



# Northumberland

## County Council

**Your ref:**

**Our ref:**

**Enquiries to:** Nichola Turnbull

**Email:** [nichola.turnbull@northumberland.gov.uk](mailto:nichola.turnbull@northumberland.gov.uk)

**Tel direct:** 01670 622617

**Date:** Monday, 5 December 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA COUNCIL** to be held in **CEREMONY ROOM - HEXHAM HOUSE** on **TUESDAY, 13 DECEMBER 2022** at **4.00 PM**.

Yours faithfully

Rick O'Farrell  
Interim Chief Executive

**To Tynedale Local Area Council members as follows:-**

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

## AGENDA

### PART I

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

1. **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS**
2. **APOLOGIES FOR ABSENCE**
3. **DISCLOSURE OF MEMBERS' INTERESTS**

(Pages 1  
- 2)

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a) Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b) Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c) Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d) Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e) Where Members have or a Cabinet Member has an Other Registrable Interest or Non Registrable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact [monitoringofficer@northumberland.gov.uk](mailto:monitoringofficer@northumberland.gov.uk). Members are referred to the

Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

## **DEVELOPMENT CONTROL**

### **4. DETERMINATION OF PLANNING APPLICATIONS**

(Pages 3  
- 6)

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>

### **5. 20/04195/FUL**

(Pages 7  
- 18)

Two storey rear extension

White House, The Green, Acomb, Hexham, Northumberland NE46 4PJ

### **6. 22/03046/FUL**

(Pages  
19 - 30)

Retention of garage and garden wall, retrospective change of use of former open land to curtilage of property (Amended Description 03/10/2022)

White House, The Green, Acomb, Hexham, Northumberland NE46 4PJ

### **7. 22/03159/FUL**

(Pages  
31 - 40)

Retrospective - Construction of two garden buildings

1 Lily Mews, The Green, Acomb, Northumberland

### **8. PLANNING APPEALS UPDATE**

(Pages  
41 - 50)

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.

### **9. 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.

### **10. DATE OF NEXT MEETING**

The next meeting will be held on Tuesday 10 January 2023.

**IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:**

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

<b>Name:</b>		<b>Date of meeting:</b>	
<b>Meeting:</b>			
<b>Item to which your interest relates:</b>			
<b>Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):</b>			
<b>Are you intending to withdraw from the meeting?</b>		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

## **Registering Interests**

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### **Non participation in case of disclosable pecuniary interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### **Disclosure of Other Registerable Interests**

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### **Disclosure of Non-Registerable Interests**

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

## Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor’s knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> <li>i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li> </ul>
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\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - i. exercising functions of a public nature
  - ii. any body directed to charitable purposes or
  - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)





## Northumberland County Council

### Appendix 1

#### PROCEDURE AT PLANNING COMMITTEE

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A Welcome from the Chair

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking (if being used).

B Record remote attendance of members

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

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

**Committee members' questions to Planning Officers**

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

**Debate (Rules)**

Proposal

Seconded

DEBATE

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

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

**Vote (by majority or Chair's casting vote)**

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



## Northumberland County Council

### TYNEDALE LOCAL AREA COUNCIL

13 DECEMBER 2022

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#### DETERMINATION OF PLANNING APPLICATIONS

**Report of the Interim Executive Director of Planning and Local Services,  
Regeneration, Commercial and Economy**

**Cabinet Member:** Councillor CW Horncastle

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#### **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**

- 6 The maps used are reproduced from the Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationery office, Crown Copyright reserved.

### **BACKGROUND PAPERS**

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

### **IMPLICATIONS ARISING OUT OF THE REPORT**

<b>Policy:</b>	Procedures and individual recommendations are in line with policy unless otherwise stated
<b>Finance and value for</b>	None unless stated

**Money:**

**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  
Report of the Interim Executive Director of Planning and Local  
Services, Regeneration, Commercial and Economy  
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 6 minutes
- Amendments to Motions
- Approve/ refuse/ defer

