

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA PLANNING COMMITTEE

At the meeting of the **Tynedale Local Area Planning Committee** held at Ceremony Room - Hexham House on Tuesday, 9 August 2022 at 4.00 pm.

PRESENT

Councillor A Scott Vice-Chair (Planning) (in the Chair)

MEMBERS

A Scott
C Horncastle
N Morphet
J Riddle
G Stewart

A Dale
JI Hutchinson
N Oliver
A Sharp
H Waddell

OFFICERS

M Bulman
R Campbell
C Hall
E Sinnamon
E Scott
N Turnbull

Solicitor
Senior Planning Officer
Planning Officer
Head of Planning
Built Heritage and Design Officer
Democratic Services Officer

10 members of the public and 1 member of the press.

39 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cessford, Fairless-Aitken and Kennedy.

40 MINUTES

Councillor Waddell reported a typographical error with the spelling of her surname at the end of the first paragraph on page 7 of the minutes.

RESOLVED that the minutes of the meeting of Tynedale Local Area Council held on 12 July 2022, as circulated, be confirmed as a true record and signed by the Chair, subject to the above amendment.

41 PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS

The Chair advised members of the procedure which would be followed at the meeting.

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42 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.

43 21/04540/FUL

There were no questions arising from the site visit videos which had been circulated prior to the meeting.

The Planning Officer introduced the application with the aid of a powerpoint presentation and reported the following:

- The refusal reason had been updated to include reference to policies QOP1, QOP2 and ENV1. The recommendation for refusal should now read:

“The proposed design, scale and increase in height would fail to preserve the special interest of the host building which is a non-designated heritage asset and the wider Haydon Bridge Conservation Area. The proposed increase in height would alter the historic relationship between buildings on the farm steading. The proposed works would be unsympathetic to the character of the original building and would be visible from the Conservation Area and would change the appearance of the site from the public domain. It is not considered that there are sufficient public benefits resulting from the development that would outweigh the identified harm. Therefore, the proposal fails to accord with Policies QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan and the NPPF in this respect.”

Councillor Brian Howard spoke on behalf of Haydon Bridge Parish Council and made reference to the following comments when the parish council had discussed the application:-

- The repurposing of a redundant derelict farm store would be beneficial as it would utilise raw materials already on site and help to reduce the carbon footprint of a residential property.
- Maintaining the original footprint of the store would be advantageous for a working farm whilst adapting it to modern needs.
- It would provide much needed accommodation within Haydon Bridge for a young family pivotal for the continuity of a family business.
- Living on site would reduce travel time and the impact on the environment from commuting to a job that traditionally kept extremely long antisocial hours with 14-16 hour shifts.
- The proximity to the family home would help enhance and strengthen family values and social interaction between generations as the parents could help look after grandchildren
- Utilising an existing resource on a brown field site would assist in the reduction

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of the environmental impact of house building.

- The building was of vernacular design and common place in the local area. It had no significant or unique architectural features.
- The proposed increase in ridge height would be largely consistent with surrounding buildings.
- The unanimous view of the Parish Council was to support the application.

Keith Butler, of Butler Haig Associates, spoke in support of the application. He highlighted the following:

- The building proposed for conversion did not exist on the first edition Ordnance Survey map. It had been a later addition to the steading which set it apart from the historic original buildings which were more prominent.
- The building was on the edge of the Conservation area, could not be described as landmark. In their view, it was also difficult to describe it as a non-designated heritage asset.
- Reference was made to the nearby modern shed viewed on the site visit. It was also in the Conservation area and not judged to have any adverse impact when approved in 2010.
- Reference was made to significant works considered acceptable and approved for other Listed Buildings and non-designated heritage assets including West Unthank, the former Hexham swimming pool and Hexham House.
- The proposal did not add a full extra storey. The height internally would still be very limited with only 1.5 metres under the foot of the truss at first floor level.
- There were existing openings in the south elevation. It would be feasible to reuse the existing stones forming the ventilation slit and to mirror the stop chamfers on new window mullions.
- The proposals did not harmfully impact upon either the historic composition of the farmstead or unbalance the composition. There was previously a much higher hay shed shown on the Ordnance Survey maps to the south of this building. This conversion was the next evolutionary step.
- The use of areas of glazing to the North elevation was intended to reflect existing openings.
- It was noted on the site visit that the building proposed for conversion was almost completely hidden from the public domain by the two-storey barn and the hedge.
- The proposals would not result in the loss of significant areas of historic fabric. New materials proposed would match existing and were in keeping with the local vernacular.
- The proposal would secure optimal use for the building and would therefore bring direct public benefit and should be weighed against any harm, if any was judged to be created.

