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Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: 5 July 2021

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA COUNCIL** to be held in the Meeting Space, Block 2, Floor 2 at County Hall, Morpeth, Northumberland, NE61 2EF on **TUESDAY, 13 JULY 2021 at 4.00 PM.**

Yours faithfully

Daljit Lally
Chief Executive

To Tynedale Local Area Council members as follows:-

T Cessford (Chair), C Homer (Vice-Chair), A Scott (Vice-Chair (Planning)), A Dale, C Horncastle, JI Hutchinson, D Kennedy, N Morphet, N Oliver, J Riddle, A Sharp, G Stewart and H Waddell

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 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 used regularly and members are 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. APOLOGIES FOR ABSENCE

2. PROCEDURE AT PLANNING MEETINGS

(Pages 1
- 2)

3. MINUTES

(Pages 3
- 10)

Minutes of the meeting of the Tynedale Local Area Council, held on 15 June 2021, as circulated, to be confirmed as a true record, and signed by the Chair.

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 Legal Services Manager at monitoringofficer@northumberland.gov.uk. Please refer to the guidance on disclosures at the rear of this agenda letter.

DEVELOPMENT CONTROL

5. DETERMINATION OF PLANNING APPLICATIONS

(Pages
11 - 14)

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>

6. 20/03388/FUL

(Pages
15 - 54)

Change of use from dwellinghouse and cottage (C3 use) to guest accommodation (C1 use); single-storey rear extension to form wedding venue; and car parking (As amended)
Shildon, Corbridge, Northumberland, NE45 5PY

7. 20/03048/FUL

(Pages

Erection of freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD)

Proposed small retail unit A, land north east of Tesco (Bunker Site), Alemouth Road, Hexham, Northumberland

8. 20/04380/OUT

(Pages
89 - 104)

Outline planning permission for one new 3 bedroom 2 storey dwelling Land South East of Bastle House, Tow House, Northumberland

9. PLANNING APPEALS UPDATE

(Pages
105 -
114)

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.

LOCAL AREA COUNCIL BUSINESS

10. 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.

11. PETITIONS

This item is to:

- 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;
- Consider reports on petitions previously received:** no reports are due to be considered at this meeting;
- Receive any updates on petitions for which a report was previously considered:** any updates will be verbally reported at the meeting.

12. 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.

- 13. OUTSIDE BODIES** (Pages 115 - 116)
- 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.
- 14. MEMBERS LOCAL IMPROVEMENT SCHEMES - PROGRESS REPORT** (Pages 117 - 146)
- The Members Local Improvement Schemes for Tynedale Local Area Council are provided for information only.
- 15. LOCAL AREA COUNCIL WORK PROGRAMME** (Pages 147 - 152)
- 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).
- 16. DATE OF NEXT MEETING**
- The next meeting will be held on Tuesday, 10 August 2021 at 4.00 p.m.
- 17. URGENT BUSINESS**
- To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

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.

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Northumberland County Council

Appendix 1

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 Attendance / Apologies 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 is this to be retained
- 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)

Agenda Item 3

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COUNCIL

At a meeting of the **Tynedale Local Area Council** held at County Hall, Morpeth on Tuesday, 15 June 2021 at 4.00 p.m.

PRESENT

Councillor T Cessford
(Chair, in the Chair for agenda items 1 – 3 and 9)

(Planning Vice-Chair Councillor A Scott in the chair for items 4 - 8)

MEMBERS

A Dale
CR Homer
C Horncastle
I Hutchinson
D Kennedy
N Morphet

N Oliver
JR Riddle
A Sharp
G Stewart
HR Waddell

OFFICERS

N Armstrong
M Haworth
R Little

N Masson
M Patrick

V Robson
E Sinnamon
N Turnbull

Principal Planning Officer
Planning Officer
Assistant Democratic Services
Officer
Principal Solicitor
Principal Highways Development
Management Officer
Built Heritage and Design Officer
Development Service Manager
Democratic Services Officer

There were 3 members of the press/public in attendance.

1. MEMBERSHIP AND TERMS OF REFERENCE

The Membership and Terms of Reference, as agreed by Council at the meeting on 26 May 2021, had been circulated for information.

The Chair welcomed the new Members and invited all members and officers to introduce themselves.

Ch.'s Initials.....

RESOLVED that the Local Area Council's membership and terms of reference, as agreed by Council on 26 May 2021, be noted.

2. MINUTES

RESOLVED that the following minutes of the meetings of Tynedale Local Area Council, as circulated, be confirmed as a true record and signed by the Chair:

- a) 9 March 2021
- b) 27 April 2021

3. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Oliver declared a personal and prejudicial interest in planning application 21/00357/FUL as his wife was the former Chair of Governors at Corbridge Middle School and he was friends with the applicant. He stated that he would leave the meeting whilst the application was discussed.

Elizabeth Sinnamon, Development Service Manager, declared a personal and non-prejudicial interest as it was the local school.

DEVELOPMENT CONTROL

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

4. DETERMINATION OF PLANNING APPLICATIONS

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

RESOLVED that the information be noted.

5. 20/02180/FUL

**Conversion, extension and alteration of existing coach house buildings to create a new wedding venue with associated demolition of existing outbuildings, new access, parking and landscaping (as amended)
Linnels Coach House, Fellside, Hexham, Northumberland, NE46 1TS**

The Principal Planning Officer introduced the application with the aid of a powerpoint presentation. He reported that an additional consultee response from Highways Development Management had been circulated by email to all members earlier in the afternoon.

The updated comment followed a review of the impacts of the proposed development on the local highway and community having regard to the anticipated traffic movements, as well as the proposed parking provision and requirements for such a scheme. Highways now advised that the development would result in an unacceptable impact in highway capacity and safety terms.

For the reasons set out below, it was now recommended that consideration be given to an additional refusal reason on highway grounds, as follows:

'The development would result in an unacceptable impact in highway capacity and safety terms due to a lack of adequate parking provision on-site resulting in an unreasonable level of parking needing to occur off-site which has not been demonstrated as safe or acceptable on the public highway, part of the classified rural road network within the vicinity of the site. The proposal would therefore be contrary to Policies GD4 and GD6 of the Tynedale Local Plan, Policy GD4 of the Tynedale Core Strategy and the National Planning Policy Framework.'

The Development Service Manager reminded new and previous members of the assessment of planning applications, how this was set out in the officer's reports and key areas.

Mr. D Young and Mr. S. Phillips spoke on behalf of the 7 neighbours who had objected to the application. They highlighted the following:-

- They agreed with the comments in the officer's report that the tests for approval of development in the Green Belt had not been satisfied.
- Highways required that parking be contained within the site. The site was 2 miles from the nearest town with no public transport or footpath with most guests arriving by car.
- The area had many traffic issues due to its location in a steep valley with tightly bending roads. The adjacent Linnels Bridge was a single-track arched bridge, at right angles to the road, with no visibility from one side to the other. This often resulted in vehicles meeting on the bridge and one having to back up.
- They could not envisage how 110 guests could arrive in a short period of time without causing major traffic problems and gridlock.
- A similar country wedding venue had suggested that parking spaces for approximately half the number of attendees was necessary. The proposals for this application were much less. Any parking on nearby roads resulted in traffic disruption.
- Despite signposting, unsuitable large vehicles using sat nav systems frequently approached and were unable to cross Linnels Bridge, a fragile listed ancient monument with a 5-ton weight limit. Extracting long or

heavy vehicles was a major undertaking which required them to reverse a considerable distance up steep and winding roads. Turning a coach arriving with other wedding traffic would be virtually impossible.

- The duration and frequency of noise associated with a wedding venue, particularly in summer months, was likely to constitute a statutory nuisance, given current low noise levels, and lead to a detrimental impact on residents' lives.
- The noise assessment assumed that the walls of the new building would be constructed of 300mm stone and whether the amplified music level of 95db would transfer outside the building. However, the design proposed natural timber cladding and was not covered by the noise assessment.
- Whilst the footprint of the building had been reduced, the number of guests remained the same, leading to an increased need for ventilation. Residents were concerned that ventilation would be provided by opening windows and doors in the new barn area and the stated music level of 95db would migrate across the valley due a reliance on natural ventilation.
- Applying a permitted noise level of 10 db above the daytime background noise level of 37db and 29db at night, was likely to lead to a statutory nuisance with the applicant's stated amplified music level of 95db.
- The application as drafted was believed to be inappropriate. If progressed, the issues needed to be addressed with appropriate conditions on curfew and frequency of events to ensure that noise and guests were contained within the building.

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

- Several discussions had been held regarding this application and the approach to be adopted as the Council did not have set standards with regard to wedding venues and parking. The final response had been presented to members as reconsultation 4.
- Some buildings and structures were not listed, however due to their architectural and historical importance and their relation to designated assets, they were designated as non-designated heritage assets.
- Historic England's Advisory Statement 5 required planning authority's to assess the weight to be given to the harm to buildings not listed but of historic importance. Paragraph 197 of the NPPF also required that weight needed to be given to non-designated heritage assets.
- Non-designated heritage assets were assessed on a case by case basis, particularly in the countryside. Lists were normally drawn up in conservation areas where there were conservation area character appraisals and in areas where there was a local neighbourhood plan.
- Very special circumstances were not required in the Green belt in all cases, only where development was inappropriate. In this case the proposals did not meet the exceptions set out in paragraphs 145 and 146 of the NPPF. Inappropriate development in the Green Belt was to be refused unless there were very special circumstances which was a matter of planning judgement and whether these outweighed the harm to the

Green Belt and any other harm, in this case to the character of the area, the heritage assets and highways.

- The test in paragraph 145 of the NPPF was whether the proposed extension or alteration would be a disproportionate addition above the size of the original building. Whilst paragraph 146 set out other forms of development that would not be inappropriate in the Green Belt provided that they preserved its openness and did not conflict with the purpose including the land within it, this had been applied for the new car parking and engineering operations and officers felt there would be a greater impact on the openness of the Green Belt. In some cases, this might not reduce the openness, but a decision would need to be made on each case.
- Whilst a traffic management plan and use of sustainable forms of transport, such as use of electric charged minibuses which could transport guests to a sustainable location, might be suitable at another location. In this case highways development officers were concerned regarding the lack of available parking spaces and maneuverability within the site.

Councillor Stewart proposed acceptance of the recommendation to refuse the application with the additional reason from Highways. This was seconded by Councillor Hutchinson.

Whilst Members noted the economic benefits of the application, several Members commented on their familiarity with the location and their concerns regarding the potential for traffic problems in the area.

Upon being put to the vote, the motion was unanimously agreed.

RESOLVED that the application be **REFUSED** permission for the reason outlined in the report and the following additional reason:

‘The development would result in an unacceptable impact in highway capacity and safety terms due to a lack of adequate parking provision on-site resulting in an unreasonable level of parking needing to occur off-site which has not been demonstrated as safe or acceptable on the public highway, part of the classified rural road network within the vicinity of the site. The proposal would therefore be contrary to Policies GD4 and GD6 of the Tynedale Local Plan, Policy GD4 of the Tynedale Core Strategy and the National Planning Policy Framework.’

- 6. 20/03388/FUL**
Change of use from dwellinghouse and cottage (C3 use) to guest accommodation (C1 use); single-storey rear extension to form wedding venue; and car parking (As amended).
Shildon, Corbridge, Northumberland, NE45 5P

The Chair reported that the application had been withdrawn from the meeting.

Councillor Oliver, having previously disclosed a personal and prejudicial interest, left the meeting during consideration of the following application.

7. 21/00357/FUL

Installation and siting of 3 x garden room teaching pods, measuring 3.5m x 3.5m in floor area and a height of 2.8m

Corbridge Middle School, Cow Lane, Corbridge, NE45 5HY

The Planning Officer introduced the application with the aid of a powerpoint presentation and updated members as follows:

‘Following a query received from Councillor Morphet regarding the sourcing of sustainable materials, the applicant had confirmed earlier that day that the materials would preferably be sourced from UK Western Red Cedar cladding and would not be from any old growth forest, or indeed Ancient Woodland; this had also been confirmed by the supplier.’

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

- The lifespan of the pods had not been confirmed.
- The pods were to be used to support the Covid-19 catch up work with pupils following missed education as a result of the pandemic over the previous 12 months. This would have been the priority and driver for the type, model and design of the proposed buildings within a finite budget.
- Discussions had been held with Strategic Estates regarding proposals for new buildings on county council owned land and sustainability credentials. They had confirmed that they were looking at ways of carbon reduction, improved heating system and a range of other methods to tackle the climate change emergency.
- The emerging Local Plan, which was out to consultation, made modifications to the policy to strengthen arguments for sustainable design and construction, the lifetime and sustainability of products being used.
- Some of the proposed materials were more sustainable than others such as the use of larch and redwood although it was acknowledged that some aspects were not recyclable or long term sustainable. Cost, use and budget were all factors to be taken into consideration.

Councillor Homer proposed acceptance of the officer recommendation to approve the application for the reasons set out in the officer’s report which was seconded by Councillor Cessford.

Upon being put to a vote the proposal was unanimously agreed.

RESOLVED that the application be **GRANTED** permission for the reasons and with the conditions as outlined in the report.

8. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

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

9. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 13 July 2021 at 4.00 p.m.

Councillor Oliver returned to the meeting.

The Chair congratulated Hexham Town Councillor Stephen Ball who had recently been awarded an MBE for his services to rural charities.

CHAIR _____

DATE _____

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Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL

13 JULY 2021

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Planning

Cabinet Member: Councillor CW 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.

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Tynedale 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 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
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 constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

Important Copyright Notice

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BACKGROUND PAPERS

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

IMPLICATIONS ARISING OUT OF THE REPORT

Policy:	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for Money:	None unless stated

Human Resources:	None
Property:	None
Equalities:	None
Risk Assessment:	None
Sustainability:	Each application will have an impact on the local environment and it has been assessed accordingly
Crime and Disorder:	As set out in the individual reports
Customer Considerations:	None
Consultations:	As set out in the individual reports
Wards:	All

Report author Rob Murfin
Director of Planning
01670 622542
Rob.Murfin@northumberland.gov.uk

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce s application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 10 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

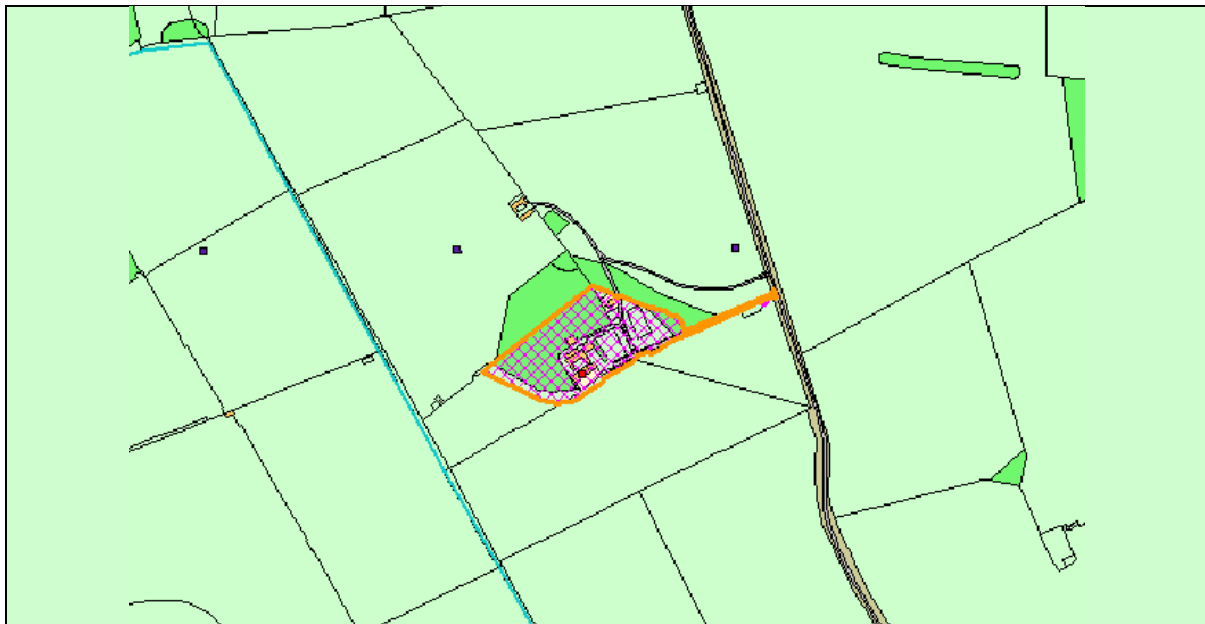


Northumberland County Council

TYNEDALE LOCAL AREA COUNCIL PLANNING COMMITTEE Tuesday, 13th July 2021

Application No:	20/03388/FUL		
Proposal:	Change of use from dwellinghouse and cottage (C3 use) to guest accommodation (C1 use); single-storey rear extension to form wedding venue; and car parking (As amended).		
Site Address	Shildon, Corbridge, Northumberland, NE45 5PY		
Applicant/ Agent	Mr Jon Tweddell, Coble Quay, Amble, Northumberland, NE65 0FB		
Ward	Corbridge	Parish	Corbridge
Valid Date	3 November 2020	Expiry Date	14 July 2021
Case Officer Details	Name: Mr Callum Harvey Job Title: Planning Officer Tel No: 01670 623625 Email: Callum.Harvey@northumberland.gov.uk		

Recommendation: That this application be GRANTED



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1. Introduction

1.1 Following referral to the Director of Planning and Chair of the Tynedale Local Area Council Planning Committee under the Virtual Delegation Scheme, it was agreed that this application raises sufficient interest within the wider community to be considered by Members of the Tynedale Local Area Council Planning Committee.

2. Description of the Proposals

2.1 The application site is located at Shildon, which is a large property located approximately 3.5m to the northeast of Corbridge, between the B6318 'Military Road' to the north and the B6321 'Aydon Road' to the south. The site is bound to the west, north and northeast by a belt of trees, and is surrounded by agricultural fields.

Planning permission is sought for:

- The change of use of the existing residential dwelling to guest accommodation (Use Class C1) comprising seven bedrooms;
- An extension to the north west elevation of the building and associated internal alterations to form a wedding venue (sui-generis use);
- Change of use of the existing outbuilding known as 'The Cottage' from a residential annex to guest accommodation (Use Class C1) comprising one bedroom; and
- Associated works within the site comprising the creation of 58 car parking spaces; cycle storage for 20 bicycles; a refuse storage area; and a package treatment plant.

2.2 The application seeks to create a wedding venue that would be able to host the wedding ceremony and reception on-site, and be able to accommodate the main wedding party/group on both the evening before and after the wedding day. The application projects that the proposed wedding venue operation would typically accommodate around 100 guests, though would be capable of accommodating up to 200 guests along with up to 45 members of staff. The application submits that the frequency of wedding events is forecasted to number approximately 50 events per year by the second year of operating, and approximately 50 to 75 events per year by the fourth year of operating. The application submits that during wedding events, the site would be in use from 08:00 through to 00:30 hours.

2.3 The proposed development would create a new wedding venue and new holiday accommodation. Whilst the proposed holiday accommodation would be used ancillary to the proposed wedding venue operation during wedding events, the holiday accommodation aspect (totaling 8 bedrooms) would also be made available for use when no weddings are taking place. Users of the holiday accommodation would be catered for on-site by staff and would share kitchen and lounge facilities within the building; therefore the holiday accommodation would not comprise self-catering accommodation. The application also indicates that the proposed function room would also be made available for community organizations such as the Northumberland CVA when no wedding venues are taking place, however the proposed wedding operation would be the 'primary' use of the proposed function room.

2.4 The proposal seeks to use an existing vehicular access onto the public highway known as the C245. The proposal seeks to use an existing tennis court and existing

hardstanding elsewhere within the site to create 58 new car parking bays leading to a total of 60 parking bays for staff and guests. The site would also benefit from a drop-off point for taxis and mini-buses. A shuttle bus service between the site and a pre-arranged pick-up point would also be used during larger scale events, which is discussed later in the report.

2.5 The received External Lighting Plan indicates the installation of an illuminated sign at the entrance to the site. This would require separate advertisement consent from the County Council as the local planning authority.

2.6 The application site is located within the open countryside and Green Belt. To the east of the main property and west of the tennis court lies a mid-18th century sandstone sundial which is Grade II listed. The application site is also located within the southern extent of the Hadrian's Wall Military buffer zone, over 400m south of the scheduled line of the vallum associated with Hadrian's Wall. The site is located adjacent to though outwith the Plan Area of the made Whittington Neighbourhood Plan.

3. Planning History

3.1 There is no planning history for the existing building known as Shildon. Previous applications for works in the field to the south of the property and for works to the outbuilding known as 'The Cottage' are set out below:

Reference Number: 20/01055/AGRGDO

Description: Prior notification for a proposed new building to provide storage for goods and machinery.

Status: Refused

Reference Number: 14/03856/CLPROP

Description: Certificate of lawfulness for a proposed single storey pitched roof extension at rear of existing building, removal of existing flat roof projection

Status: Permitted/Permitted Development

4. Consultee Responses (current consultation period ends 02.07.2021)

Corbridge Parish Council	No objection
Whittington Parish Council	<p>Whittington Parish Council wish to object for the following reasons:</p> <p>The access road to the property is a narrow country lane, in poor condition, with bends, hill tops and without passing places. This road is used by local traffic, agricultural vehicles, walkers, cyclists and horse riders. This road is completely unsuitable for use by construction vehicles and workers during the construction phase and the potential for up to sixty wedding vehicles, staff transport, deliveries and waste collection.</p> <p>Paragraph 109 of the NPPF states 'development should only be prevented or refused if there would be an unacceptable impact</p>

	<p>on highway safety or the residual cumulative impacts on the road network would be 'severe'. This alone is grounds for refusal.</p> <p>The potential for significant noise and light pollution could adversely impact on neighbouring properties, domestic and wild animals.</p> <p>Whittington Parish Council suggests that this application should be refused.</p>
NCC Tourism, Leisure & Culture	<p>Without prejudice, we support investment in the sector of measures that strengthen the diversity, depth and breadth of the county's tourism offer that contribute additional facilities and accommodation which will in turn facilitate additional visits and related spending within the County.</p> <p>We have no comment on, or objection to, this application subject to the application satisfying all statutory planning conditions.</p>
Design and Built Heritage	No objection subject to recommended conditions.
County Archaeologist	No objection, no further archaeological work required.
Historic England	No objection
Public Health Protection	No objection subject to recommended conditions.
Highways	No objection subject to recommended conditions.
County Ecologist	No objection subject to recommended conditions.
West Tree And Woodland Officer	No response received.
Lead Local Flood Authority (LLFA)	No objection, informative provided.
Countryside/ Rights Of Way	No objection subject to protection of Public Right of Way located to the southwest of the application site.