### **Vote (by majority or Chair casting vote)**

Chair should read out resolution before voting

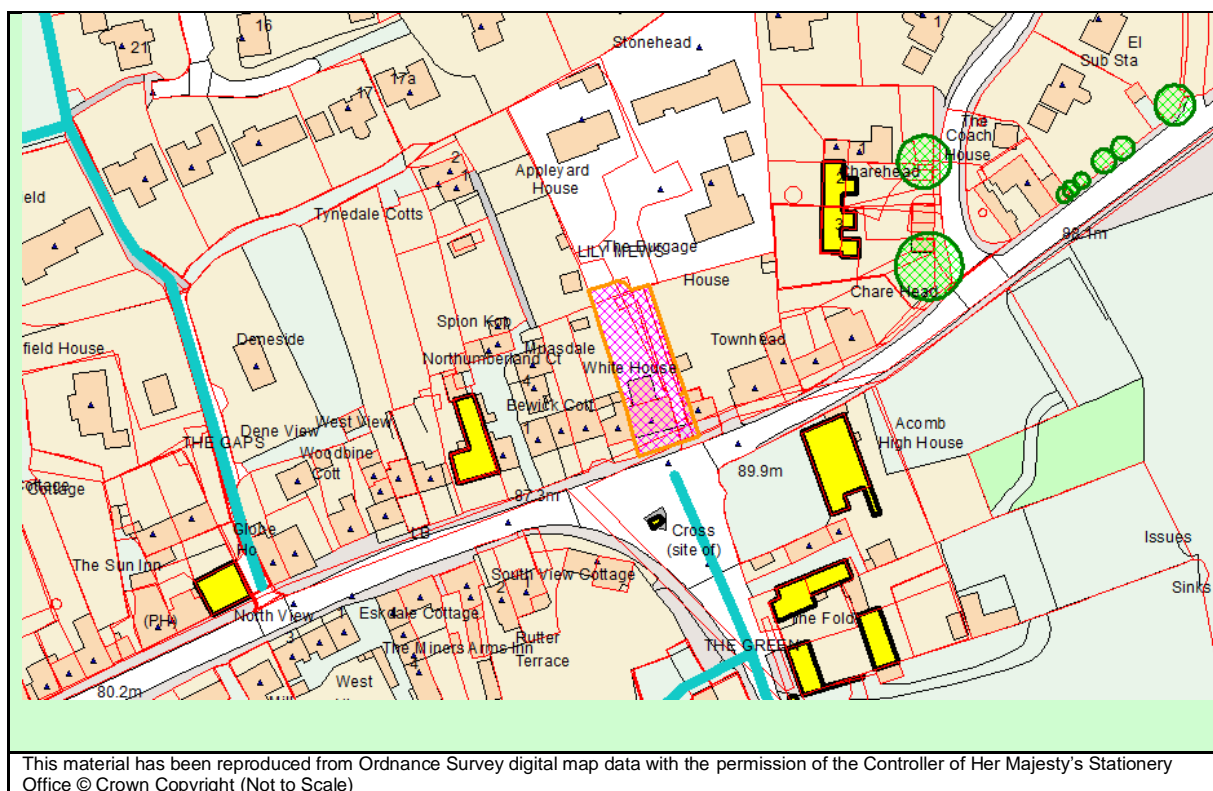
Voting should be a clear show of hands.



## Tynedale Local Area Council Planning Committee Tuesday 13<sup>th</sup> December 2022

<b>Application No:</b>	20/04195/FUL		
<b>Proposal:</b>	Two storey rear extension.		
<b>Site Address</b>	White House, The Green, Acomb, Hexham Northumberland NE46 4PJ		
<b>Applicant/ Agent</b>	Mr Darryl Bingham 19 Burswell Avenue, Hexham, Northumberland, NE46 3JL		
<b>Ward</b>	Hexham Central With Acomb	<b>Parish</b>	Acomb
<b>Valid Date</b>	11 January 2021	<b>Expiry Date</b>	14 December 2022
<b>Case Officer Details</b>	Name: Mr Callum Harvey Job Title: Senior Planning Officer Tel No: 07966 325 979 Email: Callum.Harvey@northumberland.gov.uk		

**Recommendation:** That Planning Permission be GRANTED for the proposed development



## 1. Introduction

- 1.1 This application is subject to an objection from the Built Heritage and Design officer. Following referral to the Director of Planning and the Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Chair Referral Scheme, it was agreed that this application be determined by Members of the Tynedale LAC Planning Committee.

