



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 14 July 2021

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held in Meeting Space, Block 2, Floor 2, County Hall, Morpeth, Northumberland, NE61 2EF on **THURSDAY, 22 JULY 2021** at **2.00 PM**.

Yours faithfully

Daljit Lally
Chief Executive

To North Northumberland Local Area Council members as follows:-

G Castle (Chair), S Bridgett (Vice-Chair), T Thorne (Vice-Chair (Planning)), T Clark, G Hill, W Pattison, G Renner-Thompson, C Seymour, J Watson, C Hardy, I Hunter, G Mather and M Swinbank

Any member of the press or public may view the proceedings of this virtual meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving around but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. DETERMINATION OF PLANNING APPLICATIONS

(Pages 1
- 4)

To request the committee to decide the planning applications attached to this report using the powers delegated to it.

Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

2. PROCEDURE AT PLANNING MEETINGS

(Pages 5
- 6)

3. APOLOGIES FOR ABSENCE

4. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room. NB Any member needing clarification must contact the monitoring officer by email at monitoringofficer@northumberland.gov.uk . Please refer to the guidance on disclosures at the rear of this agenda letter.

5. 20/03446/VARYCO

(Pages 7
- 28)

**Variation of Conditions 2 (approved plans) pursuant to planning approval 19/03479/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations. Amendment of Condition 3 (Materials) pursuant to planning permission 19/03479/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).
Farm Buildings East Of North Farm, Rennington Village, Rennington, Northumberland**

- | | | |
|-----|--|-------------------------|
| 6. | 20/03447/VARYCO
Variation of condition 6 (approved plans) pursuant to planning permission 19/03478/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations.
Amendment of Condition 2 (Materials) pursuant to planning permission 19/03478/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).
Farm Buildings East Of North Farm, Rennington Village, Rennington, Northumberland | (Pages
29 - 44) |
| 7. | 20/04349/FUL
Change of use of former farm buildings into 6no. accessible dwellings. Demolition of 2no. redundant barns along with construction of ancillary buildings to provide garaging and entrance porches.
Barnhill Farm, Guyzance, Morpeth, Northumberland NE65 9AG | (Pages
45 - 70) |
| 8. | 21/01108/COU
RESUBMISSION - Change of use to storage facility to be used for container, boat and caravan storage
Land North East Of Chathill Station, Chathill, Northumberland | (Pages
71 - 86) |
| 9. | 21/00026/FUL
Double garage extension and associated changes to access road and parking.
Nook End , 4 Bradshawgate Cottages, Swinhoe, NE67 5AA | (Pages
87 - 98) |
| 10. | 21/00368/FUL
Primary residency self build dwelling with workspace and garage.
Land North East Of Bradshawgate Cottages, Bradshawgate Cottages, Swinhoe, Northumberland | (Pages
99 - 114) |
| 11. | 20/01155S106
Variation of S106 agreement pursuant to planning application N/99/B/0848 dated 19.02.2002
Land at Mitchell Avenue, Seahouses | (Pages
115 -
122) |
| 12. | APPEALS UPDATE

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee. | (Pages
123 -
132) |
| 13. | SECTION 106 UPDATE

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the | (Pages
133 -
136) |

previous monthly period.

14. PUBLIC QUESTION TIME

To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)

As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.

Please note however that a question may possibly be rejected if it requires the disclosure of any categories of confidential or exempt information, namely information:

1. relating to any individual;
2. which is likely to reveal the identity of an individual;
3. relating to the financial or business affairs of any particular person
4. relating to any labour relations matters/negotiations;
5. restricted to legal proceedings
6. about enforcement/enacting legal orders
7. relating to the prevention, investigation of prosecution of crime.

And/or:

- is defamatory, frivolous or offensive;
- it is substantially the same as a question which has been put at a meeting of this or another County Council committee in the past six months;
- the request repeats an identical or very similar question from the same person;
- the cost of providing an answer is disproportionate;
- it is being separately addressed through the Council's complaints process;
- it is not about a matter for which the Council has a responsibility or which affects the county;
- it relates to planning, licensing and/or other regulatory applications
- it is a question that town/parish councils would normally be expected to raise through other channels.

If the Chair is of the opinion that a question is one which for whatever reason, cannot properly be asked in an area meeting, he/she will disallow it and inform the resident of his/her decision.

Copies of any written answers (without individuals' personal contact details) will be provided for members after the meeting and also be publicly available.

Democratic Services will confirm the status of the progress on any previously requested written answers and follow up any related actions requested by the Local Area Council.

15. PETITONS

This item is to:

(a) Receive any new petitions: to receive any new petitions. The lead petitioner is entitled to briefly introduce their petition by providing a statement in writing, and a response to any petitions received will then be organised for a future meeting;

(b) Consider reports on petitions previously received: no reports are due to be considered at this meeting.

(c) Receive any updates on petitions for which a report was previously considered: any updates will be verbally reported at the meeting.

16. LOCAL SERVICES ISSUES

To receive a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of members of the Local Area Council, who will also then have the opportunity to raise issues with the Area Managers.

The Area Managers have principal responsibility for highway services and environmental services, such as refuse collection, street cleansing and grounds maintenance, within the geographic boundaries of the Local Area Council.

17. APPOINTMENTS TO OUTSIDE BODIES

(Pages
137 -
138)

To make appointments to outside body organisations within the Local Area Council's remit. A list of outside bodies is attached to the agenda for consideration.

18. BERWICK REGENERATION PROJECT

To receive any update on the Berwick Regeneration Project.

19. MEMBERS LOCAL IMPROVEMENT SCHEMES 2021 - 2022

(Pages
139 -
166)

The Members Local Improvement Schemes for North Northumberland Local Area Council are provided for information only.

20. LOCAL AREA COUNCIL WORK PROGRAMME

(Pages
167 -
174)

To note the latest version of agreed items for future Local Area Council meetings (any suggestions for new agenda items will require confirmation

by the Business Chair after the meeting)

21. URGENT BUSINESS

22. DATE OF NEXT MEETING

The next meeting is scheduled for Thursday 19th August at 3.00 pm.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.



Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 22 JULY 2021

DETERMINATION OF PLANNING APPLICATIONS

Report of the Executive Director of Place

Cabinet Member: Councillor C Horncastle

Purpose of report

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

Author and Contact Details

Report author - Rob Murfin
Director of Planning
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DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the North Northumberland Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application
 - Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. They must be:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

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BACKGROUND PAPERS

These are listed at the end of the individual application reports.

Implications

Policy	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for money	None unless stated
Legal	None unless stated
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
Risk Assessment	None
Crime & Disorder	As set out in the individual reports
Customer Consideration	None
Carbon reduction	Each application will have an impact on the local environment and it has been assessed accordingly
Wards	All

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

A Welcome from Chairman to members and those members of the public watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is being held in a Covid safe environment and available to view on a live stream through You Tube Northumberland TV
- (ii) Members are asked to keep microphones on mute unless speaking

B Record attendance of members

- (i) Democratic Services Officer (DSO) to announce and record any apologies received.

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

Committee members' questions to Planning Officers

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

Debate (Rules)

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

Vote(by majority or Chair's casting vote)

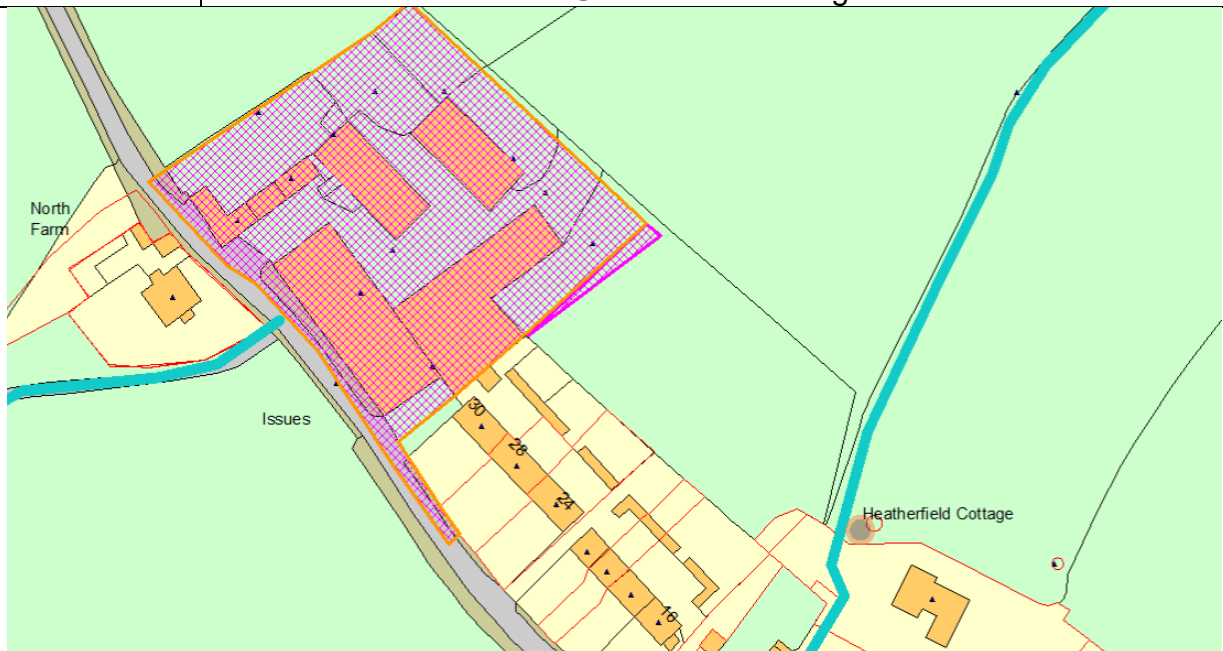
- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)



Northumberland County Council

North Northumberland Local Area Council July 2021

Application No:	20/03446/VARYCO		
Proposal:	Variation of Conditions 2 (approved plans) pursuant to planning approval 19/03479/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations. Amendment of Condition 3 (Materials) pursuant to planning permission 19/03479/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).		
Site Address	Farm Buildings East Of North Farm, Rennington Village, Rennington, Northumberland		
Applicant/ Agent	Mr Adam Holmes 8 , Mosley Street, Newcastle Upon Tyne, NE1 1DE		
Ward	Longhoughton	Parish	Rennington
Valid Date	19 October 2020	Expiry Date	18 January 2021
Case Officer Details	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		



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Recommendation: That this application be GRANTED, subject to conditions

1. Introduction.

1.1 Following referral through the Virtual Delegation Scheme this application is deemed appropriate for determination at North Northumberland Local Area Council.

1.2 Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission. The Local Planning Authority can grant such permission unconditionally, subject to different conditions or refuse the application if it is determined that the original condition(s) should continue.

1.3 This report should be read alongside 20/03447/VARYCO, which relates to the listed building application for the same site. This is to be heard at the same committee meeting as this item.

2. Description of the Site and the Proposal

2.1 The site to which the application relates (North Farm) is located to the north-western edge of Rennington Village adjacent to the C1130 that leads from Rennington to the village of Rock. The application site comprises the grade II listed cart shed and granary located along the north-western boundary, and prior to the implementation of this scheme, a range of larger more modern farm buildings with farm yard areas were adjacent to these. The original farmhouse is grade II listed and is located on its own on the opposite side of the highway to the west of the site, and this is now in separate ownership. Open agricultural land surrounds the site to the north and east and beyond the farmhouse, with residential properties adjoining the south-eastern boundary of the site.

2.2 The proposal is for a variation of condition 2 of the extant planning permission 19/03479/VARYCO, which is the approved plans condition. 19/03479/VARYCO was in turn, a s73 application relating to 17/04588/FUL, by revising the proposal in the following ways:

- 1) Fenestration amendments to rear elevations are noted on the associated application drawings. In summary, principle changes are noted as being:
 - Plot 1 (House Type 1B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
 - Plot 2 (House Type 1C) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
 - Plot 3 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows
 - Plot 4 (House Type 1A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
 - Plot 5 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows
 - Plot 6 (House Type 3) – Ground floor: Apex window above rear patio doors omitted.
 - Plot 7 (House Type 3 – mirrored) – Ground floor: Apex window above rear patio doors omitted.
 - Plot 8 & 9 (Listed Building) – Existing king post trusses, timber purlins, and timber rafters to be replaced by new style, and type to match existing.
 - Plot 10 (House Type 2B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows.

- 2) Reduction in garage sizes to Plot 1, Plot 4, Plot 6 and Plot 7
Plot 1 – Detached double garage reduced to single garage.
Plot 4 – Adjoining double garage reduced to single garage.
Plot 6 and Plot 7 – Detached double adjoining garages reduced to single adjoining garages.

- 3) Addition of natural stone quoins to all elevations. All new build houses and detached garages will benefit from natural stone quoins to the corners of each elevation.

2.3 During the application process the agent has sought the Amendment of Condition 3 (Materials) pursuant to planning permission 19/03479/VARYCO to allow for discharge of details of materials.

2.4 During the application further details have been submitted in relation to plots 8 & 9 for which amended plans have been submitted following the need to undertake further work than initially envisaged to allow a successful conversion.

2.5 Appropriate amendments to other conditions have also been suggested by the planning application to cater for the discharge of conditions which have been previously undertaken.

3. Planning History

Reference Number: 14/03067/FUL

Description: Change of use of land and buildings and development of residential dwellings (15 in total of which 6 are affordable homes) including demolition of existing modern agricultural buildings, conversion and extension of Grade II Listed traditional farm buildings to provide 2 residential dwellings, construction of 13 new residential dwellings and development of associated access roads, public open space, gardens and other ancillary works (as amended by letter dated 26/11/14)

Status: PER

Reference Number: 14/03068/LBC

Description: Listed Building Consent: Change of use of land and buildings and development of residential dwellings (15 in total of which 6 are affordable homes) including demolition of existing modern agricultural buildings, conversion and extension of Grade II Listed traditional farm buildings to provide 2 residential dwellings, construction of 13 new residential dwellings and development of associated access roads, public open space, gardens and other ancillary works (as amended by letter dated 26/11/14)

Status: PER

Reference Number: 17/04588/FUL

Description: Demolition of modern portal frame buildings, construction of 8 new houses and 4 detached garage blocks and conversion of listed traditional farm buildings into 2 dwelling houses.

Status: PER

Reference Number: 17/04589/LBC

Description: Listed Building Consent for demolition of modern portal frame buildings, construction of 8 new houses & 4 detached garage blocks and conversion of listed traditional farm buildings into 2 dwelling houses.

Status: PER

Reference Number: 19/03478/VARYCO

Description: Variation of condition 6 (approved plans) related to planning approval 17/04589/LBC

Status: PER

Reference Number: 19/03479/VARYCO

Description: Variation of condition 2 (approved plans) pursuant to planning permission 17/04588/FUL

Status: PER

Reference Number: 19/04436/DISCON

Description: Discharge of conditions : 12 (demolition/construction method statement) and 19 (surface water) pursuant to planning approval 17/04588/FUL

Status: PER

Reference Number: 20/00301/DISCON

Description: Discharge of condition 4 (contaminated land scheme) 7 (ground gasses report) 13 (full engineering, drainage, street lighting and construction details of streets proposed for adoption) 14 (management and maintenance details of proposed streets) 15 (details of required highways works) 18 (programme of archaeological works) and 20 (scheme for surface water) on approved planning application 17/04588/FUL.

Status: CONREF

Reference Number: 20/03447/VARYCO

Description: Variation of condition 6 (approved plans) pursuant to planning permission 19/03478/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations. Amendment of Condition 2 (Materials) pursuant to planning permission 19/03478/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).

Status: PCO

Reference Number: 21/01595/DISCON

Description: Discharge of condition 9 (landscaping) on approved planning application 19/03479/VARYCO

Status: PCO

4. Planning Policy

4.1 Development Plan Policy

Alnwick LDF Core Strategy 2007

S1 Location and scale of new development
S2 The sequential approach to development
S3 Sustainability criteria
S4 The phased release of housing land
S5 Housing density
S6 Provision of affordable housing
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and enhancing biodiversity and geodiversity
S13 Landscape character
S15 Protecting the built and historic environment
S16 General design principles
S20 Providing for open space, sport and recreation
S22 Energy efficiency
S23 Planning obligations

Alnwick District Wide Local Plan 1997 (Policies Saved through the ACS)
BE8 Design in new residential developments and extensions (and Appendix A and B)
CD32 Controlling development that is detrimental to the environment and residential amenity APPENDIX A Design and layout of new dwellings
CD32 Controlling development that is detrimental to the environment and residential amenity

4.2 National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance (2014, as updated)

4.3 Emerging Planning Policy

Emerging Northumberland Local Plan - Regulation 19 (Jan 2019) as amended by proposed Main Modifications (June 2021)
STP1, STP2, STP3, STP4, STP4, STP5, STP6, HOU1, HOU2, HOU5, HOU9, QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT2, ENV1, ENV2, ENV3, ENV4, ENV7, WAT1, WAT2, WAT3, WAT4, POL1, POL2, INF1, INF6.

4.4 Other relevant policy documents

Alnwick Landscape Character SPD 2011
Northumberland Landscape Character Assessment 2011
National Design Guide 2019

5. Consultee Responses

Rennington Parish Council	Rennington Parish Council wishes to respond to the 3 points on this variation are as follows:- 1. No objection to the changes to fenestration. 2. The reduction in garage size is not objected to, but would ask that sufficient parking spaces are provided on the development for both residents and visitors.
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	<p>3. The addition of stone quoins should be welcomed as they are a design feature of local stone buildings.</p> <p>The parish council along with residents have raised major concerns that construction has started before approval has been granted, on the selection of materials for external walls and roofing which is contrary to the conditions set in the original planning application to which this Varyco application refers.</p>
Lead Local Flood Authority (LLFA)	The LLFA have no objection to application 20/03446/VARYCO subject to the following drawing being added to the list of approved drawings.
Highways	No objection following the receipt of amended plans and the carrying over of appropriate conditions
Building Conservation	<p><u>20/03446/VARYCO</u></p> <p>Impact - The proposals relate to a variation to approval reference 19/03479/VARYCO which was a variation to 17/04588/FUL.</p> <p>Building Conservation visited the site with the Development Management case officer on 3 November 2020 to inspect a sample panel of Hutton Stone and natural slate for the proposed new build dwellings. We offered no adverse comment but recommended that any quoins must be in natural stone also.</p> <p>We visited Rennington on 6 May 2021 to observe the development but did not enter onto the site. It was noted that several properties have now progressed to a near complete state although groundworks still appear outstanding. Work was underway to the listed units (8&9). The refurbishment of the main roof of the listed farm buildings appeared near complete. We will comment on matters relating to the listed farm buildings in comments to application 20/03447/VARYCO.</p> <p>We raise no objection to the reduction in size of the garage blocks. We raise no objection to fenestration changes at the rear of the new builds provided window frames continue to be in timber and painted as noted on the proposed plans. We raise no objection to quoins in natural stone for the new build houses. Regarding materials, a plan ref 1742-SK-08 dated 15.02.21 has been provided. If materials are consistent with those shown on this plan we raise no objection. However, there is an inconsistency between the elevation plans proposed for house types and the materials plan because both upvc and cast-iron rainwater goods are proposed. We recommend this inconsistency should be resolved in favour of cast iron.</p> <p>Position - Subject to the above we raise no objection to the variation proposed.</p> <p><u>20/03446/VARYCO</u></p>

Impact - The proposals relate to a variation to approval reference 19/03478/VARYCO which was itself a variation to 17/04589/LBC. Matters relating to the new build dwellings are discussed in our comment to 20/03446/VARYCO. Having its roots in 17/04589/LBC we suggest this application relates only to the extent to which change is proposed to the physical fabric of the listed building. Matters relating to setting are dealt with through planning permission.

Under 19/03478/VARYCO conditions attached to 17/04589/LBC were rolled forward. We visited Rennington on 6 May 2021 to observe the development but did not enter onto the site. Work was underway to the listed unit 8 at the time of our visit. The refurbishment of the main roof of the listed farm buildings (units 8 & 9) appeared near complete.

The proposed plan for the listed units (8 & 9) uploaded to Public Access on 16 October 2020 carries this note:
13/10/20 SECOND VARIATION OF CONDITION APPLICATION. NO AMENDMENTS TO LISTED BUILDING BEYOND WHAT IS ALREADY APPROVED. DRAWING RE-ISSUED FOR COMPLETENESS. ISSUED FOR PLANNING APPROVAL TO LOCAL AUTHORITY (AH).

However, a narrative then emerges regarding changes to the roof structure of the listed unit 9. These changes were not part of the previous approvals and require listed building consent. The changes appear on the application between 23 and 25 November 2020 although the structural report regarding the roof structure dates to 28 August 2020. A revised plan is submitted bearing this note: 23/11/20 PLOT 9 - EXISTING KING POST TRUSSES, TIMBER PURLINS AND TIMBER RAFTERS TO BE REPLACED WITH NEW, STYLE & TYPE TO MATCH EXISTING. REFER TO DRAWING 20034-101 BY SULLIVAN ASSOCIATES. ISSUED FOR PLANNING APPROVAL TO LOCAL AUTHORITY (AH)

Our inspection from outside the site suggests the changes to the roof structure of unit 9 may have been completed. Building Conservation has not inspected the former trusses so we are unable to comment if they could have been retained through other means of structural strengthening. The loss of the traditional trusses within unit 9 is prima facie harm to the special interest of the listed building. We would not expect the retention of inadequate trusses but a clear and convincing justification should explore if the existing arrangements could be strengthened to retain at least some of the original. If the reasoned conclusion were that this were not possible then full justification would have been provided.

Given the note refers only to unit 9 there is a presumption the traditional trusses have been retained within unit 8. We

	<p>suggest clarification should be sought from the applicant as to the extent of changes executed so far. Conditions attached to 19/03478/VARYCO remain in force. To date we have not been supplied with proposed materials for the walls and roof to units 8 & 9 (see condition 2) although we accept the re-roofing has been completed in a manner consistent with the recycling of traditional slate as discussed in the application. Further details, including a window schedule, will be required before windows can be installed to the front elevation of the listed barns (condition 3). Rooflights have been installed but they are standard “Velux” types, not the conservation style, flush fitting units shown on the plans. No details have been supplied regarding the rooflights (condition 3). Finally, condition 4 requires details of certain vents and flues. It appears at least some of these have been incorporated in the re-roofing and potentially out of step with the requirements of condition 4.</p> <p>Position - We accept the expediency for further action regarding the trusses in Unit 9 has now passed. Provided the matters discussed above are adequately addressed we raise no substantive objection. .</p>
County Archaeologist	There are no objections to the current variation on archaeological grounds provided that the requirements of Condition 18 of permitted application 17/04588/FUL are secured as part of this or any future variation.
County Ecologist	A number of bat roosts have been recorded in buildings on this site and mitigation is conditioned with 17/03479/VARYCO. The amended plans should include any changes to the agreed mitigation, and be amended prior to determination.
North Trees And Woodland Officer	No response received.
Public Protection	Public Health Protection does not have any comments to make on this application
Natural England	Natural England currently has no comment to make on the variation of condition 2.
Northumbrian Water Ltd	Thank you for consulting Northumbrian Water on the above application to vary a condition. We have no further comments to make
Countryside/ Rights Of Way	There are no rights of way implications involved in this development, therefore I have no comments to make on the application.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	8
Number of Objections	21
Number of Support	0
Number of General Comments	0

Notices

Summary of Responses:

35 Representations (combined for both 20/03446/VARYCO & 20/03447/VARYCO) have been received in relation to this application. To summarise these cover objections in relation to the following matters:

- Alleged Breaches of Planning Permission
- Materials used in the proposal (inappropriateness of these & querying if these are local and in keeping with the character of the village, and also are these natural stone
- Impact of the proposal on the Character of the Area, Listed Buildings and of the Character of Rennington Village.
- Concerns regarding drainage.

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- Principle of Development;
- Amendments to the proposed plans;
- Discharge of the Details of the Materials to be used in the development (via amendment to the materials condition); and,
- Discharge of other appropriate conditions.

Principle of Development

7.2 The proposal's acceptability has previously been established by the extant grant of planning permission (17/04588/FUL (and the subsequent variation of condition application 19/03479/VARYCO)), with this application solely looking at the acceptability of varying the approved plans condition (condition 2). The planning officer has also requested that the applicant submitted information discharge the requirements of a number of other appropriate conditions, which are required due to timing of the application and progress of the scheme to ensure the applicant is no longer in breach of their permission. These matters are the matters considered in this report.