5. Public Responses (Current neighbour consultation period ends 05.07.2021)

Public Notification

Number of Neighbours Notified	27
Number of Objections	29
Number of Support	3
Number of General Comments	0

Notices

Site Notice - Affecting Listed Building: Displayed 18th November 2020, 22nd February 2021 and 11th June (expires 2nd July 2021)

Press Notice - Hexham Courant: Published 12th November 2020 and 4th March 2021

Summary of Responses:

29 objections have been received from 16 neighbouring properties in the local area, along with a further objection from the Ward Member for Ponteland West, raising the following concerns:

- Highway safety
- Impact on Public Right of Way
- Noise pollution
- Light pollution
- Impact on protected and unprotected species
- Capacity of water supply and foul drainage networks
- Adequacy of proposed foul drainage solution
- Poor broadband/internet connection
- Inaccurate plans and application form
- Poor design and subsequent impact on character and significance of non-designated heritage asset
- Inappropriate development in the Green Belt
- Lack of clarity over proposed frequency, scale and nature of events
- Potential camping use and other temporary structures within the site

Three letters of support have also been received from local businesses, who support the economic and tourism benefits of the development.

The above is a summary of the representations received, the representations can be read in full here:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QI3GKOQSJE000>

6. Planning Policy

6.1 Development Plan Policy

Tynedale Core Strategy 2007

GD1 Location of development

GD2 Prioritising sites for development

GD3 Green Belt

GD4 Transport and accessibility

GD5 Flood risk

NE1 Natural environment

BE1 Built environment

EDT1 Economic development and tourism

EDT2 Employment land provision

EDT3 Employment development in the countryside

CS1 Principles for community services and facilities

EN1 Principles for energy

EN3 Energy conservation and production

Tynedale District Local Plan 2000 (Saved Policies 2007)

Policy GD2 – Design Criteria for development

Policy GD3 – Accessibility of buildings open to the public

Policy GD4 – Highway safety criteria

Policy GD6 – Car parking provision outside of the main towns of Tynedale

Policy NE7 – New buildings in the Green Belt

Policy NE14 – Conversion, change of use or extension of existing buildings in the Green Belt

Policy NE17 – Landscape setting of Hadrian's Wall World Heritage Site

Policy NE26 – Habitats of special importance to wildlife

Policy NE27 – Protected species

Policy NE33 – Trees

Policy NE34 – Tree felling

Policy NE37 – Landscaping scheme

Policy BE11 – Change of use or conversion of existing buildings in the open countryside

Policy BE25 – Scheduled Ancient Monuments

Policy BE26 – Hadrian's Wall World Heritage Site

Policy BE27 – Archaeological sites and their settings

Policy BE28 – Archaeological investigations

Policy BE29 – Archaeological mitigation

ED11 Small scale opportunities from new sites, redevelopment or conversions

Policy TM8 – Conversion of existing buildings to provide visitor accommodation within the open countryside

TP5 Traffic management and impaired mobility

Policy TP27 – Public Right of Way

Policy CS19 – Pollution control, including noise

Policy CS22 – Noise pollution

Policy CS23 – Contaminated land

Policy CS27 – Foul water drainage

6.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2018, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan Publication Draft (Regulation 19) with Main Modifications (June 2021)

Policy STP 1 – Settlement Boundaries

Policy STP 3 - Principles of sustainable development (Strategic Policy)

Policy STP 4 - Climate change mitigation and adaption (Strategic Policy)

Policy STP 7 – Strategic approach to the Green Belt (Strategic Policy)

Policy STP 8 – Development in the Green Belt (Strategic Policy)

Policy QOP 1 - Design principles

Policy QOP 2 - Good design and amenity

Policy QOP 4 - Landscaping and trees

Policy QOP 5 - Sustainable design and construction

Policy QOP 6 - Delivering well-designed places

Policy ECN 1 - Planning strategy for the economy (Strategic Policy)

Policy ECN 12 - Strategy for rural economic growth (Strategic Policy)

Policy ECN 15 - Tourism and visitor development

Policy TRA 1 – Promoting sustainable connections (Strategic Policy)

Policy TRA 2 – The effects of development on the transport network

Policy TRA 4 – Parking provision in new development

Policy ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

Policy ENV 2 - Biodiversity

Policy ENV 3 – Landscape

Policy ENV 4 – Tranquility, dark skies and a sense of rurality

Policy ENV 7 – Historic environment and heritage assets

Policy POL 2 – Pollution and air, soil and water quality

Policy WAT 2 – Water supply and sewerage

Policy WAT 3 – Flooding

Policy INF 2 – Community services and facilities

6.4 Other documents and Legislation

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

Historic England's 'Conservation Principles, Policies and Guidance' (2008)

Historic England's Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets (2015)

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 Tynedale Core Strategy and saved policies in the Tynedale District Local Plan, as identified earlier in this report. 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. 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.

7.3 The main issues for consideration in the determination of this application are:

- Principle of the development – Location
- Principle of the development – Green Belt
- Heritage assets
- Design and visual impact on landscape
- Residential amenity
- Highway safety
- Public Right of Way
- Ecology and landscaping
- Surface water and foul water drainage
- Energy efficiency
- Coal mining legacy
- Permitted Development rights – Temporary structures and buildings

Principle of the development - Location

7.4 The application site is located within the open countryside. Policy GD1 of the Tynedale Core Strategy requires development in the open countryside to be limited to the re-use of existing buildings, unless specifically covered by other policies in the Development Plan. The Policy goes on to state that in all cases, the scale and nature of the development should respect the character of the town or village concerned and take into account the capacity of essential infrastructure.

7.5 The proposal seeks to extend an existing building and subdivide it, with one part forming holiday accommodation and the remaining part forming a new wedding venue, as described earlier in this report. Following the submission of this application, the pre-existing dilapidated timber stables and storage sheds attached to the north west elevation of the main building have been demolished to make way for the proposed extension. The proposed extension would form the function room, ancillary bar, and part of the ceremony room for the proposed venue. Internal alterations are also proposed within the existing building. The existing building at Shildon is of permanent and substantial construction.

7.6 Policies BE 11 and TM8 of the Tynedale District Local Plan support the principle of the conversion of buildings of permanent and substantial construction in the open

countryside to provide holiday accommodation and/or tourist facilities, subject to a number of other criteria which will be covered later in this report.

7.7 Policy EDT1 of the Tynedale Core Strategy seeks to support a buoyant and diverse local economy, which recognises the importance of tourism to the District; seeks to protect and enhance existing tourist facilities and infrastructure; and seeks to allow new tourist development where appropriate in order to increase the range, quality and type of facilities available to tourists.

7.8 Paragraph 83 of the NPPF states that:

“Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”

7.9 Paragraph 84 states that:

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

7.10 Paragraph 8 of the NPPF states that the overarching economic objective of the planning system is to help build a strong, responsive and competitive economy. The support of the County’s rural economy is a key theme in the adopted Development Plan and the emerging Northumberland Local Plan. The proposed development accords with Policy EDT1 Tynedale Core Strategy and TM8 of the Tynedale District Local Plan as set out earlier in this report. Policy ECN15 of the emerging Northumberland Local Plan states that the County will be promoted and developed as a destination for tourists and visitors, while recognising the need to sustain and conserve the environment and local communities. Policy ECN15 goes on to state that as far as possible, planning decisions will facilitate the potential for Northumberland to be a destination for:

- a. heritage and cultural visits;
- b. cycling and walking holidays;
- c. landscape and nature based tourism;
- d. themed events, activity holidays;
- e. dark sky visits;
- f. weddings;
- g. out of season offer; and

h. food and drink.

It also states that this will be achieved through the development of new visitor attractions and facilities and visitor accommodation.

7.11 A prospective business case has been received which submits that the proposed development would lead to the creation of 30 permanent jobs within the first year of operating, and lead to the creation of an additional 20 permanent jobs within the following year. The business case also submits that the proposal would create a viable and commercially sustainable business focused on accommodating wedding events. The provision of holiday accommodation outside of wedding events taking place would be an additional revenue stream for the business. The application also states that they believe that the proposed operation would lead to a positive knock-on effect on the local rural economy and the larger settlements further afield such as Corbridge, with local business being used during the construction period and during the operation of the proposed development.

7.12 The applicant also states that they believe that users of the development would also lead to an increase in footfall and spending within the local economy. The provision of an all-day venue for wedding events whilst only accommodating 8 bedrooms on-site would lead to a number of guests staying in overnight accommodation in the local area, with those guests subsequently using other local business during the course of their stay. The application submits that based on research conducted in the wedding venue sector, they project that approximately 20% of users of this development, equating to 1,500 people per year, would be new to the area.

7.13 The application also states that they believe that there is a genuine need for this development within the former Tynedale District and the wider County. It is submitted that prior to the effects of the Coronavirus pandemic, the capacity of wedding venues in the area had already struggled to accommodate the increasing demand for rustic-style events based on converted farmsteads or in converted barns, with the applicant's research indicating that countryside ceremonies and receptions are becoming progressively more appealing. It is submitted that the subsequent Coronavirus lockdown measures have led to a backlog of events, along with an increase in people's savings which has led to an increase in spending power for couples and guests. These factors are considered by the applicant to have subsequently increased demand for venues once restrictions begin to lift. Based on their research, the applicant submits that many of their nearest competitors do not have weekend availability in the peak season until 2025, and that the lack of capacity has led to some couples looking to other parts of the UK for availability, therefore removing a potential income stream to the local economy within Northumberland. The application submits that the proposed development would provide capacity to accommodate a local need for wedding venues, which existed even prior to the Coronavirus pandemic, therefore the development would continue to provide necessary capacity in the County's wedding venue sector following the anticipated shorter-term boom in demand once Coronavirus restrictions lift.

7.14 The provision of a new wedding venue to accommodate an identified local need, and the wider economic benefits which would result during the construction and operation of the development, weigh in favour of the proposal.

7.15 Although more limited weight can be given to it at this stage, it is considered appropriate to refer to the relevant policies of the emerging NLP pertaining to the proposal. In terms of the overall principle and location of development, Policy STP1 states that development in the open countryside will only be supported if it can be demonstrated that it:

i. Is directly related to the needs of agriculture, forestry, other land based industries, and rural businesses, or the sustainable diversification of such activities; or

ii. Supports the sustainable growth and expansion of an existing business; or

iii. Supports a newly forming business; or

iv. Supports or adds to the range of sustainable visitor attractions and facilities appropriate to the character of the area; or

v. Reuses redundant or disused buildings and leads to an enhancement of to the immediate setting; or

vi. Provides for essential transport, utilities and energy infrastructure in accordance with other policies in the Local Plan; or

vii. Relates to the extraction and processing of minerals, in accordance with other policies in the Local Plan; or

viii. Is a house, the architecture of which is innovative and of the highest standard, it significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area.

7.16 Policies STP 2 and STP 3 refer to the presumption in favour of sustainable development and set out sustainability principles that will need to be satisfied.

7.17 Policy ECN 1 sets out the planning strategy for the economy and states that development proposals will support rural enterprise and support and promote tourism and the visitor economy. Policy ECN 12 relates to a strategy for rural economic growth, and encourages the growth of the rural economy through, within constraints, facilitating the formation, growth and up-scaling of businesses in rural locations; and safeguarding the rural environment, rural communities and traditional rural businesses upon which the rural economy depends.

7.18 The policy approach must seek to balance the development of visitor facilities throughout Northumberland with the protection of the unique qualities of the County's natural and built environment, which are responsible for attracting many of the tourists in the first place. Development that involves new building must be prioritised in

locations that are accessible, have complementary land uses for tourists, can accommodate additional growth without causing significant environmental harm and have strong potential to attract visitors.

7.19 Policy ECN 13 states that the role of rural locations in providing employment opportunities, to meet the needs of those living in such areas is recognised. Therefore, in the countryside, development that will generate employment opportunities, proportionate to the rural location, will be supported where criteria, including the following, apply:

a. Existing buildings are reused or, where this is not possible, extensions or new buildings that contribute positively to local landscape character and, where applicable, local building traditions;

b. The proposal is related as closely as possible to the existing settlement pattern, existing services and accessible places.

7.20 Policy ECN 15 relates specifically to new tourism and visitor development across the County, including wedding venues. It outlines that "*Northumberland will be promoted and developed as a destination for tourists and visitors, while recognising the need to sustain and conserve the environment and local communities. As far as possible, planning decisions will facilitate the potential for Northumberland to be a destination for:*

a. heritage and cultural visits;

b. cycling and walking holidays;

c. landscape and nature based tourism;

d. themed events, activity holidays;

e. dark sky visits;

f. weddings;

g. out of season offer; and

h. food and drink.

2. This will be achieved through the development of new visitor attractions and facilities, accommodation and the expansion of existing tourism businesses, applying principles including the following:

c. In rural locations outside the settlement boundaries and/or built-up areas of main towns, service centres or service villages, the development of new build, permanent buildings for holiday accommodation of any sort should be small scale and form part of a recognised village or hamlet;

d. In the open countryside, visitor accommodation should, wherever possible, be limited to the reuse of buildings that are structurally sound, or to chalets and caravans in accordance with part (e) below. New permanent buildings for visitor accommodation will only be supported where they would:

i. demonstrably improve and diversify the County's tourist offer and/or clearly provide necessary accommodation along an established tourist route; and

ii. be located as close as is practicable to existing development.

g. Tourism related developments that enhance the environment or bring neglected or underused heritage assets back into appropriate economic use will be strongly supported;

h. In open countryside areas outside the two AONBs and the World Heritage Site and its buffer zone, new tourist development requiring larger buildings, totalling more than 500 square metres gross floorspace, in an open land setting, will be assessed on the potential economic gain weighed against any possible harmful impacts and other plan policies. Comprehensive master planning should accompany such proposals.

7.21 Paragraph 8 of the NPPF states that the overarching social objective of the planning system is to support strong, vibrant and healthy communities. Whilst the application submits that the primary use of the proposed development would be as a wedding venue and as holiday accommodation, it is also submitted that the new function room and the wider site could be used to accommodate other events which would be open to local charities such as the Northumberland CVA. Policy CS1 of the Tynedale Core Strategy and Policy INF2 of the emerging Northumberland Local Plan support the provision of community buildings where they seek to address an identified need for such facilities – whilst officers note that there may not be a specific need for a venue for local charities and community groups in the local area, the provision of an events space would nonetheless lead to some wider community benefits, which

weighs in favour of the proposal. The proposal would accord with Policy CS1 of the Tynedale Core Strategy and Policy INF2 of the emerging Northumberland Local Plan.

7.22 Paragraph 8 of the NPPF states that the overarching environmental objective of the planning system is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Policy EN1 of the Tynedale Core Strategy seeks to minimise energy use through the location, layout and design of the development, to enable the sensitive development of renewable energy resources, and promote the development of micro-renewable energy generation.

7.23 The application submits that there would be some environmental benefits as a result of the development. The application proposes to provide cycle storage within the site to accommodate guests and staff, and proposes to install Electric Vehicle Charging Points within the site. Details of the location, appearance and installation of the EV charging points are recommended to be secured by a planning condition.

7.24 The application also submits that there is an intention to install solar panels, ground source heat pump, air source heat pumps, and rainwater harvesting tanks; however at this stage they are unable to confirm the viability of such measures and consequently are unable to commit to their installation at the current time. Officers welcome the intention to install these measures as they would reduce the energy requirements of the development, however Members are recommended to give no weight to these measures, as their installation cannot be secured at this moment in time. It is recommended that details of the solar panels, the air source heat pumps, the ground source heat pump and rainwater harvesting tanks dealt with by condition.

7.25 Officers note that the site is located in an isolated area with no public transport links, whilst the proposed development would lead to a more intensive use of the site compared to the existing dwelling. Therefore, the proposed development would lead to an increased number of private vehicle trips than the existing residential use. The environmental harm as a result of these additional private vehicle trips is therefore also to be afforded weight when considering this application.

7.26 The application proposes to use an electric minibuss shuttle service between the application site and a pre-determined drop-off point within the local area. Following discussions with Highways officers it has been agreed that the details of this shuttle service can be secured through the submission and agreement of a Full Events Management Plan, to be secured through a planning condition.

7.27 Officers are mindful that the application site is not within a sustainable location. The site is not physically well related to existing well-established settlements, being located 3.5km from Corbridge; whilst there are no public transport connections. However, as discussed earlier in this report, there are considered to be sufficient economic and social public benefits to justify the siting of the proposed development in this location, whilst as discussed later in this report the development would not have an unacceptable adverse impact on the site's surroundings or on the local highway network. Officers are also mindful that wedding venues of this scale and nature are not always best located within or adjacent to existing settlements, as part of their attraction is a location within a rural setting and within aesthetically pleasing landscapes. The proposal would also look to use and extend an existing building rather

than construct a new development. Appropriate energy efficiency and sustainability measures would be secured by recommended conditions.

7.28 The siting of the development in this location would address an identified need for wedding venues, which would accord with Paragraphs 83 and 84 of the NPPF. Paragraph 84 also requires development in these circumstances to:

- Ensure that the development is sensitive to its surroundings,
- Ensure that the development does not have an unacceptable impact on local roads; and
- Ensure that the development exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).

7.29 The first two points above are discussed later in this report. In respect of the third point, officers are mindful that the scope of energy efficiency and sustainability measures to be required by the application must be reasonable within the context of the scale and nature of the development. Officers consider that the commitment to provide EV charging points, storage for 20 bicycles, and a shuttle mini-bus service for users of the development are sufficient for a proposed wedding venue and holiday accommodation operation of this scale. The application submits an intention to deliver further energy efficiency measures and this is welcomed by officers, though it is not considered to be a requirement in this instance.

7.30 In light of the above there is policy support for the reuse of the existing building given the countryside location, although the overall proposal is not wholly in compliance with Policy BE11 of the TLP given the extent of the extension and new build. As a whole, including the proposed new build element, associated car park and infrastructure, the proposal would result in the creation of a relatively large new enterprise and form of development for this location in the countryside.

7.31 The applicant has submitted information to demonstrate that there is a requirement for development of this nature in this general location and the notable economic benefits they believe the scheme would bring. These accord with Policy EDT1 of the Tynedale Core Strategy, Policies ECN1, ECN12, ECN 13 and ECN15 of the emerging Northumberland Local Plan and the NPPF. The relatively limited social benefits accord with Policy CS1 of the Tynedale Core Strategy, Policy INF2 of the emerging Northumberland Local Plan, and the NPPF. The relatively limited environmental benefits accord with Policy EN1 of the Tynedale Core Strategy, Policies STP4 and QOP5 of the emerging Northumberland Local Plan, and the NPPF. In summary, the proposal to convert and re use the existing dwelling into a wedding venue with visitor accommodation is broadly in accordance with Policies GD1 and EDT1 of the Tynedale Core Strategy Policies BE11 and TM8 of the TLP (Tynedale Local Plan) and relevant economic policies in the emerging Northumberland Local Plan.

Principle of the development – Green Belt

7.32 The application site is located within the Green Belt in the adopted Development Plan and in the emerging Northumberland Local Plan. Paragraph 133 of the NPPF

states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 134 of the NPPF states that the Green Belt serves the following five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.33 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.34 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. The exceptions to this under Paragraph 145 which are relevant to this application include:

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and
- the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

7.35 Paragraph 146 of the NPPF also states that certain other form of development are also not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These exceptions include engineering operations; and the re-use of buildings provided that the buildings are of permanent and substantial construction. Policies STP 7 and STP 8 of the emerging Northumberland Local Plan reflect the provisions of the NPPF as set out above.

7.36 Policy NE7 of the TLP sets out the circumstances when the construction of new buildings in the Green Belt may be permitted, which include:

(a) agriculture and forestry; or

(b) essential facilities for outdoor sport and outdoor recreation; or

(c) essential facilities for cemeteries; or

(d) essential facilities for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it; or

(e) limited infilling in, or redevelopment of those major existing developed sites identified on the Proposals Map, subject to Policy NE10 or NE11 or NE12 or NE13 being satisfied; or

(f) limited infilling within the boundaries shown on the Proposals Map in existing villages listed in Policy NE5 and in accordance with Policy H10; or

(g) limited affordable housing for local community needs within existing settlements subject to Policy H23 being satisfied, or

(h) proposals for the limited extension, alteration or replacement of existing dwellings, subject to policies in Built Environment and Housing chapters being satisfied.

Policy NE14 of the Tynedale District Local Plan supports the change of use, conversion or extension of existing buildings in the Green Belt where the buildings are of permanent and substantial construction; and the proposed use and any associated uses of land are in keeping with their surroundings and the proposed development does not have a materially greater impact on the existing openness of the Green Belt or on the purposes of including land in it.

7.37 National Planning Guidance on Green Belt states that:

“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.”

In terms of the emerging NLP, Policies STP 7 and STP 8 reflect the national policy advice above, where inappropriate development, in accordance with national policy, will not be supported unless there are very special circumstances, whilst appropriate development will be supported. Policy ECN 16 relates to Green Belt and the visitor economy. This sets out that *"the potential of the Green Belt areas to contribute towards strategic economic and tourism aims will be maximised, while ensuring that there would be no greater impact on the Green Belt and the purposes of including land in it, and where possible a lesser impact than the current situation"*. This may be achieved by measures such as *"allowing employment generating or tourism development to occupy previously developed land (but not where temporary buildings have been sited) so long as the new buildings do not impact the openness of the Green Belt more than the buildings or structures that were previously on the site"*.