## 2. Description of the Proposals

- 2.1 The application site, known as White House, is located on The Green in Acomb.
- 2.2 Retrospective planning permission is sought for the construction of a two storey extension to the north facing rear elevation of White House. The extension measures 6m in width, protrudes from the rear elevation of the house by 5.4m, and measures 4m in height to roof eaves and 7m in height to roof ridge. The extension is constructed of natural stone elevations with natural stone quoins, cream painted timber doors and windows, and Brazilian natural slate roof tiles. A flue has been installed on the western side elevation, and 4no. roof lights have been installed. The received floor plans indicate the ground floor of the extension is a lounge whilst a third bedroom has been created for the property at first floor.
- 2.3 The application site falls within the Acomb Conservation Area. White House is considered a non-designated heritage asset, and the proposed works are within the setting of White House. The site is also within the Lower Risk Coal Advice Area as identified by the Coal Authority.



2.4 As summarized in Section 3 of the officer report, this property has a history of previous applications for a two storey rear extension. The as-built extension is the same as the previously approved extension in respect of positioning and scale. The development has since been constructed with the following which are not in accordance with the approved plans under decision 20/01020/FUL:

- using Brazilian natural slate roof tiles, instead of Welsh slate roof tiles to match those on the host building;
- using matt black upvc rainwater goods instead of matt black aluminium rainwater goods;
- installation of 4no. velux roof lights; and
- installation of a flue on the western elevation.

### 3. Planning History

**Reference Number:** 14/02291/FUL

**Description:** Demolition of one disused, corrugated steel shed and smaller garden structures, and erection of 3 no. dwellings including one house and two bungalows each with a double garage and large garden areas.

Renovation of dairy building at site entrance into an office.

**Status:** Permitted

**Reference Number:** 19/00652/FUL

**Description:** Construction of a two storey rear extension to existing dwelling

**Status:** Refused

**Reference Number:** 19/04166/FUL

**Description:** Proposed two storey rear extension.

**Status:** Refused

**Reference Number:** 20/01020/FUL

**Description:** Proposed two storey rear extension.

**Status:** Permitted

**Reference Number:** 22/03046/FUL

**Description:** Retention of garage and garden wall, retrospective change of use of former open land to curtilage of property (Amended Description 03/10/2022).

**Status:** Pending Consideration

### 4. Consultee Responses

Acomb Parish Council	No response received
Built Heritage and Design	<u>First comments, dated 9th March 2021:</u>  Required additional details in terms of materials  <u>Second comments, dated 17th May 2021:</u>

	<p>An inspection of the site was undertaken on 12th April (2021) which identified discrepancies between the site as constructed and as illustrated on the plan.</p> <ul style="list-style-type: none"> <li>• As per our comments dated 9th March (2021) our only concern relates to the material pallet as we consider the changes in respect of flues, chimney pots, reconfiguration of rooflights, size of extension and staircase to be satisfactory.</li> <li>• The (previous) scheme was approved on the basis that it utilised sympathetic quality materials to include Welsh slate, natural stone, timber windows and matt aluminium rainwater goods. The submitted drawing includes natural local stone (Millknock), timber doors and windows, matt aluminium rainwater goods and conservation rooflights – which we consider acceptable. However, from our site inspection the rooflights do not have structural glazing as illustrated, and the rainwatergoods are plastic.</li> <li>• Our concerns in relation to the use of Brazilian slate stand.</li> </ul> <p>The proposed use of non-indigenous slate, plastic rainwater goods and the rooflights as installed fail to respond to the vernacular character of the host and character and appearance of the Conservation Area. The application is contrary to Section 72 of the PLBCAA and Paragraphs 130 and 192 of the NPPF.</p> <p>For the reasons outlined above, we object to the application.</p>
Highways	No objection subject to recommended conditions

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	15
Number of Objections	0
Number of Support	0
Number of General Comments	0

### Notices

Site Notice – Affecting the Character or Appearance of a Conservation Area:  
Displayed 26th January 2021

Press Notice – Hexham Courant: Advertised 21st January 2021

### Summary of Responses:

None Received.

