



# Northumberland County Council

## Tynedale Local Area Council Planning Committee

12 February 2019

### ADDENDUM REPORT

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**Application No:** 18/02238/FUL

**Proposal:** Application to rebuild barn which had permission under T/20080196 for change of use and conversion of existing barn to create a single residential dwelling and garage (retrospective)

**Site Address:** Acomb View, The Riding, Acomb, Hexham, Northumberland, NE46 4PF

**Applicant:** Mr & Mrs Cessford, c/o Agent - Ludman Planning, Eastburn, South Park, Hexham, NE46 1BS

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**RECOMMENDATION:** That Members agree the proposed conditions following the 'minded to approve' decision of the Planning Committee contrary to Officer recommendation on 15 January 2019

#### 1. Introduction

- 1.1 The purpose of this report is to propose conditions for the approval of Members following the decision of the Planning Committee to approve the application at its meeting on 15 January 2019, which was contrary to the Officer recommendation to refuse the application.
- 1.2 The officer report previously considered by Members at the January 2019 meeting is appended to this addendum report for information.
- 1.3 The proposed list of conditions has been prepared having regard to conditions attached to the previous grant of planning permission on the site (20110185) for conversion of the building which previously existed on site, following consultee responses received on the current application, and comments made by Members during discussions on the application at the last committee meeting.

## 2. Proposed Conditions

### Conditions

01. 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:-

150050-09 A - Location Plan

150050-10 H - Floor Plan as Proposed (Construction)

150050-11 F - Elevations & Roof Plan as Proposed (Construction)

150050-28 C - Proposed Landscaping Plan

150050-31 - Existing and Proposed Plans and Elevations for Outbuilding

Window Details - Allan Brothers System 2000

CR\_CRSS\_FK\_D - The Conservation Rooflight

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

02. Notwithstanding the submitted details, the dwelling hereby approved shall not be occupied until detailed plans showing the hard and soft landscaping of the site have been submitted to and approved in writing by the Local Planning Authority. This shall include the planting of new trees to the northern boundary of the sites (including details of size and species), the provision of screen walls or fences, areas to be seeded with grass, and other proposals for improving the appearance of the development.

The scheme shall be carried out in accordance with the approved drawings not later than the expiry of the next planting season (November - March) following commencement of the development, or within such other time as may be approved with the Local Planning Authority. The landscaped areas shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any trees, plants, or areas of seeding or turfing comprised in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

Reason: In the interests of the appearance of the area, in accordance with Policies GD2 and NE37 of the Tynedale District Local Plan.

03. The facing materials and finishes to be used in the construction of the development, including details of stone, slate and timber cladding, shall be in accordance with details contained in the application and as shown on drawing 150050-11 F - Elevations & Roof Plan as Proposed (Construction). The development shall not be constructed other than with these approved materials.

Reason: In the interests of the character and appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy.

04. The stone to be used on the exterior of the building and boundary walls shall be laid with its natural quarry bed horizontal, with mortar of a colour to match the natural colour of the stone and with flush or very slightly recessed joints.

Reason: In the interests of the character and appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy.

05. Prior to the further construction of the external walls of the dwelling, a sample panel measuring at least 1 metre by 2 metres, using the approved facing stone and demonstrating the proposed coursing, mortar mix and pointing detail, shall be constructed on site. Thereafter, the stone panel shall remain on site until the external walls of the dwelling have been constructed to eaves height.

Reason: To ensure works are carried out in a manner consistent with the character of the building, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Core Strategy.

06. Sills (and lintels if not covered by eaves) shall be of stone.

Reason: In the interests of the character and appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy.

07. The windows shall be installed with their frames inset not less than 75mm from the outer face of the wall.

Reason: In the interests of the character and appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy.

08. Any external areas of timber shall be painted in accordance with details contained in the application and as shown on drawing 150050-11 F - Elevations & Roof Plan as Proposed (Construction). The development shall not be constructed other than with these approved details.

Reason: In the interests of the character and appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy.

09. The windows and doors to be used in the development shall be timber, and shall be installed in accordance with the details submitted with the application and as shown on shown on drawing 150050-11 F - Elevations & Roof Plan as Proposed (Construction). The proposed rooflights shall also be undertaken in accordance with the details shown on this approved plan.

Reason: In the interests of the character and appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy.

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015 (or any Order revoking or re-enacting

that Order), the following works shall not be carried out to the dwelling hereby approved without the prior grant of planning permission from the Local Planning Authority:

- (a) The construction of any extension;
- (b) The enlargement of door and window openings, or the creation of additional openings;
- (c) The re-roofing of the building in a different material to that approved by the Local Planning Authority;
- (d) The construction of any building within the curtilage of the dwelling; and
- (e) The conversion of any garage to living accommodation.