Kevin MacDonald, one of the applicants, spoke in support of the application. He stated that:

- He was a third-generation member of the MacDonald farming family in Haydon Bridge who dreamed of remaining in the village to carry on the contracting business. He hoped to be able to hand it down to his children and grandchildren.
- He had attended local schools, played sport for the village teams and had

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- coached football when time had allowed.
- Agricultural and rural communities struggled to hold on to the next generation as they were drawn away. His ambitions had been village orientated and was now a partner in P&P MacDonald. They provided valuable agricultural and amenity services to the local area. Living on site was crucial to him being able to continue to work the unpredictable and exceptionally long hours required during harvest or the winter period when they carried out snow clearance for the Council.
- The Long Byre was impractical and unsuitable for modern agriculture due to the size of today's machinery.
- They aspired to utilise the Long Byre as a modest family home, continuing improvements and restoration of the steading his parents had begun.
- They had tried not to alter the height; however, it had been difficult to find a practical or financially viable solution that would last for them. They had tried to be sympathetic with the design and not have a negative effect. They had striven to preserve, restore and enhance the building.
- This was to be their forever home, not developed for a quick profit. Being on site would provide a better quality of life allowing their family to grow.
- Living in the Long Byre would enable them to have more time to contribute and volunteer locally.
- Time not spent travelling could be utilised growing the business potentially offering further local employment. Less traveling would reduce their carbon footprint.
- Their application was supported by neighbours and the local community. It meant a lot to them and their future.

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

- The additional reasons for refusal had been included in an earlier version of the report and accidentally omitted when the report had been finalised. References to Policies QOP1 and ENV1 were included at paragraph 7.9 and 7.11 of the report. Further detail on design and amenity was expanded upon within policy QOP2.
- The proposed height was 30cm higher than the adjacent building.
- Non-designated heritage assets were defined as “buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which did not meet the criteria for designated heritage assets”.
- The building had been identified as a non-designated heritage asset following a statutory duty place on the Local Planning Authority following the designation of Haydon Bridge's Conservation area in 2009. This required that a Conservation Area Character Appraisal be undertaken. Conservation areas were ‘areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’.
- The building had been designated as a non-designated heritage asset due to its age, it was included on the second edition of the OS map and identified within the adopted Conservation Area Character Appraisal. This highlighted Low Hall Farm “as a landmark group of buildings, marking the eastern extremity of Haydon Bridge” and “that the farm complex provides an appropriate agricultural link between the built-up form of the village and the surrounding rural area and serves as a reminder of the area's former economic

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- dependence upon farming”.
- Increasing the height of the Long Byre would unbalance the composition of the buildings as the progression in the heights of buildings with the farm steading was unique.
 - The modern buildings on the farm site did not form part of the application and had not been taken into consideration in the assessment of this application.
 - The early edition OS maps and multiple references within the Conservation Area Character Appraisal supported the designation of the building as a non-designated heritage asset. The National Planning Policy Framework (NPPF) placed duties on Local Planning Authorities when assessing and determining planning applications to require that a balanced view was taken when judging whether there was any harm or loss. This application was located in a Conservation Area and was judged by the Conservation Officer to cause ‘less than substantial harm’ to a non-designated heritage asset and therefore failed the statutory test to preserve the character and appearance of Haydon Bridge Conservation Area.
 - The principle of converting the building into a residential dwelling was acceptable and in accordance with policies of the Haydon Bridge Neighbourhood Plan and Northumberland Local Plan.
 - The increase in height, glass fronted entrance, additional openings and fenestration pattern did not comply with guidance issued by Historic England which recommended a simple farm conversion including retention of distinctive features internally and externally and minimal alterations. The increased height would have a significant impact on the appearance of the property from the main road and impact on the historic character of the farmstead.
 - Categorisation of harm could fall into one of three classifications, substantial harm, less than substantial harm or no harm. The Conservation Officer was of the opinion that the proposals would cause ‘less than substantial harm’ and therefore paragraph 202 of the NPPF required consideration whether there would be any public benefit. In this case, as the application was for a private residential development, it was considered that there would be no public benefit.
 - The Conservation Officer considered that securing the optimum viable use of the farm building could be achieved without the loss of character, important architectural features and historic fabric and they did not therefore support the proposal. Conversion of the building without an increase in height could secure its optimum viable use.
 - The application site was within the Haydon Bridge Conservation Area and it did not matter that some of the farm site was at the edge of the Conservation Area or that the farm was not wholly within the Conservation Area.
 - It was acknowledged that the building was not visible along the whole stretch of the adjacent road. However, where it was visible it could be seen by car, coach or foot. Reference was made to the importance of the farm steading in the Character Appraisal which were described as a landmark group of buildings and a gateway to Haydon Bridge. They provided a link between the village and the surrounding rural area and was a reminder of the previous economic dependence on farming.
 - As the structure proposed for conversion was a non-designated heritage asset, the assessment required that greater importance be placed on design.
 - The Haydon Bridge Character Appraisal had been adopted by Tynedale Council in 2009 following consultation with relevant parties and was a key policy document when assessing design. The Planning (Listed Building and