## 6. Planning Policy

## 6.1 Development Plan Policy

### *Northumberland Local Plan (March 2022)*

Policy STP 1 Spatial strategy  
Policy HOU 9 Residential development management  
Policy QOP 1 Design principles  
Policy QOP 2 Good design and amenity  
Policy QOP 5 Sustainable design and construction  
Policy QOP 6 Delivering well-designed places  
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  
Policy ENV 7 Historic environment and heritage assets  
Policy ENV 9 Conservation Areas  
Policy POL 1 Unstable and Contaminated Land  
Policy POL 2 Pollution and air, soil and water quality

### *Acomb Neighbourhood Plan (2019)*

Policy 8 Acomb Conservation Area  
Policy 9 Non-designated Heritage Assets  
Policy 10 Design in New Development

## 6.2 National Planning Policy

National Planning Policy Framework (July 2021)  
National Planning Practice Guidance (2018, as updated)

## 6.3 Other documents

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

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

## **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 plan comprises policies in the Northumberland Local Plan and the Acomb Neighbourhood Plan. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

Principle of the development  
Heritage and Design  
Residential amenity  
Highway safety

### Principle of development

- 7.3 The application proposes works that are domestic in nature within residential curtilage. The principle of development is acceptable and in accordance with Policy HOU 9 of the Northumberland Local Plan and the NPPF. The scale of the extension is that as approved in the earlier application and will not be discussed further within this report.

### Heritage and Design

- 7.4 The application site lies within the Acomb Conservation Area, a designated heritage asset.
- 7.5 When determining this application, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Members, as the decision maker, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 7.6 Policy ENV1 of the Local Plan states that the character and/or significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by giving great weight to the conservation of designated heritage assets.
- 7.7 Policy ENV7 of the Local Plan states that proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. The Policy goes on to state that decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance. The Policy also states that where development proposals would cause less than substantial harm to the significance of designated heritage asset, this will be weighed against the public benefits of the proposal, including securing the optimum use that is viable and justifiable.
- 7.8 Policy ENV9 of the Local Plan states that within a conservation area, it will be ensured that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance. The Policy goes on to state that development must respect existing architectural and historic character and cultural associations, by having regard to:
- i. Historic plot boundaries, layouts, densities and patterns of development; and
  - ii. The design, positioning, grouping, form, massing, scale, features, detailing and the use of materials in existing buildings and structures; and
  - iii. The contribution made by the public realm, private spaces and other open areas, including hard and soft landscape features, trees, hedges, walls, fences, watercourses and surfacing.
- 7.9 Similar to Policies ENV1, ENV7 and ENV9 of the Local Plan, Policy 8 of the Acomb Neighbourhood Plan requires any proposal within the Acomb

Conservation Area to demonstrate how it will preserve or enhance the character or appearance of the Acomb Conservation Area, as defined in the Acomb Conservation Area Character Appraisal. Policy 8 goes on to state that proposals in the Conservation Area and its setting should have regard to:

The aim of making a positive contribution to local character and distinctiveness by reflecting the vernacular scale, massing, layout, means of enclosure, detailed design and materials characteristic of the Acomb Conservation Area through:

- i) the use of appropriate materials for Acomb including natural sandstone and natural slate roofing materials;
- ii) The maintenance of 'plain' rooflines, avoiding the addition of dormer windows which would detract from the special character of Acomb Conservation Area;
- iii) The incorporation of timber sliding sash windows;
- iv) The use of locally distinctive detailing of masonry, doorways, rooflines, chimneys and chimney-pots, windows and rainwater goods;
- v) The provision of appropriate boundary treatment including sandstone walls and/or hedgerows; and
- vi) The retention of existing boundary walls.

