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NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a virtual meeting of the **Tynedale Local Area Council** held on Tuesday, 27 April 2021 at 2.00 pm.

PRESENT

Councillor T Cessford

(Chair, in the Chair for agenda items 207 – 209 and 213)

(Planning Vice-Chair Councillor R Gibson in the chair for items 210 - 212)

MEMBERS

C Homer
A Dale
JI Hutchinson
N Oliver

C Horncastle
D Kennedy
G Stewart

OFFICERS

M Bulman
C Hall
E Sinnamon
N Turnbull

Solicitor
Planning Officer
Development Service Manager
Democratic Services Officer

207 **PROCEDURE TO BE FOLLOWED AT A VIRTUAL PLANNING COMMITTEE**

The Chair advised members of the procedure which would be followed at the virtual meeting and of the changes to the public speaking protocol.

208 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Quinn, Sharp and Stow.

209 **MINUTES**

RESOLVED that the minutes of the meeting of the Tynedale Local Area Council held on 9 February 2021, as circulated, be confirmed as a true record and signed by the Chair.

DEVELOPMENT CONTROL

Councillor Cessford then vacated the Chair, for Planning Vice-Chair Councillor Gibson to chair the development control section of the agenda, as was the arrangement for all Local Area Councils.

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210 DETERMINATION OF PLANNING APPLICATIONS

The committee was requested to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

RESOLVED that the information be noted.

211 20/03348/FUL

The Planning Officer introduced the application with the aid of a powerpoint presentation and advised that there were no updates following publication of the report.

N Turnbull, Democratic Services Officer, read out a statement from the agent on behalf of the applicants Dulcie Revely and Darren Lees, which would be attached to the signed minutes and uploaded to the Council's website.

In response to questions from Members the following information was provided:-

- Information regarding the proposed use of the extension for homeworking and the query regarding the build date of the extension had been provided to the Planning Officer after the report had been written and agenda papers issued to Councillors. The applicant had been given the opportunity to withdraw the application from the meeting, in order to enable them to provide amended plans and additional information. However, this had been declined as they had not wanted to incur further delay whilst the revised plans and information were assessed. It was for this reason that that the report contained no reference to policy ANDP6. However, officers considered that the proposal would have been contrary to bullet point 3 of that policy.
- Clarification was provided regarding Allendale Neighbourhood Development Plan Policy ANDP9 which related to Extensions to Dwellings which stated:
 - 'Planning permission will be granted for extensions to dwellings in settlements and in the open countryside where these accord with Policy ANDP1 provided that:
 - the overall design, size, appearance, scale, height and mass of the extension remains visually and functionally subservient to the host dwelling;
 - the external facing materials used in the construction of the extension match or complement the materials used in the construction of the host dwelling;
 - no significant and adverse impact arises from the development on the amenity of neighbouring residents;
 - the cumulative effects of such extensions across the surrounding countryside are acceptable; and
 - the effects of any significant increased run-off from rainwater arising on the additional hard surfaced area created by the extension can reasonably be mitigated.'

The aim of the Allendale Neighbourhood Plan was to see overall good design,

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appearance, size etc., whether it was for homeworking or a bedroom extension, good design was key. Members were reminded that the property also fell within the AONB. The application had been assessed against the aforementioned criteria.