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- Conservation) Act 1990 placed a duty on the Council to declare as conservation areas those parts of their area that they consider to be of special architectural or historic interest and for buildings to be surveyed and recorded.
- A structure within a Conservation Area which was defined as a non-designated heritage asset held significant weight, similar to a listed building, and required that the harm from the proposals be assessed.
 - It was the relationship between the buildings within the farm steading which was unique and therefore the proposals had to be assessed on the steading and then the wider area and was described in paragraph 7.19 of the report. The change in height proposed for the Long Byre would unbalance the composition, change the relationship with the adjacent buildings and have a significant impact on the visual appearance of the property from the main road.
 - It was acknowledged that the building was dilapidated and currently without a roof, however the proposals would not conserve the building and its fabric would be lost and could not be supported by officers.
 - The optimum viable use was defined as the use that was most viable but the one likely to cause the least harm to the significance of the asset. It need not be the most economical nor the original use.
 - Consideration of alternative designs to create a 3-bedroom property without increasing the height to secure the optimum viable use would need to be assessed under a separate planning application. A previous application with an extension had been withdrawn.
 - If the members considered that there was no harm from the proposal to the Conservation Area or non-designated heritage asset, there would be no need to assess the public benefit or secure its optimum viable use.
 - Every application was assessed on its own merits and therefore there should not be undue concern about setting of precedents.
 - If approved, the planning officer would liaise with the Conservation Officer regarding appropriate wording of conditions to ensure that the design was sympathetic to the Conservation Area designation.

Councillor Stewart proposed that the application be granted, contrary to the officer's recommendation that the application be refused, on the basis that there would be no harm to the Conservation Area and that the proposal would not harm the significance of the non-designated heritage asset. The scheme would provide a valuable family home in a building which had not been vacant for a long time in a rural area which was supported by the Parish Council and many others. If approved, the wording of conditions would need to be delegated to the Director of Planning in consultation with the Chair. This was seconded by Councillor Hutchinson.

Several of the members commented on the usefulness of the site visit which had demonstrated the extent upon which the building was visible from the public road was limited to the entrance. The proposals would bring a redundant building back into use, was supported by Parish Council and was preferred to the previous application which included an extension.

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

FOR: 6; AGAINST: 3; ABSTENTION: 1.

RESOLVED that the application be **GRANTED** permission for the reasons stated

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and that the wording of conditions to be delegated to the Director of Planning in consultation with the Chair.

44 **22/00579/FUL**

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

45 **THE NORTHUMBERLAND COUNTY COUNCIL, (LAND AT MURRAYFIELD, ALLENDALE ROAD, HEXHAM, NORTHUMBERLAND), TREE PRESERVATION ORDER 2022 (NO. 02 OF 2022)**

The Senior Planning Officer introduced the report with the aid of a powerpoint presentation. She provided the following update:

- Further comments and documents submitted by the objector had been circulated to all members prior to the committee meeting. The comments and documents were in addition to previous comments the objector had made which were discussed in the committee report. The further comments from the objector reiterated some of the points raised within their initial comments regarding why the applicant wished to undertake works to trees within the grounds of their property. The reasons included:
 - for maintenance purposes,
 - to improve access to the property and
 - to reduce shading to the garden.
- The objector had sought further comments from Dendra Consulting Ltd who had concluded that only the trees which were identified as "definitely" meriting a Tree Preservation Order should form part of the provisional Tree Preservation Order and not the trees which were identified as "possibly" meriting a Tree Preservation Order.
- There were also some disagreements regarding the scoring. The further comments from the objector had been reviewed by the Arboricultural Consultant of Tilia Tree Consultancy Services, who had undertaken the assessment on behalf of the Council. However, these additional comments did not change the overall recommendation to confirm the Tree Preservation Order subject to modifications.

The Senior Planning Officer explained that whilst the provisional Tree Preservation Order (TPO) had been for the whole area, it was proposed that this be modified to 25 individually specified trees and 5 groups of trees within this site.

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

- The modification of the TPO would exclude shrubs and other vegetation on the site.
- It was necessary to seek permission for work to prune or remove trees in a Conservation Area. However, a TPO also enabled replacement planting to be secured.
- Whilst some of the groups of trees included Cypress and were described as possibly meriting a TPO, they played an important role in the setting of the public realm and contributed significantly to the amenity of the wider area and. A TPO would enable additional planting to be secured for a more diverse range of trees.

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- The planning application which had led to the assessment had proposed that 32 trees be felled and pruning of two others. This would have been a loss of approximately one third of the trees on the site and the application had been refused.
- There was no fee to make an application or give notice to prune or remove a tree protected by a TPO.
- Members were required to confirm the order or refuse it. The order could not be amended at this stage to only include some of the identified trees or groups and exclude others. If the TPO was not confirmed and members requested that the order be reviewed, the trees would not be protected.

Councillor Hutchinson moved the recommendation to confirm provisional order 2022 (No. 02 of 2022) subject to modifications to protect 25 individually specified trees (T1-T25) and 5 groups of trees (G1-G5) within the site at Murrayfield, Allendale Road, Hexham. This was seconded by Councillor Morphet.

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

FOR: 6; AGAINST: 4; ABSTENTION: 0.

RESOLVED that the Northumberland County Council (Land at Murrayfield, Allendale Road, Hexham, Northumberland) Tree Preservation Order 2022 (No. 02 of 2022), be confirmed.

46 **PLANNING APPEALS UPDATE**

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

47 **DATE OF NEXT MEETING**

The next meeting would be held on Tuesday 13 September 2022 at 4.00 p.m.

CHAIR.....

DATE.....

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