7.38 The proposal seeks to demolish timber storage buildings attached to the northwestern elevation of the property, and construct a new extension to form the function room and part of the ceremony room for the wedding venue. Objections have been received raising concerns about the scale of the proposed extension. Officers are however mindful of the scale of the existing building, as despite the scale of the proposal it would lead to a 38% addition in respect of volume over and above the existing building. There is no prescribed policy or guidance within the NPPF, or either adopted or emerging development plan policies, determining at what scale an extension will result in a disproportionate addition. Any increase in the size of the building would require a judgement based on the nature of the site and the individual circumstances of the application proposals. Officers consider that a 38% increase in volume in this instance would not be a disproportionate addition, and this element of the proposal would therefore accord with the exception under Paragraph 145 c) of the NPPF.

7.39 The existing building is of permanent and substantial construction, therefore the proposal to change the use of the building accords with the exception under Paragraph 146 d) of the NPPF.

7.40 The proposal has been amended to remove a new parking area on an adjacent field, and now seeks to use an existing tennis court, existing hardstanding and a strip of existing vegetable patches within the site to form 60 total car parking bays. A cycle store and a refuse store are also proposed. The location of the proposed car parking bays is considered to be Previously Developed Land as defined by the NPPF, therefore the relevant test under the NPPF is whether the car parking would have a greater impact on the openness of the Green Belt than the existing hardstanding. As set out above, the National Planning Guidance on Green Belt requires a judgement on the spatial and visual aspects of openness, the duration of the development and remediability, and the degree of activity likely generated.

7.41 As a result of the proposed car parking arrangement, a small amount of hardstanding would be created to link the existing tennis court to the existing hardstanding elsewhere within the site, car parking bays would be created to the west of the tennis court along the existing vegetable patches, and the existing access lane would be slightly widened along part of the northern edge. It is considered that the extent of new hardstanding within the built envelope of the existing property would not have a materially greater impact on openness in a spatial or visual sense.

7.42 The proposed car parking areas would naturally be used to park vehicles during wedding events, though this would be on a temporary basis as the vehicles would only be present in these proposed parking bays during the events. The proposed car parking area on the existing tennis court and existing vegetable patches would also be well screened visually through existing trees and scrub. It is therefore considered that the parking of vehicles within the indicated car parking areas would not have a greater impact on openness.

7.43 The proposed change of use and development of the site to form holiday accommodation and create a wedding venue for up to 200 guests and 45 staff will lead to an intensification of what are essentially urban activities (i.e. vehicles arriving and departing, music, people gathering etc.) over and above the current use of the site, which is currently used as a residential dwelling. However, it is considered that the development falls within the scope of development which is considered to not be inappropriate with the Green Belt as defined in the NPPF and does not require further

justification. Officers are also mindful that the proposed operation and proposed car parking areas would be contained within existing residential curtilage, would be well screened by existing trees, and would not lead to sprawl into the adjacent open countryside. Because the proposed development and associated activities would be limited to within existing residential curtilage, on balance, officers are of the view that the proposed degree of activity within this particular site would not harm the openness of the Green Belt.

7.44 For the above reasons, the proposal meets the relevant exceptions in the NPPF and is therefore not inappropriate development in the Green Belt. The proposal accords with the NPPF, Policies NE7 and NE14 of the Tynedale District Local Plan, as well as Policies STP 7, STP 8 and ENC 16 of the emerging Northumberland Local Plan.

Impact on Heritage Assets

7.45 The main house known as Shildon and the outbuilding known as The Cottage are shown on the First Edition Ordnance Survey map of circa 1860 with subsequent additions in the north-west from the late 19th century onwards. To the east of the main property and west of the tennis court lies a mid-18th century sandstone sundial which is Grade II listed. The application site is also located within the southern extent of the Hadrian's Wall Military buffer zone, over 400m south of the scheduled line of the vallum associated with Hadrian's Wall. Due to its age and architectural merit the existing building at Shildon is considered a non-designated heritage asset.

7.46 When considering proposals which could affect Listed buildings or structures, Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the County Council as the local planning authority to have special regard to the desirability of preserving listed buildings and structures, their setting and the architectural and historic interest they possess.

7.47 Policy BE1 of the Tynedale Core Strategy sets out the principles of the built environment, which include the conservation and where appropriate enhancement of the quality and integrity of Tynedale's built environment and its historic features including archaeology; giving particular attention to listed buildings, scheduled monuments and conservation areas. Policy GD2 of the Tynedale District Local Plan requires the design of proposals to be appropriate to the character of the site, existing buildings and their setting. Policies BE25, BE27, BE28 and BE29 require proposals to justify and mitigate any identified harm to Schedule Ancient Monuments and other archaeological assets, which in this case include the Hadrian's Wall World Heritage Site. Policy NE17 requires proposals within the designated Hadrian's Wall World Heritage Site to preserve its landscape setting and nature conservation interest.

7.48 Paragraph 193 of the NPPF states that when local planning authorities consider the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.49 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.50 The Design and Built Heritage officer has been consulted on the proposals and, following receipt of further details of and justification for the internal works to the existing building and the proposed extension, they have no objection subject to recommended conditions. It is considered that the proposed works to the existing building and elsewhere within the site would not have an adverse impact on the setting of or harm the character of the identified Grade II listed sundial. It is also considered that the proposed works would not lead to harm to the significance of the existing building at Shildon, which is considered to be a non-designated heritage asset.

7.51 The proposed works are therefore in accordance with Policy BE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale District Local Plan and Paragraph 197 the NPPF. The removal of the pre-existing timber lean-to outbuildings along the northwestern elevation of the building are also considered to be a betterment.

7.52 The Council's Archaeologist has been consulted and, whilst noting the location of the site and works relative to Hadrian's Wall vallum and the designated World Heritage Site, they have no objection. No further archaeological work is required and therefore they have not recommended any conditions. The proposed works within the site would not harm any Scheduled Ancient Monuments or other archaeological assets, including the setting of the Hadrian's Wall World Heritage Site, in accordance with Policy BE1 of the Tynedale Core Strategy, Policies GD2, NE17, BE25, BE27, BE28 and BE29 of the Tynedale District Local Plan and the NPPF. Full details of off-site highways works would be secured by a recommended condition, and the Council's Archeologist would be consulted on these details.

7.53 Officers note that the application indicates the future use of solar panels, electric vehicle charging points, air source heat pumps and a ground source heat pump within the application site, though no details have been received under the current application as the applicant is unable to commit to their installation at this time. It is considered necessary to secure details of any such development by a planning condition in the interest of the appearance of the site within the setting of the World Heritage Site. Officers are also mindful that relevant Permitted Development rights are already removed due to the property falling within the World Heritage Site designation.

Design and visual impact on landscape

7.54 The application site is bounded to the west, north and northeast by a belt of trees. The existing building at Shildon is a large detached one-and-a-half-storey dwelling constructed of predominantly sandstone with sections of pebble dash render and facing brick, a natural slate roof, and a mixture of painted timber and upvc openings.

7.55 The proposal seeks to extend the northwest elevation with two connected structures constructed of weathered vertical Scottish Larch timber cladding, reclaimed natural slate roof tiles, and tall openings comprising of aluminum-timber composite doors and window frames. It is considered that the siting, scale, massing and location of the extension would not detract from the character of the existing dwelling, or detract from the amenity value of the surrounding landscape. It is considered necessary to secure precise details of the proposed external facing materials, proposed hard and

soft landscaping, and any additional fixed external lighting to be submitted for written approval prior to their use through suitably worded planning conditions. Subject to these conditions it is considered that the proposal is acceptable in the above respect in accordance with Policies BE1 and NE1 of the Tynedale Core Strategy, Policies GD2 and NE37 of the Tynedale District Local Plan, and the NPPF.

Impact on residential amenity

7.56 The proposal seeks to extend the northwestern elevation of the existing building to form a wedding ceremony room and a wedding reception/event room. The site is well screened by a belt of trees to the west, north and northeast. The site is bounded by agricultural fields, with the nearest residential properties located within the hamlet of Halton Shields approximately 500m to the northwest of the site boundary and 600m from the proposed extension. The nearest property to the south is located approximately 600m from the site boundary.

7.57 The existing annex known as The Cottage would be occupied as guest accommodation ancillary to the proposed operation and would not be occupied as an independent dwelling. It is recommended that an occupation restriction is secured by a suitably worded condition in the interest of the amenity of the occupiers of that building. Its use as an independent dwelling would not likely be found acceptable therefore the use of such a condition would allow officers to fully consider the impact of such a change.

7.58 A number of objections have been received from residents in the local area in respect of potential noise and light pollution impacts and other disturbance as result of the development. Concerns have been raised in respect of amplified noise emanating from the proposed venue, noise created by users of the development when congregating outdoors within the site, noise from vehicles entering and leaving the site, and external lighting and fireworks.

7.59 In response to the concerns which have been raised, the application has submitted further details of the nature and scale of the development; including a noise impact assessment and accompanying noise management plan, which have assessed the noise impact and recommended the following key mitigation measures, amongst others:

- Use of appropriate noise insulation materials;
- Controls over amplified noise systems;
- Controls over closed windows and doors; and
- Management of users of the development during their stay and when entering and leaving the site.

7.60 A separate noise impact assessment has been commissioned and submitted by neighbouring residents following their concerns with the methodology and subsequent conclusions of the assessment carried out by the applicant's consultant.

7.61 The Council's Public Health Protection officer has been consulted on the submitted documents, and they have also considered the separate assessment subsequently submitted by neighbouring residents. The proposed development and subsequent impact have been carefully considered, and the Public Health Protection officer has raised no objection subject to the use of a number of recommended conditions. These conditions, as listed at the bottom of this report, include:

- No amplified music in outdoor areas;
- Windows and doors to remain shut during the use of amplified music indoors, unless when people are entering or leaving the building;
- The installation of sound insulation materials prior to the building being brought into use as a wedding venue;
- Specified restrictions on noise levels during both daytime and nighttime hours; and
- No use of fireworks or burning of materials within the site.

7.62 Further to those conditions, the application submits that during wedding events the site would be in use from 08:00 through to 00:30 hours, and the received Noise Management Plan has been prepared and submitted on that basis. It is considered necessary to recommend a condition restricting the hours of use during events to these hours so that the noise impact of any potential future proposal to hold events outside of these hours can be fully considered.

7.63 It is considered that the conditions which have been recommended are precise and enforceable. Therefore, if neighbouring residents had concerns about a possible breach of the restrictions imposed by a condition, officers within the Council's Planning team can investigate a breach of those conditions under Planning legislation. Colleagues in the Environmental Health team can also investigate matters of noise and other disturbance under relevant legislation.

7.64 Following the response from the Council's Public Health Protection officer, concerns have been raised by neighbouring residents in respect of the internal ventilation and cooling of the events space, and possible need to open windows during events which could subsequently lead to a greater noise impact. The application is supported by an Indicative Internal Ventilation statement setting out the use of two units inside the building which would circulate air internally. No ground works or external alterations to the building would be required. Officers are mindful that the details submitted are indicative only therefore it is recommended that a condition be imposed securing further details for submission and consideration prior to the events space being brought into use.

7.65 The proposal has been thoroughly assessed by officers and, subject to the use of recommended conditions, it is considered that the proposed development would not lead to an adverse impact on the amenity of occupiers of properties within the local area in respect of noise.

7.66 Concerns have also been raised by neighbouring residents in respect of light pollution. The application is supported by an external lighting plan which indicates the location and details of proposed low-level bollard lighting around the areas of hardstanding within the centre of the site, and indicates the location of an illuminated sign at the entrance to the site which will require separate advertisement consent. The Public Health Protection officer has also considered these details and has no objection to the proposed external lighting, provided that this document is included in the recommended approval plans/documents condition.

7.67 For the above reasons following the thorough assessment of officers, the proposed development is considered acceptable in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraphs 127 and 170 of the NPPF.

Highway safety

7.68 The proposal seeks to use an existing access from the public highway, provide 60 total car parking bays and create a cycle storage shelter. At the request of officers, the proposal also seeks to carry out a number of off-site highways works comprising widening of the C245, provision of passing places, and resurfacing of existing accesses along the highway. The site would also benefit from a drop-off point for taxis and mini-buses. The applicant has agreed to the provision of an electric mini-bus shuttle service between the site and a pre-determined drop-off point.

7.69 An indicative Events Management Plan (EMP) has been submitted which indicates how the applicant proposes to manage the size of weddings to be held at the venue, and that for larger events an Events Co-ordinator will be employed to manage parking within the development site; marshal the arrival and departure of vehicles primarily in a northerly direction towards the B6318 Military Road; engage with local taxi/minibus firms; and liaise with wedding parties advising them of the amount of parking available on site and the most appropriate routes for guests approaching and departing the venue. Officers wish to highlight that whilst the submission of the indicative EMP was requested of the applicant prior to making this recommendation, it was not a requirement, as details of a 'Full' EMP would have been secured by condition in the event that the indicative EMP was not received prior to this recommendation being made.

7.70 A number of objections have been received raising concerns in respect of the capacity of the local road network; the highway safety impact of an increase in vehicle trips along the C245 and the accesses from that road onto the Military Road and Aydon Road; and the number of car parking bays provided within the site. The condition of the surface of the C245 and the use of the highway as a 'rat run' have been highlighted in the received objections.

7.71 Paragraph 108 of the NPPF states that in assessing applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 of the NPPF then states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.72 The Highways Development Management team have been consulted and, following the receipt of amended car parking details, indicative details of off-site highways works, and an indicative Events Management Plan, they have no objection subject to use of recommended conditions. It is considered that the submitted details are acceptable in principle, and that further details can be secured through the use of the recommended conditions. The Highways officers require:

- The indicated car parking area to be implemented prior to the development being brought into use and retained thereafter in accordance with the approved plans;
- Further details of the off-site highways works to be submitted to and approved by the Council, and subsequently constructed prior the development being brought into use; and
- Require the applicant to enter into a Section 278 Agreement under the Highways Act to secure the necessary off-site highways works to ensure there is no unacceptable impact on highway safety.

7.73 Highways officers also recommend a condition requiring a full EMP to be submitted to and approved by the Council prior to the development being brought into use. The full EMP will include, though would not be limited to:

- Details how staff would travel to and from the site;
- Details of an providing an Events Co-ordinator;
- Details of liaising with wedding parties ahead of events to direct traffic via the Military Road when entering the site;
- Details of vehicle marshalling during events to direct traffic back onto the Military Road at the end of events; and
- The provision of a mini-bus shuttle service;

7.74 The proposal seeks to create holiday accommodation (totaling 8 bedrooms) which would be made available for use during wedding events and when no wedding events are taking place. Users of the holiday accommodation would be catered for on-site by staff and would share kitchen and lounge facilities within the building; therefore the holiday accommodation would not comprise self-catering accommodation. Officers have considered this element of the proposal and it is not considered necessary to impose a restriction on the use of the holiday accommodation when wedding venues are not taking place, as there would be sufficient car parking provision within the site, whilst the amount of traffic generated from accommodation of this scale would not have an unacceptable adverse impact on highway safety.

7.75 The application has been thoroughly assessed by officers, and subject to the recommended conditions it is considered that the development would not have an unacceptable adverse impact on highway safety, or lead to a severe residual impact on the road network. The recommending officer also considers that the provision of passing places and other off-site highway works at the applicant's expense would improve the condition and safety of the public highway, which would be a public benefit which should be afforded weight in favour of the proposal. The proposal is considered acceptable in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, and the NPPF.

Public Right of Way

7.76 A Public Footpath runs to the southwest of the application site, though the applicant does not seek to block or divert the footpath. The Council's Countryside/Rights of Way officer has been consulted and they have no objection subject to the use of an informative protecting the right of way during the works. The proposal would accord with Policy TP27 of the Tynedale District Local Plan.

Ecology and landscaping

7.77 The application seeks to carry out works to an existing building, fell one tree to the northwest of the building as part of the proposed works, and install a new package treatment plant within the site though away from Priority Habitat Woodland.

7.78 The Council's Ecologist has been consulted and, following the submission of further details in respect of potential bat roosts, they have no objection subject to the use of recommended conditions which secure sufficient mitigation measures. It is considered that the proposed works would not have an adverse impact on protected species in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26 and NE27 of the Tynedale District Local Plan and the NPPF.

7.79 One tree is proposed to be felled to the north of the building to allow for the construction of the proposed extension, and two further trees would be pruned. It is considered that the loss of the identified tree is acceptable, whilst the Council's Ecologist has recommended the use of a condition requiring sufficient mitigation measures to protect retained trees during the works. The proposal accords with Policy NE33 of the Tynedale District Local Plan in this respect.

7.80 A further condition is also recommended securing details of proposed soft landscaping within the site, to ensure the use of an appropriate local species mix, in accordance with Policy NE37 of the Tynedale District Local Plan.

Surface water and foul water drainage

7.81 The application site is located within Flood Zone 1, which is the area at least risk of flooding. The proposal seeks to construct an extension to an existing building and create a small amount of new hardstanding.

7.82 The Lead Local Flood Authority officer has been consulted and they make no comment due to the scale and nature of the proposal. No conditions have been recommended by the Highways officer in respect of surface water run-off onto the public highway. It is considered that the proposed works would not lead to an increase in surface water flood risk within the site or on adjacent land in accordance with Policy GD5 of the Tynedale Core Strategy and the NPPF.

7.83 The proposal seeks to install a package treatment plant, due to the lack of a nearby, viable connection to a mains sewer. Objections have been received from neighbouring properties in respect of the capacity of the mains sewer and water supply networks in the local area. The applicant has discussed the water supply for the proposed package treatment plant with Northumbrian Water, who consider that there is sufficient existing capacity to accommodate the proposed plant. The proposed plant would be located to the southwest of the existing building, within the red line boundary, and would feature an adjacent soakaway. Technical details of the Plant have also been submitted. It is considered that the type, scale and location of the proposed foul drainage is acceptable, in accordance with Policy CS27 of the Tynedale District Local Plan and Paragraph 170 of the NPPF.

Energy Efficiency

7.84 Policy EN1 of the Tynedale Core Strategy requires proposed development to minimise the amount of energy used through the location, layout and design of development. The proposal seeks to extend an existing building; and, as discussed

earlier in this report, the applicant has committed to use EV charging points within the site and provide cycle storage, details of which can be secured by a planning conditions. It is also recommended that an informative is added which advises the applicant to use energy efficiency and sustainability measures where appropriate during the construction works. Subject to the use of these conditions, the proposal would accord with Policy EN1 of the Tynedale Core Strategy and the NPPF.

Coal Mining Legacy

7.85 The site is located within the Lower Risk Coal Area as identified by the Coal Authority. The proposal therefore does not need to be supported by a Coal Mining Risk Assessment. A standard informative in respect of encountering coal mine workings during the works is recommended.

7.86 Notwithstanding this, the Council's Public Health Protection officer is mindful of the potential risk of uncovering unidentified land contamination during the works, and has recommended the use of a condition in the interest of human health. Subject to the use of this condition the proposal would accord with Policies CS19 and CS23 of the Tynedale District Local Plan and Paragraph 170 of the NPPF.

Permitted development rights – Temporary structures and buildings

7.87 Concerns have been raised by neighbouring residents in respect of the potential use of temporary structures such as marquees, teepees or tents within the application site. Schedule 2, Part 4, Class A of The Town and County Planning (General Permitted Development) (England) Order 2015 (as amended) establishes Permitted Development rights for the erection of temporary buildings and structures. The applicant has not given any indication that any further temporary buildings would be required. It is not considered necessary to further restrict these permitted development rights at this time as there would be limited impact on the openness of the Green Belt, the appearance of the site, and the amenity of neighbouring residents.

Other Matters

Equality Duty

7.88 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

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

Human Rights Act Implications

7.90 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.

7.91 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.

7.92 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 applicant has submitted information to demonstrate that there is a requirement for development of this nature in this general location and the notable economic benefits they believe the scheme would bring. The scheme therefore broadly accords with accord with Policy GD1, BE11, TM8, CS1 and EDT1 of the Tynedale Core Strategy, Policies ECN1, ECN12, ECN 13 and ECN15 of the emerging Northumberland Local Plan and the NPPF, Policy CS1 of the Tynedale Core Strategy, Policies STP4, QOP5 and INF2 of the emerging Northumberland Local Plan, and the NPPF.

8.2 The proposed change of use and development of the site to form holiday accommodation and create a wedding venue for up to 200 guests and 45 staff will lead to an intensification of what are essentially urban activities (i.e. vehicles arriving and departing, music, people gathering etc.) over and above the current use of the site, which is currently used as a residential dwelling. However, it is considered that the development fall within the scope of development which is considered to not be inappropriate with the Green Belt as defined in the NPPF and does not require further justification. Officers are also mindful that the proposed operation and proposed car parking areas would be located on Previously Developed Land, and contained within existing residential curtilage, would be well screened by existing trees, and would not lead to sprawl into the adjacent open countryside. Because the proposed development and associated activities would be limited to within existing residential curtilage, on balance, officers are of the view that the proposed degree of activity within this particular site would not harm the openness of the Green Belt and would therefore meet the relevant exceptions in the NPPF and is therefore not inappropriate development in the Green Belt. The proposal accords with the NPPF, Policies NE7 and NE14 of the Tynedale District Local Plan, as well as Policies STP 7, STP 8 and ENC 16 of the emerging Northumberland Local Plan.

8.3 Subject to the use of conditions as set out in the above report, the proposed development would not have an unacceptable impact on the local road network. Subject to the use of conditions, the proposal would also not have an adverse impact on the amenity of local residents; would not have an adverse impact on the amenity value of the surrounding landscape; would not harm the character or significance of the identified designated and non-designated heritage assets; would not harm protected species; would not lead to an increase in surface water flood risk; and would not lead to ground or water pollution.

8.4 Subject to the use of conditions and informatives, the proposal would lead to an energy efficient form of development.

8.5 For the above reasons, officers consider that the proposal as a whole aligns with the requirements of National Planning Policy, Tynedale Core Strategy, Tynedale District Wide Local Plan and the Draft Northumberland Local Plan. The sections above describe how the conclusions of the submitted information have been used to evaluate the proposal against a range of national/ local policy requirements and the position of consultees. It is officers' opinion that taking the policy and material considerations into account the application is acceptable. A range of planning conditions are proposed to secure the scheme and mitigation in an acceptable manner. The recommendation is therefore to grant planning permission as detailed below.