Amendments to the proposed plans

7.3 The applicant has sought approval for amendments to approved plans in relation to the proposal. This is separated into two parts. The part of the site which relates to non listed buildings (whole site excluding plots 8 & 9) and plots 8 & 9 which relate to listed buildings.

Whole site excluding plots 8 & 9

7.4 The following changes have been requested, fenestration amendments to rear elevations are noted on the associated application drawings. In summary, principle changes are noted as being:

- Addition of natural stone quoins to all elevations. All new build houses and detached garages will include natural stone quoins to the corners of each elevation.
- Plot 1 (House Type 1B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
- Plot 2 (House Type 1C) –Ground floor: External door omitted, double window repositioned, single double-glazed window added.
- Plot 3 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows.
- Plot 4 (House Type 1A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
- Plot 5 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows
- Plot 6 (House Type 3) – Ground floor: Apex window above rear patio doors omitted.
- Plot 7 (House Type 3 – mirrored) – Ground floor: Apex window above rear patio doors omitted.
- Plot 10 (House Type 2B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows.

7.5 With the following amendments to garages within the proposal:

- Reduction in garage sizes to Plot 1, Plot 4, Plot 6 and Plot 7
- Plot 1 – Detached double garage reduced to single garage.
- Plot 4 – Adjoining double garage reduced to single garage.
- Plot 6 and Plot 7 – Detached double adjoining garages reduced to single adjoining garages.

7.6 The Building Conservation Officer has been consulted in relation to this proposal. They have offered the following comments

“We visited Rennington on 6 May 2021 to observe the development but did not enter onto the site. It was noted that several properties have now progressed to a near complete state although groundworks still appear outstanding. Work was underway to the listed units (8&9). The refurbishment of the main roof of the listed farm buildings appeared near complete. We will comment on matters relating to the listed farm buildings in comments to application 20/03447/VARYCO.

We raise no objection to the reduction in size of the garage blocks. We raise no objection to fenestration changes at the rear of the new builds provided window frames continue to be in timber and painted as noted on the proposed plans. We raise no objection to quoins in natural stone for the new build houses.”

7.5 Amendments to fenestration on new residential units, and other minor amendments proposed through variation of condition applications, can impact upon the amenity of nearby occupiers, it is however not considered that the changes proposed will cause an impact which would warrant withholding planning permission in this instance.

7.6 Amendments to the garage sizes have attracted comment from the Parish Council with regards to a potential reduction in the amount of parking available on the proposal site, discussion and consultation with highways has been undertaken and it is deemed that the amount of parking included on the site is still appropriate and acceptable in highways terms. It is therefore not deemed an appropriate reason to withhold planning permission for this scheme in its current form.

7.5 The changes proposed in this application from the permitted application would not have a significant impact upon the overall design of the proposal insofar as its acceptability in planning terms, and as such the proposal is acceptable and in accordance with the relevant Policies of the BLP, the NPPF and other material considerations e.g. National Design Guide and Emerging Northumberland Local Plan,

Plots 8 & 9 (Listed Building)

7.6 The applicant has also included a request to amend the plans in relation to the plots 8 & 9 following a closer inspection of the roof structure and structural survey of the listed barns. This includes existing king post trusses, timber purlins, and timber rafters to be replaced by new style, and type to match existing.

7.7 The changes proposed in this application from the permitted application in relation to plots 8 and 9 have been supported by a structural assessment, which takes the form of a suite of documents which have been prepared by both Monument Design and Build and Sullivan and Associates (Chartered Building Surveyors). This is uploaded in full as part of the application documents. The Structural Surveyor has found a number of issues with the Timber Lintels, Trusses and Purlins supporting the structure. As a conclusive comment they have stated that:

“In our professional opinion, the existing trusses and the timber lintels over the existing opening's are not capable of supporting the applies roof loads and cannot be repaired/altered in a manner which would allow their structural adequacy to be proved by calculation. We would consider that a new roof structure is required.”

7.8 Given this assessment it is considered that the works to the roof structure are necessary to enable the safe conversion of the structure to its proposed use as a pair of residential dwellings.

7.9 The structural surveyor has advised *“The new roof structure could either be formed in purposed made king post trusses, purlins and rafters or could be formed in prefabricated trusses.”* They go on to state *“If king post trusses are to be used, the spacing of the trusses should be altered to avoids the existing window openings. This in turn means that the bottom chord of truss does not need to be notched which reduces its strength.”* The agent has submitted a revision of drawing 1742-VOC-10 and the additional information by Sullivan Associations (drawing 20034-101 and structural calculations). These demonstrate the new proposed roof solution with regards to the listed element of the scheme.

7.10 The Building Conservation Officer has been consulted in relation to this proposal. They have offered the following comments:

“Our inspection from outside the site suggests the changes to the roof structure of unit 9 may have been completed. Building Conservation has not inspected the former trusses so we are unable to comment if they

could have been retained through other means of structural strengthening. The loss of the traditional trusses within unit 9 is prima facie harm to the special interest of the listed building. We would not expect the retention of inadequate trusses but a clear and convincing justification should explore if the existing arrangements could be strengthened to retain at least some of the original. If the reasoned conclusion were that this were not possible then full justification would have been provided.

Given the note refers only to unit 9 there is a presumption the traditional trusses have been retained within unit 8. We suggest clarification should be sought from the applicant as to the extent of changes executed so far.

Conditions attached to 19/03478/VARYCO remain in force. To date we have not been supplied with proposed materials for the walls and roof to units 8 & 9 (see condition 2) although we accept the re-roofing has been completed in a manner consistent with the recycling of traditional slate as discussed in the application.”

7.11 With regards to the velux style windows in the conversion the following is offered

“Further details, including a window schedule, will be required before windows can be installed to the front elevation of the listed barns (condition 3. Rooflights have been installed but they are standard “Velux” types, not the conservation style, flush fitting units shown on the plans. No details have been supplied regarding the rooflights (condition 3). Finally, condition 4 requires details of certain vents and flues. It appears at least some of these have been incorporated in the re-roofing and potentially out of step with the requirements of condition 4.

7.12 This is addressed further in the section titled ‘Enforcement Matters’. A further comment it given by the Building Conservation Officer in relation to the roof trusses.

“We accept the expediency for further action regarding the trusses in Unit 9 has now passed. Provided the matters discussed above are adequately addressed we raise no substantive objection”

7.13 Following the review of the submission, including the structural survey, amended plans and the justification, it is considered that the proposed amendments are suitable in the circumstances, and permission should not be withheld due to these amendments. Although, it is regrettable that the works have been undertaken prior to achieving full planning permission and listed building consent, it is deemed that these works have been necessary to enable the conversion of the structure to its permitted use.

7.14 The proposal is therefore deemed to be in compliance with Policy S15 of the ACS, the relevant sections of Chapter 16 of the NPPF, relevant legislative requirements from an Historic Environment Perspective and policy ENV7 of the emerging NLP where these can be given weight.

Materials

7.15 Due to the stage the development is at the applicant has sought through this variation of condition application approval of the materials to be used within the scheme. This was previously formed by condition 3 of 19/03479/VARYCO (and the

earlier 17/04588/FUL). The materials used are detailed as follows and have been shown in plan “*Typical External Materials Dwg No. 1742-SK-08 by Monument Design + Build [uploaded to DMS 16th Feb 2021]*”:

- Stone Quoins - Hutton Stone - Plots 1, 2, 3, 4, 5, 6, 7, 10 Natural stone quoins are a traditional design element commonly found in stone houses of this nature. They will enhance the aesthetic appeal of each property and ‘ground’ the development within the local vernacular. They will also provide a visual ‘link’ back to the listed barn building which has natural stone quoins.
- Lintels/Natural Stone Head – Hutton Stone (Plots) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. This is supplied from Hutton Stone’s Darney Quarry, near East Woodburn, Northumberland. Darney sandstone is a fine to medium grained pale gold through, light buff to almost blonde in colour.
- Walling Stone - Hutton Stone Plots: 1, 2, 3, 4, 5, 6, 7, 10 (and Plot 8 - New extension only)
- Roofing materials (Slate) - Spanish Slate : Plots 1, 2, 3, 4, 5, 6, 7, 10
- Gutter and Rainwater Pipes (Classical Plus Range, Cast Iron) PLOTS: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
- Front Doors: Cottage Style Timber Faced Composite Door, Colour: Gardenia (Crawford Joinery) Plots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
- Natural Stone Cill (Hutton Stone) Plots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10.

7.16 In addition to this further information regarding the source of the stone has been provided, which is Darney Quarry, near East Woodburn, Northumberland. This quarry belongs to Hutton Stone which provides stone for a broad range of schemes across Northumberland.

7.17 The Planning Officer (Case Officer) and the Building Conservation Officer have viewed the materials on site, with a materials pallet presented on site. The advice of the Building Conservation Team has provided the following comment with regards to the materials. “*Building Conservation visited the site with the Development Management case officer on 3 November 2020 to inspect a sample panel of Hutton Stone and natural slate for the proposed new build dwellings. We offered no adverse comment but recommended that any quoins must be in natural stone also.*” and “*Regarding materials, a plan ref 1742-SK-08 dated 15.02.21 has been provided. If materials are consistent with those shown on this plan we raise no objection. However, there is an inconsistency between the elevation plans proposed for house types and the materials plan because both upvc and cast-iron rainwater goods are proposed. We recommend this inconsistency should be resolved in favour of cast iron.*” Following discussion with the agent this inconsistency has been resolved. In terms of further comment the following has been provided in terms of an informal comment.

7.18 It is considered that the materials proposed are a fair compromise between the coursed rubble of the barns and the regular tooled blocks of the listed farmhouse. While the colour of some of the materials looks bright as newly laid stone, it is considered that this will fade overtime. An informal comment from the Building Conservation Officer has been provided that wholly random rubble is a low-quality finish, traditionally kept for low status buildings or the unseen elevations of the better ones, which would be inappropriate for the dwellings proposed and would appear out of place in Building Conservation terms.

7.19 A broad range of objections have been received in relation to this particular aspect of the proposal. It is however deemed by the Building Conservation Officer,

and the Planning Officer that the materials are appropriate for the development proposed. A particular comment was received that the stone proposed for the scheme was not actually stone itself and was a 'composite' as is demonstrated by the sourcing details it can be confirmed that this is not the case, with the stone provided having been sourced from Darney Quarry in Northumberland.

7.20 Therefore it is considered that the materials provided are suitable in this location for this proposal, and therefore comply with the relevant policies of the development plan (e.g. S15 of the Alnwick Core Strategy) and relevant material considerations e.g. NPPF, National Design Guide.

7.21 Comments have been received from the Parish Council and the local community regarding the type of materials used and the colouring of the them, however it is considered that whilst these appear bright now, these will fade overtime through weathering and that the materials used are local to the county, and appropriate to use in this location, particularly due to the range of materials used within Rennington itself.

7.22 The existing materials condition has been removed from the recommended conditions list in this report, with the materials plan *"Typical External Materials Dwg No. 1742-SK-08 by Monument Design + Build [uploaded to DMS 16th Feb 2021]"* added to the revised condition 2 (approved plans list).

Other Matters

7.23 Some of the conditions of the original application have been discharged prior to the issuance of this variation of condition application. Appropriate alterations have been made to these applications to take this into account, in some cases this has included the consolidation of approved documents into the approved plans list in condition 2.

7.24 The applicant has been in breach of their materials condition, however as the materials used are deemed acceptable, it is deemed inappropriate to take formal enforcement action. This condition has been converted to a compliance condition.

Enforcement Matters

7.25 It has been brought to the attention of the case officer that the rooflights inserted into the listed barn are not compliant with the existing planning permissions (lbc and full applications), nor are these as set out in the plans for this variation of condition application. Should this application be granted the applicant would continue to be in breach of their planning permissions. This is therefore a matter for the enforcement team and is being dealt with separately from this planning application.

7.26 Whilst it is regrettable that the applicant has proceeded ahead of gaining formal permission for items e.g. discharges of conditions in terms of materials and highways matters, where possible, the LPA has worked with the applicant to regularise this permission.

Ecological Matters

7.27 Following discussions with the County Ecologist, it has been deemed appropriate to request that mitigation on site e.g. bat and bird box locations, should

be shown the elevation plan in relation to the properties. The applicant has provided amended plans in this regard and it is now deemed that these show satisfactory locations for the mitigation.

7.28 Therefore the ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF, and other material considerations e.g. NDG.

Equality Duty

7.29 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

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

Human Rights Act Implications

7.31 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.

7.32 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.

7.33 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 of the application has previously been established through parent application 17/04588/FUL (and subsequent variation of condition application (19/03479/VARYCO) which this application seeks to vary condition 2 from (the approved plans condition). Following the requested amendments, the plans as submitted are deemed to be acceptable. It is therefore not deemed appropriate to withhold permission for the proposed amendments to the scheme. It is therefore recommended that approval is granted for this variation of condition application, subject to the conditions as proposed.

9. Recommendation

That this application be GRANTED subject to the following revised conditions:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission ref: 17/04588/FUL;

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:-

- Existing Site Location Plan Dwg No. 1742-VOC-01 Rev B Dated 16.08.19
- Proposed Drainage Dwg No. 121019/2000 Date 21/09/17 Rev P Dated 21/04/21
- Proposed Drainage Construction Details, Sheet 1 Dwg No. 121019/2002 Dated 21/9/17 Rev A Dated 20/11/18
- Proposed Drainage Construction Details, Sheet 2 Dwg No. 121019/2003 Dated 21/9/17 Rev B Dated 20/11/18
- Proposed Drainage Construction Details, Sheet 3 Dwg No. 121019/2004 Dated 21/9/17 Rev C Dated 21/9/17 Rev C Dated 22/7/20
- Proposed Drainage Long Sections Dwg No. 121019/2005 Dated 21/9/17 Rev H Dated 15/01/21
- Proposed Drainage Manhole Schedule Dwg No. 121019/2001 Dated 21/9/17 Rev H Dated 23/02/21
- Proposed Drainage Notes Dwg No. 121019/2006 Dated 21/9/17 Rev A Dated 20/11/18
- Proposed Engineering Layout Dwg No. 121019/1000 Dated 21/9/17 Rev H Dated 21/4/21
- Proposed Highway Construction Details Sheet 1 Dwg No. 121019/1002 Dated 21/9/17 Rev D dated 27/05/21
- Proposed Highway Long Sections Dwg No. 121019/1003 Dated 21/9/17 Rev B Dated 12/12/19
- Proposed Setting Out Dwg No. 121019.1004 Dated 31/7/20 Rev A 21/4/21
- Proposed Surface Finishes and Kerbs Dwg No. 121019/1001 Dated 21/09/17 Rev I 11/5/21
- Proposed Site Plan (Including Boundary Treatments) Dwg No. 1742-BR01-00 Rev C Dated 13/5/21
- Proposed Landscape Plan Dwg No. 1742-BR01-Landscape Rev C Dated 13/05/21
- Typical External Materials Dwg No. 1742-SK-08 [as uploaded to DMS 16th Feb 2021]

- Plot 8 & 9 – Listed Buildings Plans and Elevations Dwg No. 1742-VOC-10 Rev E Dated 23/11/20
- Plot 9 Roof Structure as proposed Dwg No. 101 Dated August 2020
- Plot 6 & 7/Plot 8 & 9 Proposed Double Garage Rev B Dated 13/10/20
- Plot 3 & Plot 5 – House Type 2A Proposed Plans and Elevations Dwg No. 1742-VOC-07 Rev C Dated 13/10/20
- Plot 4 – House Type 1A – Proposed Plans and Elevations Dwg No. 1742-VOC-08 Rev C Dated 13/10/20
- Plot 1 – House Type 1B – Proposed Plans and Elevations Dwg No. 1742-VOC-06 Rev E Dated 13/10/20
- Plot 2 – House Type 1C – Proposed Plans and Elevations Dwg No. 1742-VOC-06.5 Rev D Dated 13/10/20
- Plot 10 – House Type 2B Proposed Plans and Elevations Dwg No. 1742-VOC-11 Rev C Dated 13/10/20
- Plot 7 – House Type 3 Proposed Plans and Elevations (Mirrored) Dwg No. 1742-VOC-09.5 Rev C Dated 13/10/20
- Plot 6 – House Type 3 Proposed Plans and Elevations Dwg No. 1742-VOC-09 Rev D 13/10/20
- Generic Tanks install layouts for developer plans Dwg No. 20117 Rev D Dated 25/05/18
- General Semi-Mounded Install for 2 x 4000L Tank End on End with a Gas Dispersion Wall Dwg No. 21473 Rev A Dated 27/04/18

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

03. Following the discharge of condition 4 on 17/04588/FUL via 20/00301/DISCON, the proposal shall be implemented in line with the details, and adopt the measures as set out in Geo Environmental Engineering Ground Gas Verification Strategy Report ref: 2019-4085 (20/07/20)

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

04. Prior to occupation of the first of the dwellings hereby permitted a management plan, for the provision and subsequent maintenance of the areas of open space shown on the approved drawings, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and maintained in complete accordance with the approved details.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, and in accordance with the provisions of Policies S13 and S16 of the Alnwick District LDF Core Strategy.

05. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

06. Following the discharge of condition 7 of 17/04588/FUL via 20/00301/DISCON, the proposal shall be implemented in line with the details and following the measures set out in Geo Environmental Engineering Ground Gas Verification Strategy Report ref: 2019-4085 (20/07/20)

Reason: In order to prevent any accumulation of vapour which may potentially be prejudicial to the health & amenity of the occupants of the respective properties

07. Prior to occupation of the first dwelling, details of all proposed means of enclosure, and boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority, and shall thereafter be implemented in complete accordance with the approved details.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion.

08. Prior to occupation of the dwellings hereby approved, a detailed landscaping scheme, showing both hard and soft landscaping proposals, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include, the planting of trees and shrubs including a planting schedule setting out species, numbers, densities and locations, the provision of screen walls or fences, the mounding of earth, the creation of areas of hardstanding, pathways, etc, areas to be seeded with grass, and other works or 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 following commencement of the development, or within such other time as may be approved in writing by 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 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: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

09. No dwelling shall 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: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework

10. Construction and Demolition on the site must comply with the details submitted and approved as part of 19/04436/DISCON. These are detailed in the

Construction Method Statement 'Construction of 8 new build detached dwellings & 2 Refurbishment dwellings', North Farm Rennington January 2020.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

11. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

12. No dwelling shall be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been hard surfaced, sealed and marked out in parking bays/ has been implemented in accordance with the approved plans. 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 the National Planning Policy Framework.

13. A programme of archaeological work is required in accordance with the brief provided by Northumberland Conservation (NC ref : A32/1: 20657 dated 06/01/2015). The archaeological scheme shall comprise two stages of work following the approval of the Written Scheme of Investigation as part of 20/00301/DISCON. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a. The archaeological recording scheme required by the brief must be completed in accordance with the approved written scheme of investigation (approved as part of 20/00301/DISCON).

b. The programme of analysis, reporting, publication and archiving if required by the brief must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest.

14. Surface Water Drainage during development will be dealt with via the measures approved in the Construction Method Statement 'Construction of 8 new build detached dwellings & 2 Refurbishment dwellings', North Farm Rennington January 2020.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

15. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00, Saturday - 08:00 to 13:00, With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

16. No building shall not be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 7 of this permission, which has been approved in writing by the LPA.

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.

17. No development is to take place unless in full accordance with the recommendations and enhancement measures of 'North Farm, Rennington, Report No 4, August 2017, E3 Ecology, including:

- An updating survey shall be undertaken during the period May to August prior to the commencement of development;
- Works will not commence until a Natural England development licence has been granted;
- Prior to works commencing a site induction meeting will be held, attended by the project ecologist and lead contractors;
- Prior to works commencing 6 woodcrete type bat boxes shall be erected at a height of no less than 3m on trees adjacent to the site;
- Once scaffolding is in place the project ecologist will carry out a detailed inspection of the structures and mark up crevice roost sites and access points to be retained;
- Works will not be undertaken during the bird nesting season (March to August inclusive) unless a checking survey undertaken by a suitably experienced ornithologist has confirmed nesting birds are absent;
- Where evidence of current bat use is recorded, the project ecologist will install standard one-way exclusion valves, which shall be left in place for a minimum of 4 nights. No exclusion will be undertaken during the hibernation period.
- The following key elements of work will not be completed during the hibernation period (mid November to mid March inclusive): (Demolition of stonework Re-structuring/re-pointing of existing stone Keying in of new build to existing stone, Removal of ridge tiles, Removal of roof timbers, Exposing of the wall tops via roof stripping works)
- Bitumen type 1F felt sarking or wooden sarking only to be used in the vicinity of bat access points.
- Old slates, ridge tiles, and water tables will be removed carefully by hand, being aware that bats may be present beneath slates or ridge tiles, within mortise joints,
- cavity walls, between loose stones, between lintels and in gaps around window frames.
- Any water tanks present in the roof space shall be covered to prevent bats from drowning.
- Timber treatments that are toxic to mammals shall not be used.
- If bats are found during works, works will stop in that area and the ecological consultant will be contacted immediately.
- Works shall be undertaken to a precautionary amphibian method statement.
- A total of 10 crevice roosts features shall be marked up and retained and 6 ridge tile roosts on the converted buildings and 6 bat accesses shall be created in the new building.
- A barn owl box shall be erected on a retain tree adjacent to the site.
- External lighting of the site shall be low level, low power and directed downwards and shall accord with the guidance, "Bats and Lighting, BCT and ILE, 2019."

Reason: To maintain the favourable conservation status of protected species

18. Prior to occupation a scheme of street lighting shall be submitted to and approved in writing by the Local Planning Authority thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework.

Background Papers: Planning application file(s) 20/03446/VARYCO

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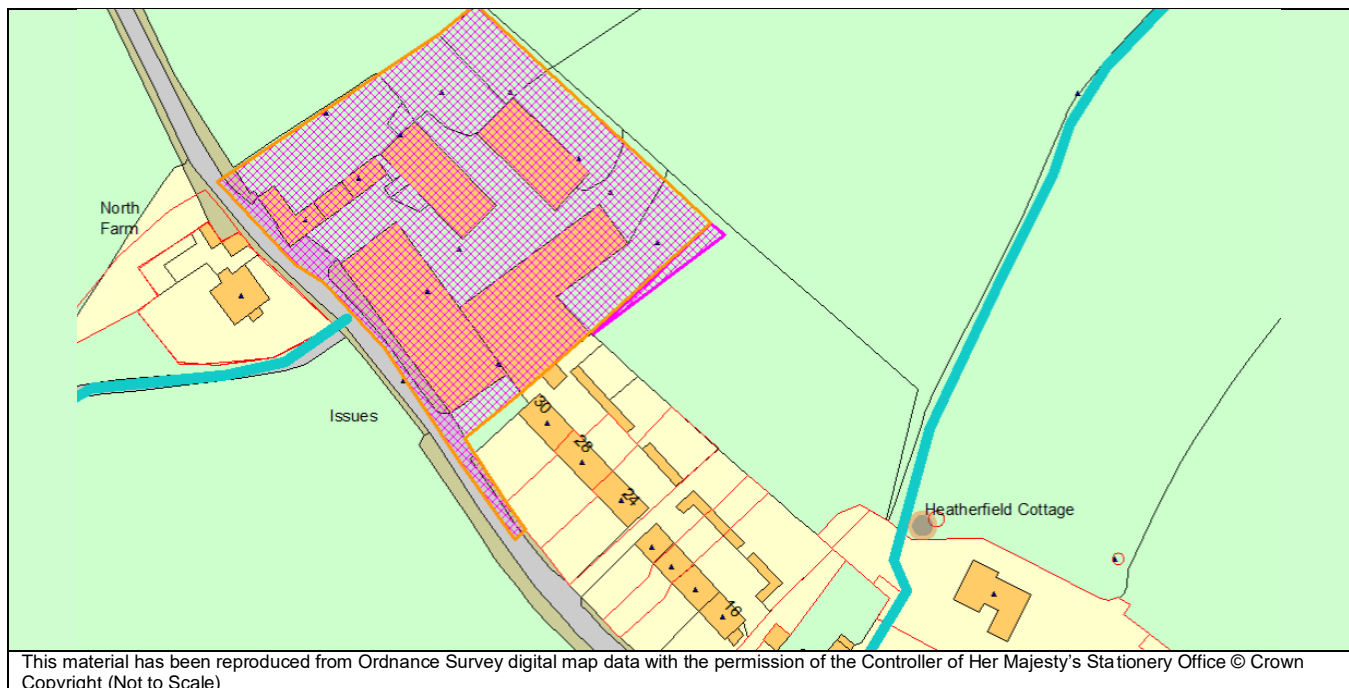


Northumberland County Council

North Northumberland Local Area Council 22nd July 2021

Application No:	20/03447/VARYCO		
Proposal:	Variation of condition 6 (approved plans) pursuant to planning permission 19/03478/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations. Amendment of Condition 2 (Materials) pursuant to planning permission 19/03478/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).		
Site Address	Farm Buildings East Of North Farm, Rennington Village, Rennington, Northumberland		
Applicant:	Mr Nick Dawe 12 Riverside Road, Alnmouth, Alnwick, NE66 2SD	Agent:	Mr Adam Holmes 8 Mosley Street, Newcastle Upon Tyne, NE1 1DE,
Ward	Longhoughton	Parish	Rennington
Valid Date:	19 October 2020	Expiry Date:	14 December 2020
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be GRANTED subject to planning conditions



1. Introduction

1.1 Following referral through the Virtual Delegation Scheme this application is deemed appropriate for determination at North Northumberland Local Area Council.