7.10 Paragraph 199 of the NPPF 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.

7.11 Paragraph 200 of the NPPF then 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.

7.12 Paragraph 202 of the NPPF then 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.

7.13 White House is considered by officers to be a non-designated heritage asset. The building is in a prominent location atop the crest of the hill on Main Street in the centre of Acomb, located at The Green. The building's southern principal elevation is prominent from public vantage points at The Green and along Main Street, and the Conservation Area's Character Appraisal notes that the buildings along this stretch of Main Street are of interest. Paragraph 6.1.7 of the Character Appraisal notes the eighteenth century White House, with its reverse stepped gable coping, and an adjoining terrace of four neighbouring stone houses. Whilst the building is currently in need of some external refurbishment, as is the picket fence to the front, in the opinion of officers it is undoubtedly of architectural merit within the historic core of Acomb, and the southern principal elevation makes a notable contribution to the character of the Conservation Area.

7.14 Policy ENV7 of the Local Plan states that proposals that affect the significance of non-designated heritage assets shall require a balanced judgement, taking into account the scale of any harm or loss and the significance of the heritage asset. This is in line with Policy 9 of the Neighbourhood Plan, and Paragraph 203 of the NPPF.

- 7.15 Policies QOP1, QOP2 and HOU9 of the Local Plan and Policy 10 of Neighbourhood Plan require proposals to be of a high quality design in keeping their surroundings, making a positive contribution to local character and distinctiveness. The requirements of these Policies tie in to the requirements of other Policies set out above.
- 7.16 The Built Heritage and Design officer has objected to the proposal. Concerns have been raised in respect of the slate roof tiles, rainwater goods and velux roof lights which have been installed. The recommending officer has given these comments significant weight when considering this application.
- 7.17 Turning first to the roof tiles, the recommending officer notes that the tiles are not Welsh natural slates, however they are a natural slate which is of a similar appearance. The extension is to the rear of the property, and the extension is very well screened from public vantage points along Main Street. Whilst the originally proposed slates would have been preferable, on balance, it is considered that the as-constructed natural slate roof tiles do not harm the character or appearance of the Conservation Area, or harm the significance of White House.
- 7.18 Turning next to the rainwater goods, the recommending officer notes that they are matte black upvc with a dull finish, with fixings and other detailing which imitate cast iron rainwater goods. Again, it is noted that these have been installed to the rear of the property, which is very well screened from public vantage points along Main Street. On balance, it is considered that the as-constructed rainwater goods do not harm the character or appearance of the Conservation Area, or harm the significance of White House.
- 7.19 Turning next to the velux roof lights, the recommending officer notes that they have not been fitted flush to the plane of the roof, and that they do not feature a vertical glazing bar as would be the norm for a conservation-style velux roof light. The recommending officer agrees that these would be preferable to those which have been installed. However, it is noted that the building is not listed and the location of the rooflights is to the rear of the property and not highly visible within the conservation area. On balance, it is not considered that the impact of the rooflights would be sufficient to require their replacement with a conservation style. It is considered that the roof lights would not harm the character or appearance of the Conservation Area.
- 7.20 The recommending officer has given the Built Heritage and Design officer's comments significant weight when considering this application, however it is noted that White House is not a Listed building, and new materials are very similar in appearance to the previously approved materials, and are to the rear of the building and therefore are very well screened from public vantage points within the Conservation Area. On balance, and subject to the condition described above, it is considered in this instance that the works do not harm the character or appearance of the Conservation Area, or harm the significance of White House. The proposal is therefore acceptable in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 8, 9 and 10 of the Acomb Neighbourhood Plan, and the NPPF.

#### Residential amenity

- 7.21 The proposed works would not have an adverse impact on the amenity of neighbouring residents, in accordance with Policies HOU9, QOP1 and QOP2 of the Northumberland Local Plan, Policy 10 of the Acomb Neighbourhood Plan, and the NPPF.

