposed development would be in accordance with Policy GD4 of the Tynedale LDF Core Strategy and Policy GD4 of the Tynedale District Local Plan.

#### 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 National and local planning policies have been taken into consideration when assessing this application. The proposal would accord with Policies BE1, GD4 and NE1 of the Tynedale LDF Core Strategy, Policies GD2, GD4 and BE14 of the Tynedale District Local Plan and the principles of the National Planning Policy Framework.

## 9. Recommendation

**That this application be GRANTED permission subject to no new issues being raised within the consultation period and subject to the following conditions:**

### Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of 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. Blakelaw Farm Location Plan (Received on: 07/06/2018)
2. Proposed Steel Framed Building to be joined to existing building - Floor Plan (Received on: 06/06/2018)
3. Proposed Steel Framed Building to be joined to existing building – South Elevation & North Elevation (Received on: 06/06/2018)
4. Proposed Steel Framed Building to be joined to existing building – West Elevation & Roof Plan (Received on: 06/06/2018)

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

**Background Papers:** Planning application file(s) 18/01793/FUL