1.2 The proposal relates to the variation of conditions on the listed building consent 17/04589/LBC as varied by 19/03478/VARYCO.

1.3 This report should be read alongside 20/03446/VARYCO, which relates to the same site and the variation of the full planning permission. This is to be heard at the same committee meeting.

2. Description of the Site and the Proposal

2.1 The site to which the application relates (North Farm) is located to the north-western edge of Rennington Village adjacent to the C1130 that leads from Rennington to the village of Rock. The application site comprises the grade II listed cart shed and granary located along the north-western boundary, and prior to the implementation of this scheme, a range of larger more modern farm buildings with farm yard areas were adjacent to these. The original farmhouse is grade II listed and is located on its own on the opposite side of the highway to the west of the site, and this is now in separate ownership. Open agricultural land surrounds the site to the north and east and beyond the farmhouse, with residential properties adjoining the south-eastern boundary of the site.

2.2 The proposal relates to the variation of conditions on the listed building consent 17/04589/LBC as varied by 19/03478/VARYCO.

2.3 This application seeks to vary condition 6 of the extant planning permission 19/03478/VARYCO, which is the approved plans condition by revising the proposal in the following ways:

- 1) Fenestration amendments to rear elevations are noted on the associated application drawings. In summary, principle changes are noted as being:
 - Plot 1 (House Type 1B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
 - Plot 2 (House Type 1C) –Ground floor: External door omitted, double window repositioned, single double-glazed window added.
 - Plot 3 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows
 - Plot 4 (House Type 1A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
 - Plot 5 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows
 - Plot 6 (House Type 3) – Ground floor: Apex window above rear patio doors omitted.
 - Plot 7 (House Type 3 – mirrored) – Ground floor: Apex window above rear patio doors omitted.
 - Plot 8 & 9 (Listed Building) – Existing king post trusses, timber purlins, and timber rafters to be replaced by new style, and type to match existing.
 - Plot 10 (House Type 2B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.

1st floor: Double window in place of two single windows.

- 2) Reduction in garage sizes to Plot 1, Plot 4, Plot 6 and Plot 7
Plot 1 – Detached double garage reduced to single garage.
Plot 4 – Adjoining double garage reduced to single garage.
Plot 6 and Plot 7 – Detached double adjoining garages reduced to single adjoining garages.

- 3) Addition of natural stone quoins to all elevations. All new build houses and detached garages will benefit from natural stone quoins to the corners of each elevation.

2.4 During the application process the agent has sought the Amendment of Condition 2 (Materials) pursuant to planning permission 19/03478/VARYCO to allow for discharge of details of materials.

2.5 During the application further details have been submitted in relation to plots 8 & 9 for which amended plans have been submitted following the need to undertake further work than initially envisaged to allow a successful conversion.

2.6 Appropriate amendments to other conditions have also been suggested by the Planning Officer to cater for the absence of a discharge of conditions application.

3. Planning History

Reference Number: 17/04589/LBC

Description: Listed Building Consent for demolition of modern portal frame buildings, construction of 8 new houses & 4 detached garage blocks and conversion of listed traditional farm buildings into 2 dwelling houses.

Status: PER

Reference Number: 20/03446/VARYCO

Description: Variation of Conditions 2 (approved plans) pursuant to planning approval 19/03479/VARYCO in order to allow reduction in garage sizes plots 1,4,6,7; fenestration amendments to rear elevations; addition of natural stone quoins to all elevations.

Amendment of Condition 3 (Materials) pursuant to planning permission 19/03479/VARYCO to allow for discharge of details of materials. (Amended Description 16.02.2021).

Status: PCO

Reference Number: 14/03067/FUL

Description: Change of use of land and buildings and development of residential dwellings (15 in total of which 6 are affordable homes) including demolition of existing modern agricultural buildings, conversion and extension of Grade II Listed traditional farm buildings to provide 2 residential dwellings, construction of 13 new residential dwellings and development of associated access roads, public open space, gardens and other ancillary works (as amended by letter dated 26/11/14)

Status: PER

Reference Number: 14/03068/LBC

Description: Listed Building Consent: Change of use of land and buildings and development of residential dwellings (15 in total of which 6 are affordable homes) including demolition of existing modern agricultural buildings, conversion and extension of Grade II Listed traditional farm buildings to provide 2 residential dwellings,

construction of 13 new residential dwellings and development of associated access roads, public open space, gardens and other ancillary works (as amended by letter dated 26/11/14)

Status: PER

Reference Number: 17/04588/FUL

Description: Demolition of modern portal frame buildings, construction of 8 new houses and 4 detached garage blocks and conversion of listed traditional farm buildings into 2 dwelling houses.

Status: PER

Reference Number: 19/03478/VARYCO

Description: Variation of condition 6 (approved plans) related to planning approval 17/04589/LBC

Status: PER

Reference Number: 19/03479/VARYCO

Description: Variation of condition 2 (approved plans) pursuant to planning permission 17/04588/FUL

Status: PER

Reference Number: 19/04436/DISCON

Description: Discharge of conditions : 12 (demolition/construction method statement) and 19 (surface water) pursuant to planning approval 17/04588/FUL

Status: PER

Reference Number: 20/00301/DISCON

Description: Discharge of condition 4 (contaminated land scheme) 7 (ground gasses report) 13 (full engineering, drainage, street lighting and construction details of streets proposed for adoption) 14 (management and maintenance details of proposed streets) 15 (details of required highways works) 18 (programme of archaeological works) and 20 (scheme for surface water) on approved planning application 17/04588/FUL.

Status: CONREF

4. Consultee Responses

Highways	No objection following the receipt of amended plans and the carrying over of appropriate conditions (when consulted on 20/3446/VARYCO)
Rennington Parish Council	<p>Rennington Parish Council wishes to respond to the 3 points on this variation are as follows:-</p> <ol style="list-style-type: none">1. No objection to the changes to fenestration.2. The reduction in garage size is not objected to but would ask that sufficient parking spaces are provided on the development for both residents and visitors.3. The addition of stone quoins should be welcomed as they are a design feature of local stone buildings. <p>The parish council along with residents have raised major concerns that construction has started before approval has been granted, on the selection of materials for external walls and roofing which is contrary to the conditions set in the original plan</p>

	(In relation to this application and 20/03446/VARYCO)
Building Conservation	<p><u>20/03446/VARYCO</u></p> <p>Impact - The proposals relate to a variation to approval reference 19/03479/VARYCO which was a variation to 17/04588/FUL.</p> <p>Building Conservation visited the site with the Development Management case officer on 3 November 2020 to inspect a sample panel of Hutton Stone and natural slate for the proposed new build dwellings. We offered no adverse comment but recommended that any quoins must be in natural stone also.</p> <p>We visited Rennington on 6 May 2021 to observe the development but did not enter onto the site. It was noted that several properties have now progressed to a near complete state although groundworks still appear outstanding. Work was underway to the listed units (8&9). The refurbishment of the main roof of the listed farm buildings appeared near complete. We will comment on matters relating to the listed farm buildings in comments to application 20/03447/VARYCO.</p> <p>We raise no objection to the reduction in size of the garage blocks. We raise no objection to fenestration changes at the rear of the new builds provided window frames continue to be in timber and painted as noted on the proposed plans. We raise no objection to quoins in natural stone for the new build houses. Regarding materials, a plan ref 1742-SK-08 dated 15.02.21 has been provided. If materials are consistent with those shown on this plan we raise no objection. However, there is an inconsistency between the elevation plans proposed for house types and the materials plan because both upvc and cast-iron rainwater goods are proposed. We recommend this inconsistency should be resolved in favour of cast iron.</p> <p>Position - Subject to the above we raise no objection to the variation proposed.</p> <p><u>20/03446/VARYCO</u></p> <p>Impact - The proposals relate to a variation to approval reference 19/03478/VARYCO which was itself a variation to 17/04589/LBC. Matters relating to the new build dwellings are discussed in our comment to 20/03446/VARYCO. Having its roots in 17/04589/LBC we suggest this application relates only to the extent to which change is proposed to the physical fabric of the listed building. Matters relating to setting are dealt with through planning permission.</p> <p>Under 19/03478/VARYCO conditions attached to 17/04589/LBC were rolled forward. We visited Rennington on 6 May 2021 to observe the development but did not enter onto the site. Work was underway to the listed unit 8 at the time of</p>

our visit. The refurbishment of the main roof of the listed farm buildings (units 8 & 9) appeared near complete.

The proposed plan for the listed units (8 & 9) uploaded to Public Access on 16 October 2020 carries this note:

13/10/20 SECOND VARIATION OF CONDITION APPLICATION. NO AMENDMENTS TO LISTED BUILDING BEYOND WHAT IS ALREADY APPROVED. DRAWING RE-ISSUED FOR COMPLETENESS. ISSUED FOR PLANNING APPROVAL TO LOCAL AUTHORITY (AH).

However, a narrative then emerges regarding changes to the roof structure of the listed unit 9. These changes were not part of the previous approvals and require listed building consent. The changes appear on the application between 23 and 25 November 2020 although the structural report regarding the roof structure dates to 28 August 2020. A revised plan is submitted bearing this note: 23/11/20 PLOT 9 - EXISTING KING POST TRUSSES, TIMBER PURLINS AND TIMBER RAFTERS TO BE REPLACED WITH NEW, STYLE & TYPE TO MATCH EXISTING. REFER TO DRAWING 20034-101 BY SULLIVAN ASSOCIATES. ISSUED FOR PLANNING APPROVAL TO LOCAL AUTHORITY (AH)

Our inspection from outside the site suggests the changes to the roof structure of unit 9 may have been completed. Building Conservation has not inspected the former trusses so we are unable to comment if they could have been retained through other means of structural strengthening. The loss of the traditional trusses within unit 9 is prima facie harm to the special interest of the listed building. We would not expect the retention of inadequate trusses but a clear and convincing justification should explore if the existing arrangements could be strengthened to retain at least some of the original. If the reasoned conclusion were that this were not possible then full justification would have been provided.

Given the note refers only to unit 9 there is a presumption the traditional trusses have been retained within unit 8. We suggest clarification should be sought from the applicant as to the extent of changes executed so far. Conditions attached to 19/03478/VARYCO remain in force. To date we have not been supplied with proposed materials for the walls and roof to units 8 & 9 (see condition 2) although we accept the re-roofing has been completed in a manner consistent with the recycling of traditional slate as discussed in the application. Further details, including a window schedule, will be required before windows can be installed to the front elevation of the listed barns (condition 3). Rooflights have been installed but they are standard "Velux" types, not the conservation style, flush fitting units shown on the plans. No details have been supplied regarding the rooflights (condition 3). Finally, condition 4 requires details of certain vents and flues. It appears at least some of these have been incorporated in the re-roofing and potentially out of step with the requirements of condition 4.

	Position - We accept the expediency for further action regarding the trusses in Unit 9 has now passed. Provided the matters discussed above are adequately addressed we raise no substantive objection.
County Archaeologist	There are no objections to the current variation on archaeological grounds provided that the requirements of Condition 18 of permitted application 17/04588/FUL are secured as part of this or any future variation. (In relation to this application and 20/03446/VARYCO)

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	8
Number of Objections	22
Number of Support	0
Number of General Comments	0

Notices

Site notice - Listed Building Consent, 5th March 2021
Northumberland Gazette 4th March 2021

Summary of Responses:

In total 36 Representations (combined for both 20/03446/VARYCO & 20/03447/VARYCO) have been received in relation to this application. To summarise these cover objections in relation to the following matters:

- Alleged Breaches of Planning Permission
- Materials used in the proposal (inappropriateness of these & querying if these are local and in keeping with the character of the village, and also are these natural stone
- Impact of the proposal on the Character of the Area, Listed Buildings and of the Character of Rennington Village.
- Concerns regarding drainage

The above is a summary of the representations received. The representations can be viewed in full on line via this link:

<https://publicaccess.northumberland.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy

S15 Protecting the built and historic environment

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2019)

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

6.3 Other Documents/Strategies

Planning (Listed Buildings and Conservations Areas) Act 1990 (as amended)

National Design Guide 2019

6.4 Emerging Planning Policy

Emerging Northumberland Local Plan - Regulation 19 version

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issue raised by the proposal is:-

- Impact on the Listed Buildings.

7.2 The proposal's acceptability in principle has previously been established by the extant grant of planning permission (17/04589/LBC), subsequently amended by 19/03478/VARYCO, with this application solely looking at the acceptability of varying the approved plans condition (condition 6). The issues relating to the amendment of this condition are the only matters considered in this report. Any conditions discharged in the interim will be referred to in the conditions appended to the new grant of permission formed by this variation of condition application.

Amendments to the proposed plans

7.3 The applicant has sought approval for amendments to approved plans in relation to the proposal. This is separated into two parts. The part of the site which relates to non listed buildings (whole site excluding plots 8 & 9) and plots 8 & 9 which relate to listed buildings.

Whole site excluding plots 8 & 9

7.4 The following changes have been requested, fenestration amendments to rear elevations are noted on the associated application drawings. In summary, principle changes are noted as being:

- Addition of natural stone quoins to all elevations. All new build houses and detached garages will include natural stone quoins to the corners of each elevation.
- Plot 1 (House Type 1B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.
- Plot 2 (House Type 1C) –Ground floor: External door omitted, double window repositioned, single double-glazed window added.
- Plot 3 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows.
- Plot 4 (House Type 1A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added.

- Plot 5 (House Type 2A) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows
- Plot 6 (House Type 3) – Ground floor: Apex window above rear patio doors omitted.
- Plot 7 (House Type 3 – mirrored) – Ground floor: Apex window above rear patio doors omitted.
- Plot 10 (House Type 2B) – Ground floor: External door omitted, double window repositioned, single double-glazed window added. 1st floor: Double window in place of two single windows.

7.5 With the following amendments to garages within the proposal:

- Reduction in garage sizes to Plot 1, Plot 4, Plot 6 and Plot 7
- Plot 1 – Detached double garage reduced to single garage.
- Plot 4 – Adjoining double garage reduced to single garage.
- Plot 6 and Plot 7 – Detached double adjoining garages reduced to single adjoining garages.

7.6 The Building Conservation Officer has been consulted in relation to this proposal. They have offered the following comments:

“We visited Rennington on 6 May 2021 to observe the development but did not enter onto the site. It was noted that several properties have now progressed to a near complete state although groundworks still appear outstanding. Work was underway to the listed units (8&9). The refurbishment of the main roof of the listed farm buildings appeared near complete. We will comment on matters relating to the listed farm buildings in comments to application 20/03447/VARYCO.

We raise no objection to the reduction in size of the garage blocks. We raise no objection to fenestration changes at the rear of the new builds provided window frames continue to be in timber and painted as noted on the proposed plans. We raise no objection to quoins in natural stone for the new build houses.”

7.7 Amendments to fenestration on new residential units, and other minor amendments proposed through variation of condition applications, can impact upon the amenity of nearby occupiers, it is however not considered that the changes proposed will cause an impact which would warrant withholding planning permission in this instance.

7.8 Amendments to the garage sizes have attracted comment from the Parish Council with regards to a potential reduction in the amount of parking available on the proposal site, discussion and consultation with highways has been undertaken and it is deemed that the amount of parking included on the site is still appropriate and acceptable in highways terms. It is therefore not deemed an appropriate reason to withhold planning permission for this scheme in its current form.

7.9 The changes proposed in this application from the permitted application would not have a significant impact upon the overall design of the proposal insofar as its acceptability in planning terms, and as such the proposal is acceptable and in accordance with the relevant Policies of the BLP, the NPPF and other material considerations e.g. National Design Guide and Emerging Northumberland Local Plan,

Plots 8 & 9 (Listed Building)

7.10 The applicant has also included a request to amend the plans in relation to the plots 8 & 9 following a closer inspection of the roof structure and structural survey of the listed barns. This includes Existing king post trusses, timber purlins, and timber rafters to be replaced by new style, and type to match existing.

7.11 The changes proposed in this application from the permitted application in relation to plots 8 and 9 have been supported by a structural assessment, which takes the form of a suite of documents which have been prepared by both Monument Design and Build and Sullivan and Associates (Chartered Building Surveyors). This is uploaded in full as part of the application documents. The Structural Surveyor has found a number of issues with the Timber Lintels, Trusses and Purlins supporting the structure. As a conclusive comment they have stated that:

"In our professional opinion, the existing trusses and the timber lintels over the existing opening's are not capable of supporting the applies roof loads and cannot be repaired/altered in a manner which would allow their structural adequacy to be proved by calculation. We would consider that a new roof structure is required."

7.12 Given this assessment it is considered that the works to the roof structure are necessary to enable the safe conversion of the structure to its proposed use as a pair of residential dwellings.

7.13 The structural surveyor has advised *"The new roof structure could either be formed in purposed made king post trusses, purlins and rafters or could be formed in prefabricated trusses."* They go on to state *"If king post trusses are to be used, the spacing of the trusses should be altered to avoids the existing window openings. This in turn means that the bottom chord of truss does not need to be notched which reduces its strength."* The agent has submitted a revision of drawing 1742-VOC-10 and the additional information by Sullivan Associations (drawing 20034-101 and structural calculations). These demonstrate the new proposed roof solution with regards to the listed element of the scheme.

7.14 The Building Conservation Officer has been consulted in relation to this proposal. They have offered the following comments:

"Our inspection from outside the site suggests the changes to the roof structure of unit 9 may have been completed. Building Conservation has not inspected the former trusses so we are unable to comment if they could have been retained through other means of structural strengthening. The loss of the traditional trusses within unit 9 is prima facie harm to the special interest of the listed building. We would not expect the retention of inadequate trusses but a clear and convincing justification should explore if the existing arrangements could be strengthened to retain at least some of the original. If the reasoned conclusion were that this were not possible then full justification would have been provided."

Given the note refers only to unit 9 there is a presumption the traditional trusses have been retained within unit 8. We suggest clarification should be sought from the applicant as to the extent of changes executed so far."

Conditions attached to 19/03478/VARYCO remain in force. To date we have not been supplied with proposed materials for the walls and roof to units 8 & 9

(see condition 2) although we accept the re-roofing has been completed in a manner consistent with the recycling of traditional slate as discussed in the application.”

7.15 With regards to the velux style windows in the conversion the following is offered:

“Further details, including a window schedule, will be required before windows can be installed to the front elevation of the listed barns (condition 3). Rooflights have been installed but they are standard “Velux” types, not the conservation style, flush fitting units shown on the plans. No details have been supplied regarding the rooflights (condition 3). Finally, condition 4 requires details of certain vents and flues. It appears at least some of these have been incorporated in the re-roofing and potentially out of step with the requirements of condition 4.

7.16 This is addressed further in the section titled ‘Enforcement Matters’. A further comment is given by the Building Conservation Officer in relation to the roof trusses.

“We accept the expediency for further action regarding the trusses in Unit 9 has now passed. Provided the matters discussed above are adequately addressed we raise no substantive objection”

7.17 Following the review of the submission, including the structural survey, amended plans and the justification, it is considered that the proposed amendments are suitable in the circumstances, and permission should not be withheld due to these amendments. Although, it is regrettable that the works have been undertaken prior to achieving full planning permission and listed building consent, it is deemed that these works have been necessary to enable the conversion of the structure to its permitted use.

7.18 The proposal is therefore deemed to be in compliance with Policy S15 of the ACS, the relevant sections of Chapter 16 of the NPPF, relevant legislative requirements from an Historic Environment Perspective and policy ENV7 of the emerging NLP where these can be given weight.

Materials

7.19 Due to the stage the development is at the applicant has sought through this variation of condition application approval of the materials to be used within the scheme. This was previously formed by condition 3 of 19/03479/VARYCO (and the earlier 17/04588/FUL). The materials used are detailed as follows and have been shown in plan *“Typical External Materials Dwg No. 1742-SK-08 by Monument Design + Build [uploaded to DMS 16th Feb 2021]”*:

- Stone Quoins - Hutton Stone - Plots 1, 2, 3, 4, 5, 6, 7, 10 Natural stone quoins are a traditional design element commonly found in stone houses of this nature. They will enhance the aesthetic appeal of each property and ‘ground’ the development within the local vernacular. They will also provide a visual ‘link’ back to the listed barn building which has natural stone quoins.
- Lintels/Natural Stone Head – Hutton Stone (Plots) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. This is supplied from Hutton Stone’s Darney Quarry, near East Woodburn, Northumberland. Darney sandstone is a fine to medium grained pale gold through, light buff to almost blonde in colour.
- Walling Stone - Hutton Stone Plots: 1, 2, 3, 4, 5, 6, 7, 10 (and Plot 8 - New extension only)
- Roofing materials (Slate) - Spanish Slate : Plots 1, 2, 3, 4, 5, 6, 7, 10

- Gutter and Rainwater Pipes (Classical Plus Range, Cast Iron) PLOTS: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
- Front Doors: Cottage Style Timber Faced Composite Door, Colour: Gardenia (Crawford Joinery) Plots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
- Natural Stone Cill (Hutton Stone) Plots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10.

7.20 In addition to this further information regarding the source of the stone has been provided, which is Darney Quarry, near East Woodburn, Northumberland. This quarry belongs to Hutton Stone which provides stone for a broad range of schemes across Northumberland.

7.21 The Planning Officer (Case Officer) and the Building Conservation Officer have viewed the materials on site, with a materials pallet presented on site. The advice of the Building Conservation Team has provided the following comment with regards to the materials. *“Building Conservation visited the site with the Development Management case officer on 3 November 2020 to inspect a sample panel of Hutton Stone and natural slate for the proposed new build dwellings. We offered no adverse comment but recommended that any quoins must be in natural stone also.”* and *“Regarding materials, a plan ref 1742-SK-08 dated 15.02.21 has been provided. If materials are consistent with those shown on this plan we raise no objection. However, there is an inconsistency between the elevation plans proposed for house types and the materials plan because both upvc and cast-iron rainwater goods are proposed. We recommend this inconsistency should be resolved in favour of cast iron.”* Following discussion with the agent this inconsistency has been resolved. In terms of further comment the following has been provided in terms of an informal comment.

7.22 It is considered that the materials proposed are a fair compromise between the coursed rubble of the barns and the regular tooled blocks of the listed farmhouse. While the colour of some of the materials looks bright as newly laid stone, it is considered that this will fade overtime. An informal comment from the Building Conservation Officer has been provided that wholly random rubble is a low-quality finish, traditionally kept for low status buildings or the unseen elevations of the better ones, which would be inappropriate for the dwellings proposed and would appear out of place in Building Conservation terms.

7.23 A broad range of objections have been received in relation to this particular aspect of the proposal. It is however deemed by the Building Conservation Officer, and the Planning Officer that the materials are appropriate for the development proposed. A particular comment was received that the stone proposed for the scheme was not actually stone itself and was a ‘composite’ as is demonstrated by the sourcing details it can be confirmed that this is not the case, with the stone provided having been sourced from Darney Quarry (understood to be owned by ‘Hutton Stone’) in Northumberland.

7.24 Therefore it is considered that the materials provided are suitable in this location for this proposal, and therefore comply with the relevant policies of the development plan (e.g. S15 of the Alnwick Core Strategy) and relevant material considerations e.g. NPPF, National Design Guide.

7.25 Comments have been received from the Parish Council and the local community regarding the type of materials used and the colouring of the them, however it is considered that whilst these appear bright now, these will fade overtime through weathering and that the materials used are local to the county, and

appropriate to use in this location, particularly due to the range of materials used within Rennington itself.