#### Highway safety

- 7.22 The proposal seeks approval for a two storey extension which would lead to the addition of a third bedroom at the property. A current application seeks retrospective approval for two parking bays to the rear of the property, reference 22/03046/FUL.
- 7.23 The Highways officer has been consulted and they note that the proposal seeks to provide sufficient car parking for the three bedroom dwelling. Subject to a recommended condition, they have no objection to the proposal. The recommending officer notes that the condition requires White House to not be occupied until the car parking is implemented. The recommending officer notes that this is a standard condition recommended on many different types of applications, however in this instance it is not considered necessary as White House is already occupied, whilst the car parking bays have already been implemented. Therefore, this condition is not recommended should Members decide to grant planning permission.
- 7.24 The proposal would not have an adverse impact on highway safety in accordance with Policies TRA2 and TRA4 of the Northumberland Local Plan and the NPPF.

#### Other Matters

##### *Equality Duty*

- 7.27 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

##### *Crime and Disorder Act Implications*

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

##### *Human Rights Act Implications*

- 7.29 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and

necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.30 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.31 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

8.1 For the reasons set out in the above report, and subject to recommended conditions, it is considered that the proposal is an acceptable form of development. Officers therefore recommend that planning permission be granted.

## **9. Recommendation**

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

### Conditions

1) The development hereby permitted shall be retained in complete accordance with the approved plans. The approved plans for this development are:-

20-02-11 Revision A – Site Location Plan and Block Plans as Existing

20-02-12 Revision A – Site Block Plan as Proposed

20-02-14 Revision A – Ground Floor Plan as Proposed

20-02-15 Revision A – First Floor Plan As Proposed

20-02-16 Revision C – Elevations as Proposed

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

2) Notwithstanding the approved plans, within three months of the date of this decision, the velux roof lights shall be fitted flush to the plane of the roof, and shall feature a vertical glazing bar.



Reason: In the interest of the appearance of the development, in the interest of the character and appearance of the Conservation Area, and in the interest of the significance of White House which is a non-designated heritage asset, in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 8, 9 and 10 of the Acomb Neighbourhood Plan, and the National Planning Policy Framework.

### **Informatives**

Standard coal mining informative

### **EIA**

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

**Background Papers:** Planning application file(s) 20/04195/FUL; 22/03046/FUL

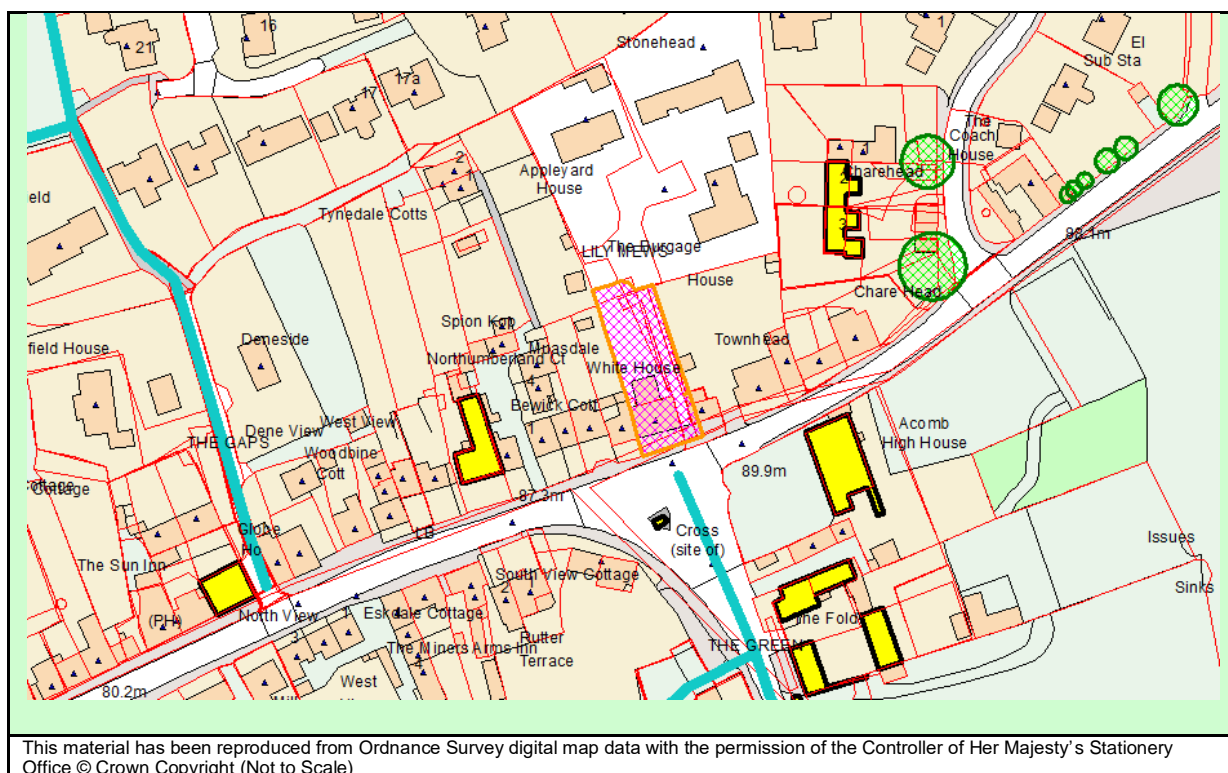
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## Tynedale Local Area Council Planning Committee Tuesday 13<sup>th</sup> December 2022