- The applicants had not provided any evidence or made reference to the extension having been built before 1 July 1948, until the written submission. It had therefore been assumed that the flat roof section had been built more recently.
- The discrepancy between the figures quoted in the written submission of 23% and the report were believed to be due to the agent assessing floor space, whilst the Local Authority assessed volume. A reassessment of the proposals, assuming the flat roof extension had been built before 1948, resulted in a calculation of at least a 40% increase in volume.
- More work might be required to establish on what basis the percentages be calculated. If part of the building had been extended before 1948, it would need to be disregarded for these calculations and the proposals reassessed.
- Members were advised not to focus solely on the percentage increase in the size of the property, as they were used for guidance and there was no reference to percentages within policy ANDP9. The overall design, size, appearance, scale, height and mass of the extension needed to be considered, whether the proposal would cause harm and whether the scale and appearance was functionally subservient to the host dwelling.
- Some details, such as the materials to be used for the stilts, had not yet been explored.
- Further clarification and opportunity to review the site plans and proposed elevation was provided. Comparison was made of the original house and the extension to the left, the date of construction of the flat roof extension was now in question.
- The Allendale Neighbourhood Plan had been forward thinking with its inclusion of a homeworking policy (ANDP6) and the requirements during the current Covid-19 pandemic. The application, when submitted, had not suggested that the additional space would be utilised as a homeworking area; it had been described on the proposed floor plan as an additional bedroom.
- Whilst it was acknowledged that the applicants were working from home and a homeworking policy existed, reference was made to the final bullet point of ANDP6 which stated:
 'Any extension or free standing building shall be designed having regard to policies in this Plan and should not detract from the quality and character of the building to which they are subservient by reason of height, scale, massing, location or the facing materials used in their construction.'
- Although the Allendale Neighbourhood Plan supported homeworking, this should not be to the detriment of the other factors including the design, scale, massing and the subservient relationship of the extension were all relevant.
- The starting place for assessing the application was the Allendale Neighbourhood Plan which contained the primary planning policies. All plan policies should be NPPF compliant, which it was confirmed that the Allendale Neighbourhood Plan was considered to be. Reference to the NPPF in the reason for refusal related to the design, scale and massing of the proposal. The proposed design was more modern than the traditional nature of stone built surrounding cottages. The NPPF encouraged proposals not to have an adverse impact on the area, the host dwelling, the size and massing being subordinate to the original dwelling and reference to visual appearance.

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- The use of stilts were one of the issues of the modern design, however if they were removed and replaced with a two storey extension, there would be highway implications due to the limited space within the site and the gradient of the bank and ability to provide alternative parking.
- Use of the ground floor space as an enclosed garage would have further implications on massing and increase the volume percentage as an enclosed space.
- The proposed pitched roof was an improvement in design terms as a replacement for the existing flat roof. However, the modern single glazing panels in the large corner window did not reflect the character of properties in the area.
- The application had been correctly assessed as residential, despite the proposed use of the space as an office, provided that it was ancillary to the main dwelling house. Reference was made to the preamble of policy ANDP6 which stated:
'Planning permission will be granted for the use of part of a dwelling for office and/or light industrial uses, and for small scale free standing buildings within its curtilage, extensions to the dwelling or conversion of outbuildings for those uses...'

Councillor Hutchinson proposed acceptance of the recommendation to refuse the application. This was seconded by Councillor Cessford.

In answer to a question regarding information omitted from the report, the Solicitor confirmed that Members needed to consider the application as it was before them. The report had not made reference to homeworking whilst the written submission had. The applicants had been informed by the Planning Officer that they could withdraw this application and amend it but had chosen not to do so as they had wanted to proceed with the application as it stood.

The Development Service Manager confirmed that the application had been validated on 9 October 2020 and it had been assessed on the description given of a first-floor extension and new pitched roof to the existing extension. The plans showed it with a bedroom and bathroom in the proposed space. Until the applicant either withdrew it formally resubmitted new plans and description, it had been dealt with as it stood.

The report had been prepared for the original meeting date of 13 April 2021; unfortunately, this had been postponed due to the death of the Duke of Edinburgh and discussions held during the intervening period.

The Local Area Council had discussed the relevance of the homeworking aspect and the relevant points to be taken into account. However, it was primarily to be considered as an extension which the plans showed as a bedroom and bathroom.

Councillor Horncastle was dismayed that the additional information had been brought to officers' attention 5 weeks previously. He suggested that the application be deferred to determine whether the proposed extension be assessed as a 101% or 43% increase on the original dwelling.

The Chair expressed his concern as issues had been raised which had not been included in his briefing with officers the previous day and could see some merit in

the application being deferred. However, he reminded members that a proposal to refuse the application had been proposed and seconded.

Councillor Hutchinson declined to withdraw his proposal as the applicant's agent could have withdrawn and submitted a revised application. Depending on the outcome of the vote, they could appeal or submit revised plans.