7.26 The existing materials condition has been removed from the recommended conditions list in this report, with the materials plan *“Typical External Materials Dwg No. 1742-SK-08 by Monument Design + Build [uploaded to DMS 16th Feb 2021]” added to the revised condition 2 (approved plans list).*

Other Matters

7.27 Some of the conditions of the original application have not been discharged when they should have been. The applicant has been made aware of this, with some additional information submitted to overcome these. However, amended conditions have been included on this application requesting information. Should the information required by the conditions not be received within the specified timeframe, the applicant would again be in breach of their Consent with the LPA needing to begin enforcement proceedings.

7.28 It is understood that some aspects of the development are not in accordance with the application as previously approved (or as set out in this application). The applicant has been made aware of this. Should this application be approved the applicant would be in breach of their permission. Should these breaches not be rectified in a suitable period of time, the LPA would need to proceed with enforcement proceedings.

Equality Duty

7.29 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

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

Human Rights Act Implications

7.31 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.

7.32 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.

7.33 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 proposal to vary 19/03478/VARYCO considered to result in an acceptable and sustainable form of development in this location that would provide an appropriate reuse of the existing listed buildings and secure the longer-term maintenance and use of the heritage assets. The proposed alterations from that originally are considered to be acceptable in the circumstances, subject to the conditions as suggested. The proposal would not have any unacceptable adverse effects upon the character and appearance of the listed buildings, and the development would therefore be in accordance with Policies S3, S15 and S16 of the Alnwick Core Strategy and the NPPF.

9. Recommendation

That this application be GRANTED 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 Listed Building Consent ref: 17/04589/LBC

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

02. Materials uses within the scheme are to be as displayed on the materials palette on site, and as described in the documents below:

- Typical External Materials Dwg No. 1742-SK-08 [as uploaded to DMS 16th Feb 2021]
- Further to this, the stone used within the scheme will be sourced from quarries within the County of Northumberland.

Reason: To ensure works are carried out in a manner consistent with the character of the local area.

03. Within 3 months of the granting of consent or prior to their installation (or whichever occurs last). A windows schedule shall be submitted to and approved in writing by the LPA. The schedule should include precise details of an openings schedule, including large scale joinery details, opening mechanisms and glazing, of all new windows and doors, along with details of new rooflights. Thereafter development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure works are carried out in a manner consistent with the character of the buildings.

04. Within 3 months of the granting of consent or prior to their installation (or whichever occurs last) precise details of all new flues, venting, extraction and servicing, including internal and external finishes and installations, shall be submitted to the Local Planning Authority for approval. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure works are carried out in a manner consistent with the character of the buildings.

05. At the front elevation of the Cart Shed / Granary building all of the existing openings are to be retained, and the new window proposed at the single storey extension will match the existing opening to the west.

Typical External Materials Dwg No. 1742-SK-08 [as uploaded to DMS 16th Feb 2021]

Reason: to ensure that the character, appearance and integrity of the listed building is not during and post-construction, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at NPPF Chapter 12.

06. 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:-

Existing Site Location Plan Dwg No. 1742-VOC-01 Rev B Dated 16.08.19

Proposed Drainage Dwg No. 121019/2000 Date 21/09/17 Rev P Dated 21/04/21

Proposed Drainage Construction Details, Sheet 1 Dwg No. 121019/2002 Dated 21/9/17 Rev A Dated 20/11/18

Proposed Drainage Construction Details, Sheet 2 Dwg No. 121019/2003 Dated 21/9/17 Rev B Dated 20/11/18

Proposed Drainage Construction Details, Sheet 3 Dwg No. 121019/2004 Dated 21/9/17 Rev C Dated 21/9/17 Rev C Dated 22/7/20

Proposed Drainage Long Sections Dwg No. 121019/2005 Dated 21/9/17 Rev H Dated 15/01/21

Proposed Drainage Manhole Schedule Dwg No. 121019/2001 Dated 21/9/17 Rev H Dated 23/02/21

Proposed Drainage Notes Dwg No. 121019/2006 Dated 21/9/17 Rev A Dated 20/11/18

Proposed Engineering Layout Dwg No. 121019/1000 Dated 21/9/17 Rev H Dated 21/4/21

Proposed Highway Construction Details Sheet 1 Dwg No. 121019/1002 Dated 21/9/17 Rev D dated 27/05/21

Proposed Highway Long Sections Dwg No. 121019/1003 Dated 21/9/17 Rev B Dated 12/12/19

Proposed Setting Out Dwg No. 121019.1004 Dated 31/7/20 Rev A 21/4/21

Proposed Surface Finishes and Kerbs Dwg No. 121019/1001 Dated 21/09/17 Rev I 11/5/21

Proposed Site Plan (Including Boundary Treatments) Dwg No. 1742-BR01-00 Rev C Dated 13/5/21

Proposed Landscape Plan Dwg No. 1742-BR01-Landscape Rev C Dated 13/05/21

Typical External Materials Dwg No. 1742-SK-08 [as uploaded to DMS 16th Feb 2021]

Plot 8 & 9 – Listed Buildings Plans and Elevations Dwg No. 1742-VOC-10 Rev E Dated 23/11/20

Plot 9 Roof Structure as proposed Dwg No. 101 Dated August 2020

Plot 6 & 7/Plot 8 & 9 Proposed Double Garage Rev B Dated 13/10/20

Plot 3 & Plot 5 – House Type 2A Proposed Plans and Elevations Dwg No. 1742-VOC-07 Rev C Dated 13/10/20

Plot 4 – House Type 1A – Proposed Plans and Elevations Dwg No. 1742-VOC-08 Rev C Dated 13/10/20

Plot 1 – House Type 1B – Proposed Plans and Elevations Dwg No. 1742-VOC-06 Rev E Dated 13/10/20

Plot 2 – House Type 1C – Proposed Plans and Elevations Dwg No. 1742-VOC-06.5 Rev D Dated 13/10/20

Plot 10 – House Type 2B Proposed Plans and Elevations Dwg No. 1742-VOC-11 Rev C Dated 13/10/20

Plot 7 – House Type 3 Proposed Plans and Elevations (Mirrored) Dwg No. 1742-VOC-09.5 Rev C Dated 13/10/20

Plot 6 – House Type 3 Proposed Plans and Elevations Dwg No. 1742-VOC-09 Rev D 13/10/20

Generic Tanks install layouts for developer plans Dwg No. 20117 Rev D Dated 25/05/18

General Semi-Mounded Install for 2 x 4000L Tank End on End with a Gas Dispersion Wall Dwg No. 21473 Rev A Dated 27/04/18

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

Date of Report: 06.07.2021

Background Papers: Planning application file(s) 20/03447/VARYCO



Northumberland County Council

North Northumberland Local Area Council 22nd July 2021

Application No:	20/04349/FUL		
Proposal:	Change of use of former farm buildings into 6no. accessible dwellings. Demolition of 2no. redundant barns along with construction of ancillary buildings to provide garaging and entrance porches.		
Site Address	Barnhill Farm, Guyzance, Morpeth, Northumberland NE65 9AG		
Applicant:	Mr Jonathan Dodd C/O Millfield Composite Group, Shelly Road, Newburn Industrial Estate, Newcastle-upon-Tyne NE15 9RT	Agent:	Mr Henry Shipley 8 Norhurst, Whickham, Gateshead, Tyne and Wear NE16 5UX
Ward	Amble West With Warkworth	Parish	Acklington
Valid Date:	22 January 2021	Expiry Date:	30 July 2021
Case Officer Details:	Name: Mr Jon Sharp Job Title: Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to planning conditions and the applicant entering into a Unilateral Undertaking to secure the following obligation:

- A financial contribution towards the Council's Coastal Mitigation Service (£3,690)



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee following receipt of a call in request from the local member, a valid objection from the Parish Council and a significant number of objections from local residents. It is recommended for approval subject to conditions and a Unilateral Undertaking to secure a contribution to the Council's Coastal Mitigation Scheme.

2. Description of the Proposals

2.1 Full planning permission is sought for the change of use of 2no. former farm buildings into 6no. accessible dwellings together with the demolition of 2no. redundant barns and construction of ancillary buildings to provide garaging and entrance porches on land at Barnhill Farm, Guyzance.

2.2 The buildings proposed for conversion include a horseshoe shaped barn of brick and render construction and a second building known as the "Long Barn" which is located to the north of the Horse-shoe Barn and is constructed of steel columns supporting timber trusses with a natural slate roof finish. The eastern end of the barn has been enclosed with timber cladding to create a storage area whilst the remainder of the barn is open-sided. Approximately 65% of the building is enclosed.

2.3 The proposal seeks to convert each building to 3no dwellings capable of providing wheelchair living in line with current Building Regulations as follows,

Horseshoe Barn

Unit 1 - single storey with 3no beds and open plan kitchen and living space. Footprint of approximately 143 square metres.

Unit 2 - 4no beds over two floors with kitchen diner and separate living room. Footprint of approximately 158 square metres.

Unit 3 - single storey with 3no beds and open plan kitchen and living space. Footprint of approximately 143 square metres.

Long Barn

Unit 4 - two storey with entrance hall, 2no beds and bathroom to ground floor and kitchen and living space to first floor. Footprint of approximately 73sqm

Unit 5 - two storey with entrance hall, kitchen diner and 1no bedroom to ground floor with living space, bathroom and 2no beds to first floor. Footprint of approximately 91sqm.

Unit 6 - two storey with entrance hall, 2no beds and bathroom to ground floor and kitchen and living space to first floor. Footprint of approximately 71sqm.

2.4 The majority of the existing window openings on the outward facing elevations of the Horseshoe Barn would be re-used as part of the proposed building. The building would remain largely unaltered structurally, with the existing external walls re-lined to provide the required thermal performance.

2.5 The elevations facing into the courtyard have been heavily altered over the lifetime of the building and these would be reconstructed to create larger window and door openings to make best use of the setting of the building.

2.6 It is proposed that the existing structure of the Long Barn be retained with new walls enclosing the footprint of the building.

2.7 In addition to the conversion works it is proposed to erect 5no detached garages within the site. These would be constructed with blockwork and render walls under natural slate roofs to match the existing buildings and would have a footprint of approximately 42sqm each. A block of two double garages would be located to the north east of the site which would have a footprint of approximately 80sqm.

2.8 The application site is located approximately 150m east of Guyzance Village and approximately 230m north of the Grade II listed Guyzance Hall. The site sits within the grounds of the hall and is accessed via a private drive which meets the public highway approximately 120m to the west.

2.9 The site is within the Guyzance Conservation Area and within the setting of a number of listed buildings in addition to the Hall. It is also within the Impact Risk Zone for the River Coquet SSSI as well as a number of internationally designated sites at the coast approximately 5km to the east.

3. Planning History

Reference Number: A/2007/0459

Description: Demolition of existing buildings and construction of new general purpose agricultural building

Status: Withdrawn

4. Consultee Responses

Acklington Parish Council	<p>Acklington Parish Council object primarily on the compromise of the integrity of the conservation area but also the problems with the infrastructure especially the state of the C100 and access to the site.</p> <p>Issues relating to the conservation area focus on the fact there are only 19 permanent occupants of the hamlet and this development would increase this by 36 with all the associated traffic, light and noise pollution. The proposal would significantly change the rural character of the conservation area.</p> <p>There are no facilities nearby, this is an unsustainable area for tourism with the necessity of travelling by car for access to services and attractions.</p> <p>There are significant concerns about the condition and capacity of the C100 to accommodate the extra traffic that would be generated by this proposal.</p>
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	The large barn proposed for conversion is a known breeding and nesting place for barn owls, regularly over the last 16 years.
Building Conservation	The proposal would preserve and enhance the character and appearance of the Conservation Area and would not harm the significance of any designated or non-designated heritage assets, subject to the agreement of conditions in respect of fenestration design, external finishes and boundary treatments.
County Ecologist	Following receipt of additional information, no objections are raised subject to a contribution to the Coastal Mitigation Service and conditions in respect of protected species and ecological mitigation measures.
Forestry Commission	Advice provided.
Highways	Further information received in respect of proposed garage dimensions, refuse storage and collection and visitor parking is acceptable. However whilst technical issues are resolved the site is considered to be in an unsustainable location for travel and does not prioritise walking / cycling. These concerns are considered to be so significant that no reasonable action is likely to address the concern, however conditions and informatives have been provided as requested.
Natural England	Following receipt of additional information in respect of Coastal Mitigation and foul drainage, no objections are raised subject to appropriate mitigation.
Northumbrian Water Ltd	No response received.
Planning Strategy	Advice provided.
Public Protection	Following receipt of additional information in respect of how the required ground gas protection would be designed and installed in the proposed development, the Public Health Protection Unit does not object to the proposal, subject to the measures detailed in the application documents being implemented as stated and subject to conditions and informatives being included in any decision notice.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	3
Number of Objections	10
Number of Support	0
Number of General Comments	0

Notices

Site Notice - Affecting Conservation, posted 3rd February 2021

Press Notice - Northumberland Gazette, published 4th February 2021

Summary of Responses:

10no objections received citing issues including;

- highway safety - roads barely suitable for current usage levels. Increased use would have negative impact on highway safety for all users
- disproportionate size of development could increase population of village by more than 100%
- impact on tranquillity of the village
- Lack of infrastructure
- impact on natural and historic environment including dark skies
- impact on community especially if proposed dwellings become holiday lets
- impact of construction works
- application represents thin end of wedge in terms of future development of the estate
- Residential development of the Long Barn site into 3 dwellings would appear incongruous in this rural setting and it would have a negative impact upon the undeveloped quality of the conservation area
- Holiday homes do not meet local needs
- Lack of affordable housing
- If the proposal was for fewer dwellings it may be supported locally
- No evidence of need for additional housing

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=QLHRG6QSKWI00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy (2007)

S1 Location and scale of new development

S2 The sequential approach to development

S3 Sustainability criteria

S11 Locating development to maximise accessibility and minimise impact from travel

S12 Protecting and enhancing biodiversity and geodiversity

S14 Development in the open countryside

S15 Protecting the built and historic environment

S16 General design principles

Alnwick District Wide Local Plan (1997)

BE8 Design in new residential developments and extensions (and Appendix A and B)

CD32 Controlling development that is detrimental to the environment and residential amenity

TT5 Controlling car parking provision (and Appendix E)

6.2 National Planning Policy

National Planning Policy Framework (2019)

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy (Strategic Policy)
STP 2 Presumption in favour of sustainable development (Strategic Policy)
STP 3 Principles of sustainable development (Strategic Policy)
STP 4 Climate change mitigation and adaptation (Strategic Policy)
STP 5 Health and wellbeing (Strategic Policy)
HOU 1 Making the best use of existing buildings (Strategic Policy)
HOU 2 Provision of new residential development (Strategic Policy)
HOU 8 Residential development in the open countryside
HOU 9 Residential development management
HOU 11 Homes for older and vulnerable people (Strategic Policy)
QOP 1 Design Principles (Strategic Policy)
QOP 2 Good Design and Amenity
QOP 5 Sustainable design and construction
TRA 1 Promoting Sustainable Connections (Strategic Policy)
TRA 2 Effects of Development on the Transport Network
TRA 4 Parking Provision in New Development
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and geodiversity
ENV 4 Tranquillity, dark skies and a sense of rurality
ENV 7 Historic environment and heritage assets
ENV 9 Conservation Areas
WAT 2 Water supply and sewerage
WAT 4 Sustainable Drainage Systems
POL 1 Unstable and contaminated land
POL 2 Pollution and air, soil and water quality
INF 6 Planning Obligations

6.4 Other Documents/Strategies

National Design Guide (2019)

Adapting Traditional Farm Buildings: Best Practice Guidelines for Adaptive Reuse - Historic England (2017)

Guyzance Conservation Area Character Appraisal (2008)

Planning (Listed Buildings and Conservation Areas) Act (1990)

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

- Principle of Development
- Emerging Policy
- Impact on Character of Area
- Residential Amenity
- Highways
- Heritage Assets
- Pollution issues
- Ecology
- Coastal Mitigation.

Principle of Development

7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the saved policies of the Alnwick District Wide Local Plan (1997) (ALP) and the Alnwick LDF Core Strategy (2007) (ACS). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policies S1, S2 and S3 of the ACS seek to ensure that the location and scale of new development is appropriate. The application site is not within a settlement as identified in Policy S1 of the ACS and is therefore considered to be in The Countryside, where development would generally be limited to the reuse of existing buildings.

7.5 Policy S3 states that prior to granting planning permission the local planning authority should be satisfied that the following sustainability criteria are met;

- That the development is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car;
- That there is adequate existing or planned capacity in the physical and community infrastructure or that additional capacity can be provided, without compromising sustainability objectives, in time to accommodate the development;
- Any physical and environmental constraints on the development of the land as a result of contamination, or land stability can be mitigated;
- The potential implications of flood risk have been assessed having regard to the relevant flood zones, as defined by a strategic flood risk assessment;
- That there would be no significant adverse effects on the natural resources, environment, biodiversity and geodiversity, cultural, historic and community assets of the district;

- That new development in settlements would help to build communities by sustaining or providing community services and facilities, or through the provision of affordable housing to meet identified local need.

7.6 Policy S14 of the same document states that development should only be permitted which is likely to be sustainable in the context of Policy S3 and where it is essential to support farming and other countryside based enterprise and activity, promote recreation, support the retention of sustainable communities or support the conservation and enhancement of the countryside.

7.7 Paragraph 78 of the NPPF seeks to promote sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of rural communities. It goes on to say that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

7.8 The application proposes to reuse existing buildings and would therefore be in accordance with Policy S14 and Paragraph 78 of the NPPF in that respect, however questions are raised about the sustainability of the location. As already noted, the NPPF provides the opportunity for rural communities to grow and thrive, especially where support will be provided to local services. It is noted that there are no nearby local services, with the nearest shops approximately 5 miles away, however this does not preclude development through the reuse of existing buildings.

7.9 Sustainability in relation to travel is discussed further below, however Policy S14 is broadly consistent with the NPPF and therefore the principle of the proposed development is accepted.

Emerging Policy

7.10 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for the Ministry of Housing, Communities and Local Government on 29 May 2019 and is currently going through the examination process.

7.11 On 9 June 2021 the Council published for consultation a Schedule of proposed Main Modifications to the draft Local Plan, which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation and the policies in the emerging plan are considered to be consistent with the NPPF.

7.12 The emerging NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) dependent upon whether Main Modifications are proposed and the extent and significance of unresolved objections.

7.13 Policy STP1 of the emerging NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique

environmental assets. The policy is subject to a proposed major modification, however the location of the application site within the open countryside is not in dispute. Paragraph g. iv. states that development in the open countryside will be supported where it provides for residential development in accordance with Policies HOU 7 or HOU 8.

7.14 Policy HOU 8 states that the development of isolated homes within the open countryside will only be supported where, amongst a range of criteria, it re-uses redundant or disused buildings and enhances its immediate setting.

7.15 These policies are a material consideration in the determination of this planning application, however only limited weight can currently be applied to them.

Impact on Character of Area

7.16 Policy S16 of the Alnwick LDF Core Strategy (ACS) states that proposals should take full account of the need to protect and enhance the local environment, having regard to their layout, scale and appearance.

7.17 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.18 The proposal includes the demolition of the modern steel infill buildings to open up the courtyard created by the horseshoe shaped barn. These buildings are of no aesthetic merit and removing them would improve the visual amenity of the site.

7.19 The works to convert the horseshoe barn would include the reuse of the majority of the existing window openings on the outward facing elevations, with the existing brick external walls re-lined to provide the required thermal performance. The elevations facing into the courtyard have been heavily altered and it is proposed to create larger window and door openings to these elevations to make best use of the setting of the building. These works would secure the future use of this more traditionally constructed building, thereby retaining it within the landscape.

7.20 The works proposed to the Long Barn have raised some concerns, with representations received noting that it is a rare example of its type and in its current form adds significantly to the character and atmosphere of the conservation area. Were this building to be retained for storage and parking it would potentially negate the need for the proposed new build garages, although clearly this would reduce the overall number of residential units proposed. In order to provide storage and parking facilities for the proposed dwellings therefore, a total of 5no detached garages are proposed. These would be of a simple render design with slate roofs to reflect the existing barn structures.

7.21 Although concerns are raised about the visual impact of the new build garages and the changes to the Long Barn, the renovation and repurposing of the site generally is acceptable in terms of design, scale and visual impact and therefore the proposals are in accordance with Policy S16 of the ACS and the NPPF in this respect.

7.22 Policy QOP 1 of the emerging NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness, incorporate green infrastructure and opportunities to support wildlife, make provision for efficient use of resources, respond to the climatic conditions of the location and avoid the creation of adverse local climatic conditions, mitigate climate change and be adaptable to a changing climate and ensure the longevity of the buildings and spaces. The proposals are in general accordance with these criteria, however only limited weight can currently be given to the policy.

Amenity

7.23 Policy CD32 of the ALP states that planning permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.

7.24 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.25 The site location is such that there would be no substantive concerns regarding neighbouring amenity. The barns lie in between Barnhill Farmhouse to the south east and 2no semidetached farmworkers dwellings to the west, however there are no concerns regarding privacy, overlooking, overbearing or loss of light arising. The proposal is therefore in accordance with Policy CD32 of the ALP and the NPPF in this respect.

7.26 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is not in accordance with this, however only limited weight can currently be given to this policy.

Highways

7.27 Policy S11 of the ACS sets out criteria to assess the extent to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated. Saved Policy TT5 and Appendix E of the ALP set out car parking standards for new development.

7.28 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 110 goes on to say that within this context applications for development should,

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.29 The Local Highway Authority has responded to consultation raising fundamental concerns about the proposed development as the site is considered to be in an unsustainable location for travel and does not prioritise walking / cycling. The site is in an unsustainable location in Highways terms, and the scale of the proposed development in this location is such that it would rely on private vehicle use. Therefore, the development does not accord with NPPF paragraph 103 in terms of "limiting the need to travel and offering a genuine choice of transport modes".

7.30 As noted above the site is relatively remote and is disconnected from public facilities and amenities. This would not encourage pedestrian or cycling trips to access these facilities, which would be contrary to the principles of the NPPF paragraphs 110a, b and c. Whilst it is recognised that walking and cycling may occur on the adjacent highway network, this is almost certainly for recreation and leisure purposes rather than through a need to access facilities.

7.31 Any development would therefore need to be accepted as generating vehicle movements towards the highest modal share for trip generation. In other words, the site is wholly car dependent. Whilst car-reliance may not always be unacceptable, in this instance particular consideration must be given to the artificial pressure of car reliance, most notably on the U3088, which will carry more vehicular traffic and have a disproportionate impact on the sharing of this space for walking and cycling.

7.32 The applicant has responded to the Highways Officer's concerns rebutting the comments made regarding sustainability and providing amendments to the proposed site layout to address technical matters raised. The Highways Officer has reiterated their position however, stating that their concerns are so significant that it is considered that no reasonable action would be likely to address these concerns.

7.33 It is clear therefore that the proposal would have an impact upon the surrounding highway network, however, as noted above, paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. This is a very high test and it is officer opinion that that test is not met by the impacts arising from this proposal. As such the proposal is in accordance with Policy S11 of the ACS and paragraphs 103, 109 and 110 of the NPPF.

7.34 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highway network. It is considered that the proposal is not in accordance with this, however only limited weight can currently be given to this policy.

Heritage Assets

7.35 The application site is located within the Guyzance Conservation Area and within the setting of the Grade II listed Guyzance Hall. As such due consideration must be given to these designated assets.

7.36 The legislative framework has regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses. Regard must also be had to Section 72 of the Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.37 Policy S15 of the ACS states that all development involving built and historic assets or their settings will be required to preserve, and where appropriate, enhance the asset for the future.

7.38 Paragraph 192 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.39 The Council's Building Conservation Officer has responded to consultation stating that there would not be any harm arising to the conservation area or nearby listed buildings as a result of the proposals.

7.40 The Conservation Officer agrees with the submitted Heritage Statement that the Barnhills complex dates from the 1950s and is therefore not listed by virtue of being within the curtilage of the Grade II listed Guyzance Hall. The Heritage Statement goes on to state that the buildings do not have historic or aesthetic value, however whilst they do not form part of a Victorian masterplan for the wider estate, they do have some historic value, as evidence of a later mid 20th Century farm development, which is an example of continued growth of the estate at that time.

7.41 It is noted that the traditionally constructed farm buildings contribute to the special character of the estate and the conservation area and therefore have a degree of significance which needs to be fully considered within the assessment of the application. It is also considered that the manner in which the conversion is achieved is of paramount importance, with a successful scheme being carried out in accordance with statutory best practice guidance (Historic England, The Conversion of Traditional Farm Buildings).