Reason: To enable the Local Planning Authority to consider the effects of such development, in the interests of the setting of the adjacent listed buildings, the character and appearance of the building, the openness of the Green Belt and the privacy of neighbours, in accordance with Policies BE22, NE14 and GD2 of the Tynedale District Local Plan, Policy BE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

11. The dwelling shall not be occupied unless the following has taken place:

- (a) All the approved means of enclosure, with the exception of hedging, has been provided.

Reason: To ensure these works are carried out at the appropriate stage of development, in accordance with Policies BE22 and GD2 of the Tynedale District Local Plan.

12. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been provided. 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 Policies GD4 and GD6 of the Tynedale Local Plan and the National Planning Policy Framework

13. The development shall not 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 Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

14. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied.

Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

15. No services to the dwelling or playroom building are to be provided in the form of overhead wires.

Reason: In the interests of the appearance of the area, in accordance with Policies GD2 and BE22 of the Tynedale District Local Plan and Policy BE1 of the Tynedale Core Strategy

16. The development hereby approved shall not be brought into use until details of the proposed septic tank/package treatment plant/means of drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken and implemented in accordance with the approved details prior to the occupation of the dwelling.

Reason: To achieve a satisfactory form of drainage to serve the development, in accordance with Policy CS27 of the Tynedale District Local Plan.

17. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within this condition;

1. Adherence to 'Bat Conservation Trust. Guidance Note 08/18. Bats and artificial lighting in the UK Bats and the Built Environment series'

2. No development shall be carried out other than in accordance with the guidance set out in 'Pollution Prevention for Businesses' (<https://www.gov.uk/guidance/pollution-prevention-for-businesses>)

3. Installation of bat roosting provision as specified in drawing 150050-11 F - Elevations & Roof Plan as Proposed (Construction); bat access along the ridge, with bitumastic underfelt below the tiles and a minimum of 1no. integrated bat box on the gable end of the building.

Reason: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with Policy NE27 of the Tynedale Local Plan and the National Planning Policy Framework.

18. No further development shall be undertaken until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to a minimum CS2 standard in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health and amenity of the occupants of the property, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

19. The development shall not be brought into use until the applicant/developer has submitted a validation and verification report to the approved methodology in Condition 18 which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

20. If during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of protecting human health, water courses and the environment, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

21. Within seven days of the date of completion of any remediation works, written validation certification that the works have been completed in a manner to ensure safety for future occupiers of the development shall be submitted to the Local Planning Authority.

Reason: In the interests of protecting human health, water courses and the environment, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

22. Prior to the development hereby approved being occupied, details of the provision of water for domestic use at the residential property shall be submitted to and approved by the Local Planning Authority. There must be a sufficient supply of water of adequate quality, wholesome and clean. Thereafter the approved scheme shall be implemented and retained in accordance with the approved details.

Reason: To ensure that there is provision for a sufficient supply of water, in accordance with Policy H32 of the Tynedale District Local Plan.

23. The detached outbuilding hereby permitted to be used as a workshop/garage shall not be used at any time other than for purposes ancillary to the residential use of the dwelling hereby approved.

Reason: To avoid the creation of a separate planning unit in accordance with Policies H1 and H3 of the Tynedale Core Strategy, Policies H32 and GD2 of the Tynedale District Local Plan and the National Planning Policy Framework.

Informatives

01. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: <https://www.gov.uk/government/organisations/the-coal-authority>

02. Any areas of hardstanding areas (patio, driveways etc.) within the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable surface:

- Using gravel or a mainly green, vegetated area.
- Directing water from an impermeable surface to a border rain garden or soakaway.
- Using permeable block paving, porous asphalt/concrete.

Further information can be found here: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7728/pavingfrontgardens.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf)

In addition the development should explore disconnecting any gutter down pipes into rain water harvesting units and water butts, with overflow into rainwater garden/pond thus providing a resource as well as amenity value and improving water quality.

03. A public Right of Way passes close to or through the site. No action should be taken to disturb the surface, obstruct the path or in any way prevent or deter public use without the necessary legal diversion or closure Order having been made, confirmed and an alternative route provided.

#### **4. Recommendation**

That Members agree the proposed conditions following the 'minded to approve' decision of the Planning Committee contrary to Officer recommendation on 15 January 2019

#### **Author and Contact Details**

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Appendices:

Appendix 1 - Report to Tynedale Local Area Council Planning Committee dated 15 January 2019

**Background Papers:** Planning application file(s) 18/02238/FUL