9. Recommendation

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

Conditions

- 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) 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:-

AL(0)17 Revision G Proposed Location Plan

AL(0)10 Revision B Proposed Site Plan

AL(0)11 Revision D Proposed Ground Floor Plan

AL(0)12 Revision D Proposed First Floor Plan

AL(0)14 Revision C Proposed North East Elevations

AL(0)15 Revision C Proposed South West Elevations

AL(0)16 Revision D Proposed North West Elevations

MWA TCP 001 Tree Location Plan

MWA TPP 001 Tree Location Plan & Works Schedule

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

- 3) Notwithstanding the hereby approved details, details of any additional sustainability and energy efficiency measures shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site used where appropriate during the construction of the proposed development.

Reason: To ensure an energy efficient form of development, in accordance with Policy EN1 of the Tynedale Core Strategy and the National Planning Policy Framework.

- 4) Prior to works proceeding beyond damp proof course level, precise details including photographs, of the external materials of the proposed extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interest of the appearance of the development within the setting of a Grade II listed structure and the landscape setting of the Hadrian's Wall World Heritage Site, in accordance with Policies Policy BE1 of the Tynedale Core Strategy, Policies GD2, NE17, BE27, BE28 and BE29 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 5) Prior to first use on site, precise details of the proposed hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interest of the appearance of the development within the setting of a Grade II listed structure and the landscape setting of the Hadrian's Wall World Heritage Site, and to ensure the use of an appropriate local species mix, in accordance with Policies Policy BE1 of the Tynedale Core Strategy, Policies GD2, NE17, BE27, BE28 and BE29 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 6) Prior to their construction, precise details including photographs, of the external materials of the refuse storage area and cycle shelter shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development in accordance with Policies BE1 and NE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 7) Prior to their erection, precise details of proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interest of the appearance of the development, and in the interest of preserving the character of heritage assets, in accordance with Policy BE1 of the Tynedale Core Strategy, Policies GD2, BE25, BE26, BE27 the Tynedale District Local Plan and the National Planning Policy Framework.

- 8) Prior to their installation, precise details of the location, scale and appearance of the proposed Electric Vehicle Charging Points shall be submitted to the Local Planning Authority for consideration and written approval.

The approved details shall then be implemented prior to the proposed operation being brought into use, and retained thereafter.

Reason: In the interest of promoting sustainable modes of travel, and in the interest of the appearance of the development within the setting of a Grade II listed structure and the landscape setting of the Hadrian's Wall World Heritage Site, in accordance with Policies BE1 and EN1 of the Tynedale Core Strategy, Policies GD2, NE17, BE27, BE28 and BE29 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 9) Prior to their installation, precise details of the following shall be submitted to the Local Planning Authority for consideration and written approval:

- Solar panels;
- Rainwater harvesting tanks;
- Air Source Heat Pumps; and
- Ground Source Heat Pump

The works shall then be carried out in accordance with the approved details.

Reason: In the interest of the appearance of the development within the setting of a Grade II listed structure and the landscape setting of the Hadrian's Wall World Heritage Site, in accordance with Policies Policy BE1 of the Tynedale Core Strategy, Policies GD2, NE17, BE27, BE28 and BE29 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 9) The building currently known as The Cottage shall be occupied as guest accommodation ancillary to the operation of Shildon, and shall not be occupied as an independent dwelling.

Reason: In the interest of the amenity of occupiers of The Cottage, in accordance with Policies GD2, H32 and CS22 of the Tynedale District Local Plan and Paragraphs 127 of the National Planning Policy Framework.

- 10) The development shall not be brought into use until full engineering details of the proposed highway works i.e. passing places, carriageway widening and vehicular access resurfacing, at the locations shown on the approved plan JN2166-SK0001.3, have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be brought into use until the highway works have been constructed in accordance with the approved details.

Reason: In the interest of highway safety, and in the interest of preserving below-ground archaeological remains, in accordance with Policies GD4 and BE1 of the Tynedale Core Strategy, Policies GD4, BE25, BE26, BE27 and BE28 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 11) The development shall not be brought into use until of a Full Events Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Full Events Management Plan shall include, though shall not be limited to:

- Event Co-ordinator contact details;
- Details how staff shall travel to and from the site;
- Details of liaising with wedding parties ahead of events to direct traffic via the B6318 Military Road when entering the site;
- Details of vehicle marshalling to direct traffic back onto the B6318 Military Road when leaving the site; and
- Details of the provision of a sustainable shuttle bus service between the site and a designated location in the nearby area, to be operated where necessary during events.

At all times thereafter the approved Full Events Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and sustainable development, in accordance with in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 12) The proposed operation of the building shall not exceed the following capacities:

- 45 members of staff; and
- 200 guests

Reason: To ensure sufficient car parking provision, in the interests of highway safety, in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 13) Within 3 months of any request of the local planning authority, the operator of the development shall provide a written record of events held and numbers of vehicles parked on site for a period of no less than 6 months prior to the date of the request.

Reason: To ensure sufficient car parking measures within the site, in the interest of highway safety, in accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 14) Prior to the development being brought into use the hereby approved car parking area shall be implemented in accordance with the approved Proposed Location Plan AL (0)17 Revision G.

The car parking arrangement shall be retained thereafter 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 Policy GD4 of the Tynedale Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 15) Prior to the development being brought into use, precise details of the indicated cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority.

The approved cycle parking provision shall then be implemented and made available for use prior to events being held, and retained thereafter.

Reason: In the interests of highway safety and sustainable development, in accordance with Policies GD4 and EN1 of the Tynedale Core Strategy, Policy GD4 of the Tynedale District Local Plan, and the National Planning Policy Framework.

- 16) No Fireworks shall be stored, used or set off at any time. The term "Fireworks" has the same definition as that detailed within the Fireworks Act, 2003. No burning of any material within an open fire shall be carried out on the site at any time.

Reason: To prevent excess noise and smoke, which may otherwise carry through the air over long distances from causing detriment to residential amenity, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 17) All amplified speech and music shall only be emitted from within an internal room of the building. All external doors and windows to the building must remain closed whilst amplified speech and music is audible, except for persons accessing and egressing the building.

Reason: To ensure the protection of the amenities of nearby residents in terms of noise and disturbance, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 18) The building shall not be brought into its intended use as a wedding venue until, as a minimum it is constructed using materials with a sound insulation

performance specified within Table 5 on Page 33 of the Noise Impact Assessment – Dave Cross.

Reason: To ensure the protection of the amenities of nearby residents in terms of noise and disturbance, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 19) The level of entertainment noise arising from the development (LAeq, 5 min) must not exceed 31dB(A) at the boundary of any noise sensitive receptor during the day (0700 – 2300). The level of entertainment noise arising from the development (LAeq, 5 min) must not exceed 22.5dB(A) at the boundary of a noise sensitive receptor during the night (2300 – 0700).

“Entertainment noise” is defined as any noise including but not limited to speech, music or other recordings either amplified or unamplified.

“noise sensitive receptor” is defined as Sunnybrae, Halton Shields, Corbridge, Northumberland NE45 5PZ; Shildon Grange Cottage, Corbridge, Northumberland NE45 5PT; and The Cottage, Aydon White House, Corbridge, Northumberland NE45 5PS.

Reason: To protect the amenity of neighboring land uses and the amenity of occupiers of nearby dwellings, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 20) The rating level of sound emitted from any fixed plant and/or machinery associated with the development (LAeq, 5 min) shall not exceed 31dB (A) between the hours of 0700 - 2300 at the boundary of a noise sensitive receptor and shall not exceed 22.5 dB(A) between 2300 - 0700 at the boundary of a noise sensitive receptor. All measurements shall be made in accordance with the methodology of BS 4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the noise sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound-sensitive property.

“noise sensitive receptor” is defined as Sunnybrae, Halton Shields, Corbridge, Northumberland NE45 5PZ; Shildon Grange Cottage, Corbridge, Northumberland NE45 5PT; and The Cottage, Aydon White House, Corbridge, Northumberland NE45 5PS.

Reason: To protect the amenity of neighboring land uses and the amenity of occupiers of nearby dwellings, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 21) Within one month of the start of trade commencing, the applicant must submit a report from a professional acoustician, demonstrating compliance with the levels in Condition 20, to the Local Planning Authority for its written

approval. The noise monitoring included as part of this report must include monitoring during an event attended by guests.

The approved scheme must be maintained for the lifetime of the development.

Reason: To ensure the protection of the amenities of nearby residents in terms of noise and disturbance at all times, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 22) During the hosting of events, the hours of operation shall be restricted to the following:

08:00 – 00:30 hours

Reason: To ensure the protection of the amenities of nearby residents in terms of noise and disturbance, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 23) Prior to the proposed events space or ceremony room being brought into use, precise details of the internal ventilation system shall be submitted to and approved in writing by the Local Planning Authority.

The approved system shall then be operated during use of the events space and ceremony room.

Reason: To ensure that windows would remain closed during the proposed operation, in the interest of the protection of the amenities of nearby residents in terms of noise and disturbance at all times, in accordance with Policies GD2, CS19 and CS22 of the Tynedale District Local Plan and Paragraph 127 of the National Planning Policy Framework.

- 24) If during the proposed works contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority – the written method statement must be written by a competent person. In such an event, 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.

“Competent Person” has the same definition as defined within the National Planning Policy Framework.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimized, and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policies CS19 and CS23 of the Tynedale District Local Plan and Paragraph 170 of the NPPF.

- 25) All works on site shall be carried out in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012.'

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26, NE27 and NE33 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 26) Work to Building 1 (brick/stone-built slate roof described as stables, office and stores) and Building 4 (brick/stone-built slate roof described as garage) as identified in Figure 4 of the Bat Survey R03, E3 Ecology Ltd, October 2020 shall not in any circumstances commence unless the local planning authority has been provided with either:
- 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
 - Confirmation that the site is registered on a Low Impact Class Licence issued by Natural England; or
 - 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, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26 and NE27 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 27) Prior to first use of the development hereby approved the mitigation measures as outlined in the Bat Survey R03, E3 Ecology Ltd, October 2020 and updated by the Addendum by E3 Ecology Ltd dated 19/01/21 must have been fully implemented, unless otherwise agreed in writing with the local planning authority. This includes, but is not limited to;
- Erection of 10 long lasting bird boxes in the woodland surrounding the buildings.
 - Erection of 6 long lasting bat boxes in the woodland surrounding the buildings.
 - The retention/recreation of 6 crevices suitable for roosting bats in the stone walls of Buildings 1 and 4 as identified in Figure 4 of the Bat Survey.
 - The retention of the roof void above the former office (proposed toilet block) suitable for roosting bats with access through the roof vent. No breathable roofing membrane is to be used.
 - The retention of roof void above coal/oil store suitable for roosting bats. No breathable roofing membrane is to be used.
 - All external lighting will be low level and low lumen following guidance set out in Institution of Lighting Professionals (2018) Advice note 08/18 (<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>). No lighting shall be provided within the woodland itself.
 - Timber treatments that are toxic to mammals will be avoided, following latest guidance from the UK Government.

viii. Within 2 months prior to the start of works, a badger and red squirrel checking survey shall be undertaken to confirm setts and dreys remain absent within a 30m buffer of the proposed extension.

Reason: To conserve and enhance local biodiversity, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26 and NE27 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 28) If the conversion of the buildings hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 12 months of the last bat survey (15th September 2020), the approved ecological measures secured through Condition 22 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:
- i) establish if there have been any changes in the presence and/or abundance of bats and
 - ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority prior to the commencement of conversion of the buildings. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

- Reason: To take account in the changes of distribution and abundance of a mobile protected species, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26 and NE27 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 29) No demolition or development of the buildings, tree felling, or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26, NE27 and NE33 of the Tynedale District Local Plan and the National Planning Policy Framework.

- 30) Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. If netting is to be used, details of a methodology and management plan for the installation and maintenance of the netting shall be submitted to and agreed in writing by the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law, in

accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26, NE27 and NE33 of the Tynedale District Local Plan and the National Planning Policy Framework.

Informatives

1. Reminder to obtain advertisement consent

This permission does not give consent to any advertisement(s) intended to be displayed on the site for which separate Express Consent may be necessary under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as Amended/Revoked).

2. Section 278 Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under Section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

3. Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979

4. No building material, equipment, mud, debris or rubbish 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. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the Highway.

5. Noise and Odour

The applicant may wish to purchase a copy of Control of Odour and Noise from Commercial Kitchen Exhaust, (Dated 5th Sept 2018). from EMAQ+
Email: emaq@ricardo.com

6. Food Registration Advice

The applicant may need to seek advice from our Commercial Team regarding the provision of registration of food business, toilets facilities and design layout of the food preparation, serving areas. Guidance on the provision of toilets for catering premise is available on our development advice webpage: <http://www.northumberland.gov.uk/default.aspx?page=15355>

7. Kitchen Ventilation

The food business has a legal duty under EC 852/2004 to ensure that the kitchen has suitable and sufficient means of natural or mechanical ventilation at all times - any alteration to the food for purchase at any time will need to consider the sufficiency of the on-site ventilation. Mechanical airflow from a contaminated area to a clean area is to be avoided. Ventilation systems are to be so constructed as to enable filters and other parts requiring cleaning or replacement to be readily accessible.

8. Food Business Registration

The Food Business Operator (FBO) must register with Northumberland County Council as a Food Business at least 28 days prior to the first day of operation. The following web-page has further information and the relevant application form:

<https://www.northumberland.gov.uk/Protection/Environmentalhealth/Businesses.aspx>

9. Provision of Multiple Sinks within the Kitchen

The food business has a legal duty under EC 852/2004 to ensure that: "Adequate provision is to be made, where necessary, for washing food. Every sink or other such facility provided for the washing of food is to have an adequate supply of hot and/or cold potable water" To allow for both hand-washing and food preparation it is strongly recommended that two sinks are installed within the proposed kitchen area.

10. Private Water Supply

The applicant has indicated that they intend to use (in part) a Private Water Supply as part of the development, the applicant must liaise with the Public Protection team to meet legal requirements under The Private Water Supplies (England) Regulations, 2016

11. Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant/ developer and their professional advisors / consultants. Applicants / Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

12. Surface Water Drainage

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/avingfrontgardens.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.

13. Coal Authority

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:

14. Public Right of Way

Parish of Corbridge Public Footpath No.2 passes the southwest of the site. The Public Footpath shall be protected throughout the proposed works. No action should be taken to disturb the path surface, without prior consent from the County Council as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.

15. The applicant should try and use local and sustainable materials during construction where possible.

Background Papers: Planning application file(s) 20/03388/FUL

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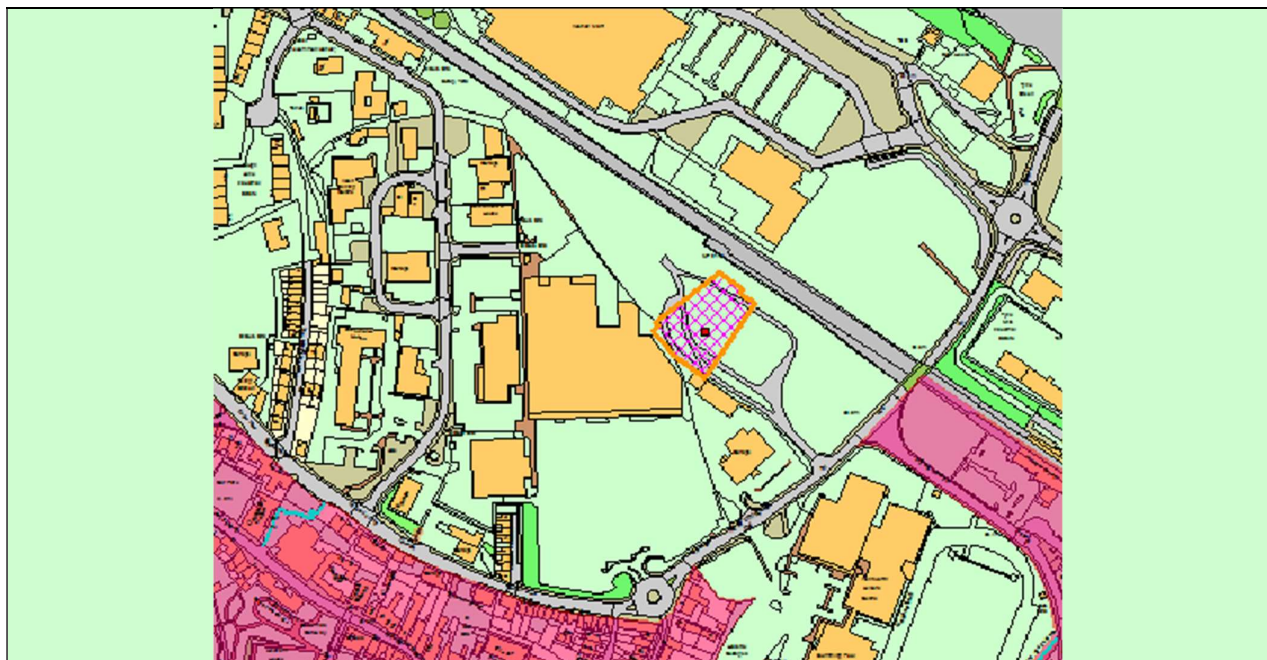


Northumberland
County Council

Tynedale Local Area Council Planning Committee
13 July 2021

Application No:	20/03048/FUL		
Proposal:	Erection of freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD)		
Site Address	Proposed small retail unit A, land north east of Tesco (Bunker Site), Alemouth Road, Hexham, Northumberland		
Applicant:	Peter Carruthers, Union Property Development (Hexham) Ltd, Cobalt 3.1, Silver Fox Way, Newcastle Upon Tyne, NE27 0QJ	Agent:	Mr Matthew Carpenter, Planware, 37 Walnut Tree Lane, Sudbury, IP30 9UE,
Ward	Hexham Central with Acomb	Parish	Hexham
Valid Date:	14 October 2020	Expiry Date:	16 July 2021
Case Officer Details:	Name: Mr Neil Armstrong Job Title: Principal Planning Officer Tel No: 01670 622697 Email: neil.armstrong@northumberland.gov.uk		

Recommendation: That this application be GRANTED



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1. Introduction

1.1 Under the Virtual Delegation Scheme, the application has previously been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee due to the nature of the proposals as part of the wider development in this location. It was agreed that the application raises issue of strategic, wider community or significant County Council interest, and so should be considered by the Committee.

2. Description of the Proposals

2.1 Full planning permission is sought for the erection of a new free-standing restaurant with a drive-thru facility, car parking, landscaping and associated works on land that forms part of the larger 'Bunker Site', located to the north and north-east of the Tesco store and Bristol Street Motors garage in Hexham. The northern boundary of the site is formed by the main Newcastle to Carlisle railway line with the Hexham Auction Mart beyond this. Alemouth Road, which is the main access road into Hexham from the A69 further north, and the roundabout junction with Station Road forms the eastern/south-eastern boundary of the site. This boundary also comprises the Grade II listed abutments and retaining walls of the road bridge over the line to the west and south of Hexham Railway Station. To the west of the larger Bunker site area are units on the Haugh Lane Industrial Estate. The site is outside of, but immediately adjacent to, the Hexham Conservation Area.

2.2 Planning permission has previously been granted by the Council's Strategic Planning Committee on the full extent of the wider Bunker Site area under application 19/00277/FUL, which was also submitted by the same applicant as this current application, for:

Hybrid Planning Application - Full planning permission for a new food store (Use Class A1) (2,177 sq m) with associated customer car parking and servicing, a four storey 69 bed hotel (Use Class C1)(2,540 sq m) and 250 public car parking spaces with associated means of access from, and upgrades to, Alemouth Road. Outline planning permission with all matters reserved for up to 1,600 sq.m of development in Use Classes A1- A4 in two units with associated car parking.

In addition, listed building consent was granted in connection with the above under application 19/01082/LBC for related works to relocate the listed wall in order to allow access to the larger site area.

2.3 The above applications granted consent for the creation of the new vehicular access and ramp down into the site from Alemouth Road to serve the overall larger development of the Bunker Site. The proposed development would also use this and take access from the internal road that is being developed under the approved scheme.

2.4 This current application would be operated as a McDonalds restaurant and drive-thru and relates to that part of the site that was granted outline planning permission for development falling within use classes A1 – A4 (shops, financial and professional services, restaurants and cafes and drinking establishments). As well as restricting development on this part of the site to use classes A1 – A4 based on the proposals as submitted, condition 31 of planning permission 19/00277/FUL also limited development so that the gross floorspace shall not exceed 1,600 sq.m and shall not

be subdivided to any more than two separate units, with the minimum floorspace within any one unit not measuring less than 500 sq.m (gross), in the interests of managing the impact of the development upon Hexham town centre and use of the site.

2.5 Whilst the development of a restaurant would have fallen within use class A3 (now Class E following amendments in 2020 to the Use Classes Order), the hot food takeaway element would have fallen within use class A5 (now 'sui generis' use). As such the proposal would not be within the scope of the outline permission and so full planning permission is sought for the proposed development under this application.

2.6 The new building would have an external footprint of around 420 square metres with the gross internal area being 350 square metres with a dining area of 80 square metres. The site incorporates associated car parking (28no. spaces including 2no. accessible bays) and a drive-thru lane that would be entered along the south-eastern boundary adjacent to the Lidl store and extending around the rear of the building. The restaurant will provide approximately 110 seats for customers, with take-away available from both the counter and the drive-thru lane. A patio area with external seating is shown to the front of the building.

2.7 There are variations in the length, width and height of sections of the new building. The overall length of the building is 31.6 metres and at its widest point it would be 14.1 metres. The building is single-storey and at its highest part would be 5.8 metres to the north-western end and 3 metres at its lowest point to the south-eastern side 'corral' enclosure, which encloses the delivery, storage and refuse areas. The scheme also proposes customer order display points with canopies (3 metres high) and a height restrictor (3.2 metres high) for the drive-thru lane. The application states that 35 full-time and 30 part-time jobs would be created as a result of the development.

2.8 During the course of the application the proposed elevations have been altered from a relatively standard more contemporary McDonalds building design to incorporate a more bespoke approach and use of materials for this location. This now proposes facing brick that has been agreed for use on the adjacent Lidl and Travelodge buildings, alongside timber cladding and brown coloured cladding panels to the corral area. Larger areas of glazing are located to the north-east facing front elevation and the north-west elevation that faces towards the Travelodge site.