7.42 The Conservation Officer considers that the retention of the brick-built sections of the barn complex, and conversion to a new use is supported subject to conditions securing finer details in respect of fenestration, external finishes and boundary treatments. It is noted that the proposed materials are generally suitable, however the render should be harled (rough cast) rather than a through colour render and all roof slates should be reclaimed and reused, only being supplemented with salvaged slate if necessary.

7.43 The proposed conversion of the linear Long Barn has raised some concerns as noted above, however the conservation officer raises no objections noting that contemporary approach proposed is in line with Historic England guidance. Concerns are raised however about the fenestration proposed to the north, east and west elevations which is considered to be too bulky and domestic. Frameless glazing in a more industrial style would deliver a much better result for the openings and the balconies and conditions are requested to secure further details.

7.44 The proposed new build garages would introduce more built form around the existing buildings however, it is considered that the demolition of the existing sheds would better reveal significance. Paragraph 200 of the NPPF supports new development within Conservation Areas and within the setting of heritage assets, which enhance or better reveal their significance.

7.45 The Conservation Officer has suggested that the garages should also feature timber boarding to clearly differentiate between new fabric (timber) and render on the older fabric, however rough cast render would not be unacceptable. A condition is recommended to secure details in this respect.

7.46 Comments are also provided in respect of the subdivision of garden plots. The introduction of close boarded residential style fencing would not be appropriate in this setting (particularly facing the open fields) and every attempt should be made in the design to reference the agricultural origins of the buildings and its location within a managed estate. It is therefore recommended that estate fencing is used and a condition is included below to secure this.

7.47 On the basis of the above it is clear that the proposals offer a scheme of renovation that would conserve and enhance the conservation area and would not have a detrimental impact upon the setting of the nearby listed buildings and accordingly there would be no harm arising to any designated or non-designated heritage assets arising. On this basis and notwithstanding the concerns raised in the representations received, the proposal is acceptable in terms of its impact upon the CA and the setting of nearby listed buildings, in accordance with Policy S15 of the ACS and the NPPF.

7.48 Policy ENV 7 of the emerging NLP states that development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. Policy ENV 9 seeks to ensure that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance. It is considered that the proposal is in accordance with this, however only limited weight can currently be given to these policies.

Pollution issues

7.49 Policy CD32 of the ACS states that planning permission will not be granted for development that would demonstrably harm the amenity of residential areas or the environment generally.

7.50 Paragraph 178 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.51 Given the former agricultural use of the site, the Council's Public Health Protection Unit was consulted and has responded to that consultation raising no objections, subject to the measures detailed in the application documents being implemented as stated. Conditions are recommended in respect of ground gas, contaminated land and noisy working. On this basis the proposal is acceptable in accordance with Policy CD32 of the ALP and the NPPF.

7.52 Policy POL 1 of the emerging NLP states that development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts. Policy POL 2 seeks to ensure that development proposals are not put at an unacceptable risk of harm from, or are adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances. The proposals are in accordance with these policies however only limited weight can currently be applied to them.

Ecology

7.53 Policy S12 of the ACS states that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the area.

7.54 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.55 The nature of the buildings is such that they are likely to be suitable as roosting and/or nesting sites for protected species such as bats and the Parish Council has raised concerns in their objection regarding the use of the site by Barn Owls. The County Ecologist responded to initial consultation noting that the surveys carried out by the applicant and the proposed mitigation measures are adequate. The proposed mitigation is shown on the plans and nesting and roosting birds are also provided for in the mitigation. Furthermore, hedges and trees are shown as being protected during construction.

7.56 In respect of ecological issues off site, additional information was requested in relation to foul drainage and discharge to the River Coquet SSSI. Following receipt of this information no objections are raised by the County Ecologist or Natural England, subject to conditions. As such the proposal is in accordance with Policy S12 of the ACS and the NPPF in this respect.

7.57 Policy ENV2 of the emerging Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon biodiversity and geodiversity, avoiding significant harm through location and/ or design and will secure a net gain for biodiversity through planning conditions or planning obligations. It is considered that the proposal is in accordance with this, however only limited weight can currently be given to this policy.

Coastal Mitigation

7.58 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as

competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.

7.59 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service (paid on occupation of the first unit) which will be used to fund coastal wardens who will provide the necessary mitigation.

7.60 The contribution per unit in this location would be £615. In this instance, the applicant has agreed to pay a contribution towards the Coastal Mitigation Scheme (£3690). This can be secured by way of Unilateral Undertaking.

Other Matters

7.61 The comments received from the Parish Council and the letters of objection are noted and have been taken into consideration and/or addressed in the preceding paragraphs as appropriate.

Equality Duty

7.62 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

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

Human Rights Act Implications

7.64 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.

7.65 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.

7.66 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 proposal represents an appropriate form of development that would not have a significant adverse impact on the appearance of the property, the street scene or the amenity of nearby residents.

8.2 The concerns raised in respect of the impacts of the proposal upon highway safety, heritage assets and the local community have been taken into account in the assessment of the application, however these must be weighed against the policy support for the reuse of redundant buildings in the countryside.

8.3 The highlighted concerns notwithstanding, the proposal is in accordance with national and local planning policies and accordingly it would be unreasonable to withhold planning permission.

9. Recommendation

9.1 That this application be GRANTED permission subject to planning conditions and the applicant entering into a Unilateral Undertaking to secure the following obligation:

- A financial contribution towards the Council's Coastal Mitigation Service (£3,690)

Conditions/Reason

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

2. Approved Plans

The development hereby approved shall be carried out in accordance with the approved plans. The approved plans are;

1. Drawing No 25166-1020 Rev P01 - Location Plan,
2. Drawing No 25166-1001 Rev P01 - Demolition Plan,
3. Drawing No 25166-1011 Rev P01 - Arboricultural Plan,
4. Drawing No 25166-1100 Rev P20 - Proposed Site Plan,

5. Drawing No 25166-1101 Rev P01 - Proposed Drainage Plan,
6. Drawing No 25166-1110 Rev P10 - Proposed Ground Floor Plan,
7. Drawing No 25166-1120 Rev P08 - Proposed First Floor Plan,
8. Drawing No 25166-1130 Rev P02 - Proposed Roof Plan,
9. Drawing No 25166-1150 Rev P06 - Proposed Elevations,
10. Drawing No 25166-1151 Rev P06 - Proposed Elevations.

Reason: In the interests of good planning and to ensure the development is carried out in accordance with the approved plans.

3. Demolition and Construction Method Statement (including Plan)

The development hereby approved shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition and construction periods. The Demolition and Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

4. Refuse - Details of refuse servicing strategy

No dwelling shall be occupied until details of refuse servicing strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the means of refuse servicing (private collection or NCC), and, if NCC, express permission to remove any liabilities for any damage caused by usual servicing routines. The approved refuse servicing strategy 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 the National Planning Policy Framework.

5. Implementation of car parking area

No dwelling shall be occupied until the car parking area indicated on the approved plans has been implemented in accordance with the approved plans. 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 the National Planning Policy Framework

6. Implementation of Electric Vehicle Charging

Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

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

7. Refuse - No external refuse outside of the premises

No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework.

8. Ground Gas Protection

No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS 8485:2015+A1:2019 (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 amenity of the occupants of the respective properties.

9. Validation and Verification of Ground Gas Protection

The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 8, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of mine gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

10. Potentially Contaminated Land - Pre-commencement

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been

submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) Further site investigations are recommended in the Phase 1: Desk Study (Phase 1: Desk Top Study & Coal Mining Risk Assessment Report produced by Arc Environmental Ltd, Project No: 20-334 dated 7th September 2020) and shall be carried out to fully and effectively characterise the nature and extent of any land contamination and or pollution of controlled waters . It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

11. Contaminated Land Verification

The development hereby permitted shall not be brought into use or continue in use until two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

12. Unexpected Contamination if Found During Development

If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

13. Noisy Working Hours

During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800

Saturday - 0800 to 1300

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

14. Construction Delivery / Collection Hours

Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

15. Construction Environmental Management Plan (CEMP) - Pre-commencement

Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, with the details being fully implemented as approved. This shall include

- o Exact details of how the surface water discharge will be constructed
- o Measures to reduce the risk of pollution to watercourses
- o Measures to be taken in the event of a pollution incident
- o Responsible persons and lines of communication
- o Tree Protection Measures
- o Construction compound and construction access details

The approved CEMP shall be adhered to and implemented throughout the demolition and construction period strictly in accordance with the approved details.

Reason: To maintain water quality in the River Coquet and Coquet Valley Woodlands Site of Special Scientific Interest.

16. Detail of Foul Drainage to be submitted

The development hereby approved shall not be brought into use until details of foul water discharge (indicative field drainage system as shown on the Proposed Site Plan with Drainage submitted 22nd February 2021) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the foul drainage system shall be implemented in accordance with the approved detail and maintained for the lifetime of the development.

Reason: To maintain water quality in the River Coquet and Coquet Valley Woodlands Site of Special Scientific Interest.

17. Ecological Mitigation

The development hereby approved shall be carried out in accordance with the mitigation detailed in the report Ecological Appraisal Guyzance Hall, November 2018 E3 Ecology including but not limited to:

- o vegetation clearance/tree felling/building conversion will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests;
- o prior to works commencing on the barns, a checking survey will be undertaken to confirm whether barn owl are nesting;
- o any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°;
- o should works extend to the areas of rhododendron planting, works should be undertaken to a precautionary method statement to ensure the plant is not spread;
- o the roots and crowns of retained trees will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012;
- o appropriate measures will be put in place to prevent pollution and run-off near watercourses/areas of standing water;
- o gaps will be incorporated within any close-board fencing to allow hedgehogs to move around the site;
- o works to be undertaken under a method statement for hedgehogs and common toad, to be provided to contractors;
- o woodland areas and mature trees should be retained as part of proposals; retained habitats (trees, hedgerows and the woodland) will be managed to benefit biodiversity in general;
- o landscape proposals will include the planting of locally native tree and shrub species with a range of flower, fruit and nectar bearing species to help attract invertebrates to the site, benefiting a wide range of other wildlife including birds and bats;

Reason: to maintain the ecological value of the site in accordance with the provisions of the NPPF.

18. Bat Mitigation

The development hereby approved shall be carried out in accordance with the mitigation detailed in the report Bat Survey Barnhill Barns, Guyzance August 2020, E3 Ecology.

- o No works that may affect roosts will be undertaken to buildings 2-7 until a Natural England licence is in place.
- o A minimum of 10 crevice roosting opportunities and 2 loft voids or a separate purpose built bat barn will be provided as mitigation.
- o Bat boxes will be provided on site prior to works commencing, to provide roosting opportunities during the works.
- o Prior to works commencing a site induction meeting will be held, attended by the project ecologist and lead contractors.
- o Works will not commence until a detailed inspection of the structures has taken place once scaffolding/cherry picker access has been provided.
- o The following key elements of work will not be completed on any building during the hibernation period (mid-November to mid-March inclusive):
 - i. Demolition of brickwork
 - ii. Re-structuring/re-pointing of existing brickwork
 - iii. Keying in of new build to existing brickwork
 - iv. Removal of ridge tiles and slates or other roof coverings
 - v. Removal of roof timbers
 - vi. Exposing of the wall tops via roof stripping works
- o A barn owl nesting check will be undertaken prior to works commencing. A barn owl box will be erected in a suitable tree on the estate
- o Bird boxes, including suitable nesting opportunities for swallows, will be provided on the buildings and/or within trees close to the buildings.

Reason: to maintain the favourable conservation status of protected species.

19. Bat Licence Required

Prior to works commencing to the structure of the building, including the erection of scaffolding or roof stripping, the Local Planning Authority shall be provided with either:

- a. a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b. Confirmation that the site is registered on a Low Impact Class Licence issued by Natural England; or
- c. a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To prevent harm to a European protected species.

20. External Lighting

Prior to the development being brought into use a scheme for the installation of any permanent and temporary lighting on the site shall be submitted to and agreed in writing by the Local Planning Authority. The lighting scheme should be designed so that lighting levels are minimised in accordance with Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series Bat Conservation Trust/Institute of Lighting Professionals 2018).

External lighting that may reduce use of potential bat roost sites (retained and/or new) should be avoided. High intensity security lights will be avoided as far as practical, and any lighting in areas identified as being important for bats will be low level (2m) and low lumen. Light spillage to areas used by foraging or commuting bats should be less than 2 lux. No lighting will be installed along the flyways between the roosts and adjacent trees, woodland and foraging areas. Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects

The approved scheme shall be implemented in full prior to the dwellings being occupied.

Reason: to prevent the risk of harm to protected species from the outset of the development.

21. Conservation Style Roof Lights

The rooflights hereby approved shall be of conservation specification having steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure that the character, appearance and integrity of the listed building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at Chapter 16 of the NPPF.

22. Fenestration - details to be submitted

Notwithstanding the approved plans, prior to the installation of new fenestration, details of the proposed fenestration shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.

Reason: To ensure that the character, appearance and integrity of the conservation area is not prejudiced, thereby preserving the special architectural historic interest which it possesses in accordance with Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at Chapter 16 of the NPPF.

23. Materials - details to be submitted

Notwithstanding the approved plans, prior to commencement of construction works, details of materials to be used in the conversion of the barns and in the erection of the detached garages shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the existing roof slates shall be reused where possible and any new render shall be rough cast.

Reason: To ensure that the character, appearance and integrity of the conservation area is not prejudiced, thereby preserving the special

architectural historic interest which it possesses in accordance with Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at Chapter 16 of the NPPF.

24. Boundary Treatments - details to be submitted

Notwithstanding the approved plans, prior to first occupation details of proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details. For the avoidance of doubt, close boarded timber fencing would not be appropriate.

Reason: To ensure that the character, appearance and integrity of the conservation area is not prejudiced, thereby preserving the special architectural historic interest which it possesses in accordance with Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national guidance set out at Chapter 16 of the NPPF.

25. Removal of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any subsequent Order amending, revoking or re-enacting that Order), no fences, walls, gates or other means of enclosure shall be erected around the curtilage of any dwelling house hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: To protect the open nature of the development in the interests of visual amenity and in accordance with the NPPF.

Informatives

1. Highway condition survey

Please note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

2. Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

3. Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the Highway.

4. Service Ducts (Top-Hats)

The applicant should ensure that as well as any top-hats being secured to the membrane (taped or welded) that the internal annulus of the duct holding each of the service pipes and conduits (water, gas, electric etc.) is filled with a closed cell expanding foam such as FILOseal+ or FILOseal+HD produced by Filoform UK Ltd:

<https://www.filoform.co.uk/catalog/category/view/s/re-enterable-duct-sealing-systems/id/9/>

Evidence of this will be required under the validation/verification of the gas protection.

5. Dust Management

Dust minimisation and control shall have regards to accepted guidance and in particular:

The Institute of Air Quality Management has produced very current documentation entitled "Guidance on the Assessment of Dust from Demolition and Construction" available at: <http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London's office has produced a supplementary guidance document entitled "The Control of Dust and Emissions During Construction and Demolition" which is available at:

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/control-dust-and>

6. Burning Materials Onsite

There shall be no burning of any material associated with the construction phase on the site.

7. Statutory Nuisance

Please be aware that failure to address issues of noise, dust and lighting at the development stage does not preclude action by the Council under Section 79 of the Environment Protection Act 1990 in respect of statutory nuisance.

Date of Report: 09.07.2021

Background Papers: Planning application file(s) 20/04349/FUL

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Northumberland County Council

North Northumberland Local Area Council 22nd July 2021

Application No:	21/01108/COU		
Proposal:	RESUBMISSION - Change of use to storage facility to be used for container, boat and caravan storage		
Site Address	Land North East Of Chathill Station, Chathill, Northumberland,		
Applicant:	Mr M Worthington C/O Agent	Agent:	Mr Tony Carter 1st Floor Hepscott House, Coopies Lane, Morpeth, NE61 6JT
Ward	Longhoughton	Parish	Ellingham
Valid Date:	18 March 2021	Expiry Date:	30 June 2021
Case Officer Details:	Name: Mr Jon Sharp Job Title: Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council following a call in request from the local member and receipt of a valid objection from Chathill Parish Council. The application has been reviewed by the Director of Planning and the Committee Chair and Vice Chair who considered that

the application raises issues of strategic, wider community or significant County Council Interest.

1.2 The application is a resubmission of planning application reference 20/02159/COU which was refused permission by committee decision on the 21st Jan 2021. The reasons for refusal were visual impact, residential amenity and impact upon heritage assets.

2. Description of the site and proposals

2.1 The application seeks permission for the change of use of former railway land to boat and caravan storage. The application also seeks permission for the erection of storage compounds. The reasons for refusal of the previous application have been addressed through the reduction in the number of compounds proposed in an attempt to reduce the visual impact and the impact on the setting of the historic assets. This should also have a commensurate impact in terms of residential amenity. As with the earlier application conditions are recommended by the Council's Public Health Protection team in order to reduce any potential amenity issues to an acceptable level.

2.2 The land would be divided into 8no storage compounds ranging in size from approximately 135sqm to 250sqm, each of which would include a single shipping container and an area of hardstanding. The proposed containers would each have a footprint of approximately 15sqm and height of approximately 2.6 metres. The compounds would be arranged along the north eastern boundary of the site with an access road separating them from the listed station buildings to the south west.

2.3 The application site is located adjacent to the settlement of Chathill and consists of an area of former railway land that was originally part of the station goods yard and bay platform for the Seahouses branch line. The land is currently laid to a combination of concrete and crushed hardcore surfacing having previously been overgrown with scrub like vegetation. The site is located adjacent to Chathill Station and is bound to the north east by a Northumbrian Water pumping station and open agricultural fields, by the station platform and railway lines to the south west and by highway, from which the site is accessed, to the south east.

3. Planning History

Reference Number: 20/02159/COU

Description: Change of use to storage facility to be used for container, boat and caravan storage

Status: Refused

Reference Number: 13/02735/FUL

Description: Proposed 6no. (3 bedroom) affordable houses with associated garden and parking provision

Status: Withdrawn

Reference Number: 13/03392/FUL

Description: Proposed 6no. (2 bedroom) affordable houses are proposed with associated garden and parking provision

Status: Refused and appeal dismissed

Reference Number: N/86/B/LB44

Description: Erection of electrification masts within station limits.

Status: Permitted

4. Consultee Responses

Ellingham Parish Council	<p>Objection.</p> <p>Councillors noted that this revised application does not address their original concerns and request that this application is taken to NCC Planning Committee for further scrutiny. Councillors also noted the following,</p> <p>The application remains to the setting of the Listed buildings within Chathill and the harm is not outweighed by any benefit to the local community.</p> <p>The application represents an unwelcome industrialisation of a rural village which is a gateway to the Northumberland Area of Outstanding Natural Beauty.</p> <p>The access is too close to the level crossing, and concerns are raised regarding conflict with farm traffic and potential conflicts with cyclists along the popular cycle route.</p> <p>Issue of additional noise generating activities which would be unrelated to the transient noise associated with the adjacent train line.</p>
Building Conservation	Built Heritage and Design object to the proposal. We consider the proposal would give rise to less than substantial harm within the terms of paragraph 196 the NPPF.
County Archaeologist	The railway infrastructure previously on the site has been removed. There are no objections to the proposed development on archaeological grounds. No archaeological recording work is therefore recommended.
County Ecologist	No objection subject to a condition secure details of proposed landscaping.
Highways	The development will not have a severe impact on highway safety, and there are no objections in principle to the proposals. The imposition of conditions and informatives with regards to access, car parking and the impacts during the construction phase will address any concerns with the proposed development.
Longhoughton Ward	<p>I am requesting that the above planning resubmission application is heard at Area Council.</p> <p>Planning reasons are; The builds appearance is out of character with existing property and a listed building Industrialisation of a quaint and quintessential English village.</p>
Network Rail	With reference to the protection of the railway, Network Rail has no objection in principle to the development, however, we are keen to ensure that the scheme does not impact on the safe operation of the adjacent Chathill Level Crossing. In addition, it should be noted that work to implement and operate the site will be in proximity to high voltage overhead lines associated with the operation of the East Coast Main Line and the developer will be required to liaise with our Asset

	Protection Team prior to work commencing at the site to discuss safe working in proximity to this equipment.
Public Protection	Public Health Protection does not object to the proposal providing that the measures detailed in the application documents are implemented as stated.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	11
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site Notice - Affecting Listed Building, posted 20th April 2021

Press Notice - Berwick Advertiser, published 22nd April 2021

Summary of Responses:

None 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=QQ4I3GQSMS900>

6. Planning Policy

6.1 Development Plan Policy

Berwick upon Tweed Local Plan (1999)

F1 Environmental Wealth
F4 Intermediate Areas of Landscape Value
F10 Protected Species
F31 Social and Economic Welfare
W6 Bad Neighbour Uses

6.2 National Planning Policy

National Planning Policy Framework (2019)
Planning Practice Guidance (2019, as updated)

6.3 National Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy (Strategic Policy)
STP 2 Presumption in favour of sustainable development (Strategic Policy)
STP 3 Principles of sustainable development (Strategic Policy)
STP 4 Climate change mitigation and adaptation (Strategic Policy)

STP 5 Health and wellbeing (Strategic Policy)
ECN 13 Meeting Rural Employment Needs (Strategy Policy)
QOP 1 Design Principles (Strategic Policy)
QOP 2 Good Design and Amenity
QOP 5 Sustainable design and construction
TRA 1 Promoting Sustainable Connections (Strategic Policy)
TRA 2 Effects of Development on the Transport Network
TRA 4 Parking Provision in New Development
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and geodiversity
ENV 4 Tranquillity, dark skies and a sense of rurality
ENV 7 Historic environment and heritage assets
POL 1 Unstable and contaminated land
POL 2 Pollution and air, soil and water quality

6.4 Other Documents/Strategies

National Design Guide (2019)

Planning (Listed Buildings and Conservation Areas) Act 1990

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are;

- Principle of Development
- Emerging Policy
- Scale, Design & Visual Impact
- Amenity
- Impact on Highways
- Impact on Railway
- Heritage Assets
- Ecology

Principle of the development

7.2 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the saved policies of the Berwick Local Plan (1999) (BLP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F4 of the same document seeks to ensure that any development within the Intermediate Areas of Landscape value accords with its surroundings, in terms of scale, mass, materials etc. and sets out locational requirements for development. Policy F31 of the same document seeks to ensure that, in applying Framework policies, appropriate 'weight' is given to the degree to which proposals enhance the quality of life of communities or complement the range of their social and economic functions.

7.5 Paragraph 83 of the NPPF supports economic growth in rural areas. As the proposal seeks to create a sustainable rural business which would potentially help to support the storage needs of other rural businesses, the provision of a storage facility and associated infrastructure in this location is acceptable in accordance with the provisions of the BLP and the NPPF.

Emerging Policy

7.6 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for the Ministry of Housing, Communities and Local Government on 29 May 2019 and is currently going through the examination process.

7.7 On 9 June 2021 the Council published for consultation a Schedule of proposed Main Modifications to the draft Local Plan, which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation and the policies in the emerging plan are considered to be consistent with the NPPF.

7.8 The emerging NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) dependent upon whether Main Modifications are proposed and the extent and significance of unresolved objections.

7.9 Policy STP 1 of the emerging NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. The policy is subject to a proposed major modification, however the location of the application site within the open countryside is not in dispute. Paragraph f. states that development in settlements not identified as Main Towns, Service Centres, Service Villages or Small Villages will be limited to that within the built form of the settlement, and the conversion, extension or redevelopment of existing buildings, unless it supports the sustainable growth of an existing business or the formation of a new business, or provides for new or enhanced community facilities. Paragraph g.i. goes on to say that development in the open countryside will only be supported if it can be demonstrated that, amongst other criteria, it supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13.

7.10 Policy ECN 13 of the emerging plan states that in the countryside, development that will generate employment opportunities, proportionate to the rural location, will be supported where it is related as closely as possible to the existing settlement

pattern, existing services and accessible places and will not have an adverse impact on the operational aspects of local farming or forestry.

7.11 These policies are a material consideration in the determination of this planning application, although they may be afforded limited weight at this stage.

Scale, Design & Visual Impact

7.12 Policy F4 of the BLP sets out the criteria against which new development shall be assessed. This includes the impact on adjacent land uses in terms of scale, massing, materials, etc and sets out locational requirements for development.