Upon being put to the vote, the results were as follows:-

FOR: 5; AGAINST: 1; ABSTENTIONS: 3.

RESOLVED that the application be **REFUSED** permission for the reason outlined in the report.

212 **PLANNING APPEALS UPDATE**

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

On the conclusion of the development control business Councillor Gibson vacated the Chair. Councillor Cessford returned to the Chair for the remainder of the meeting.

213 **DATE OF NEXT MEETING**

The next meeting would be held on Tuesday 15 June 2021, the time would be confirmed.

The Chair expressed his thanks to all Councillors and said farewell to those who weren't standing in the upcoming elections or if they should not meet again. He also wished to place on record his appreciation to all officers, including Planning, Local Services and Democratic Services for the support they had given to the Tynedale Local Area Council in the previous four years.

CHAIR.....

DATE.....

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Thank you Chair and Members for allowing us the opportunity to provide written representations in support of our client's application which is before Members today due to the Officer's recommendation to refuse planning permission being contrary to the views of the Parish Council who support it.

The description of the development is summarised in the Committee Report as comprising of a new pitched roof to the existing extension and a new first floor extension to the north elevation of the property. Parking would be retained underneath the extension, preventing additional cars being parked along the narrow road serving the property. The sole purpose of this application, which is not referred to in the report before Members today, is to facilitate homeworking as a permanent solution in response to the impact that the ongoing Covid pandemic has had on the applicant's current and future working arrangements.

The report makes no reference or gives any weight to the merits of home-working and no assessment against Policy ANDP 6 of the Neighbourhood Plan has been undertaken by Officers.

For reference, Policy ANDP 6 indicates that planning permission will be granted for the use of part of a dwelling for office use to facilitate homeworking, and for extensions supporting this use. Paragraph 7.6 of the Neighbourhood Plan makes clear that the Parish Council and community's strong support for people looking to temporarily or permanently work from home. Paragraph 7.14 of the Plan makes clear that the intention of Policy ANDP 6 is to encourage the creation of opportunities for home-run enterprises to be created and supported in the long term in the Parish. This type of proposal is something the community wants and needs.

However, no mention of this has been put forward as part of the recommendation to Members today. Instead, the recommendation focuses on the size and design of the extension with the proposed reason for refusal stating that it would be disproportionate to the original building.

The NPPF defines the original building as being the building as it existed on 1st July 1948. Dene Croft has clearly been extended, however historic maps and local knowledge indicate that this was done sometime between 1880 to 1920. The lack of any planning history and evidence on the ground supports this conclusion.

The suggestion that the works would result in a 101% increase in volume is based on the incorrect assumption that, for planning purposes, the flat roof addition at the rear of the property constitutes an extension after 1st July 1948. The correct position is that the building in its current form should be treated as the original building for the purposes of assessing this application in which case the additional 25 sqm of floorspace would represent a 29.7% increase.

The extension is to be constructed of stone reclaimed from the original house and slate to match the original building. The new pitched roofs would be set down from one another and from the main roof, and the extension would be set back from the west elevations of the house. The new extension is small in scale compared to the original building and these measures would all ensure that the extension would appear subservient to it. The position of the property, location of the extension and change in land levels are factors which will always mean that the original property remains dominant. The site's surroundings will also largely obscure the extension from most public views. The suggestion that the design differences would be more prominent is in our view unfounded and must be considered in context with the location of the site opposite the modern development at Allen Garden and proximity to Hopedene - a modern new-build property. Any views of the property are fleeting and mostly from drivers passing the front of the property on route into or from Allendale. There will therefore be no adverse impact on the character of the property, the street scene or the wider AONB.

In summary, there have been no objections to this application from consultees or members of the public. The nearest neighbours have written in full support to the proposals and the Parish Council have expressed their support too. No weight has been given to the policy compliant benefits of homeworking which this application would provide. We therefore respectfully ask that Members recognise the merits of the application by supporting a proposal which this community wants and needs, and which we feel is fully compliant with the Neighbourhood Plan.

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