3. Planning History

Reference Number: 19/00277/FUL

Description: Hybrid Planning Application - Full planning permission for a new food store (Use Class A1) (2,177 sq m) with associated customer car parking and servicing, a four storey 69 bed hotel (Use Class C1)(2,540 sq m) and 250 public car parking spaces with associated means of access from, and upgrades to, Alemouth Road. Outline planning permission with all matters reserved for up to 1,600 sq.m of development in Use Classes A1- A4 in two units with associated car parking.

Status: Permitted

Reference Number: 19/01082/LBC

Description: Listed Building Consent: Works to relocate Listed Wall

Status: Pending

Reference Number: 21/01410/DISCON

Description: Discharge of Condition 44 (odour treatment system) on approved application 19/00277/FUL.

Status: Permitted

Reference Number: 21/00504/DISCON

Description: Discharge of conditions: 5 (External materials) pursuant to planning approval 19/00277/FUL

Status: Pending

Reference Number: 21/01410/DISCON

Description: Discharge of Condition 44 (odour treatment system) on approved application 19/00277/FUL.

Status: Permitted

Reference Number: T/76/E/4

Description: Conversion of cold store to government communication centre of a radio tower on the building

Status: Permitted

Reference Number: T/87/E/305

Description: Circular 18/84 procedure: Erection of temporary vehicle shed.

Status: Permitted

Reference Number: T/940869

Description: Outline application for mixed development comprising retail, office, warehouse and industrial uses and petrol filling station together with associated highway improvements, car parking and landscaping

Status: Permitted

Reference Number: T/960160

Description: OUTLINE: Proposed mixed development comprising retail, office, warehouse and industrial uses together with associated highway improvements, car parking and landscaping, relocation of existing concrete depot and petrol filling station

Status: Refused

Reference Number: T/960896

Description: OUTLINE: Proposed mixed development comprising retail, office, warehouse and industrial uses together with associated highway improvements, car parking and landscaping. Refurbishment of existing petrol filling station and conversion of existing supermarket

Status: Withdrawn

Reference Number: T/970809

Description: Demolition of all structures on site

Status: Permitted

Reference Number: T/20041137

Description: Vary Conditions 1 and 3 of Outline Planning Permission Reference 940869 for mixed development on land at and adjacent to Hexham Railway Goods Yard, and the former cold store warehouse, Alemouth Road, Hexham (To extend the expiry date for the submission of the reserved matters on the eastern part of the Bunker site by 12 months to November 2005)

Status: Refused

Reference Number: T/20041526

Description: Variation of conditions 8, 9 and 12 attached to permission 940869 to allow phased implementation for mixed development comprising retail office, warehouse and industrial uses with associated highway improvements, car parking and landscaping

Status: Refused

4. Consultee Responses

Hexham Town Council	The Town Council has no objections to this application but requests conditions be imposed relating to potential takeaway waste and permitting only muted external colours.
Historic England	No comments – suggest the views of NCC’s specialist conservation and archaeological advisers are sought as relevant.
County Archaeologist	No objections to the application from an archaeological perspective and no archaeological work will be required.
County Ecologist	No objection subject to condition.
Design & Built Heritage	<p>Highlight potential impacts upon the setting of nearby listed buildings and in particular on the Hexham Conservation Area which lies immediately to the south of the site. Alemouth Road is the main approach into Hexham from the A69 and the distinctive character of the Conservation Area is characterised by its iconic grade I listed Abbey, Moot Hall and Old Gaol which sit at the top of the hill and are clearly visible from this approach.</p> <p>The creation of the large roundabout and wide access splays into the site will make the proposed McDonalds clearly visible from this important access route. It is therefore important to ascertain full details of all signage associated with this development at this stage. An ‘advertisement plan’ has been submitted as part of this application but no elevations of any of the proposed signage on this plan have been submitted. In addition, some signage has been shown on the proposed elevations of the building, but no details of proposed materials or whether this signage is to be illuminated has been submitted.</p> <p>The additions to the original Heritage Statement are very scant and no photomontages are included to support the application. Large scale photomontages of the proposed building and associated signage, with the Abbey, Moot Hall and Old Gaol in the background should be submitted to allow full and thorough assessment of the impact of this proposal on these important listed buildings and the Hexham Conservation Area. These photomontages should be during daylight hours and at night.</p> <p>The proposed landscape plan shows very little soft landscaping. No trees are proposed. Trees should be included in front of the building to mitigate light pollution during hours of darkness and the detrimental impact which this would have on the setting of the listed buildings and Conservation Area.</p>
Highways	No objection subject to conditions.
Public Protection	No objection subject to conditions.

Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Northumbrian Water Ltd	No objection subject to condition.
Environment Agency	No objection subject to condition.
Network Rail	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	29
Number of Objections	3
Number of Support	1
Number of General Comments	1

Notices

Site notice – affecting listed buildings and Conservation Area: 2 November 2020
 Press notice - Hexham Courant: 29 October 2020

Summary of Responses:

Three objections, one general comment and one representation in support have been received following publicity of the application.

The objections raise concerns in respect of:

- increased traffic using Alemouth Road and new access alongside the adjacent approved development resulting in congestion;
- increased litter and how can this be managed;
- matters of healthcare and obesity;
- potential impacts upon other outlets and the town centre;
- potential visual impacts of associated signage

One comment has been received neither objecting to nor supporting the application but raising concerns about potential future changes to any scheme.

The representation in support of the proposals states there are too many pizza and kebab shops in Hexham, and it is about time the town got a McDonalds.

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=QGRB4UQSIU200>

6. Planning Policy

6.1 Development Plan Policy

Hexham Neighbourhood Plan – Referendum Plan (April 2020)

HNP1 Sustainable development in the Neighbourhood Area
HNP2 High quality sustainable design in the Neighbourhood Area
HNP3 Design in the Hexham Conservation Area
HNP4 Non designated heritage assets
HNP7 Designated heritage assets
HNP19 Community facilities
HNP21 Walking and cycling in Hexham
HNP22 Key shopping area in Hexham

Tynedale Core Strategy (2007)

GD1 Location of development
GD2 Prioritising sites for development
GD4 Transport and accessibility
GD5 Minimising flood risk
NE1 Principles for the natural environment
BE1 Built environment
EDT1 Principles for economic development and tourism
EDT2 Employment land provision
RT1 Principles for town centres and retailing
RT2 Primary Shopping Areas
RT3 Primary Shopping Frontages
CS1 Principles for community services and facilities

Tynedale District Local Plan (2000)

GD2 Design criteria for new development
GD3 Provision of suitable access for people with impaired mobility
GD4 Range of transport provision
GD7 Car parking standards
NE19 Protection of Internationally Important Nature Conservation Sites
NE20 Protection of Sites of Special Scientific Interest
NE26 Protection of habitats of special importance to wildlife
NE27 Protected Species
NE37 Landscaping in developments
BE18 Development affect the character and setting of a Conservation Area
BE22 Setting of listed buildings
BE25 Preservation of scheduled ancient monuments, nationally important sites and settings
BE27 Archaeology
BE28 Archaeological assessment
BE29 Development and preservation
ED1 Land allocated for Employment Development
ED7 Uses not permitted in existing employment areas or on sites allocated for employment use
TM2 Enhancement of existing facilities, attractions and infrastructure
RT14 Food and drink uses outside commercial areas

CS19 Location of development either causing or adjacent to pollution sources
CS21 Location of noise sensitive uses
CS22 Location of noise generating uses
CS23 Development on contaminated land
CS27 Sewerage

6.2 National Planning Policy

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

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
STP 2 Presumption in favour of sustainable development
STP 3 Principles of sustainable development
STP 4 Climate change mitigation and adaptation
STP 5 Health and wellbeing
ECN 1 Planning strategy for the economy
ECN 6 General employment land – allocations and safeguarding
ECN 8 Areas for wider employment-generating uses
ECN 9 Additional flexibility in general employment areas
ECN 10 Loss or depletion of employment land
TCS 1 Hierarchy of centres
TCS 2 Defining centres in Main Towns
TCS 3 Maintaining and enhancing the role of centres
TCS 4 Proposals outside centres
TCS 5 Keeping high streets vibrant
QOP 1 Design principles
QOP 2 Good design and amenity
QOP 3 Public realm design principles
QOP 4 Landscaping and trees
QOP 5 Sustainable design and construction
QOP 6 Delivering well-designed places
TRA 1 Promoting sustainable connections
TRA 2 The effects of development on the road network
TRA 4 Parking provision in new development
TRA 5 Rail transport and safeguarding facilities
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment
ENV 2 Biodiversity and geodiversity
ENV 3 Landscape
ENV 7 Historic environment and heritage assets
ENV 9 Conservation Areas
WAT 2 Water supply and sewerage
WAT 3 Flooding
POL 1 Unstable and contaminated land
POL 2 Pollution and air, soil and water quality
INF 1 Delivering development related infrastructure
INF 2 Community services and facilities

6.4 Other Documents/Strategies

National Design Guide (2019)

The Setting of Heritage Assets (Historic England – December 2017)

Northumberland Employment Land Review (January 2011)

Northumberland Employment Land Review Update (October 2013)

Employment Land and Premises Demand Study (July 2015)

Employment Land Take Up Study 1999-2017 (March 2018)

Employment Site Schedule 2016/17 (March 2018)

Employment Site Schedule 2016/17 (March 2018)

Employment Land Site Option Appraisal – Hexham (July 2018)

Employment Land: Strategic Considerations and Assessment of Sites Technical Paper (December 2018)

Assessment of Employment Sites Technical Background Paper (July 2018)

Hexham Market Town Benchmarking Report (May 2014)

Northumberland Town Centres and Retail Study 2011

Northumberland Town Centres and Retail Study Update (January 2013)

Northumberland Town Centres and Retail Study Update (March 2016)

Policy Approach for Northumberland's Twelve Main Town Centres – Technical Paper (December 2018)

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 Hexham Neighbourhood Plan (HNP), The Tynedale Core Strategy (TCS) and the saved policies of the Tynedale Local Plan (TLP) 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.

7.4 Following assessment of the proposals and consultation the main issues that are considered to be relevant in the determination of the application as follows:

- Principle of development
- Design and impact upon heritage assets
- Access, parking and highway safety
- Flood risk and drainage
- Ecology
- Public Protection matters

Principle of Development

7.5 The principle of development has been assessed by officers having regard to a number of issues, including the location and scale of the development, existing site allocation, potential impacts upon the town centre, as well as the extant permission for development on this plot and the wider Bunker Site area.

7.6 Hexham is identified as a Main Town within the TCS, and is therefore a main focus for development and also where any large-scale individual developments would be located. This is carried forward into the emerging NLP where Hexham is again identified as a Main Town, which will also be the main focus for employment, housing, retail and services. Policy HNP 1 of the HNP supports sustainable development, including increased opportunities for local employment and development to support the regeneration of Hexham and making the best use of previously developed land.

7.7 Having regard to the current adopted development plan the site is located outside of the town centre and commercial centres, whilst it is allocated as employment land for Use Classes B1 (business), B2 (general industrial) and B8 (storage or distribution) under Policies ED1 (site no. ED1.6) and ED5 of the TLP. The site is also proposed to continue to be allocated for general employment land and an area for flexible employment use within the emerging NLP, although a significant material consideration in this instance is the grant of full and outline planning permission on the full site area, which is currently being implemented. The site would also be outside of, although immediately adjacent to, the proposed extent of the Town Centre in the emerging NLP. The northern boundary of the town centre would be up to the northern boundary of the adjacent Tesco and Bristol Street Motor sites.

7.8 In light of the above, whilst the development would be in broad accordance with the principles for the location of development within Hexham as a Main Town, having regard to the adopted and emerging development plan policies, there are matters to consider further in relation to the principle of development in this location having regard to loss of employment land and impacts on the town centre, which will be considered separately in more detail below.

Loss of Employment Land

7.9 As referred to above the overall Bunker Site, as well as adjacent land to the west at Haugh Lane Industrial Estate, is allocated as employment land within the current proposals map of the Tynedale Local Development Framework. Policy ED1 of the TLP permits the development of, or change of use to, B1, B2 and B8 uses. The former Bunker Site is listed at ED1.6 within the policy as a specific site and Policy ED5 of the Local Plan also identifies existing employment land at Haugh Lane/Burn Lane to the

west. Saved Policy ED7 is clear that proposals for development other than those which fall into B1, B2 or B8 use will not be permitted.

7.10 Policy EDT1 of the TCS looks to ensure sufficient land is available to meet the employment requirements of the district and to protect existing and allocated employment land for its intended purpose. Policy EDT2 sets out how employment land needs will be met up to 2021 through sites with planning permission and site allocations where appropriate.

7.11 Paragraph 120 of the NPPF states that planning policies and decisions need to reflect changes in the demand for land and be informed by regular reviews of both the land allocated for development in plans and of land availability. It goes on to state that where the local planning authority (LPA) considers that there is no reasonable prospect of an application coming forward for the use allocated in a plan:

a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

7.12 Although it has more limited weight at the present time, the site is allocated within the emerging NLP as employment land under Policy ECN 6 and as an area for flexible employment use under Policy ECN 8. Having regard to the recent Main Modifications document, Policy ECN 6 states that *“the range of land uses that will be supported within general employment areas will be either the main employment uses only, in accordance with Policy ECN 7, or a wider range of employment-generating uses, in accordance with Policy ECN 8”*. Policy ECN 8 would apply for this site, which states that:

General employment areas, where employment-generating uses wider than the main employment uses will be supported, are identified on the Policies Map. Within these areas, unless otherwise limited by relevant policies in made neighbourhood development plans, permission will be granted for uses generating permanent on-site employment, provided that they comply with the definition of wider employment generating uses; and:

a. The proposed economic activity is compatible with existing businesses on the site and adjoining land uses; and

b. The proposal would not generate an unacceptable level of continual access by members of the public who do not work within that employment area.

7.13 Policy ECN 9 of the NLP proposes some flexibility for general employment areas setting out that permission for uses wider than the ranges specified within Policies CN 7 or ECN 8 may be granted if the proposal meets one or more of the following:

a. It is ancillary to and will support the main employment-related use of the area;

b. It is for part of a larger site or premises and would facilitate the development of the remainder for employment uses in the specified range, which would otherwise be undeliverable;

- c. It is on part of a larger development site and would facilitate the development of the remainder for employment uses in the specified range, which would otherwise be undeliverable;*
- d. It would bring back into use a building which has stood vacant for at least 12 months, and the reoccupation of which by an employment use is demonstrated to be unlikely;*
- e. It would provide the optimal location for essential infrastructure provision;*
- f. It can be demonstrated to deliver significant community and economic benefits that override the need to maintain the site or premises within the specified range of employment uses;*
- g. It would help foster skills development and cannot be provided in an existing educational establishment or as ancillary to an employment use.*

7.14 Policy ECN 10 of the NLP goes on to set out criteria that would need to be addressed when development of allocated employment land for entirely non-employment uses is proposed. It focuses on the feasibility of demand across the plan period as well as recent market signals. This states:

“...development for non-employment generating uses, such as housing, will be supported where robust evidence can demonstrate that:

- a. there is no reasonable prospect of an application coming forward for an employment use; and/or*
- b. there would not be an unacceptable loss of active businesses and jobs; and/or*
- c. there would not be an unacceptable adverse impact on the continuing function of nearby existing businesses and/or the development of available employment land”.*

7.15 During the assessment of this matter as part of planning application 19/00277/FUL it was highlighted that the Bunker Site had been allocated for employment land at least since the year 2000, when the TLP was adopted. It was stated then that as required by paragraph 120 of the NPPF, the LPA needed to take account of the fact that the site had not been taken up in the intervening 20 years, as well as of what the evidence base for the emerging NLP stated.

7.16 At the time of that assessment the committee report set out that officers were advised that in deciding to retain the allocation of this land in the emerging NLP, it was considered important to recognise that the Employment Land and Premises Study, as recently as 2015, saw the value of the land as an employment location - at least for offices - notwithstanding the up-front costs. The previous application was submitted with an “Employment Land Assessment”, that took into account the current and emerging development plan position, including the evidence base behind the emerging NLP, as well as the NPPF and National Planning Practice Guidance. That assessment also made reference to marketing of the site that was undertaken from September 2017.

7.17 The committee report highlighted that the LPA would continue to prefer that the site was retained in employment use at least until an alternative, sizeable, allocation could be made, although accepted that the proposed uses for the overall site would bring in some employment and potentially contribute to the enhancement of a vacant and derelict site on a main approach into the town. Whilst a pure employment use had always been envisaged for the overall site, it was stated that the needs of a modern economy actually suggest that this site is more appropriate for a mixed-use scheme. The proposed scheme submitted under 19/00277/FUL was for a mixture of uses, which importantly were considered to be deliverable and reflected the location

and constraints on the site. It was also felt that the site offers strategic economic advantages given that the proposed hotel accommodation coupled with the extra car parking will offer consequential increased footfall opportunity in the town centre.

7.18 On that basis, it was officer considered that given the evidence provided with the hybrid application, on balance the proposed loss of employment land would not be sufficient to justify a reason for refusal. Furthermore, taking into account the proximity of the site to the centre of Hexham and the need for increased activity in the town this is considered an acceptable mixed-use scheme.

7.19 A significant material considering for the assessment of the current application in this respect is the granting of planning permission for a mix of uses across the wider site. In addition, although not falling within the same use class, outline planning permission has been granted on this specific site for uses that are similar in nature to the proposed development, comprising retail, restaurant and drinking establishment use. The principle of the loss of employment land on this site has therefore been established through the extant permission for development, which weighs heavily in favour of the proposed development as a material consideration in this instance.

Impact on the Town Centre

7.20 The NPPF defines “main town centre uses”, which includes drive-through restaurants as proposed within this application, as well as those uses already permitted on the site that fell within use classes A1 – A4.

7.21 Paragraph 85 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Paragraph 86 of the NPPF goes on to state that *“local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered”*.

7.22 Paragraph 87 of the NPPF then states *“when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored”*. The application site is situated within 300 metres of the defined primary shopping area for Hexham and is therefore deemed to be an edge of centre location in planning policy terms.

7.23 Whilst Paragraph 89 of the NPPF identifies a twin impact test for retail and leisure development, and such an assessment was considered for the hybrid application 19/00277/FUL, this assessment is not required for the current proposals given the type and scale of use.

7.24 Paragraph 90 of the NPPF indicates that, where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the above factors, it should be refused. However, this direction cannot extinguish the requirement set out in statute to first consider development plan policy and then all material considerations in assessing the ‘planning balance’ when making a decision.

7.25 Policy RT1 of the TCS seeks to maintain and enhance the vitality and viability of identified Primary Shopping Areas (PSA) and will only seek to accommodate additional floorspace for retail and other town centre uses where it would not adversely affect the vitality, viability, historic or environmental character of Primary Shopping Areas or the main towns or local centres generally. Policy RT2 then sets out that PSAs are defined on the Proposals Map in line with a hierarchy, which includes Hexham as a main town centre. Retail and other town centre uses will be permitted within the PSAs.

7.26 Policy RT14 of the TLP relates to proposals for food and drink (former use class A3) outside of the Commercial Areas and sets out criteria against which such proposals will be considered. This includes the prevailing character of the area; whether there would be adverse effects on the amenity of the area as a result of increased noise and disturbance or smells and odours; and whether the proposal would create unacceptable levels of traffic or generate excessive parking requirements. Proposals for hot food uses are unlikely to be acceptable where the premises are located in a residential area isolated from other non-residential areas.

7.27 The application site is located outside of the Commercial Area identified on the Proposals Map for the TLP, as well as the PSA identified on the Proposals Map for the Tynedale Local Development Framework. As referred to earlier the application site is considered to be an 'edge of centre' location for the purposes of the relevant planning policy.

7.28 Turning to the emerging NLP and Main Modifications, Policy TCS 1 identifies Hexham as one of the Main Town 'Larger Centres'. The policy indicates that growth within defined centres will be supported and encouraged at a scale which helps maintain and reinforce centres' roles with the hierarchy. In addition, proposals which seek to replace significant areas of main town centre uses with other uses will be resisted where this would undermine the centre's role and position within the hierarchy. The Town Centre and PSA boundaries are established through Policy TCS 2 and shown on the Policies Map. This policy states Main Town Centre Uses should be located within these boundaries, unless there are positive planning reasons to locate them elsewhere that outweigh other policy considerations.

7.29 Policy TCS 3 looks to maintain and enhance the role of centres. In respect of proposals for out of centre main town centre uses, Policy TCS 4 indicates that such proposals will be the subject of proportionate and appropriate sequential testing. The Main Modifications document proposes text that states *"While sequential tests will normally be used in order to support the 'town centre first' policy, there may be occasions where it is legitimate to promote a main town centre use in another location, e.g. to ensure that vital local services are maintained and/or if the only viable location for development considered essential for a particular town is out of centre"*.

7.30 Paragraph 86 of the NPPF sets out the order of preference in applying the sequential approach. The first preference is for main town centre use development to locate in town centres, followed then by edge of centre locations, and only if no other suitable sites are available should out of centre sites be considered. Paragraph 86 indicates that, when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale. Additional guidance on the application of the

sequential approach is provided by the Government's Planning Practice Guidance (PPG) and 'Planning for town centre vitality and viability'.

7.31 A sequential test was previously undertaken for the larger hybrid application to cover the overall development, and including the units proposed on the current application site forming the outline part of that application. Alternative sites that had been considered and discounted by the applicant for the purposes of the sequential test included the Beales store, former Listers Garage, former Tourist Information Centre, Wentworth car park, Tesco car park, former bus station site, former Nissan car dealer, land west of Maiden Walk and the Workhouse site.

7.32 At that time, following the Council's review of the applicant's submission it was considered that of the nine sites, the only site which was considered to have the potential to accommodate the proposal (in part), was the former bus station site. It was felt that there was potential for the site to accommodate the floorspace applied for as part of the outline element of the hybrid application (units of up to 1,600m²). Officers were of the view that there was the potential for the former bus station site to accommodate the floorspace applied for under the outline element of the scheme, and that it had not been appropriately demonstrated by the applicant that the site could be discounted for the purposes of the sequential test. However, further information was provided to satisfy officers that this aspect had been adequately addressed.