7.13 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.14 The proposed development would be characterised by temporary structures and would be of a scale that would be appropriate to its surroundings. Taking into account the comments made by Councillors on the last application, the site plan has been revised reducing the number of units, and moving the storage units further to the North West of the site to mitigate the perceived impact on the surrounding area. Further to this, a landscaping scheme is now proposed along the North East boundary of the site to obscure views of the storage units and soften the site area to a significant degree.

7.15 The applicant's supporting statement sets out the details of the proposed containers, noting that they would be painted in 'Forest Green' before being placed within their individual compounds. The containers would have a maximum height of 2.6m, a maximum width of 2.5m and a maximum length of 6.10m ensuring that they can be well contained with the individual units and blend in with their surroundings. A plan has been submitted with this application to show the colour of the containers and their dimensions. To provide further comfort, it is further proposed that the storage units will only be allowed to store a maximum of 1 container, 1 boat and 1 caravan within their confines.

7.16 On the basis of the above it is therefore considered that the original refusal reason has been addressed, and by virtue of the revised design, reduced scale, and amended location, the proposed development would not now have a detrimental impact on the surrounding area and would therefore be in accordance with Policy F4 of the Berwick Local Plan and the NPPF.

7.17 Policy QOP 1 of the emerging NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy state that development proposals should make a positive contribution to local character and distinctiveness, incorporate green infrastructure and opportunities to support wildlife, make provision for efficient use of resources, respond to the climatic conditions of the location and avoid the creation of adverse local climatic conditions, mitigate climate change and be adaptable to a changing climate and ensure the longevity of the buildings and spaces. The proposals are in general accordance with these criteria, however only limited weight can currently be given to the policy.

Amenity

7.18 Policy W6 of the BLP seeks to ensure that development that could be reasonably expected to adversely affect surrounding land uses can be suitably mitigated in order to safeguard other land users and the wider community. Meanwhile, Policy R9 seeks to ensure that a high standard of amenity will be provided for visitors to the site.

7.19 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.20 Due to the site location, it is considered that there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook, overbearing or privacy. Concerns raised in respect of residential amenity which were raised previously are considered to have been addressed via the amendments set out above. The application has been reviewed by the Council's Public Health Protection team and no objections have been raised nor conditions requested. The applicant has however offered to accept a condition restricting the use of the site to between the hours of 6am and 10pm in order to protect residential amenity. It is considered these hours are comparable with the operation of trains (in the main) on the adjacent East Coast Mainline. Concerns raised in respect of the impact of external lighting upon the railway are noted and a condition is recommended in this respect.

7.21 On the basis of the above it is considered that the original refusal reason has been addressed, and by virtue of the revised design, reduced scale, and amended location, the proposed development would not now have a detrimental impact upon residential amenity in terms of noise and air quality. As such the proposal is in accordance with Policy W6 of the BLP and the NPPF in this respect.

7.22 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in accordance with this, however only limited weight can currently be given to this policy.

Highways

7.23 Policy M14 of the BLP sets out parking criteria for new development within the plan area.

7.24 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.25 The traffic expected to be generated from the proposed development is not considered to have a harmful impact on the highway network, and a fully dimensioned block plan has been submitted in support of this application, showing parking and access. The Local Highway Authority has responded to consultation raising no objections subject to conditions in respect of vehicular access and parking. As such the proposal is in accordance with highways policy in this respect.

7.26 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Impact on railway

7.27 The application site lies adjacent to Chathill Railway Station and the East Coast Main Line (ECML) and the access to the site is within 10 metres of Chathill level crossing. As such issues of railway safety must be taken into account in the determination of the application.

7.28 Network Rail has responded to consultation raising no objection but have requested a number of conditions and informatives as set out below. On this basis the application is acceptable in respect of potential impacts on railway safety and integrity.

Heritage Assets

7.29 The application site lies adjacent to the grade II listed Waiting Shed and Up Platform at Chathill Station and is also within the setting of Chathill Station and Downhill Platform and Signal Box at Chathill Station (both also grade II listed) and as such due consideration must be given to the impact of the proposals on these designated heritage assets.

7.30 The legislative framework has regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.31 Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.32 The Council's Building Conservation Officer responded to consultation raising concerns about the potential impact of the proposals on the setting of the listed assets. It is noted that the number of proposed container units has been reduced from 10 to 8 in an effort to reduce the impact on the Waiting Shed and Up Platform at Chathill Station and to address concerns regarding the view of the Station from the northeast. However, the site would still be visible from the Station, the platform and importantly, by those passing through the village by train.

7.33 The Conservation Officer finds that the proposal would give rise to less than substantial harm within the terms of paragraph 196 the Framework. Whilst noting that it is for the decision maker to give due weight to any public benefits arising, the Conservation Officer notes that paragraph 193 of the NPPF states 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.

7.34 The applicant has submitted a more robust Heritage Statement with this application setting out justification for the proposals and highlighting the public benefits arising, including the support of a rural business (in accordance with para 83 of the NPPF), the nature of which is characterised by temporary structures which may be mitigated to reduce visual impact. The reuse of previously developed land is also encouraged by the NPPF and the proposal would not have a significant detrimental impact upon the designated assets. In the planning balance, it is

considered that the proposal would not harm the special architectural, historic interest or setting of the area. Equally the proposal would preserve the appearance and setting of this brownfield site.

7.35 Furthermore and in terms of archaeological heritage assets, the County Archaeologist has confirmed they have no objections to the proposed development on archaeological grounds. No archaeological recording work is therefore recommended.

7.36 On the basis of the above the proposal is acceptable in accordance with the NPPF and the PLBCAA.

Ecology

7.36 Policy F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species protection provisions which apply.

7.37 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.38 These revised proposals show a landscaping scheme, which has evolved through consultation with the County Ecologist. It is proposed to incorporate native species with a small percentage of Larch (as an evergreen screening element) to include Crab Apple, Silver Birch, Common Hawthorn, Cherry, and Hazel. A detailed landscaping scheme is submitted in support of these proposals to demonstrate the screening effect. On this basis, the proposal should be considered acceptable and in accordance with Policy F10 of the BLP and the NPPF.

7.39 Policy ENV2 of the emerging Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon biodiversity and geodiversity, avoiding significant harm through location and/ or design and will secure a net gain for biodiversity through planning conditions or planning obligations. It is considered that the proposal is in accordance with this, however only limited weight can currently be given to this policy.

Other Matters

7.40 The concerns raised in the parish council objection and representation from the elected member are noted and have been addressed in the preceding paragraphs.

Equality Duty

7.40 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

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

Human Rights Act Implications

7.42 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.

7.43 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.

7.44 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.

7.45 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 proposal represents an appropriate form of development that would not have a significant adverse impact on the appearance of the property, the street scene or the amenity of nearby residents.

8.2 The concerns raised in respect of the impacts of the proposal upon highway safety, heritage assets and the local community have been taken into account in the assessment of the application, however these must be weighed against the policy support for the reuse of brownfield land adjacent to a recognised settlement.

8.3 The highlighted concerns notwithstanding, the proposal is in accordance with national and local planning policies and accordingly it would be unreasonable to withhold planning permission.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved plans:

1. Drawing No HD355-2001-P01 - Location Plan,
2. Drawing No HD355-2004-P03 - Proposed Site Plan;
3. Drawing No HD355-2007-P02 - Proposed Car Parking and Visibility;
4. Drawing No HD355-2008-P00 - Swept Path Analysis,
5. Drawing No HD355-2009 - Proposed Landscaping,
6. Drawing No HD355-2010 - Proposed Containers.

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

03. Construction Method Statement (and Plan) to be submitted - Pre-commencement

The development hereby approved shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period and shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

04. Implementation of car parking area

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 implemented in accordance with the approved plans. 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 the National Planning Policy Framework.

05. Means of vehicular access to be constructed

Notwithstanding the details submitted, the development shall not be occupied until the means of vehicular access has been constructed in accordance with Type 'B' of Northumberland County Council specifications, incorporating a minimum entry width of 6 meters and 6m radii, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

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

06. Landscape Planting

The development hereby approved shall be implemented in accordance with the submitted "Proposed Landscaping Plan" (Drawing No HD355-2009). The planting scheme shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development.

Reason: To enhance the biodiversity value of the site, in accordance with the NPPF.

07. Surface Water Drainage

Notwithstanding the approved plans, all surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

08. External Lighting

Notwithstanding the approved plans, details of any proposed external lighting must be submitted to and approved in writing by the Local Planning Authority prior to being brought into use. Thereafter the lighting shall be erected and maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

09. Hours of Operation

The development hereby approved shall only be open to members of the public between 0600 and 2200 hours.

Reason: In the interests of residential amenity and in accordance with Policy W6 of the Berwick Local Plan and the NPPF.

10. Colour of storage units

Notwithstanding the approved plans, the storage containers hereby approved shall be of a uniform colour to ensure that they do not stand out against the surrounding natural and built environment. Prior to first use of the development, details of the colour of the units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the units shall be retained as such for the lifetime of the development.

Reason: In the interests of visual amenity, in accordance with Policy F4 of the BLP and the NPPF.

11. The height of the storage containers hereby approved shall not exceed 3m.

Reason: In the interests of visual amenity, in accordance with Policy F4 of the BLP and the NPPF.

Informatives

1. Alterations to vehicle crossing point (widening driveway) (S184) -Type B Specification

You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:
northernareahighways@northumberland.gov.uk

2. Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licenses.

3. Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway

4. Access to Network Rail Assets

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail's ability to inspect and maintain its assets must not be impacted by the scheme. Access to and from the adjacent railway level crossing and any access points/railway equipment should remain clear and unobstructed at all times.

5. Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any

unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

6. Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

7. Network Rail Asset Protection

The developer is advised that Network Rail will be unable to agree to discharge of a method statement condition without direct discussion and agreement with their Asset Protection Team and the developer entering into a Basic Asset Protection Agreement (where appropriate). The applicant is advised to discuss the proposals with Asset Protection prior to applying for the discharge of condition. Contact details for Asset Protection are below.

Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 3B
George Stephenson House
Toft Green
York
Y01 6JT

Email: assetprotectioneastern@networkrail.co.uk

Date of Report: 25.06.2021

Background Papers: Planning application file(s) 21/01108/COU

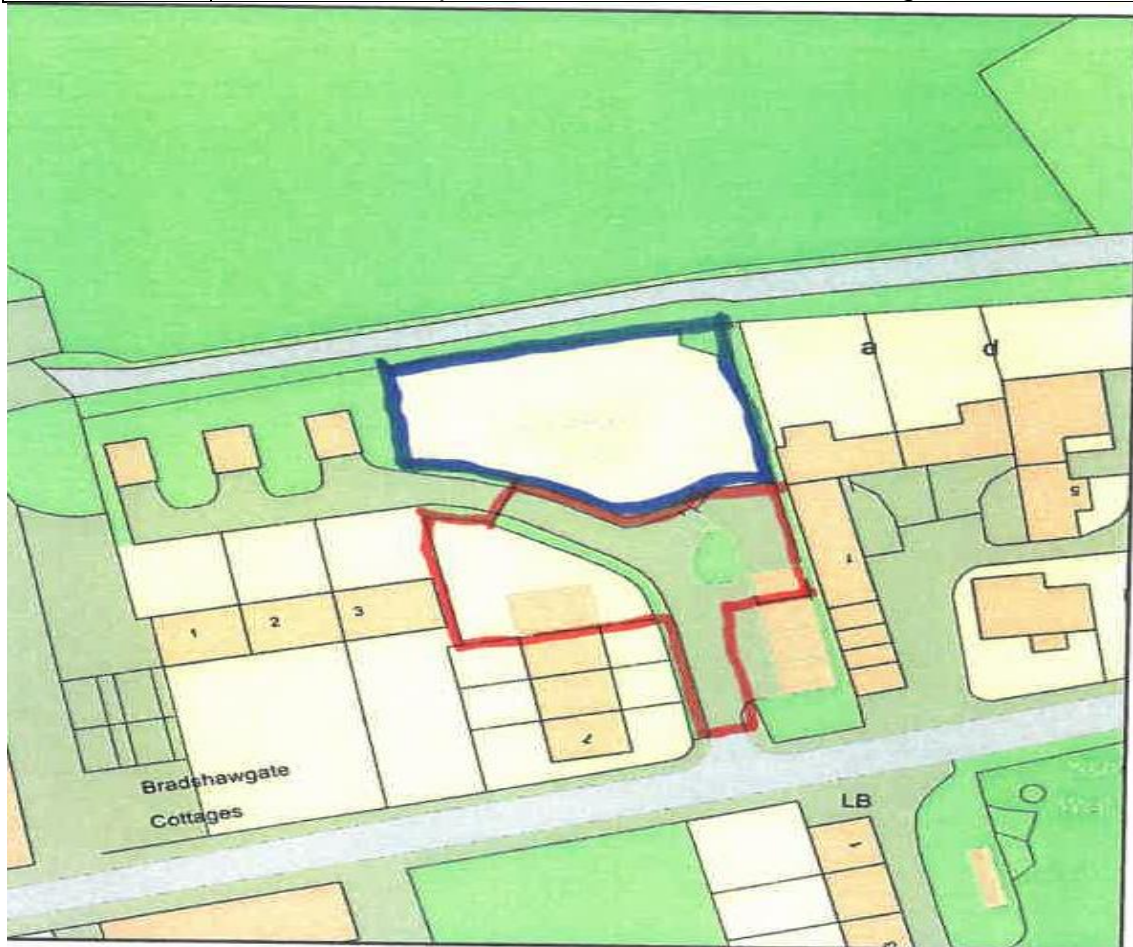
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Northumberland County Council

North Northumberland Local Area Council 22 July 2021

Application No:	21/00026/FUL		
Proposal:	Double garage extension and associated changes to access road and parking.		
Site Address	Nook End , 4 Bradshawgate Cottages, Swinhoe, NE67 5AA		
Applicant/ Agent	Roger Copestake 28A Clayton Road, Jesmond, Newcastle Upon Tyne, NE2 4RQ		
Ward	Bamburgh	Parish	Beadnell
Valid Date	2 February 2021	Expiry Date	30 June 2021
Case Officer Details	Name: Miss Stephanie Forster Job Title: Planning Officer Tel No: 07966331898 Email: stephanie.forster@northumberland.gov.uk		



Recommendation: That this application be GRANTED permission subject to conditions:-

1. Introduction

1.1 Following an objection from the Parish Council, the application has been referred to the Director of Planning and Chairs of Planning Committee and it has been decided the application should be considered for determination at North Northumberland Local Area Council in accordance with the Councils Scheme of Delegation.

2. Description of the Proposals

2.1 The application seeks planning permission for a double garage extension with associated changes to the access road and parking at Nook End, 4 Bradshaw Gate Cottages, Swinhoe, Northumberland.

2.2 The proposed garage extension would follow the building lines, height and facing materials of the existing garage range and would be 4.5m wide and 3m in height to match the existing garages. It would be constructed using matching materials so that it equates to an extension of the existing garage line.

2.3 The application site is a small piece of land covered in gravel to the side of the existing garage for No4 Bradshawgate Cottages. The application site is located within the settlement of Swinhoe. It is located adjacent to the AONB and the Heritage Coast and within the Coastal Mitigation Zone.

2.4 This application is also accompanied by planning application 21/00368/FUL which is also on the agenda for consideration.

3. Planning History

Reference Number: N/90/B/0645/A

Description: Refurbishment of 6 cottages and erection of 4 dwellings road layout altered and existing block reduced from six to three units received 14.05.92.

Status: Permitted

Reference Number: N/90/B/0645/C

Description: Refurbishment of 6 cottages and erection of 4 dwellings door altered to form window on front elevation of existing cottages revised detail received 22.07.92.

Status: Permitted

Reference Number: N/92/B/0513/P

Description: Revised design relating to 4 new dwellings road layout revised 19.10.92.

Status: Permitted

Reference Number: N/90/B/0645/P

Description: Refurbishment of 6 cottages and erection of 4 dwellings further details received 28.09.90 and 08.10.90. drg. no 1c revision d & drawing no3 received 30.10.90.

Status: Permitted

4. Planning Policy

4.1 Development Plan Policy

North Northumberland Coastal Neighbourhood Plan 2017 - 2032 (Made Version (July 2018))

Policy 1 Sustainable Development
Policy 5 Design in New Development
Policy 8 Development within Settlements

Berwick upon Tweed Local Plan (1999)

F1 Environmental Wealth
F2 Coastal Zone
F31 Social and Economic Welfare
F10 Protected Species
M14 Car Parking Standards

4.2 National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance (2019, as updated)

4.3 Emerging Planning Policies

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy (Strategic Policy)
QOP 1 Design Principles (Strategic Policy)
QOP 2 Good Design and Amenity
TRA 1 Promoting Sustainable Connections (Strategic Policy)
TRA 2 Effects of Development on the Transport Network
TRA 4 Parking Provision in New Development
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and Geodiversity
ENV 4 Tranquillity, dark skies and a sense of rurality

4.4 Other Documents/Strategies

National Design Guide (2019)
Northumberland Landscape Character Assessment 2011

5. Consultee Responses

North Sunderland And Seahouses PC	No response received.
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Beadnell Parish Council	Objection received on grounds of drainage, too many car parking spaces. Would seek to ensure that the garage remained such a building.
Countryside/ Rights Of Way	No objection.
Highways	No objection subject to conditions.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	9
Number of Objections	16
Number of Support	0
Number of General Comments	1

Notices

Site notice - Public Right of Way, 12th February 2021

Berwick Advertiser 11th February 2021

Summary of Responses:

16 no. objection comments were received in relation to this application. The objections comments were made on the grounds of:-

- over development
- lack of amenity space
- impact on drainage system and
- impact on the highway.

Full details of the comments which have been received with regard to this application are available at <https://publicaccess.northumberland.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>.

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Berwick Upon Tweed Local Plan and the policies of the North Northumberland Coast Neighbourhood Plan (2018) (NNCNP), as identified above. The National Planning Policy Framework (NPPF) (February

2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

The main issues for consideration include:

- Principle of Development
- Impact on the character of the area
- Impact on Residential Amenity
- AONB
- Highway Safety

Principle of Development

7.4 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.5 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F2 of the same document states that within the Coastal Zone "development will be permitted provided that;

- i) it is located in the villages of Seahouses, North Sunderland or Beadnell, or in exceptional cases relating to their particular features and/or needs, the villages of Bamburgh or Holy Island, or other small settlements...;
- ii) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including species appropriate to the north Northumberland coastal environment, means of enclosure and access;
- iii) it would not adversely affect the integrity of the internationally important nature conservation interests of the coast;

- iv) it is not located in an area at risk from flooding, erosion by the sea or landslips...; and,
- v) it accords with Policies elsewhere in the Plan.

7.6 Policy 8 of the NNCNP seeks to support development within the defined settlement boundaries where they can demonstrate how they will;

- a) where relevant, incorporate access for pedestrians from the proposed development into the centre of the settlement and, where relevant, the beaches;
- b) preserve key coastal views into and out of the settlements;
- c) ensure sufficient car parking space is provided within the curtilage of the proposed development to ensure no additional on-street parking on nearby streets;
- d) ensure that where infill development or conversions and extensions are proposed, they do not result in substantial loss of amenity space or loss of parking space which could result in an adverse impact on residential amenity from on-street parking on nearby streets;
- e) where relevant, provide linkages between wildlife corridors for the benefit of biodiversity as shown on the Policies Map;
- f) incorporate native landscaping to reduce the impact of the development, and improve biodiversity;
- g) contribute as necessary to any strategic mitigation initiatives devised to protect the Northumbria Coast SPA/Ramsar site, or other nationally and internationally important wildlife sites.

7.7 Policy STP1 of the emerging NLP states that "sustainable development will be supported within the constraints of the Green Belt and settlement boundaries defined on the Local Plan policies map or in neighbourhood plans.

7.8 The proposed garage extension while not located within the settlement boundaries, is located in the defined hamlet of Swinhoe. It would be an extension of the existing garage line and would be an appropriate area in which to site a new garage. The proposed alterations to the highway have also been considered and it is considered that this is also acceptable in principle. In this context it is therefore considered that the principle of development is acceptable in accordance with the BLP, NNCNP, NLP and the NPPF.

Impact on the character of the area

7.9 Policy 5 of the NNCNP states that all development should comprise high quality design which respects local context and character. Policy F2 of the BLP sets out the criteria against which new development shall be assessed, including the impact on adjacent land uses in terms of scale, massing, materials, etc.

7.10 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.11 Policy QOP 1 of the emerging NLP seeks to support development which respects its surroundings. Policy ENV 1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the

natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.

7.12 Details of the layout and design of the proposals have been considered. The proposals are for the garage to be set at the same height as the existing garages in the block and will match the facing materials and size of the existing garages.

7.13 In terms of the scale of the garage extension, it is considered that the addition of a double garage would be appropriate. It is considered that the proposals are respectful of the existing properties in the settlement and that the proposal would work well, thought has been given to this on development of the plans. It is considered that the proposals would accord with the relevant local and national planning policies in this regard.

Impact on Residential Amenity

7.14 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.15 Policy QOP2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.16 Due to the site location, there would not be any substantive impacts on residential amenity resulting from the proposal in terms of loss of light, outlook or privacy. The proposals submitted, show that the height of the proposed garage would match those in the block and would not result in any loss of light, or form overbearing development. As such the proposal is considered to be in accordance with the BLP, NLP and the NPPF in this respect.

Impact on AONB

7.17 The application site lies just outside the Northumberland Coast AONB, however, the proposals may have an impact on the AONB and as such consideration must be given to the impact of the proposals on that designated area.

7.18 Policy F2 of the BLP states that development will be permitted where it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping..., including means of enclosure and access. Policy 5 of the NNCNP states that all new development in the Neighbourhood Area, should incorporate high quality design which, for areas within the Northumberland Coast AONB, will include incorporating the principles contained in the most recent version of the Northumberland Coast AONB Design Guide.

7.19 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

7.20 Policy ENV 5 of the emerging NLP states that the special qualities of the AONB will be conserved and enhanced having regard to the current AONB Management Plan and locally specific design guidance.

7.21 The AONB Partnership have not been consulted with regard to the proposals as it is considered that the extension of the existing garage line will not have an impact on the adjacent AONB. On this basis, it is considered that the proposals would be acceptable and in accordance with Policy F2 of the BLP and Paragraph 172 of the NPPF.

Highway Safety

7.22 Policy M14 of the BLP sets out parking standards for new development within the former borough.

7.23 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.24 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network,

7.25 The application site is located adjacent to a Public Right of Way and as such the Countryside and Public Right of Way Officer has been consulted with regard to the proposals. The PROW Officer has responded to consultation stating that she has no objection to the proposals provided that the public right of way is not disturbed by the development.

7.26 The NCC Highway's Officer has also been consulted in relation to the application and originally returned comment stating that they required further information. On submission of the further information the NCC Highways Officer stated that they had no objection to the proposals subject to the imposition of conditions relating to boundary treatments, materials, car parking, cycle parking, the implementation of highways works and refuse. It is considered that the proposals are in accordance with local and national planning policy and are acceptable in this regard.

Equality Duty

7.27 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

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

Human Rights Act Implications

7.29 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.

7.30 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.

7.31 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 It is considered that the proposal represents an appropriate form of sustainable development that would not have a significant adverse impact on the street scene, the local area or the amenity of nearby residents.

8.2 The proposal is in accordance with national and local planning policies and there would not be any significant or unacceptable harmful impacts arising from the development of the site for residential use. It is accordingly considered that it would be unreasonable to withhold planning permission.

8.3 All representations are noted, including those from the Parish Council. All representations have been taken into account in the preparation of the report.

8.4 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to conditions:

Conditions

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

1. Location Plan
2. Site Plans, Elevations and Floor Plans
3. Turning Head

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

03. The car parking area indicated on the approved plans, shall be implemented in accordance with the approved plans. 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 the National Planning Policy Framework.

04. Notwithstanding the submitted details, the extended garage and alteration to the car parking areas secured under Condition HWD2 shall not be brought into use the extended turning head and alterations to the private estate road have constructed in accordance with the approved plans. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

05. The approved Construction Method Statement, shall be adhered to throughout the Construction period.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

06. The proposed garage and frontage parking shall be used for no other purpose than storage, including vehicles, within the structure and parking on the frontage solely for the use of 4 Bradshawgate.

Reason: To prevent use of this land for any purpose than the storage of items, including vehicles, as evidenced, solely for the benefit of said property.

Informatives

1. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

3. 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.

Date of Report: 09.07.2021

Background Papers: Planning application file(s) 21/00026/FUL

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Northumberland County Council

North Northumberland Local Area Council 22 July 2021

Application No:	21/00368/FUL		
Proposal:	Primary residency self build dwelling with workspace and garage.		
Site Address	Land North East Of Bradshawgate Cottages, Bradshawgate Cottages, Swinhoe, Northumberland		
Applicant/ Agent	Mr Roger Copestake 28A Clayton Road, Jesmond, Newcastle Upon Tyne, NE2 4RQ		
Ward	Bamburgh	Parish	Beadnell
Valid Date	2 February 2021	Expiry Date	30 June 2021
Case Officer Details	Name: Miss Stephanie Forster Job Title: Planning Officer Tel No: 07966331898 Email: stephanie.forster@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to planning conditions and the applicant entering into a S106 Legal Agreement to secure the following obligations:

- A financial contribution towards the Council's Coastal Mitigation Service (£615) and
- Principle residency restrictions



1. Introduction

1.1 Following an objection from the Parish Council, the application has been referred to the Director of Planning and Chairs of Planning Committee and it has been decided the application should be considered for determination at North Northumberland Local Area Council in accordance with the Councils Scheme of Delegation.

2. Description of the Proposals

2.1 The application seeks planning permission for the erection of one self build residential dwelling with a separate workspace and garage building to be used as a principle residency dwelling at Land North East of Bradshaw Gate Cottages, Swinhoe, Northumberland.

2.2 The proposed dwelling would be 3.9m in height to the eaves and 6.5m in height to the ridge. It would be 1.5 storey and would align with the run of large double garages on the northern edge of the settlement. The dwelling would be constructed using stone and slate with chimneys and architectural features to match existing style in the locality.

2.3 The proposed garage and workspace building would be 3.9m in height to the eaves and 6.5m in height to the ridge. It would be 1.5 storey and would align with the run of large double garages on the northern edge of the settlement. It would be designed to match the residential dwelling and the buildings in the local vicinity.

2.4 The application site is located within the settlement of Swinhoe. It is located adjacent to the AONB which is located to the east of the settlement of Swinhoe. The site is also within the Coastal Mitigation Zone.

3. Planning History

Reference Number: 12/00879/FUL

Description: Two residential units with associated car parking

Status: Withdrawn

Reference Number: 12/02889/FUL

Description: 2no. proposed residential units with associated car parking.

Status: Withdrawn

Reference Number: N/98/B/0549/P

Description: Erection of 2 bungalows.

Status: Refused

Reference Number: N/90/B/0645/A

Description: Refurbishment of 6 cottages and erection of 4 dwellings road layout altered and existing block reduced from six to three units received 14.05.92.

Status: Permitted

Reference Number: N/90/B/0645/C

Description: Refurbishment of 6 cottages and erection of 4 dwellings door altered to form window on front elevation of existing cottages revised detail received 22.07.92.

Status: Permitted

Reference Number: N/92/B/0513/P

Description: Revised design relating to 4 new dwellings road layout revised 19.10.92.

Status: Permitted

Reference Number: N/90/B/0645/P

Description: Refurbishment of 6 cottages and erection of 4 dwellings further details received 28.09.90 and 08.10.90. drg. no 1c revision d & drawing no3 received 30.10.90.

Status: Permitted

4. Planning Policy

4.1 Development Plan Policy

North Northumberland Coast Neighbourhood Plan 2017 - 2032 (Made Version (July 2018))

Policy 1 Sustainable Development

Policy 5 Design in New Development

Policy 8 Development within Settlements

Policy 14 Principal Residence Housing

Policy 15 Principle Residence Housing in the Hamlets

Berwick upon Tweed Local Plan (1999)

F1 Environmental Wealth
F2 Coastal Zone
F31 Social and Economic Welfare
F10 Protected Species
M14 Car Parking Standards

4.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2019, as updated)

4.3 Emerging Planning Policies

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy (Strategic Policy)
QOP 1 Design Principles (Strategic Policy)
QOP 2 Good Design and Amenity
TRA 1 Promoting Sustainable Connections (Strategic Policy)
TRA 2 Effects of Development on the Transport Network
TRA 4 Parking Provision in New Development
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and Geodiversity
ENV 4 Tranquillity, dark skies and a sense of rurality

4.4 Other Documents/Strategies

National Design Guide (2019)
Northumberland Landscape Character Assessment 2011

5. Consultee Responses

North Sunderland And Seahouses PC	No response received.
Beadnell Parish Council	Objection received on grounds of over development, over bearing, drainage issues and loss of amenity space in the area.
Natural England	No response received.
County Ecologist	No objection subject to conditions and contribution to CMS.
Countryside/ Rights Of Way	No objection.

Lead Local Flood Authority (LLFA)	No comment.
Highways	No objection subject to conditions.
Northumberland Coast AONB	No objection.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	22
Number of Support	0
Number of General Comments	0

Notices

Site notice - Public Right of Way, 12th February 2021

Berwick Advertiser 11th February 2021

Summary of Responses:

22 no objection comments were received in relation to this application. The objections comments were made on the grounds of:-

- over development
- lack of amenity space
- impact on drainage system and
- impact on the highway.

This is a summary of the objection comments and full details of all comments relating to the application can be viewed via the public access.

<https://publicaccess.northumberland.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Berwick Upon Tweed Local Plan (1999) and the North Northumberland Coast Neighbourhood Plan (2017) as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan;

the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

The main issues for consideration include:

- Principle of Development
- Impact on the character of the area
- Impact on Residential Amenity
- AONB
- Highway Safety
- Water Management
- Ecology
- Planning Obligations

Principle of Development

7.4 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.5 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F2 of the same document states that within the Coastal Zone "development will be permitted provided that;

- i) it is located in the villages of Seahouses, North Sunderland or Beadnell, or in exceptional cases relating to their particular features and/or needs, the villages of Bamburgh or Holy Island, or other small settlements...;
- ii) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including species appropriate to the north Northumberland coastal environment, means of enclosure and access;
- iii) it would not adversely affect the integrity of the internationally important nature conservation interests of the coast;
- iv) it is not located in an area at risk from flooding, erosion by the sea or landslips...; and,
- v) it accords with Policies elsewhere in the Plan.

7.6 Policy 1 of the NNCNP states that development within the plan area will be supported which provides for new principal residence dwellings, employment opportunities, new and expanded business premises or new and expanded social, community, leisure and educational facilities which contribute to the maintenance or growth of local sustainable communities.

7.7 Policy 8 of the NNCNP seeks to support development within the defined settlement boundaries where they can demonstrate how they will;

- a) where relevant, incorporate access for pedestrians from the proposed development into the centre of the settlement and, where relevant, the beaches;
- b) preserve key coastal views into and out of the settlements;
- c) ensure sufficient car parking space is provided within the curtilage of the proposed development to ensure no additional on-street parking on nearby streets;
- d) ensure that where infill development or conversions and extensions are proposed, they do not result in substantial loss of amenity space or loss of parking space which could result in an adverse impact on residential amenity from on-street parking on nearby streets;
- e) where relevant, provide linkages between wildlife corridors for the benefit of biodiversity as shown on the Policies Map;
- f) incorporate native landscaping to reduce the impact of the development, and improve biodiversity;
- g) contribute as necessary to any strategic mitigation initiatives devised to protect the Northumbria Coast SPA/Ramsar site, or other nationally and internationally important wildlife sites.

7.8 Policy 15 of the NNCNP supports single dwelling in smaller settlements and states that, 'New single dwellings including self-build and live-work units will be supported in the hamlets of Budle, Burton, Elford, Dukesfield, Tughall, Greenhill, Anstead, Glororum, East/West Fleetham, and Swinhoe. Any new dwellings in these hamlets must be well related to existing development and be of a nature and scale that reflects and respects the special character of the area in which it is situated. Any new dwelling in these hamlets will only be supported as a Principal Residence.'

7.9 Policy STP1 of the emerging NLP states that "sustainable development will be supported within the constraints of the Green Belt and settlement boundaries defined on the Local Plan policies map or in neighbourhood plans. As the application site falls within an identified hamlet as set out in the NNCNP, it is considered that the proposed development is acceptable in this context

7.10 The proposed dwelling while not located within the settlement boundaries, is located in the defined hamlet of Swinhoe, it would provide a form of infill development and would have access to a range of services and to transport links. The proposals would be supported by the Neighbourhood Plan under policies 1 and 15.

7.11 The proposed garage and workspace block would sit alongside the principle residence dwelling and would also be in accordance with local and national planning policy. The proposed site would be located with suitable access to local facilities and in this sense would be an appropriate area in which to site new development. In this context it is therefore considered that the principle of development is acceptable in accordance with local and national planning policy.

Impact on the character of the area

7.12 Policy 5 of the NNCNP states that all development should comprise high quality design which respects local context and character. Policy F2 of the BLP sets out the criteria against which new housing development shall be assessed, including the impact on adjacent land uses in terms of scale, massing, materials, etc.

7.13 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.14 The proposed 1no dwelling would be 3.9m in height to the eaves and 6.5m in height to the ridge. It would be 1.5 storey and would align with the run of large double garages on the northern edge of the settlement. The dwelling would be constructed using stone and slate with chimneys and architectural features to match existing style in the locality.

7.15 The 1no garage and workspace would also be 3.9m in height to the eaves and 6.5m in height to the ridge. It would also be 1.5 storey and would fit it well with the surrounding buildings and will be built using materials which would compliment the existing properties in the local vernacular.

7.16 In terms of the layout of the properties it is considered that they would be quite large but would not be unreasonably sized in comparison to other properties in the local area. The height of the buildings would mitigate the footprint somewhat. It is considered that the proposals would accord with the relevant local and national planning policies in this regard.

7.17 Policy QOP 1 of the NLP seeks to support development which respects its surroundings. Policy ENV 1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.

7.18 It is considered that the proposals are respectful of the existing properties in the locality and thought has been given to this on development of the plans. The use of local materials and adjusting the height of the dwelling to fit in with those already in existence is noted. It is considered that the proposals are acceptable and in accordance with the Northumberland Local Plan, the NNCNP, the BLP and the NPPF.

Impact on Residential Amenity

7.19 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.20 Policy QOP2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.21 Due to the site location, there would not be any substantive impacts on residential amenity resulting from the proposal in terms of loss of light, outlook or privacy. The proposals submitted, show that the height of the buildings would be smaller than many of the existing dwellings in the local vernacular and any potential over looking habitable rooms would be mitigated by the use of obscured glazing. As such the proposal is considered to be in accordance with the NPPF in this respect.

Impact on AONB

7.22 The application site lies just outside the Northumberland Coast AONB, however, the proposals may have an impact on the AONB and as such consideration must be given to the impact of the proposals on that designated area.

7.23 Policy F2 of the BLP states that development will be permitted where it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping..., including means of enclosure and access. Policy 5 of the NNCNP states that all new development in the Neighbourhood Area, should incorporate high quality design which, for areas within the Northumberland Coast AONB, will include incorporating the principles contained in the most recent version of the Northumberland Coast AONB Design Guide.

7.24 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

7.25 Policy ENV 5 of the NLP states that the special qualities of the AONB will be conserved and enhanced having regard to the current AONB Management Plan and locally specific design guidance.

7.26 The site is outside of but adjacent to the AONB. The AONB Partnership have been consulted in relation to the application and have returned comment stating that, ' The design of the new house and garage/workspace is considered in line with the AONB's Design Guide for the Built Environment. It is therefore welcomed that, in line with our Management Plan Policy 7.2, the dwelling is intended for permanent occupation.'

7.27 It is considered that the proposals would be welcomed by the AONB Officer and would not have an unacceptable impact on the landscape or the surrounding area. On the basis of the above, it is considered that the proposals would be acceptable and in accordance with Policy F2 of the BLP, policy ENV5 of the NLP, and Paragraph 172 of the NPPF.

Highway Safety

7.28 Policy M14 of the BLP sets out parking standards for new development within the former borough.

7.29 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.30 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network

7.31 The Countryside/ Right of Way Officer has been consulted with regard to the application and they have raised no objection to the proposals provided that the public right of way is not disturbed.

7.32 The NCC Highway's Officer has been consulted in relation to the application and originally returned comment stating that they required further information. On submission of the further information the NCC Highways Officer stated that they had no objection to the proposals subject to the imposition of conditions relating to boundary treatments, materials, car parking, cycle parking, the implementation of highways works and refuse. It is considered that the proposals are in accordance with local and national planning policy and are acceptable in this regard

Water Management

7.33 The LLFA and Northumbrian Water have been consulted with regard to the proposals. Northumbrian Water declined to comment and the LLFA returned comment stating that the proposals were considered to be a minor development and they did not wish to comment on the proposals.

7.34 It is considered that the proposal for 1 no residential dwelling and separate garage and workspace would not have a substantial impact on the water management of the site and the proposals would be acceptable in this regard in accordance with local and national planning policy.

Ecology

7.35 Policy F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species protection provisions which apply.

7.36 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.37 Policy ENV2 of the Northumberland Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.38 Natural England were consulted with regard to this application as it is located within the coastal zone. However, no response have been received.

7.39 The County Ecologist has also been consulted in relation to the application and has returned comment stating that they have no objections to the application, subject to conditions being imposed on any planning permission granted relating to bird boxes and the applicants agreement to enter into the councils coastal mitigation scheme. On this basis the proposal is considered to be acceptable and in accordance with Policy F10 of the BLP, policy ENV2 of the NLP and the NPPF.

7.40 The applicant has agreed to enter into a unilateral undertaking for coastal mitigation and on this basis the proposal is considered to be acceptable and in accordance with Policy F10 of the BLP and the NPPF.

Planning Obligations

Coastal Mitigation

7.41 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.

7.42 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service (paid on occupation of the first unit) which will be used to fund coastal wardens who will provide the necessary mitigation.

7.43 The contribution per unit in this location would be £615. This contribution can be secured by Unilateral Undertaking by virtue of S106 of the Town & County Planning Act 1990.

7.44 In this instance, the applicant has agreed to contribute to the Coastal Mitigation Scheme and as such the proposal is acceptable in this respect.

Primary Occupancy

7.45 Policy 14 of the NNCNP states that proposals for all new housing, excluding replacement dwellings, will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a Principal Residence. This is to be secured by appropriate planning obligations created and enforceable under section 106 of the Town & Country Planning Act 1990.

7.46 In accordance with the above policy, the proposals are now subject to a S106 agreement in respect of Principal Occupancy. The applicant has agreed to this obligation and it will be secured through a s106 agreement.

7.47 Policy INF 6 of the Northumberland Local Plan seeks to secure planning obligations where they will ensure that otherwise unacceptable development can be made acceptable. The proposed development is acceptable subject to the securing of an S106 agreement in respect of principal occupancy and coastal mitigation and is therefore in accordance with Policy INF 6.

Equality Duty

7.48 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

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

Human Rights Act Implications

7.50 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.

7.51 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.

7.52 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 application has addressed the main considerations and would accord with relevant planning policy. The principle of development is acceptable and the proposal is therefore recommended for approval.

8.2 It is considered that the proposal represents an appropriate form of sustainable development that would not have a significant adverse impact on the street scene, the local area or the amenity of nearby residents.

8.3 The proposal is in accordance with national and local planning policies and there would not be any significant or unacceptable harmful impacts arising from the development of the site for residential use. It is accordingly considered that it would be unreasonable to withhold planning permission.

8.4 All representations are noted, including those from the Parish Council. All representations have been taken into account in the preparation of the report.

9. Recommendation

That this application be GRANTED permission subject to planning conditions and the applicant entering into a s106 agreement to secure the following obligations:

- A financial contribution towards the Council's Coastal Mitigation Service (£615) and
- Principle residency restrictions

Conditions

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

1. Location Plan
2. Site Plans, Elevations and Floor Plans

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

03. The development shall not be occupied until details of the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

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

04. Prior to commencement of development details of the materials to be used in the construction of the external surfaces of the driveway and parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework.

05. The development shall not be occupied until the car parking area indicated on the approved plans has been implemented in accordance with the approved plans. 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 the National Planning Policy Framework.

06. Notwithstanding the submitted details, the dwelling shall not be occupied until the extended turning head and alterations to the private estate road secured under Condition 4 of Planning Permission 21/00026/FUL has constructed in accordance with the approved plans. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

07. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

08. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

09. The development shall not be occupied until details of refuse management strategy has been submitted to and approved in writing by the Local Planning Authority. The details shall include the arrangements for the provision of the bins and collection of household waste. 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 the National Planning Policy Framework.

10. Prior to the commencement of development a scheme for the provision of bird boxes integrated into the fabric of the building shall be submitted for the written approval of the LPA. The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. The approved scheme shall be implemented in full prior to the dwelling being occupied.

Reason: to protect and enhance the biodiversity of the site.

Informatives

1. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
3. 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: www.gov.uk/government/organisations/the-coal-authority

4. Any areas of hardstanding areas (car parks, 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

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

5. 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.

Date of Report: 09.07.2021

Background Papers: Planning application file(s) 21/00368/FUL

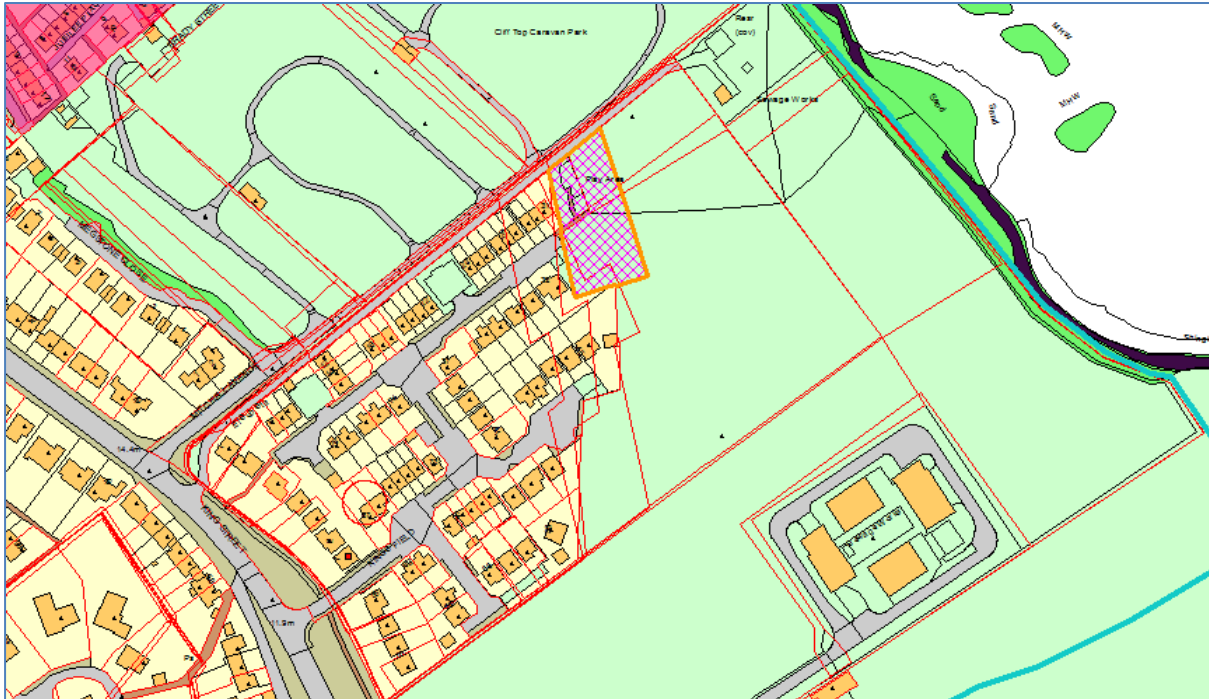
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**NORTH NORTHUMBERLAND LOCAL AREA COUNCIL
PLANNING COMMITTEE
22nd July 2021**

Application No:	20/01155/S106A		
Proposal:	Variation of S106 agreement pursuant to planning application N/99/B/0848 dated 19.02.2002		
Site Address	Land at Mitchell Avenue, Seahouses		
Applicant	Northumbria Leisure Ltd And Granger Homes Ltd		
Agent	Simon Kirkup Womble Bond Dickinson (UK) LLP St Ann's Wharf 112 Quaysidew Newcastle Upon Tyne NE1 3DX		
Ward	Bamburgh	Parish	North Sunderland
Valid Date	14.04.2020	Expiry Date	04.07.2020
Case Officer Details	Name: Mr Anthony Lowe Job Title: Senior Planning Officer Tel No: 01670 622 704 Email: tony.lowe@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 Following a 'call in' request by a local Councillor and the concerns raised by the Parish Council the application was referred to the Director of Planning and Chairs of the North Northumberland Local Area Council (NNLAC) where it was decided that the application should be referred to the Planning Committee for determination.

1.2 The application was presented to the NNLAC on 24th June 2021 where it was resolved that the provisions and requirements of the Section 106 Planning Obligation relating to application N/99/B/0848 be varied. However, during the meeting the Ward Member raised a concern regarding notification letters to members of the public. On investigation, following the meeting, it was discovered that, due to an IT error, notification letters were not posted to all contributors; to address this error the application is again presented to committee for consideration.

2. Description of the site and proposals

2.1 The application site is located toward the east side of Seahouses, a village spatially associated with North Sunderland within the North Northumberland Coast. The application site specifically relates to an area of open space immediately adjacent the housing development at Kingsfield / Mitchell Avenue.

2.2 The original grant of planning permission granted permission for 77no. Houses on the site subject to a S106 Legal Agreement securing a legal obligation which required the provision of the following:-

- an area of open space (2041sqm)
- an equipped play area (not less than 400sqm)
- pedestrian access to above.

2.3 All of the above are in situ on site. A maintenance contribution for the above has also been paid to the Council to the sum of £7900.

2.4 The application seeks permission to modify the requirements of the S106 Legal Agreement forming part of a grant of planning permission under the provisions of Section 106A of the Town and Country Planning Act 1990 (as amended) attached to planning application N/99/B/0848 (as varied by N/02/B/0356) to allow for changes to the area of open space.

2.5 It is proposed that the area of open space will be the same in terms of its size (2041sqm), purpose / use and located at the edge of the housing as currently agreed however, it is proposed that it will be re - orientated on its plot from a broad horizontal east west axis (along Mitchell Avenue) to a vertical north south alignment adjoining the houses.

2.6 The reason given for the for the modification is:

“The Original Agreement and Variation require the Owner to provide a dedicated means of access to the area of land to be provided as public open space under the terms of the Section 106 Agreement, as a hard surfaced pathway through or across the Development from the nearest public highway.

There is some ambiguity as to the ownership of the path that has been constructed and whether this falls outside of the development boundary. To provide clarity and ensure this obligation can be discharged, Northumbrian Leisure Limited, as adjacent landowner, has proposed an alteration to the location, but not the amount of land to be provided as public open space, so that this can be accessed directly from the Development, and there is no longer a need for a dedicated access route. The alternative area (2,041m²) being offered is shown on the plan attached to this application.

The modification would secure the provision of the land shown hatched red as a fenced play area in a condition suitable for use by the residents in lieu of the land edged in green in the original section 106 agreement and a £5,000 contribution for the maintenance of the open space.”

2.7 No changes are proposed in terms of the equipped play and access arrangements.

3. Constraints

3.1 The site is subject to the following policy constraints:

- Without allocation within the Berwick-Upon-Tweed Local Plan (white land)
- Outside the Seahouses & North Sunderland Settlement Boundary in the North Northumberland Coast Neighbourhood Plan (NNCNP).
- Within Designated Coastal Strip within the NNCNP.

3.2 The site is subject to the following environmental constraints:

- Within the Northumberland Coast Area of Outstanding Natural Beauty (AONB) and Heritage Coast
- Impact Risk Zone SSSI
- Ecologically designated sites of North Northumberland Dunes Special Area of Conservation.
- Low Risk Coal Area

4. Planning History

Reference Number: N/99/B/0848

Description: Outline - residential development with associated highways, landscaping and infrastructure works.

Status: Permitted subject to S106 Legal Agreement dated 19th February 2002

Reference Number: N/02/B/0356

Description: Reserved Matters - erection of 77 detached, semi-detached and terraced dwellings and associated garages, parking areas, roads, footpaths and landscape planting.

Status: Permitted subject to S106 Deed of Variation dated 20th June 2002

Reference Number: 13/00124/OUTES

Description: Outline: Mixed use development with market housing, affordable housing, new health village and self catering holiday accommodation (access, layout and scale to be considered).