7.33 The committee report stated that due to uncertainties over the future nature and scale of any potential scheme on the former bus station site, along with the timetable for acquiring and developing the site, it could not be reasonably concluded that it was both available and suitable to accommodate the proposed development. It was therefore concluded that there were no sites that were available and suitable to accommodate the proposed development and the proposal was found to accord with paragraph 86 of the NPPF.

7.34 The applicant has provided a further sequential test that has been prepared for the current application comprising the restaurant and drive-thru elements as well as associated works. A further addendum to the original assessment has also recently been submitted to provide further information on possible sites.

7.35 The submitted sequential test reports reference the similar exercise that was undertaken and submitted for application 19/00277/FUL. The assessment concludes that there are not considered to be any alternative sites within the town centre that are suitable, available or viable for the proposed development of a restaurant and drive-thru as proposed. An addendum to the assessment submitted by the applicant considers the former bus station and Ropery site in more detail in light of the site area that was granted permission for mixed use development under 15/02794/FUL for residential development and a retail unit.

7.36 The applicant states that whilst that site may be able to accommodate the amount of development in terms of site area, there are concerns that this would not be the most suitable site given potential impacts upon residential amenity given the location and proximity to residential properties. Whilst a detailed assessment for noise and odour have not been undertaken for the bus station site, it is acknowledged that there may be potential conflicts and such a restaurant and drive-thru use may not be as compatible with the surrounding area compared to the proposed site. It is also suggested that the restaurant and drive-thru is designed to appeal to customers already passing the site and is predominantly a roadside restaurant making the Bunker

Site location the most appropriate and sustainable location. On this basis it is accepted that there are no sequentially preferable sites within the town centre that could likely accommodate the proposed development.

7.37 Although it can only be given little weight at this stage due to objections and main modifications, Policy TCS 6 of the NLP refers specifically to the development of new hot food takeaways, and states that these will be supported where all of the following criteria apply:

- a. *They are within a Main Town or, otherwise, within an electoral division where no more than 35.3 percent of Year 6 pupils are classified as overweight or obese;*
- b. *They are within a Main Town or, otherwise, within an electoral division where the number of approved hot food takeaway establishments per 1000 resident population, based on the latest data from the Local Land and Property Gazetteer, is less than the Northumberland average of 0.6 per 1000 resident population in March 2018;*
- c. *They are over 400 metres walk from any entrance gate of any existing or proposed school or college with students under the age of 18 years;*
- d. *They will not create or add to a cluster of three or more adjacent Use Class A5 hot food takeaways within a 100 metre radius of any given point;*
- e. *They will not be replacing the last convenience shop or public house in a village or the last convenience shop in a parade of shops that serve a residential area;*
- f. *They would not create safety hazards for pedestrians or other users of the public highway;*
- g. *They will not have an adverse effect on the living conditions of any nearby residents from noise or disturbance or litter or odours or that any such disturbance can be suitably mitigated.*

7.38 Notwithstanding the little weight that can currently be applied to this, the proposed development of the site would not conflict with parts a) to e) of the policy. The matters relevant to parts f) and g) will be considered later in this report.

Summary

7.39 As set out above, the principle of the development on the site has been considered having regard to the relevant development plan policy and NPPF, as well as the significant material consideration of the extant permission on the application site and the larger site area, which also considered matters of the loss of employment land and effects on the town centre and deemed similar forms of development in this location to be acceptable.

7.40 With regard to the sequential test, the applicant has undertaken this assessment and it is noted that there are no sites which are both available and suitable to accommodate the proposed development as submitted and therefore the scheme accords with paragraph 86 of the NPPF and the PPG in this respect. Whilst the site is located outside of the town centre, albeit immediately adjacent to the proposed town centre in the emerging NLP, a significant material consideration weighing in favour of the proposal is the extant permission for new development on the site. In light of the above the principle of the development in this location is considered to be acceptable.

Design and Impact upon Heritage Assets

7.41 The development of the wider Bunker Site as approved through 19/00277/FUL has previously considered in detail the impacts upon designated heritage assets in relation to the proposed access works that would affect the Grade II listed abutments and retaining walls, as well as setting issues in relation to listed buildings within the town and the Hexham Conservation Area. The site forms part of the foreground to important views of the Conservation Area on its approach from the north - from both road and the train station. The development has the potential to affect the setting of listed buildings further afield (i.e. Grade II listed Hexham Railway Station and related buildings, Grade I listed Abbey and Old Gaol and Grade II* listed Moot Hall) given the location of the Bunker Site in the foreground of important views to the Conservation Area.

7.42 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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. Section 72 of the Act also imposes a duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

7.43 Policy GD2 of the TLP requires development to respect the positive characteristics of the natural and built environment and to conform to design criteria. This includes that the design should be appropriate to the character of the site and its surroundings, existing buildings and their setting, in terms of the scale, proportions, massing, positioning and appearance of buildings, use of materials, structures and landscaped and hard surfaced areas. Policy NE37 requires suitable landscaping to be provided within developments and the layout and design to be of a high standard, providing an interesting and attractive visual environment.

7.44 With regard to impacts on heritage assets, Policy BE18 of the TLP states that outside of Conservation Areas, development will be permitted if it would not harm the character, setting or views into or out of the Conservation Area. With regard to the setting of listed buildings, Policy BE22 states that development that would adversely affect the essential character or setting will not be permitted. Development will be permitted where the detailed design is in keeping with the listed building in terms of scale, height, massing and alignment; and the works proposed make use of traditional or sympathetic building materials and techniques which are in keeping with those found on the listed building. Policies BE27, BE28 and BE29 relate to ensuring there is appropriate assessment of archaeological impacts with appropriate preservation in situ or mitigation as required.

7.45 Policies HNP2, HNP3 and HNP 7 of the HNP are relevant in relation to design and impacts upon the Conservation Area and heritage assets. Policy BE1 of the TCS sets out principles for the built environment. These include to conserve and where appropriate enhance the quality and integrity of Tynedale's built environment and its historic features including archaeology, giving particular protection to listed buildings, scheduled monuments and conservation areas; and ensure that development is of a high quality design that will maintain and enhance the distinctive local character of the District's towns, villages and countryside.

7.46 These policies are considered to be in largely in accordance with the NPPF, which seeks to achieve well designed places. Paragraph 124 states that "*the creation of high*

quality buildings and places is fundamental to what the planning and development process should achieve. 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”.

7.47 Section 16 of the NPPF sets out the policy framework for conserving and enhancing the historic environment. Paragraph 193 states that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.* Paragraph 194 goes on to state that *“any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.*

7.48 In terms of emerging planning policies, Policies QOP 1, QOP 2, QOP 3, QOP 4, QOP 5 and QOP 6 of the NLP relate to achieving high quality design and well designed places in accordance with the NPPF, although little or limited weight can be given to these at this stage. Policies ENV 1, ENV 7 and ENV 9 relate to development affecting the built and historic environment as well as heritage assets, although again, only limited weight can be given to these.

7.49 The proposed development of this plot would form part of a larger mixed-use development, and some consideration has been given to the development of this plot alongside the proposals submitted under application 19/00277/FUL. Whilst it was not possible to fully appraise the impact of the outline element of the scheme at that stage given that layout, scale and appearance of these units are reserved matters, some consideration had been given to the potential effects of additional development alongside the works for which full planning permission was proposed, comprising the new access from Alemouth Road, retaining walls, Lidl and Travelodge buildings and car park.

7.50 At that time officers acknowledged that the proposed development as a whole would introduce a substantial form of development onto the site that would directly impact upon heritage assets, including the Grade II listed abutments and retaining walls, as well as the Hexham Conservation Area and the setting of other listed buildings. When assessed as a whole it was considered that there would be substantial harm, and having regard to paragraphs 194 and 195 of the NPPF, the officer recommendation, and subsequently the Strategic Planning Committee, found that there were substantial public benefits to outweigh the identified harm.

7.51 It was also acknowledged by officers that the proposals would provide an opportunity to enhance the appearance of the area through the redevelopment of a vacant site that has a long-standing allocation for employment land and was therefore expected to be developed in some form. The development would also be seen in the context of larger, more modern and commercial buildings, such as Tesco, Bristol Street Motors and buildings upon the Haugh Lane Industrial Estate. However, there is an opportunity to provide a better and higher quality design on the site than those developments.

7.52 The current application looks to develop a site with an extant outline planning permission for a larger scale of proposal than that currently being sought. The proposed new building, along with associated infrastructure and works relating to the

drive-thru element, would also be of a smaller scale in comparison to the scale of buildings approved for the adjacent Lidl (footprint of 72 metres x 38 metres and 7 metres maximum height) and Travelodge (footprint of 47 metres x 15 metres and 15 metre maximum height) buildings. As referred to earlier, the applicant has submitted amended plans that look to utilise facing brick and materials that would reflect those proposed on the adjacent developments.

7.53 Having regard to the extant permission for development on the site, as well as the proposed location, layout, scale and appearance of the scheme, the proposals are not felt to result in significant or adverse impacts upon the site when considered in the context of the larger mixed-use development of the Bunker Site, as well as the relationship with other commercial and larger-scale development in the immediate area. The new building would infill an area between these new larger buildings, with the existing Tesco supermarket forming the southern boundary and immediate backdrop, and as such it is not felt that there would be a significant visual impact as a result of the proposals on the site.

7.54 Notwithstanding the above, it is acknowledged that a significant material consideration is the effect of the current proposal on the setting of heritage assets as identified earlier. The assessment of the approved scheme for the wider site considered in detail potential impacts, including the works to create vehicular access to the site from Alemouth Road, retaining structures and the scale of new buildings. Given the extant permission for development of the site, and the fact that works are in progress on this, key considerations for the current application are the visual effects of the proposed new restaurant and drive thru as submitted in the context of its location relative to the wider mixed-use scheme, heritage assets and surrounding development.

7.55 Following consultation on the current application the Design & Built Heritage Officer acknowledges that the proposed building is relatively small, although identifies concerns regarding the impacts on the setting of the identified heritage assets. They comment that the creation of the new roundabout and access into the site will make the proposal clearly visible from the important access route of Alemouth Road, and therefore advise that full details of signage for the proposal should be provided at this stage. It is stated that this assessment of signage should include visuals and details of illumination. Comments have also been made that the submitted plans show limited landscaping to the front of the building in order to mitigate the effects of the new building.

7.56 Whilst these comments are noted, and associated signage, including larger totem style designs and illumination, can have an impact as part of developments, the control of advertisements and their effects on 'amenity' and 'public safety' are subject to a separate consent process and assessment under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). This is a similar approach to the previous assessment of the Lidl and Travelodge buildings, which were assessed in terms of the layout, scale and design of the proposed buildings and associated works, and the proposed signage is now subject to assessment under separate applications seeking advertisement consent. Although the applicant has provided some details of signage at this stage within the current application, this would not form part of the approved plans should Members resolve to grant planning permission for the development, and would be subject to the separate advertisement consent process.

7.57 Following this clarification from officers, the Design & Built Heritage Officer has reviewed visuals of the proposed wider development that were submitted with application 19/00277/FUL to indicate the size of development on the outline plot. Whilst they state that it is disappointing that the applicant has not submitted the photomontages requested or details of signage, they request that a condition/caveat is included in any consent granted that this application does not give consent for any of the signage shown on the submitted plans and that full details, including verified photomontages of the proposed signage, both in daylight hours and in darkness are submitted for consideration as part of an application for advertisement consent. Whilst it would not be reasonable to condition this aspect, an informative could be included with any consent advising that any proposed signage should have particular regard to the location of the site and its relationship with designated heritage assets in the vicinity of the site and wider townscape when considering the issue of amenity and that a 'heritage' and subdued form of signage should be put forward in this location.

7.58 In terms of the wider visual impacts of the proposal, officers have given significant weight to the fact that the larger-scale development of the whole Bunker Site, including the new access and works to the listed walls, has been found to be acceptable. The main visual impacts and setting issues arising from the current application would be in views from Alemouth Road and to the north on the approach to the site and town. Given the location and scale of the proposals alongside existing development and the approved works on the larger site, it is not felt that there would be any significant impact or harm to the setting of the Conservation Area or listed buildings in this instance as a result of this proposal. This is based upon the scale of the building, its design and materials, and how it would sit in the context of other much larger commercial development such as Lidl, Travelodge and Tesco immediately adjacent.

7.59 Opening up the access to the site from Alemouth Road would result in views of the proposed scheme, although again this would be seen alongside other existing and new commercial development. Whilst there would be a change to Alemouth Road and how the wider environment is viewed, it is not felt that the application site and proposals would appear visually intrusive to any significant degree in the immediate foreground of the setting of the listed buildings that form a key component of the historic townscape. As a result of the location of the new building, which would be sited around 120 metres into the site when taken from the existing line of Alemouth Road, and its scale alongside other development, it is not felt that this would be viewed to the same degree in the context of the historic townscape as other works such as the access and the Lidl building that will be more visible on this approach and the views into the town. On this basis, and having regard to the proposed design and use of materials, the proposal is considered to result in an acceptable form of development for the site in this location.

7.60 With regard to matters of sustainable design, construction and renewable energy paragraph 153 of the NPPF states that local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*

7.61 Policy EN3 of the TCS requires development involving new buildings of at least 1000sqm floorspace to incorporate energy efficiency measures and/or on-site renewable energy generation which results in the actual CO2 emission rate being at least 10% below the target emission rate as defined by building regulations, although in this case the proposals would be below this scale of development. Whilst limited weight applies, Policy QOP 6 of the emerging NLP also relates to sustainable design and construction, and proposals should look to incorporate appropriate measures. Matters of sustainable design and construction are also covered in e Policies QOP 1 and QOP 5 of the NLP.

7.62 Section 4 of the applicant's supporting planning statement outlines in more detail the operator's approach to the environment and sustainability in terms of the building and how it is operated. This includes a range of measures such as use of natural sunlight; building management systems in respect of lighting, heating and air conditioning; low energy LED lighting systems; electricity supply from 100% renewable sources, generated off-site; applying green building guidelines and 'gold' standards; use of materials suitable for recycling; suitable urban drainage systems; recycling of cooking oil for use as biodiesel; waste management; recycling strategy; and litter management.

7.63 In light of all of the above considerations, it is officer opinion that the development of the site as proposed would result in an acceptable layout, scale and appearance of development in the context of this plot, which forms part of a wider mixed-use development adjacent to other larger-scale commercial developments. The approved scheme for the whole Bunker Site considered the larger-scale effects of its development, as well as the direct impacts on heritage assets through the new access and other setting issues. The proposed scale and design of the scheme is not felt to result in an unacceptable or visually intrusive form of development that would result in significant harm or effects on the character and appearance of the area or the setting of heritage assets.

7.64 Whilst the concerns of the Design & Built Heritage Officer are fully acknowledged and understood in respect of the potential effects of new signage, as set out earlier these aspects would be subject to further assessment through the separate advertisement consent process. Further details of the materials, landscaping and any external lighting associated with the current application can also be secured by condition as required. On this basis, the proposal is considered to be acceptable in terms of achieving a suitable design for the site and would therefore be in accordance with the identified development plan policies and the NPPF.

Access, Parking and Highway Safety

7.65 New development will need to deliver an appropriate form of development in terms of highway safety and infrastructure having regard to Policies GD4 and GD6 of the TLP, Policy GD4 of the TCS and the NPPF. Paragraph 108 of the NPPF looks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. 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, or the residual cumulative impacts on the road network would be severe.

7.66 The impacts of the larger development across the Bunker Site, as well as the associated traffic movements for the overall proposals and the proposed new access off Alemouth Road, including potential impacts associated with this plot that was subject to outline proposals, have been considered in detail under application 19/00277/FUL.

7.67 Comments have been received from the Council's Highways Development Management Team (HDM) in response to consultation on the current application. HDM have considered the effects of the development in this location in respect of matters such as pedestrian routes, public transport and cycling; road safety; car and cycle parking; highway works; and refuse storage and servicing. HDM comment that the proposed highway works for the larger development of the site have been approved in principle and are currently going through the full technical approval process. This includes the new roundabout and access off Alemouth Road that would serve the full development of the Bunker Site, and the proposed development of the restaurant and drive-thru cannot be brought into use until these works are completed as there is no other agreed route into the site.

7.68 HDM highlight that the site is within an area that is surrounded by pedestrian connectivity and connections to nearby bus stops and the train station. Whilst there were concerns with pedestrian connectivity into the site itself, this has been now been addressed through revised plans. Internally, HDM advise that there are no road safety concerns. HDM note that the internal provision of 30 car parking spaces does not meet the required 37 spaces needed to satisfy NCC standards. However, they state that on the basis of the 250-space car park being developed for the larger site area, there is sufficient parking provision for the development. Cycle parking has been detailed on the submitted plans and HDM state that this is acceptable.

7.69 HDM raise no objection to the proposals and recommend conditions in relation to the implementation of the car and cycle parking areas and details of refuse storage facilities and strategy. On this basis, and having regard to highway works already consented and being undertaken as part of application 19/00277/FUL, it is not felt that there are significant or adverse impacts in respect of highway safety. The proposal is therefore considered to be acceptable having regard to Policies GD2, GD4 and GD7 of the TLP, Policy GD4 of the TCS and the NPPF.

Flood Risk and Drainage

7.70 The site is located within Flood Zones 2 and 3, which is therefore at a higher risk from flooding. Similar to the requirement for application 19/00277/FUL, the proposals have been assessed having regard to Policy GD5 of the TCS and the NPPF in relation to ensuring development is directed to areas at a lower risk of flooding and that it would not increase flood risk elsewhere.

7.71 The NPPF outlines at paragraph 157 that all plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Furthermore, if it is not possible for development to be located in zones with a lower risk of flooding (taking into account

wider sustainable development objectives), the exception test may have to be applied. The need for an exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

7.72 The application has been submitted with a Flood Risk Assessment (FRA) and Drainage Impact Assessment as well as a separate Sequential Test report. The latter states that an exception test is not required in this instance on the basis that the use is classed as less vulnerable. Consultation has also taken place with the Environment Agency (EA), Northumbrian Water (NWL) and the Lead Local Flood Authority (LLFA) on the submitted information as well as additional information received during the course of the application.

7.73 NWL has raised no objection to the development and has recommended a condition is attached to any approval that the development is implemented in accordance with the submitted details on flood risk and drainage.

7.74 The EA had originally objected to the proposals on the basis that an acceptable FRA had not been submitted. Following the submission of additional information, the EA has since withdrawn the objection subject to a condition being imposed that the development is undertaken in accordance with the submitted FRA; a restriction on finished floor levels; and securing mitigation measures for the provision of compensatory storage.

7.75 In addition to the EA objection, the LLFA had also objected to the proposals with further information needing to be submitted to address technical matters on flood risk and surface water drainage. Following the submission of the revised FRA, the LLFA has also withdrawn its objection subject to conditions to secure further details of attenuation and associated works; the adoption and maintenance of all SuDS features; and disposal of surface water during the construction phase.

7.76 Having regard to the submitted information and assessment against relevant policies and the NPPF, and subject to the identified conditions, the proposal is considered to be acceptable in relation to matters of flood risk and drainage. The applicant has undertaken the required sequential test, which concludes that there are no suitable alternative sites is considered to be acceptable and demonstrate that there are no other suitable sites to accommodate the development. Officers have also given significant weight to the fact that this site already has an extant permission for development as part of the larger scale mixed use development. The proposal would therefore be in accordance with Policy GD5 of the Core Strategy and the NPPF.

Ecology

7.77 The TCS, TLP and NPPF highlight the importance of considering potential effects upon the biodiversity and geodiversity of an area, including watercourses and impacts upon trees and hedgerows. Policies NE27, NE28, NE33, NE34 and NE37 of the TLP and Policy NE1 of the TCS are therefore relevant. Section 15 of the NPPF relates specifically to the conservation and enhancement of the natural environment, including impacts on habitats and biodiversity.

7.78 During the assessment of application 19/00277/FUL the Council's Ecologists highlight that the site is within the Tyne Watersmeet SSSI Impact Risk Zone but also noted that Natural England had raised no objection. The Ecological Appraisal that was

submitted by the applicant for that application identified potential impacts and loss of habitat arising from the development.

7.70 At that time the Ecologists welcomed the indication of areas of landscape planting to compensate for the loss of habitat, as well as the offer of a contribution to fund habitat creation/management at the Spetchells Local Wildlife Site. An Ecology Mitigation Contribution of £10,000 was subsequently secured as a planning obligation through the Section 106 completed with application 19/00277/FUL.

7.80 Following consultation on the current application the Ecologists raise no objection to the proposals, providing that the construction and landscaping are in keeping with the conditions relating to the larger site area and approved scheme. A condition is therefore recommended to this effect in relation to ecological enhancement and management. Subject to securing this mitigation, the development is considered to be in accordance with the above development plan policies and the NPPF.

Public Protection Matters

7.81 Given the nature of the site as employment land, its existing condition and former uses, the location adjacent to the railway line, the relationship with other commercial development, as well as the nature of the proposed development, matters raised by the Council's Public Health Protection (PHP) team are particularly important in considering the suitability of the site for the proposed development. Policies CS21, CS22 and CS23 of the TLP are relevant to these proposals in relation to potential matters of noise assessment, odour and contaminated land.

7.82 The response received from PHP has considered potential impacts upon the site and adjacent uses in relation to construction activities; potential land contamination and ground gas protection; noise; and odour. These issues form material considerations that could affect future occupiers of the development and neighbouring buildings and uses. It is noted that the site is not located immediately adjacent to residential properties, and adjoining development is largely commercial development, although consideration has been given to potential impacts on residents further afield.

7.83 Following assessment of the application and information submitted in respect of these matters PHP have raised no objection to the development subject to conditions to mitigate the impacts of development upon the environment and other users. These conditions include restrictions on days and times of construction activity as well as the submission for approval of a dust management plan and any floodlighting during construction. Conditions are also recommended requiring further information to assess the potential for contaminated land and remediation requirements, as well as measures to prevent the ingress of ground gases.

7.84 With regard to noise and odour, following an initial objection from PHP they now comment that the applicant's submitted noise impact assessment and odour mitigation measures demonstrate that local residential amenity will not be impacted upon, and the objection has been withdrawn. In relation to hours of operation, the operators request unrestricted hours given that there would be limited impacts on amenity from the proposal. It should be noted that any operation after midnight is covered by licencing requirements and therefore control of opening hours can also be considered under that process.