Status: Withdrawn

Reference Number: 17/00931/FULES

Description: 32 Principal Occupancy Dwellings (100% Affordable) - Amended 16/08/18

Status: Refused

5. Planning Policy

5.1 Development Plan Policy

North Northumberland Coastal Parishes Neighbourhood Plan 2017 – 2032 (NNCPNP):

Policy 2: Landscapes and Seascapes

Policy 4: Coastal Management and the Coastal Strip

The Borough of Berwick-upon-Tweed Local Plan 1999:

Policy F6 Special Protection Areas, Special Areas of Conservation and Ramsar Sites

Policy F7 National Nature Reserves and Sites of Special Scientific Interest

5.2 National Planning Policy

The National Planning Policy Framework

Planning Policy Guidance

5.3 Other Documents/Strategies

Northumberland Local Plan - Publication Draft Plan (Reg 19) and Proposed Minor Modifications, submitted for examination 29th May 2020

ENV 2 Biodiversity and geodiversity

6. Consultee Responses

North Sunderland Parish Council	<p>North Sunderland Parish Council are very concerned about this proposal and feel that the 106 agreement should remain as it is.</p> <p>Berwick Council agreed this and received money for the original proposal and agreed to take over the play Park so surely the land is now owned by the Council.</p> <p>We would request this proposal goes to full committee due to this issue and the fact that so many proposals have been made for the land and the surrounding land all of which have been refused.</p>
Strategic Estates	<p>No objections.</p> <p>We have checked the areas and as best as we can tell from the drawing provided the exchange land is equivalent to the original site in area.</p> <p>Based on this and to resolve the long outstanding issues the County Council as proposed Landowner is prepared to accept the alternative site.</p>
Area of Outstanding Natural Beauty Partnership	No comment
County Ecologist	No comment

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	N/A
Number of Objections	20
Number of Support	0
Number of General Comments	0

Notices

Site Notice posted at the site on 26th May 2020

Summary of Responses:

21no. letters of objection have been received. The reason for objections can be summarised as follows:-

- Need for the change questioned;
- Change may cause nuisance to residents because it will bring the play space closer;
- Size of the play area, is it the same;
- Maintenance queries;
- Why is the open space being changed after all of this time;
- Residents have not been able to use the open space because it has not been maintained properly;

7. Appraisal

7.1 Section 106A of the Town and Country Planning Act 1990 (as amended) allows the modification or discharge of any planning obligation, including by the developer making an application to the Local Planning Authority. Where an application is made, the authority may determine:

(a)that the planning obligation shall continue to have effect without modification;
(b)if the obligation no longer serves a useful purpose, that it shall be discharged; or
(c)if the obligation continues to serve a useful purpose but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.

7.2 The applicant seeks to modify the existing agreement and replace it with a new one. The existing Section 106 agreement provided for an equipped play area and an area of open space along with access.

7.3 The proposed change will provide an equipped play (already on site), and an area of open space that will be the same in terms of its size (2041sqm), purpose / use and located at the edge of the housing, however, it is proposed that it will be re - orientated on its plot from a broad horizontal east west axis (along Mitchell Avenue) to a vertical north south alignment adjoining the houses. A sum of £5,000 will also be provided, to help meet future maintenance costs.

7.4 Legal precedent has established that four questions need to be considered when considering an application to modify a planning obligation:

- What is the current obligation?
- What purpose does it fulfil?
- Is it a useful purpose?
- If so, would the obligation serve that purpose equally well if it was subject to the proposed modifications?

In addition, legal precedent has also provided that a “useful purpose” can be given its ordinary meaning and that it doesn’t necessarily mean a useful ‘planning’ purpose.

7.5 The current obligation provides for an area of open space of 2041sqm and requires the provision, layout and equipping of an area for children, of not less than 400sqm, along with a hard surfaced, dedicated access. This provision is of clear public benefit (‘useful purpose’), for local residents providing play areas for children and others alike. The proposed modification will continue to provide these spaces, but with the open

space reorientated north-south, this will provide for the same public benefit equally well and provide a 'useful purpose' in providing outdoor play areas for local residents.

7.9 The equipped play area and footpath access will remain in their current location and the proposed open space area will be adjacent to the rear of residential properties, in particular 32 and 46 Kingsfield, with potential amenity impacts from disturbance/ noise etc. This is balanced by the area being both physically and visually closer to existing development but better separated from the now defined Coastal Strip, set out within the NNCPNP and the potential for improved passive surveillance of the public areas, from nearby residents/ properties.

7.10 Since the initial grant of consent and the signing of the legal obligation the NNCPNP has been adopted. Policy 4 defines (Proposals Map) and sets out management principles for the 'Coastal Strip'; the subject site is set within this area and both the AONB and the County Ecologist have been consulted on the proposal - neither has provided comment. With regard to the existing requirements, the proposed modification will not have any greater adverse impact on the area. The £5,000 fee within the proposed, modified obligation will help ensure the maintenance of the areas into the future.

7.11 In the context of the above, the proposed modification is supported, and the application is acceptable in planning terms.

7.12 A number of neighbour objections have been received and the PC have objected to the modifications. The main reasons for objection are considered to be addressed within the report. The proposed change will meet the tests set out above, continuing to provide a public benefit.

Equality Duty

7.13 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

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

Human Rights Act Implications

7.15 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.

7.16 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.

7.17 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 proposed change will not have an increased impact on the Coastal Strip.

8.2 The impact of re-siting the open space area closer to residential properties is balanced against better separation between residential impact and the Coastal Strip/shoreline and potential improved passive surveillance of the area.

8.3 The proposal will not have any greater adverse impact on the AONB or, local and protected ecology.

8.4 The obligation continues to serve a useful purpose but would serve that purpose equally well if subject to the proposed modification to the obligation. The proposal is acceptable and is supported.

9. Recommendation

That the provisions and requirements of the Section 106 Planning Obligation relating to application N/99/B/0848 (as varied by N/02/B/0356) in respect of re-siting of open space be varied in the manner set out above.

Background Papers: Planning application file(s) 20/01155/S106A



Northumberland County Council

Appeal Update Report

Date: July 2021

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
20/02807/FUL	<p>Proposed two-storey extension and balcony to front of dwelling – Old Brewery, Allendale</p> <p>Main issues: the proposal is not in keeping with the character of the existing building, the setting of the North Pennines AONB, and is detrimental to visual amenity in this location and the rural character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/03241/CLEXIS	<p>Certificate of Lawful Development of an Existing Use for vehicular access to Pine Lodge off B6345 (resubmission of 20/00570/CLEXIS) - Pine Lodge, Old Swarland, Swarland</p> <p>Main issues: supporting information is inadequate and ambiguous to conclude that the development is lawful.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
20/02355/LBC	<p>Listed Building Consent for replacement of ground floor window with timber glazed 6 over 6 door in west elevation – 1 Prudhoe Street, Alnwick</p> <p>Main issues: proposal would cause harm to the significance of the listed building that is not outweighed by public benefits.</p> <p>Delegated Decision - Officer Recommendation:</p>	No

	Refuse	
20/01790/COU	<p>Change of use of land from open space to residential curtilage with the installation of a 1.8m high fence & a 1.1m high Fence – land south of 32 Cuthbert Way, Collingwood Manor, Morpeth</p> <p>Main issues: adverse impact on the visual and functional amenity of the estate and surrounding area; and loss of open space/woodland that is a functional ecological habitat.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	No
20/02933/VARYCO	<p>Variation of condition 2 (approved plans) of application 19/04737/FUL - new windows and doors to be UPVC – The Nook, Wandylaw, Chathill</p> <p>Main issues: the proposed materials would not be in keeping with the main dwelling and the immediate area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
19/04938/FUL	Resubmission of approved planning application 17/02932/FUL Erection of new building comprising of 12 self-contained 1 bedroom apartments (use class C3) for specialised independent supported living with associated external works and car parking – land between 86-90, Front Street East, Bedlington	<p>29 September 2020</p> <p>Appeal against non-determination</p>

	Main issues: appeal against non-determination due to invalid application (no fee paid).	
18/02239/FUL	<p>Redevelopment of the former Marley Tiles Factory to provide a residential development of 105 houses (Use Class C3) with associated access, parking, landscaping and infrastructure (AMENDED description and site layout) - Marley Tile Factory, Lead Lane, Newlands</p> <p>Main issues: isolated development in the open countryside; inappropriate development in the Green Belt by virtue of causing substantial harm to the openness of the Green Belt and very special circumstances have not been demonstrated to outweigh harm; and the design of the development would be out of keeping with the character and appearance of the locality and does not deliver an appropriate form of sustainable design or development for the site.</p>	<p>27 January 2021</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/02872/FUL	<p>Retrospective application for detached granny annex (amended description 17/11/20) - Moresby, Main Road, Stocksfield</p> <p>Main issues: the use of render results in harm to the character and appearance of the property, the surrounding area and the setting of a listed building.</p>	<p>25 March 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02920/FUL	<p>Extensions to roof including hip to gable extension and full width flat roofed dormer – 5 Dilston Avenue, Hexham</p> <p>Main issues: proposals would not be in keeping with the character of the building or the surrounding area and would be detrimental to the visual amenity of the area.</p>	<p>9 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01649/FUL	<p>Constuction of 1no. 4 bed dwelling to be used as primary residence. Unit to be 1.5 storey in height – land north west of The Granary, Tughall Steads, Chathill</p> <p>Main issues: layout results in a harmful impact on the character and rural setting of Tughall, and new track and access would create an urbanising effect to the rural setting.</p>	<p>21 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01045/FUL	Barn conversion for holiday accommodation	22 April 2021

	<p>including three new build elements, a long lean-to to the long barn to the North of the site for corridor access, a middle single storey link between the north and south of the site, and the replacement of the hay barn for a sports hall facility (amended description) - land west of Townhead Farm, Tow House</p> <p>Main issues: design and impact on the non-designated heritage asset; insufficient information relating to drainage; and insufficient information relating to ground gas protection and water supply.</p>	Appeal against non-determination
20/01794/VARYCO	<p>Retrospective: Variation of condition 2 (Approved Plans) pursuant to planning permission 17/00229/FUL to allow amendments made during construction – land north and east of Horsley Banks Farm, Horsley</p> <p>Main issues: inappropriate development in the Green Belt and very special circumstances do not exist to outweigh harm to the Green Belt as well as harm to the character of the area and amenity of residents.</p>	<p>23 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03046/FUL	<p>Flat roof dormer to rear of property – 41 George Street, Amble</p> <p>Main issues: the proposal would significantly detract from the character and appearance of the dwelling and the conservation area.</p>	<p>28 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/03435/VARYCO	<p>Variation of condition 27 (noise) pursuant to planning permission 16/04622/FUL for amendments to boundary treatment plan – land at former Bates Colliery site, Cowpen, Blyth</p> <p>Main issues: applicant has been unable to provide a long-term management and maintenance plan for the required acoustic fencing to specific plots and protection from noise to occupiers cannot be secured.</p>	<p>28 April 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02548/FUL	<p>Construction of dwelling – land and building east of Ovington House, Ovington</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; harm to the setting of a non-designated heritage asset and the Ovington Conservation Area; and a Section 106 agreement has not been completed in</p>	<p>19 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	respect of a contribution to sport and play.	
20/03861/VARYCO	<p>Variation of condition 2 (approved plans) pursuant to planning permission 20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02479/FUL	<p>Retrospective: Change of use from agricultural and construction of wooden shed - land north-west of 2 Linnels Cottages, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; visually intrusive and harmful impact upon the rural and open character of the site and surrounding area; and harmful impacts upon the amenity of neighbouring residents.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04883/FUL	<p>Proposed demolition of existing garage to be replaced with two-storey dwellinghouse - 2 Sandridge, Newbiggin-by-the-Sea</p> <p>Main issues: harm to non-designated and designated heritage assets and the identified harm would not be outweighed by public benefits.</p>	<p>27 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/00574/ADE	<p>Retrospective: Advertisement consent for installation of 3no. signs that have been in place for over 2 years - ADS Caravan Storage, Remscheid Way, Jubilee Industrial Estate, Ashington</p> <p>Main issues: Sign 1 has an unacceptable impact on the visual amenity of the site and surrounding area due to its siting and scale.</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Split Decision</p>
20/04234/FUL	<p>Proposed two storey side extension and demolition of existing garage – 23 Ladbroke Street, Amble</p> <p>Main issues: adverse impact on the street scene and the character and appearance of the conservation area due to scale, height</p>	<p>1 June 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	and mass forward of the building line.	
20/04134/FUL	New sunroom – Outwood, Riding Mill Main issues: alongside existing extensions the proposal would result in a disproportionate addition over and above the scale of the original building and would be inappropriate development in the Green Belt.	1 June 2021 Delegated Decision - Officer Recommendation: Refuse
20/00923/FUL	Erection of four no. dwellinghouses (C3 use) - land south of The Paddock, Longframlington Main issues: proposal fails to protect and enhance the distinctive character of Longframlington; incursion into the open countryside; and insufficient information regarding surface water drainage and flood risk.	4 June 2021 Delegated Decision - Officer Recommendation: Refuse

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
18/01344/ENDEVT	Bridgend Caravan Park, Wooler Main issues: one Enforcement Notice appealed by three parties in respect of operational development to provide extra bases for residential static caravans with associated services	No
18/00489/ENDEVT	Land at Moor Farm Estate, Station Road, Stanington Main issues: unauthorised waste reclamation yard and siting of multiple shipping containers	Yes

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		No

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land from agricultural for the siting of 4 caravans	1 February 2021
18/00223/ENDEVT	Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height	1 February 2021

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
19/00247/FUL	Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth - land at Cold Law, Kirkwhelpington Main issues: development in the open countryside which fails to recognise the intrinsic character and nature of the countryside.	Inquiry date: 9 March 2021 Committee Decision - Officer Recommendation: Approve
20/02247/FUL	Erection of a rural worker's dwelling – land south of Middle Coldcoats Equestrian Centre, Milbourne Main issues: fails to demonstrate the need for a rural worker's dwelling in the open countryside; inappropriate development in the Green Belt and there are no very special circumstances to outweigh harm; and fails to	Virtual hearing date: 28 July 2021 Delegated Decision - Officer Recommendation: Refuse

	address pollution concerns with potential to affect protected species and failure to demonstrate ecological enhancement.	
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Implications

Policy	Decisions on appeals may affect future interpretation of policy and influence policy reviews
Finance and value for money	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
Legal	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	Each application/appeal may have an impact on the local environment and have been assessed accordingly
Wards	All where relevant to application site relating to the appeal

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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Northumberland

County Council

S106

Agreements Update Report

May 2021

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

Recommendations

To note the contents of the report in respect of agreement monitoring and collection of s106 contributions.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of May and payment received in May 020. Information is also given around the contributions received for the Coastal Mitigation Service – now known as Space for Shorebirds.



New Agreements

May	New Agreements completed
20/01515/FUL	Land South West of South East Farmhouse, Mill Way, Horsley
20/01422/FUL	Land East of St James Church, South Charlton
20/02986/FUL	Former Ice Cream Kiosk Bank Hill Berwick upon Tweed
17/01675/OUT	Land North West of Hauxley Moor House, A1068 Radcliffe to Amble
20/02961/OUT	Land NE of Mill Sqaure, High Street, Belford
20/03178/ful	Land South of Island View Amble
20/03622/ful	Land South of Mereburn House, Low Wood, Swarland
19/01851/ful	The Old Saw Mill, Middleton Belford
20/04079/FUL	Land East of Oakwood Bank Cottage, Oakwood Bank, Hexham

Contributions Received May

Development	Type of Contribution	Amounts Received
Bellway	Planning Co-Ordinator	£5000
Lynemouth Turbines	Community Regeneration	£33,812
Acklington	Education	£7,200
Oaklands Warkworth	Coastal Mitigation	£615
Acklington	Coastal Mitigation	£13,200
Widdrington Gleeson	Coastal Mitigation	£23,400
Seahouses	Coastal Mitigation	£615
Belford	Coastal Mitigation	£600

Awards Paid Out	Project	Amount Paid
May		
None this month		

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Coastal Mitigation Service

You may have noticed several payments being received for Coastal Mitigation Service. This extract from the Infrastructure Funding Statement explains a little bit about it and how the funds are spent.

Space for Shorebirds – the Northumberland Coastal Mitigation Service

Nearly all of the Northumberland coast is protected because of the nationally and internationally important bird populations that live there, including a wide range of migratory and wintering waders and breeding tern species. This means that the LPA must consider the impact of increased visitor pressure when determining planning applications for housing and tourism developments within the coastal zone of influence. It is very hard for developers themselves to provide adequate mitigation for visitor pressures such as dog walking, because the only effective measures involve visitor management within the protected areas themselves.

In 2016-17 this was identified as an issue that had the potential to disrupt the delivery of housing in the county, and therefore a strategic mitigation scheme was established by the Council, the Northumberland Coastal Mitigation Service, now operating under the name of Space for Shorebirds.

Developer contributions are used to fund two Wildlife Ranger posts and a project budget.

The Rangers operate all along the Northumberland coast but focussed on key hotspots for recreational disturbance, reducing visitor impacts through a programme of advocacy, education and where necessary enforcement. They also undertake a programme of monitoring work to increase understanding of the status of the important bird populations and of the impact of disturbance on them, and will be controlling pirri-pirri bur, a non-native invasive plant species that is adversely affecting the internationally important plant communities found on the North Northumberland Dunes.

As at end of May 2021 over £3 million has been agreed in S106 agreements and Unilateral Undertakings for the Coastal Mitigation Service. Of which £ 375,000 already paid and received by the Council.

Implications

Policy	Section 106 obligations are in line with policy unless other stated in individual applications.
Finance and value for money	As stated on individual applications
Legal	Legal Services will be instructed to assist with the preparation and monitoring of the obligations
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Each application will have regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	As set out in individual reports and decisions
Wards	All

Background papers

Planning applications and 106 Agreements

Report author and contact details

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 Senior Planning Manager - Development Management
 01670 625542
 Elizabeth.Sinnamon@northumberland.gov.uk

North Northumberland Local Area Council

Alnwick Playhouse Trust	one
Alnwick Sporting Club	one
Alnwick Town AFC - Board/Management Committee	one
Amble Development Trust	two
Butler Ember Charity	one
Eastern Borders Development Association	two
Glendale Gateway Trust	one
Holy Island of Lindisfarne Community Development Trust	one
Lindisfarne Nature Reserve Joint Advisory Committee	one
North Sunderland Harbour Commission	five
Northumberland National Park Joint Local Access Forum	one
River Tweed Commission	<i>four (reappointed for 2 year term - until 2021)</i>
Seahouses Development Trust	one
Tweed Forum	one

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North Northumberland Local Area Council

Members Local Improvement Schemes

2021 - 2022

Progress Report - 1st July 2021

[illegible]

[illegible]

<div><div><div><div><div>Total Budget May 2021 - April 2022</div><div>£15,000.00</div></div><div><div>Actual Cost + Committed Cost to Date</div><div>£2,399.00</div></div><div><div>Total Estimated Cost</div><div>£2,399.00</div></div><div><div>Balance Remaining to 31/3/22</div><div>£ 12,601.00</div></div></div><div><div>KEY</div><div><div><div></div><div>Approved Scheme Budget</div></div><div><div></div><div>Proposed Scheme</div></div><div><div></div><div>Completed Scheme / Final Cost</div></div></div></div></div></div>						

Total Budget May 2021 - April 2022		£15,000.00		KEY		
Actual Cost + Committed Cost to Date				£0.00		<div><div></div><div></div><div></div></div> Approved Scheme Budget
Total Estimated Cost		£0.00		Proposed Scheme		
Balance Remaining to 31/3/22		£ 15,000.00		Completed Scheme / Final Cost		

[illegible]

KEY




		Approved Scheme Budget
		Proposed Scheme
		Completed Scheme / Final Cost

Total Budget May 2021 - April 2022	£15,000.00		
Actual Cost + Committed Cost to Date		£0.00	
Total Estimated Cost	£0.00		
Balance Remaining to 31/3/22	£ 15,000.00		

[illegible]

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/22	£ 15,000.00	

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]




Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/22	£ 15,000.00	

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]




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Total Budget May 2021 - April 2022 £15,000.00
 Actual Cost + Committed Cost to Date £0.00
 Total Estimated Cost £0.00
 Balance Remaining to 31/3/22 £ 15,000.00

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£5,000.00
Total Estimated Cost	£5,000.00	
Balance Remaining to 31/3/22	£	10,000.00

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost




[illegible]

<div><div><div><div><div>Total Budget May 2021 - April 2022</div><div>£15,000.00</div></div><div><div>Actual Cost + Committed Cost to Date</div><div>£0.00</div></div><div><div>Total Estimated Cost</div><div>£0.00</div></div><div><div>Balance Remaining to 31/3/22</div><div>£15,000.00</div></div></div><div><div>KEY</div><div><div><div></div><div>Approved Scheme Budget</div></div><div><div></div><div>Proposed Scheme</div></div><div><div></div><div>Completed Scheme / Final Cost</div></div></div></div></div></div>						

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Total Budget May 2021 - April 2022 £15,000.00
 Actual Cost + Committed Cost to Date £0.00
 Total Estimated Cost £0.00
 Balance Remaining to 31/3/22 £ 15,000.00

KEY	
	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

[illegible]

[illegible]

Total Budget May 2021 - April 2022 £15,000.00

Actual Cost + Committed Cost to Date £0.00

Total Estimated Cost £0.00

Balance Remaining to 31/3/22 £ 15,000.00

KEY

- Approved Scheme Budget
- Proposed Scheme
- Completed Scheme / Final Cost

[illegible]

[illegible]

Total Budget May 2021 - April 2022	£15,000.00	
Actual Cost + Committed Cost to Date		£0.00
Total Estimated Cost	£0.00	
Balance Remaining to 31/3/22	£	15,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

	Number
A = Proposed Schemes	1

	Number	Original Estimated Cost	Current Estimate / Actual Cost	Totals
Total Budget May 2021 - Apr 2022				£195,000.00
Total Approved schemes	42	£239,648.37	£240,646.20	
Total Uncommitted Balance				-£23,586.49

Highway Scheme	28	£180,188.61	£181,186.44
External Contribution	14	£54,459.76	£54,459.76
	42	£234,648.37	£235,646.20

**Northumberland County Council
North Northumberland Local Area Council
Work Programme 2021/22**

Rebecca Little : 01670 622611 : Rebecca.Little@northumberland.gov.uk

UPDATED: 14 July 2021

14 July 2021

TERMS OF REFERENCE

- (a) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (b) To advise the Cabinet on budget priorities and expenditure within the Area.
- (c) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (d) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (e) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (f) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (g) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (h) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (i) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (j) To make certain appointments to outside bodies as agreed by Council.
- (k) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.
- (l) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.
- (m) To exercise the following functions within their area:-

14 July 2021

- (i) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
- (ii) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
- (iii) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
- (iv) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007).
- (v) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Public question time (bimonthly, not at planning only meetings), petitions, Members' Local Improvement Schemes (bimonthly, not at planning only meetings), Berwick Regeneration Commission (bimonthly, not at planning only meetings)

To be listed:

Youth Service Provision
Enhanced Services with Town and Parish Councils
Off-street Electric Vehicle Charging Points
Cycling and Walking Board
Enforcement
Dualling of the A1 – Update from Highways England

Northumberland County Council
North Northumberland Local Area Council
Work Programme 2019-21

22 July 2021

- Planning
- Local Services Update
- Appointments to Outside Bodies
- Members Local Improvement Schemes
- Berwick Regeneration Project

14 July 2021

19 August 2021	
	<ul style="list-style-type: none"> • Planning Applications
23 September 2021	
	<ul style="list-style-type: none"> • Planning • Local Services Update • Policing Update • Local Transport Plan Update • Berwick Regeneration Project
21 October 2021	
	<ul style="list-style-type: none"> • Planning
18 November 2021	
	<ul style="list-style-type: none"> • Planning • Local Services Update • Members Local Improvement Schemes • Berwick Regeneration Project
23 December 2021	

	<ul style="list-style-type: none"> • Planning
20 January 2022	
	<ul style="list-style-type: none"> • Planning • Budget Presentation • Local Services Update • Berwick Regeneration Project
24 February 2022	
	<ul style="list-style-type: none"> • Planning • Local Transport Plan
24 March 2022	
	<ul style="list-style-type: none"> • Planning • Local Services Update • Members Local Improvement Schemes • Berwick Regeneration Project
21 April 2022	
	<ul style="list-style-type: none"> • Planning

**NORTHUMBERLAND COUNTY COUNCIL
LOCAL AREA COUNCIL - NORTH NORTHUMBERLAND
MONITORING REPORT 2020/21**

Ref	Date	Report	Decision	Outcome

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