7.85 In light of the above and assessment by PHP it is considered that whilst there would be some impacts arising from the development of the site in relation to the matters identified, impacts upon amenity and the environment can be mitigated through appropriate conditions. On this basis, whilst further assessment is required in relation to some matters, it is considered that impacts can be adequately mitigated through the use of planning conditions in order to satisfy the development plan and the NPPF.

Other Matters

7.86 Some concerns have been raised in respect of the potential for litter as a result of the nature of the use, which could affect the visual amenity of the site and wider. Whilst bin provision and litter management can be controlled on-site, it is acknowledged that there are difficulties in being able to control the behaviour and actions of customers and motorists once off the site, despite concerns that litter may be deposited further afield.

7.87 The supporting statement sets out that McDonald's is committed to tackling litter in as many different ways as possible, and it is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that may have been discarded in a 150 metre vicinity of a restaurant, and which may be expanded to suit local needs. It states that litter bins are provided outside all restaurants, and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. Anti-littering signage is displayed within restaurants and car parks, and support is given to litter campaign groups. The company also organises regular clean-up events in local communities and a majority of restaurants have a 'Planet Champion' who has the responsibility to help raise awareness of ways to be more environmentally friendly.

7.88 Should permission be granted it is recommended that a condition is imposed on approval that would secure the submission and subsequent implementation of an appropriate litter management strategy for the site.

Equality Duty

7.89 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

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

Human Rights Act Implications

7.91 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.

7.92 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.

7.93 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 site forms part of the wider Bunker Site that has an extant permission for a large-scale mixed-use redevelopment, which includes approval for similar main town centres uses in this location. Given that the principle of redevelopment of the site has been established, and having regard to the proposals and supporting information as submitted, the proposals are considered to be acceptable in this location and would not result in significant impacts upon the town centre.

8.2 Furthermore, given the location, scale and design of the proposals within this part of the wider site, the scheme is not considered to result in a significant or visually intrusive form of development when seen in the context of the wider redevelopment of the site and the context of other commercial development in the immediate area, or that would result in harm to the setting of heritage assets.

8.3 Subject to conditions and appropriate mitigation as necessary the proposal is also considered to be acceptable in respect of other matters such as highway safety, flood risk and drainage, ecology and matters in respect of public protection. The proposal is therefore considered to result in an acceptable and sustainable form of development in this location and as part of the wider consent scheme having regard to the development plan and the NPPF.

9. Recommendation

That this application be GRANTED 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. 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:-

6636_AEW_8544_0002 Rev A – Block Plan
6636_AEW_8544_0004 Rev A – Proposed Site Plan
6636_AEW_8544_0005 Rev D – Proposed Building Elevations
6636_AEW_8544_0006 Rev B – Proposed Floor and Roof Plans

Goal Post Height Restrictor and COD/Canopy - Digital Drive Thru Lane

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

03. Notwithstanding any description of the materials in the application, no construction of the external walls and roof of the development shall be undertaken until precise details, to include samples, of the materials to be used have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment, in accordance with the provisions of Policies GD2, BE18 and BE22 of the Tynedale Local Plan, Policy BE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

04. Notwithstanding the details submitted with the application, prior to the development being brought into use a detailed landscaping scheme, showing both hard and soft landscaping proposals, materials for external surfaces and all boundary treatments, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include, the planting of locally native trees and shrubs of local provenance, including a planting schedule setting out species, numbers, densities and locations, 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 with the Local Planning Authority. The landscaped areas shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any 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: Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, and in accordance with the provisions of Policies

GD2, BE18, BE22 and NE37 of the Tynedale Local Plan, Policies BE1 and NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

05. An ecological enhancement and management strategy shall be provided prior to the start of works, to be approved in writing by the Local Planning Authority prior to construction (including any site clearance) and demolition commencing. This report shall incorporate the recommendations of the report Ecological Appraisal - The Bunker Site, Hexham (January 2019 - E3 Ecology). It shall include details of:

- any required pre-commencement ecology checking surveys
- precautionary working methods including pollution control
- details of replacement tree planting and soft landscaping to be only plants for pollinators from the Royal Horticultural Society list and locally native species
- details of lighting avoiding boundaries of the site

The development shall thereafter be undertaken and operated for the lifetime of the development in accordance with the approved details.

Reason: In order to maintain and enhance the biodiversity value of the site and prevent harm to protected species which may be present on the site in accordance with Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

06. The development shall not be brought into use 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. 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 Policy GD7 of the Tynedale Local Plan and the National Planning Policy Framework.

07. The development shall not be brought into use 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 Policy GD4 of the Tynedale Core Strategy and the National Planning Policy Framework.

08. The development shall not be brought into use 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 arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Chapter 7 of the National Planning Policy Framework.

09. Prior to construction of the car park, details of the attenuation tank, flow control device and associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

10. Prior to first occupation, details of the adoption and maintenance of all SuDS features shall be submitted to and approved in writing by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development, shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

11. Prior to the commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

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, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

12. The development shall be carried out in accordance with the submitted Flood Risk and Drainage Impact Assessment (ref: Drive Through Development, Alemouth Road, Hexham, Revision A, 2018102-FRA-002, dated April 2021) and the submitted Overland Flow Report (ref Mixed Use Development, Alemouth Road, Hexham, Revision E, 2018102-OFR-001, dated September 2021) and the following mitigation measures they detail:

- Finished floor levels shall be set no lower than 35.100 metres above Ordnance Datum (AOD);
- The overland flow report references the Drive Through Development as the "undeveloped plot". The "undeveloped plot" shall have compensatory storage provided to maintain the current storage capacity of the site (as detailed on page 93) and reduce residual flood risk; and
- The mitigation measures outlined within the FRA and Overland Flow Report shall be implemented to provide compensatory storage.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason(s): To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

13. The development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk and Drainage Impact Assessment (ref: Drive Through Development, Alemouth Road, Hexham, Revision A, 2018102-FRA-002, dated April 2021). The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 5604 and ensure that surface water discharges to the surface water sewer at manhole 5612. The surface water discharge rate shall not exceed the available capacity of 10l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources, in accordance with Policy CS27 of the Tynedale Local Plan, Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

14. During the construction period, there shall be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday - Friday - 0800 - 1800, Saturday 0800-1300. Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in investigation as to whether a statutory nuisance is being caused.

Reason: To safeguard the amenity of neighbouring residential properties, in accordance with Policy CS19 of the Tynedale Local Plan and the National Planning Policy Framework.

15. No development shall take place until an emergency contact telephone number(s) in the event of a dust complaint being received and a scheme specifying (Dust Management Plan) provisions to control/mitigate dust emanating from the site, have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in full and maintained until the construction process has been completed. Guidance on the assessment of dust from demolition and construction can be found at the following: www.iaqm.co.uk.

Reason: To safeguard the amenity of neighbouring residential properties, in accordance with Policy CS19 of the Tynedale Local Plan and the National Planning Policy Framework.

16. No flood lighting shall be installed during construction works unless details have first been submitted to and approved in writing by the Local Planning Authority. The floodlighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: To retain control over floodlighting in the interests of visual amenity, in accordance with Policy GD2 of the Tynedale Local Plan, Policy BE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

17. 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 undertaken by a competent and qualified consultant then 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 the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a nontechnical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desktop, a site investigation 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.

c) 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 building are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

18. 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 development are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future end users, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

19. If during development contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the 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/developer shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that any contaminants not previously considered within the site are dealt with in an appropriate manner to afford protection to the end user, in

accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

20. 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 BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

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

21. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 20, which has been approved in writing by the Local Planning Authority.

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

22. Notwithstanding the information submitted with the application, prior to the installation of any external lighting and any supporting structures in association with the development hereby permitted, full details of the external lighting and supporting structures shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- the specific location of all external lighting units;
- design of all lighting units;
- details of beam orientation and lux levels; and
- any proposed measures such as motion sensors and timers that will be used on lighting units

The approved lighting scheme for shall be installed in accordance with the approved details and shall be maintained as such thereafter, unless removed entirely.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment, in accordance with the provisions of Policies GD2, BE18 and BE22 of the Tynedale Local Plan, Policy BE1 of the Tynedale Core Strategy and the National Planning Policy Framework

23. The development shall not be brought into use until a Litter Management Plan and Strategy for the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of litter bins on site and regular litter picking around the application site, as well as measures that seek to promote the

reduction and management of litter off site. The approved plan and strategy shall be implemented in full on first occupation of the unit and thereafter.

Reason: In the interests of the visual amenity of the locality in accordance with Policy GD2 of the Tynedale Local Plan, Policies BE1 and NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

Informatives

01. The applicant/developer is reminded that this permission does not give consent to any signage and advertisement(s) intended to be displayed on the site for which separate Express Consent will be necessary under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended/revoked).

Please note that any proposed signage submitted as part of an application seeking advertisement consent for this site should have particular regard to the location of the site and its relationship with designated heritage assets in the vicinity of the site and wider townscape when considering the issue of amenity.

The applicant/developer is advised that such an application should include full details, including verified photomontages, of the proposed signage and any proposals for illumination, both in daylight hours and in darkness to enable detailed assessment. The applicant/developer is advised that a 'heritage' and subdued form of signage should be put forward in this historically sensitive location.

02. The applicant is reminded that this permission does not convey approval for works affecting third party rights which may exist on the land or any adjoining. The applicant is therefore advised to seek the approval of any parties having an interest in any land affected by this permission.

03. 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.

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

05. With regard to condition 23 and the requirement for a Litter Management Strategy, the applicant/operator of the development is advised to make provision for a strategy and measures to reduce and manage litter off-site.

Background Papers: Planning application file(s) 20/03048/FUL, 19/00277/FUL and 19/01082/LBC

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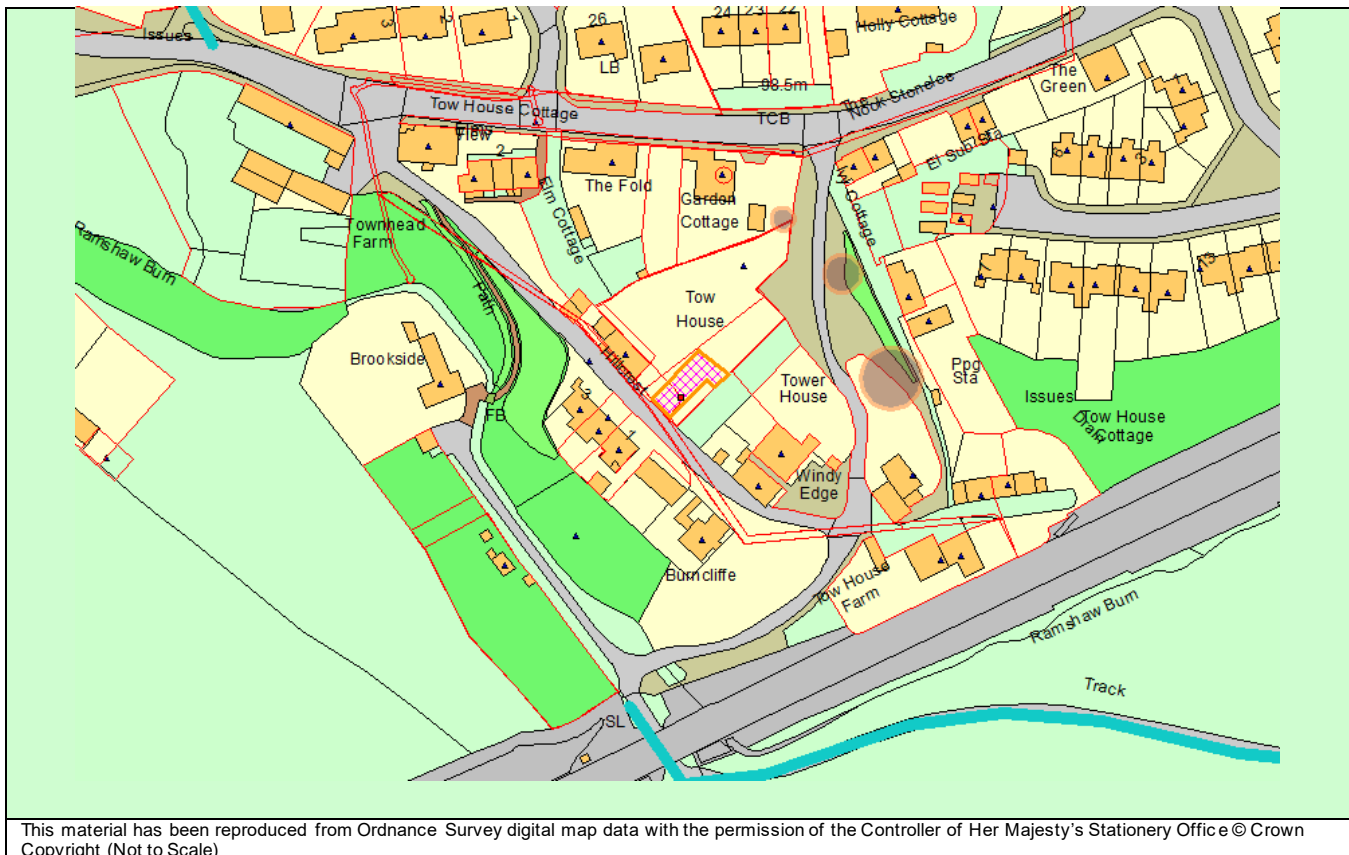


Northumberland County Council

Tynedale Local Area Council Planning Committee 13 July 2021

Application No:	20/04380/OUT		
Proposal:	Outline planning permission for one new 3 bedroom 2 storey dwelling		
Site Address	Land South East of Bastle House, Tow House, Northumberland		
Applicant:	Mr Brian Dodd 1 Hillcrest , Tow House, Bardon Mill, NE47 7EQ	Agent:	Mr Christopher Reed Lantern House, Market Place, Alston, CA9 3HS
Ward	Haydon And Hadrian	Parish	Henshaw
Valid Date:	22 December 2020	Expiry Date:	30 June 2021
Case Officer Details:	Name: Ms Melanie Francis Job Title: Senior Planning Officer Tel No: 01670 625549 Email: melanie.francis@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 Under the Virtual delegation scheme, the application was referred to the Director of Planning and Chair and Vice Chair of the Tynedale Local Area Council Planning Committee who agreed that if the application was to be approved, it should be considered by Members of the Tynedale Local Area Council Planning Committee.

2. Description of the Proposals

2.1 Outline planning permission is sought for the construction of a three bedroom two-storey dwelling on land south-east of Bastle House, Tow House, Northumberland. The application seeks approval for matters of landscaping to be dealt with as part of a later reserved matters application.

2.2 The site is L-shaped and covers an area of 195 m² and is described as a disused garden. The proposed plans show that the dwelling would be built on the northern side of the site, with an L-shaped area of garden to the front, where a bin store and cycle parking would be sited. At the front of the site, adjacent to the road, there would be parking for two cars. The house would be some 8 metres in height, with a single storey side extension with conservation rooflights, and a front porch. The house would be constructed of reclaimed stonework with a Welsh slate roof and a chimney. Lintels and sills would be of stone with wooden painted windows and doors. The dwelling would have living accommodation on the ground floor and three bedrooms and a bathroom on the 1st floor.

2.3 The site is thought to have been an allotment connected with No 1 Hillcrest, located opposite. The site is partly bounded on the western and south western side by a stone wall. There are small trees and shrubs on the boundaries of the site. The site is located on the northern side of the U7064. Tow House is to the west of Bardon Mill, just south of the A69.

2.4 Submitted with the application were the following documents:

- Ecological Appraisal, land south east of Bastle House, Tow House, December 2019 (E3 Ecology)
- Land east of Hillcrest, archaeological evaluation, April 2020 (Vindomora Solutions Ltd)
- Heritage Statement (28 June, 2019)
- Design and Access Statement (Architectural Design and Planning Ltd)

3. Planning History

Reference Number: 20/01245/OUT

Description: Outline planning permission with some matters reserved for new 3 bedroom 2 storey dwelling

Status: Refused

Reference Number: 19/01016/OUT

Description: Outline planning permission with all matters reserved for new 3 bedroom 2 storey dwelling

Status: Withdrawn

Reference Number: T/20050012

Description: Construction of two storey rear extension

Status: Permitted

4. Consultee Responses

Henshaw Parish Council	Objection: - The site has 3 listed buildings in close proximity and a new build property is not in keeping with the historic setting and would have an adverse effect on the area. - The site is within a small cul-de-sac with limited parking and access to properties. Additional housing will add to problems of access, egress and parking. - Permission was given a few years ago to another new build property within the area. This property has stood empty for around 5 years, does not appear to have been completed, and does not have adequate access to it. It has been a blight on the area and is a situation which should not be allowed again.
Highways	No objection subject to conditions.
Northumbrian Water Ltd	No response received.
Building Conservation	No objection subject to conditions. This is an improved scheme.
County Archaeologist	No objection. No further archaeological work required.
County Ecologist	No objection subject to conditions.
Lead Local Flood Authority (LLFA)	No comment to be made as it is minor development.
Public Protection	No objection subject to conditions.
Historic England	Do not wish to offer any comments.

5. Public Responses

Neighbour Notification

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

Notices

Site Notice: expired 10 March 2021

Press Notice: expired 18 February 2021

Summary of Responses:

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=QLOJTNQSKY600>

6. Planning Policy

6.1 Development Plan Policy

Tynedale LDF Core Strategy (October 2007)

GD1 Locational policy setting out settlement hierarchy
GD5 Flood risk
BE1 Principles for the built environment
NE1 Principles for the natural environment
H1 Principles for housing
H3 The location of new housing
H4 Housing on green field land

Tynedale Local Plan (April 2000)

GD2 Design Criteria for development, including extensions and alterations
GD4 Range of transport provision for all development
GD6 Car parking standards outside the built-up areas
BE22 The setting of listed buildings
H15 Additional small housing developments within the rural area
H32 Residential design criteria
NE27 Protection of Protected Species
NE37 Landscaping in developments
LR11 Outdoor sports facilities for new residential development
LR15 Play areas in new residential developments
CS23 Development on contaminated land
CS27 Sewerage

6.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2018, as updated)

6.3 Emerging Policy

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

STP1 Spatial strategy
HOU2 Provision of new residential development (Strategic Policy)
HOU5 Housing type and mix
HOU9 Residential development management
ENV2 Biodiversity and geodiversity
ENV 3 Landscape
ENV7 Historic environment and heritage assets
QOP2 Good design and amenity
QOP4 Landscaping and trees
TRA4 Parking provision in new development
WAT2 Water supply and sewerage
WAT3 Flooding

7. Appraisal

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

Principle of development
Housing land supply
Siting, design and residential amenity
Impact on listed buildings
Archaeological impact
Impact on adjoining residential amenity
Access and parking
Ecology and impact on trees
Contamination
Flooding
Foul drainage
Sports and play provision
Impact on adjoining residential amenity

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. In this case the development comprises policies in the Tynedale Core Strategy and the Tynedale Local Plan as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.3 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.

7.4 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.

7.5 Planning permission has previously been refused for a house on this site (ref: 20/01245/OUT) as it was considered that the design did not reflect the character and setting of the area; it harmed the setting of the adjacent listed buildings; and it did not provide an adequate level of amenity space. Although the application was not

refused on this basis, it was also noted in the report that in order for a new dwelling to be acceptable on this site, it would also be subject to a contribution to children's play provision and outdoor sports facilities which would need to be secured through a Section 106 Agreement. This will be discussed further in the report.

7.6 The application site is a greenfield site within the settlement of Tow House. Policy GD1 of the Tynedale Core Strategy sets out the principles for the location of new development with the main focus for development being main towns, local centres and smaller villages with adequate services. Whilst Tow House is not listed as a smaller village in the Core Strategy, it does consist of a considerable number of dwellings, which in turn coalesce with the defined smaller village of Redburn, just to the west of Bardon Mill. Tow House is also in walking distance of Henshaw First School. This restrictive policy for development is, however, not in line with paragraph 78 of the NPPF, which in order to promote sustainable development in rural areas and enhance and maintain the vitality of rural communities, allows for new homes in a village to be supported by services in a village nearby. In this case, Tow House has the services of Henshaw with its first school, and a shop and public house being located close by in Bardon Mill. The settlement also has access to a bus service which runs along the A69 from Carlisle to Newcastle. A departure from Tynedale Core Strategy Policies H1 and H3 is in this instance considered appropriate, as there are nearby services that a new house could utilise. It should also be noted that the site is included in the settlement boundary for Redburn and Henshaw as identified in the emerging Northumberland Local Plan. Although this cannot be afforded full weight at this time, it is a material consideration in the determination of this application.

7.7 Tynedale Local Plan Policy H15 provides for new housing development within rural areas for sites not exceeding 0.4 hectares within or adjacent to existing settlements, small hamlets or groups of houses subject to a number of criteria which includes that the design, scale and setting of new development must reflect and respect the character and appearance of the existing settlement. This will be explored further below.

Housing land supply

7.8 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. As identified in the Northumberland Strategic Housing Land Availability Assessment (September 2019), the Council can demonstrate a plentiful five-year housing land supply from 'deliverable' sites against the County's minimum Local Housing Need figure. Using the 2014-based household projections for the 2020-2030 period, together with the then latest updated 2019 affordability ratio, now gives a minimum Local Housing Need of 651 dwellings per annum (Figure 3). Allowing for the 5% buffer therefore means that the forecast updated 'deliverable' 5-year supply for 2020-2025 would equate to a 10.9 years housing land supply. Therefore, in the context of Footnote 7 of the NPPF, the presumption in favour of sustainable development does not apply.

Siting, design and residential amenity

7.9 Chapter 12 of the NPPF sets out the principles of creating well-designed places. Good design is a key aspect of sustainable development and the NPPF stresses that planning decisions should ensure that development adds to the overall quality of the area; is visually attractive as a result of good architecture, layout and appropriate and effective landscaping; is sympathetic to local character and history, including the

surrounding built environment and landscape setting; and establishes or maintains a strong sense of place. This understanding of a site and its context is discussed in the National Design Guide and the need for the design to contribute to local distinctiveness.

7.10 The proposal seeks permission for a two storey dwelling within a small plot of land within the settlement of Tow House. The house would be located in the northern part of the site with garden and parking to the front. Since the refusal of the previous planning application (ref: 20/01245/OUT), the design has been amended; namely the side extension is now single rather than two storey, which is a more traditional design, and the numbers of windows on the main elevations has been reduced. In addition, the materials have been changed to traditional and natural materials throughout, including wooden windows and doors, black painted metal rainwater goods, reclaimed stonework, Welsh slate to be used for the roof, and conservation rooflights. Tow House is predominately an area of stone dwellings with the robust grade II listed 'Bastle House' adjacent to the site. The Building Conservation Officer has been consulted on the application and has commented that this is an improved scheme on that previously refused and has no objection to the proposal, subject to appropriate conditions. Subject to relevant conditions, the application would accord with Tynedale Core Strategy Policy BE1 and Tynedale Local Plan Policies GD2, H15 and H32 and the NPPF.

7.11 In terms of the amenity of future residents, there is no rear garden and so a 10 metre rear garden as required in Tynedale Local Plan Policy H32 could not be achieved. The garden space to the front is limited in scale but it has increased in size from the previously refused application and is now some 10 metres in length on the north-eastern side. Amenity space should have a level of privacy and so notwithstanding what is shown on drawing 19/815/10 Rev A, traditional stone walling should be provided around the parking area and at the front of the site, plus appropriate boundary treatments around the rest of the site, which would be conditioned as part of any planning permission. Suitable planting adjacent to the stone walls and the creation of hedges which would provide privacy screening would be required to ensure the acceptability of this scheme. It is acknowledged that the amenity space would be limited but as all the other issues in the previous reason for refusal have been addressed, it is considered that subject to relevant conditions, an adequate level of amenity for future occupants could be achieved and that the amenity space would not be sufficient reason to refuse the whole scheme in this instance.

Impact on adjacent listed buildings

7.12 The NPPF in paragraph 192 states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness, followed by in paragraph 193 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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.

7.13 The site is within the setting of two grade II* listed buildings and is adjacent to a grade II listed building and so this core of early historic buildings of 16th and 17th century date within Tow House is highly significant. This therefore provides a highly

sensitive location in which to build a house, which must be sympathetic to the character of the area and these nationally important buildings. The Building Conservation Officer has assessed the application and has provided comments on the design of the house which has led to changes to the fenestration pattern and to materials. The Officer has no objection to the application subject to conditions in relation to materials and a sample panel to be agreed. Despite the views of the Parish Council it is considered that the application would not harm the setting of the listed buildings and it would be in accordance with Tynedale Core Strategy Policy BE1, Tynedale Local Plan Policy BE22, Emerging Local Plan Policy ENV7 and the NPPF.

Archaeological impact

7.14 The site lies within a wider archaeological landscape dating from the prehistoric period onwards. Tow House is located to the east of a grade II* listed bastle house originating to the late 16 th century, is 3 metres to the east of a grade II listed bastle type building of late 16 th /early 17 th century date, and opposite the site is a grade II* listed heather-thatched cruck barn of probably late 17 th century date. Evidence shows that there has been a settlement in the area since at least the late 16 th century and potentially earlier. The County Archaeologist has assessed the history of the site as set out above and has noted that the site boundary is largely unaltered since the 1st edition OS map. The proposal site was subject to an archaeological evaluation in April 2020 which identified that there was shallow topsoil with modern finds overlying natural deposits. Combined with the fact that there were no earlier artefacts on the site means that the site is likely to have been disturbed in modern times and any earlier archaeological remains removed, thereby the archaeological potential of the site is very limited. The County Archaeologist has stated that no further archaeological work would be required in the development of this site. As an archaeological assessment of the site has been undertaken the application would accord with Tynedale Core Strategy Policy BE1, Tynedale Local Plan Policy BE28 and the NPPF.

Impact on adjoining residential amenity

7.15 The proposed house would be located opposite 1-3 Hillcrest and to the south-east of The Bastle House. It is considered that a house could be built on this site which would not have an adverse effect on neighbouring properties. The Environmental Protection team has assessed the application and recommended conditions in relation to noisy working hours and construction delivery during the construction stage of the proposal. Subject to these conditions it is considered that the application would not have a detrimental impact on adjoining residential amenity and would accord with Tynedale Local Plan Policies GD2 and H32.

Access and parking

7.16 The site is located on the northern side of the U7064. The proposal shows 2 parking spaces on a driveway some 8 metres in width and 6 metres in length at the front of the dwelling which would require a vehicular crossing point and the removal of a section of existing stone boundary wall. As the proposal would have 3 bedrooms, 2 parking spaces are required. Matters including details of the access, boundary treatments, surface water management run off and surfacing materials, plus details of the car parking, cycle and refuse storage have been conditioned.

7.17 Although the Parish Council consider that the development of this site would add to problems of access, egress and parking, the Highway Authority has assessed

the application and considers that it would not have a severe impact on highway safety and has no objection in principle to the development with those matters requiring further information being covered by conditions and informatives. Subject to relevant conditions the application would accord with Tynedale Local Plan Policies GD4 and GD6, Emerging Local Plan Policy TRA4 and the NPPF.

Ecology and impact on trees

7.18 An ecological appraisal has been submitted with the application (E3 Ecology, December 2019) which has been assessed by the County Ecologist. The County Ecologist considers that the site is of low habitat value and the potential impacts are damage to adjacent trees, and loss of habitat to bats and birds and has no objection subject to a condition. The application would accord with Tynedale Local Plan Policy NE27, Emerging Local Plan Policy ENV2 and QOP4 and the NPPF.

Contamination

7.19 The site is described as wasteland and has been assessed by the Environmental Protection Team who has recommended conditions in relation to ground gas protection and contaminated land. Subject to these conditions the application would accord with Tynedale Local Plan CS23.

Surface water flooding

7.20 The LLFA was consulted on the application and has no comment to make, other than advising that areas of hardstanding should be permeable. Subject to this the application would accord with Tynedale Core Strategy Policy GD5.

Foul drainage

7.21 The application states that the dwelling would be connected to the main sewer. Northumbrian Water has been consulted on the application and has no comment to make. The application would accord with Local Plan Policy CS27.

Open space provision and maintenance

7.22 At present there is a deficiency in the amount of children's play provision and outdoor sports facilities in Tynedale. The former Tynedale Council adopted its policies on 7 March 2006 which seeks financial contributions for sport and play facilities, and provision of outdoor sport from all new housing development in line with Tynedale Local Plan Policies LR11 and LR15. The provision of sports and play provision arising from residential development is a fundamental aspect of such developments, and would include the sum of £2082 for play/informal open space and £1182 for outdoor sport/recreation. The applicants have agreed to the signing of a Section 106 agreement for such provision. Subject to the completion of this agreement, the application would accord with Tynedale Local Plan Policies LR11 and LR15 in this respect.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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 been assessed against the development plan and the NPPF. As discussed in the report, an application for a house on this site was previously refused. This application has sought to provide a design, including by the use of traditional materials, that is more appropriate to the site and its setting adjacent to a number of significant listed buildings. It is acknowledged that the amenity space would be limited but as all the other issues in the previous reason for refusal have been addressed, and subject to privacy screening to ensure an adequate level of amenity for future occupants, that on balance, subject to relevant conditions, the proposal would be acceptable. This is, however, subject to the signing of a Section 106 agreement in respect of financial contributions for Sports and Play.

9. Recommendation

That this application be GRANTED permission subject to the signing of a Section 106 agreement in respect of financial contributions for Sports and Play including the

sum of £2082 for play/informal open space and £1182 for outdoor sport/recreation and the following:

Conditions/Reason

1 Approval of the details of the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced. Thereafter, development shall not be carried out other than in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4 The development hereby permitted shall not be carried out otherwise than in accordance with the approved plans. The approved plans for this development are:

Block plan

Drawing 19/815/10 Revision A: Proposed site and floor plans

Drawing 19/815/11 Revision A: Elevations as proposed

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

5 All windows shall be painted timber sliding sash and recessed approximately 100m within their openings.

Reason: To ensure that the works are appropriate and consistent with the character of the area in accordance with Core Strategy Policy BE1 and Local Plan Policy GD2.

6 Prior to any part of the development proceeding about damp proof course, details and samples of slate, stone, lintels and sills and all materials used in the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the dwelling shall be constructed other than in accordance with the agreed details.

Reason: To ensure that the works are appropriate and consistent with the character and setting of the listed buildings in accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE22.

7 A sample panel of at least one metre square shall be built and made available to the Local Planning Authority with details of the mortar, which shall be hydraulic lime NHL3.5, provided and approved in writing by the Local Planning Authority prior to the

construction of the stonework. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: To ensure that the works are appropriate and consistent with the character and setting of the listed buildings in accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE22.

8 No development will take place unless in strict accordance with the mitigation detailed in the report Ecological Appraisal, Land South East of Bastle House, Tow House, December 2019 Final (E3 Ecology) including;

Increased lighting will be avoided wherever possible. Should security lighting be required within the new development, this will be low lumen and directed away from any adjacent vegetation. Vegetation clearance/tree felling 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.

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°.

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.

The landscape planting will be designed to enhance structural diversity, and will include plants bearing flowers, nectar and fruits which are attractive to invertebrates, thereby helping to maintain the food resource for bats and wildlife generally. A single integrated bat box is incorporated into the design of the scheme.

Reason: To maintain and enhance the biodiversity value in accordance with Tynedale Local Plan Policy NE27 and the NPPF.

9 A detailed landscape planting plan, which shall include the planting of locally native species of local provenance and to include privacy screening in conjunction with the proposed hard boundary treatments, shall be submitted to and agreed in writing with the Local Planning Authority with the planting to be fully implemented during the first full planting season (November March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area, enhance the biodiversity value of the site and in the interests of the amenity of residents in accordance with Tynedale Local Plan Policies GD2 and NE37 and the NPPF.

10 The development shall not be occupied until details of the proposed boundary treatments 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 and residential amenity and highway safety, in accordance with Tynedale Core Strategy Policy BE1 and Tynedale Local Plan Policies GD2 and GD4 and the NPPF.

11 Prior to commencement of development details of the materials to be used in the construction of the external surfaces of the dwelling and access with no loose or

unbound materials permitted within 6.0m of the edge of carriageway 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 Tynedale Core Strategy Policy BE1 and Tynedale Local Plan Policies GD2 and GD4 and the NPPF.

12 The development shall not be occupied until details of car parking area have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the Tynedale Local Plan Policies GD4 and GD6 and the NPPF.

13 The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with Tynedale Local Plan Policy GD4 and the NPPF.

14 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 Tynedale Core Strategy Policy GD5 and the NPPF.

15 The development shall not be occupied 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 Tynedale Local Plan Policies GD2 and GD4 and the NPPF.

16 The dwelling shall not be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Tynedale Local Plan Policy GD4 and the NPPF.

17 No construction work shall commence until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

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

18 No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 14, which has been approved in writing by the Local Planning Authority.

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

19 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 undertaken by a competent and qualified consultant then 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 the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desk-top, a site investigation 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.

c) 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. The report must demonstrate that the soil in landscaped areas from the surface down to a minimum depth of 600 millimetres will provide a suitable growing medium as defined within BS 3882:2015. 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. In accordance with Tynedale Local Plan Policy CS23 and the NPPF.

20 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) as stipulated within Condition 16. Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

*in this list of conditions

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. In accordance with Tynedale Local Plan Policy CS23 and the NPPF.

21 If during redevelopment contamination not previously considered within approved plans 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

22 Full details of the existing and proposed finished site levels, as well as The finished floor levels of the dwelling, shall be submitted for approval with the reserved matters application. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of visual and residential amenity of the site and the area in accordance with Tynedale Local Plan Policies GD2 and H32 and the NPPF.

23 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), there shall be no extension or dormer windows to the building hereby approved, boundary treatments, or further building, structure or enclosure placed on the site unless an application for planning permission in that behalf has first been submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers that any further development may prejudice a satisfactory layout and could have a harmful effect upon the amenity of the area and in accordance with the National Planning Policy Framework.

Background Papers: Planning application file(s) 20/04380/OUT



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	29 September 2020 Appeal against non-determination

	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, Stannington 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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Tynedale Local Area Council

Groundwork North East - Land of Oak and Iron Project Board	one
Haltwhistle Partnership Limited	one
Haltwhistle Swimming & Leisure Centre Management Committee	one
Hexham Community Partnership	<i>Cath Homer is Board Member in her personal capacity as a resident of Hexham</i> one
Hexham TORCH Centre Management Committee	one
Prudhoe Community Partnership	one
Queens Hall Arts Trust	one
Rede Tyne & Coquet Sports Centre	one
Sport Tynedale	one
Tyne Valley Community Rail Partnership Board	one

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Tynedale Local Area Council

Members Local Improvement Schemes

2021 - 2022

Progress Report - 1st July 2021





Cllr. T. Cessford Members Schemes 2021 to 2025

Tynedale - Hexham Central with Acomb



Northumberland
County Council

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2013/2017						
HO166254	Contribution towards car park improvements in Hexham			Accounts	TBA	Cllr T Robson Contribution not paid yet
2018/2019						
HO186499	Traffic calming (Speed reduction measures and residents parking scheme) U8290 Gibson Place, Hexham	£3,000.00	£3,000.00	Design	TBA	Design brief issued. Not viable due unadopted section of road.
2019 / 2020						
HO196625	Traffic calming (Residents Parking Scheme) U8290 Giles Place, Hexham	£9,500.00	£9,500.00	completed	completed	Works complete. Costs to be finalized
HO196651	Installation of new street lighting column, U8293 Cuddy's Lane Footpath, Hexham	£2,300.00	£2,300.00	Delivery	TBA	Works order issued to Street Lighting and Electrical Team
2020 / 2021						
HO206769	Contribution towards refurbishment of Acomb Pavilion	£20,000.00	£20,000.00	Accounts	TBA	Contribution to Acomb Parish Council not made yet
HO206787	Contribution towards construction of new footpaths at Acomb MUGA	£3,000.00	£3,000.00	Accounts	TBA	Contribution to Acomb Parish Council not made yet
2021 / 2022						

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



Cllr. P.A.M. Dale Members Schemes 2021 to 2025

Tynedale - Stocksfield and Broomhaugh



Northumberland
County Council




Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2017/2018						
HO186445	Traffic calming (Parking restrictions) New Ridley Rd / Batt House Rd, Jnt and Alexandra Terrace, Stocksfield	£2,600.00	£2,600.00	completed	completed	H Work done 11/02/19 costs to be finalized.
2018/2019						
HO186483	Traffic calming (Introduction of speed reduction measures) C258 New Ridley Village - Phase 1	£20,000.00	£20,000.00	Design	TBA	Design brief issued
2019 / 2020						
HO196635	Traffic calming (Proposed speed reduction measures) C258 New Ridley Road, Stocksfield - Phase 1	£3,000.00	£3,000.00	Design	TBA	Design brief issued. Consultation ends 27th Dec 2019
2020 / 2021						
HO206775	Traffic calming (Safety improvements) C273 Broomley - Phase 1	£2,000.00	£2,000.00	Design	TBA	Design brief issued.
HO206951	Contribution towards construction of new pavilion at Stocksfield Cricket Club	£4,464.79	£4,464.79	Accounts	TBA	Contribution to Stocksfield Cricket Club not made yet.
2021 / 2022						

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



Cllr. C. Homer Members Schemes 2021 to 2025

Tynedale - Hexham East

Report Date 01/06/2021






Northumberland
County Council

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2017/2018						
HO176328	Contribution towards installation of new fencing and purchase of new shed at Hexham First School	£2,000.00	£2,000.00	Accounts	TBA	Contribution to Hexham First School not yet made
2019 / 2020						
HO196627	Contribution towards footpath slurry sealing resurfacing works, U8293 Moonfield/U8294 White Cross, Hexham	£10,000.00	£10,000.00	Delivery	TBA	Western Area Highways scheme.
2021 / 2022						

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



Cllr. C.W. Horncastle Members Schemes 2021 to 2025



Northumberland
County Council



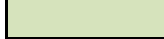
Tynedale - South Tynedale

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
	2020 / 2021					
HO206996	Contribution towards construction of new play area at Allendale	£9,271.32	£9,271.32	Accounts	TBA	Contribution to Karbon Homes not made yet.
	2021 / 2022					

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



Cllr. J.I. Hutchinson Members Schemes 2021 to 2025

Tynedale - Haltwhistle

Report Date 01/06/2021






Northumberland
County Council

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
	2021 / 2022					

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

<p style="text-align: center;">Total Budget May 2021 - April 2022 £15,000.00</p> <p style="text-align: center;">Actual Cost + Committed Cost to Date £0.00</p> <p style="text-align: center;">Total Estimated Cost £0.00</p> <p style="text-align: center;">Balance Remaining to 31/3/22 £ 15,000.00</p>		<p style="text-align: center;">KEY</p> <table border="1"> <tr> <td style="background-color: yellow; width: 30px; height: 15px;"></td> <td>Approved Scheme Budget</td> </tr> <tr> <td style="background-color: white; width: 30px; height: 15px;"></td> <td>Proposed Scheme</td> </tr> <tr> <td style="background-color: #c8e6c9; width: 30px; height: 15px;"></td> <td>Completed Scheme / Final Cost</td> </tr> </table>		Approved Scheme Budget		Proposed Scheme		Completed Scheme / Final Cost
	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

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Cllr. N. Oliver Members Schemes 2021 to 2025



Tynedale - Corbridge





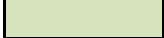
Northumberland
County Council

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2020 / 2021						
HO206958	Contribution towards construction of new Active Mile Track at Corbridge Middle School	£6,000.00	£6,000.00	Accounts	TBA	Contribution to Corbridge Middle School not made yet.
2021 / 2022						

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



Cllr. A. Scott Members Schemes 2021 to 2025

Tynedale - Prudhoe North



Northumberland
County Council

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2020 / 2021						
HO206739	Traffic calming (Proposed 20mph speed limit/zone and new signage) U8280 Castlefield's Drive, Prudhoe - Phase 1			Design	TBA	Cllr Stow - Design brief issued - Joint scheme with Cllr. Stewart
HO206984	Contribution towards purchase and installation of new barrier at Fairview Car Park, Prudhoe			Delivery	TBA	Cllr Stow - Western Area Highways scheme.
2021 / 2022						

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

Cllr. A. Sharp Members Schemes 2021 to 2025



Tynedale - Haydon and Hadrian






Northumberland
County Council

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2017/2018						
HO176298	Traffic calming (Priority Signage and markings) B6318 Gilisland- Samson Inn RR Bridge - Phase 1	£7,000.00	£7,000.00	completed	completed	Costs to be finalized.
2020 / 2021						
HO206726	Traffic calming (Proposed safety improvements) U8054 Access Road to Shafto Trust Academy, Haydon Bridge - Phase 1	£6,000.00	£6,797.54	Design	TBA	Design brief issued - budget increased by £4,000.00.
HO206935	Contribution towards footpath resurfacing, Redburn to Bardon Mill	£3,000.00	£3,000.00	Delivery	TBA	Western Area Highways scheme.
2021 / 2022						
HO210002	Contribution towards purchase of new goalposts for Haydon Bridge United Football Club	£3,462.00	£3,462.00	complete	complete	Contribution to Haydon Bridge United Football Club made on 24 June 2021.

Total Budget May 2021 - April 2022 £15,000.00
Actual Cost + Committed Cost to Date £3,462.00
Total Estimated Cost £3,462.00
Balance Remaining to 31/3/22 £ 11,538.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost



Cllr. G. Stewart Members Schemes 2021 to 2025

Tynedale - Prudhoe South






Northumberland
County Council

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
2020 / 2021						
HO206738	Traffic calming (Proposed 20mph speed limit/zone and new signage) U8280 Castlefield's Drive, Prudhoe - Phase 1	£16,075.68	£16,075.68	Design	TBA	Design brief issued - Joint scheme with Cllr. Stow - budget increased by £14,075.68.
2021 / 2022						

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



Cllr. H.R. Waddell Members Schemes 2021 to 2025

Tynedale - Bywell



Northumberland
County Council

Report Date 01/06/2021

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
	2021 / 2022					

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	28	£230,293.14	£234,231.68	
Total Uncommitted Balance				-£39,231.68

Highway Scheme	14	£107,992.59	£111,931.13
External Contributions	12	£110,104.91	£110,104.91
	26	£218,097.50	£222,036.04

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**Northumberland County Council
Tynedale Local Area Council
Work Programme 2021 - 2022**

Nichola Turnbull: 01670 622617 - Nichola.Turnbull@northumberland.gov.uk

TERMS OF REFERENCE

- (1) 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.
- (2) To advise the Cabinet on budget priorities and expenditure within the Area.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) 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.
- (8) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (9) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (10) To make certain appointments to outside bodies as agreed by Council.
- (11) 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.
- (12) 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.
- (13) To exercise the following functions within their area:-
 - (a) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
 - (b) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
 - (c) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
 - (d) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007).
 - (e) 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: Planning Applications (monthly), public question time (bimonthly, not at planning only meetings), petitions (bimonthly, not at planning only meetings), members' local improvement schemes (quarterly)

To be listed: Active Northumberland, Tourism, Housing Delivery Strategy, Physical Activity Strategy, Cultural Strategy, Flood protection update by the Environment Agency

Northumberland County Council
Tynedale Local Area Council
Work Programme 2021-22

13 July 2021

- Planning and Rights of Way
- Local Services Update
- Appointments to Outside Bodies
- Members Local Improvement Schemes

10 August 2021

- Planning and Rights of Way

14 September 2021

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	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Services Update • Policing Update • Local Transport Plan Update
12 October 2021	
	<ul style="list-style-type: none"> • Planning and Rights of Way
9 November 2021	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Services Update • Members Local Improvement Schemes
14 December 2021	
	<ul style="list-style-type: none"> • Planning and Rights of Way
11 January 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Budget Presentation • Local Services Update
15 February 2022	

	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Transport Plan
15 March 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Services Update • Members Local Improvement Schemes
12 April 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way
10 May 2022	
	<ul style="list-style-type: none"> • Planning and Rights of Way • Local Services Update

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Northumberland County Council
Tynedale Local Area Council Monitoring Report 2021-2022

Ref	Date	Report	Decision	Updates (if any)
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NT 01.07.21

13 July 2021

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