<b>Application No:</b>	22/03046/FUL		
<b>Proposal:</b>	Retention of garage and garden wall, retrospective change of use of former open land to curtilage of property (Amended Description 03/10/2022).		
<b>Site Address</b>	White House, The Green, Acomb, Hexham Northumberland NE46 4PJ		
<b>Applicant/ Agent</b>	Mr Darryl Bingham 19 Burswell Avenue, Hexham, NE46 3JL,		
<b>Ward</b>	Hexham Central With Acomb	<b>Parish</b>	Acomb
<b>Valid Date</b>	23 August 2022	<b>Expiry Date</b>	14 December 2022
<b>Case Officer Details</b>	Name: Mr Callum Harvey Job Title: Senior Planning Officer Tel No: 07966 325 979 Email: Callum.Harvey@northumberland.gov.uk		

**Recommendation:** That Planning Permission be GRANTED for the proposed development



## 1. Introduction

1.1 This application is subject to an objection from Acomb Parish Council. Following referral to the Director of Planning and the Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Chair Referral Scheme, it was agreed that this application be determined by Members of the Tynedale LAC Planning Committee.

## 2. Description of the Proposals

2.1 The application site, known as White House, is located on The Green in Acomb.

2.2 Retrospective planning permission is sought for the change of use of a small portion of land to the rear of White House, to form an extended area of residential curtilage. This area was previously approved as part of a vehicular turning head under consent 14/02291/FUL, which granted permission for the construction of three dwellings to the rear of White House. That decision included the granting of consent for an extended rear curtilage of White House, as shown on that approved site plan and as described under Paragraph 2.4 of that officer report.

2.3 Retrospective planning permission is also sought for the erection of a detached outbuilding within this area to the rear of White House. The outbuilding is constructed of timber cladding with a dual pitched roof, and with aluminium bifold doors on the southern elevation which faces into the rear garden of White House. The outbuilding measures 6.3m in length, 5m in width, and 3.4m in height to roof ridge. The received floor plans indicate the provision of a single garage measuring 6m x 3m internally, and a small garden room within the building. The roof as currently constructed comprises lightweight metal tile-effect sheeting with a dull finish. Following discussion with the recommending officer, the received

plans now state that slate roof tiles will be used in the event that planning permission were granted. Adjacent to the outbuilding, and within the red line boundary, lies an additional proposed parking bay which would also serve White House.

- 2.4 The proposal also seeks retrospective planning permission for a stone boundary wall to the rear of White House, forming the eastern boundary of the rear curtilage of the property.
- 2.5 The application site falls within the Acomb Conservation Area. White House is considered a non-designated heritage asset, and the proposed works are within the setting of White House. The site is also within the Lower Risk Coal Advice Area as identified by the Coal Authority.

### 3. Planning History

**Reference Number:** 14/02291/FUL

**Description:** Demolition of one disused, corrugated steel shed and smaller garden structures, and erection of 3 no. dwellings including one house and two bungalows each with a double garage and large garden areas.  
Renovation of dairy building at site entrance into an office.

**Status:** Permitted

**Reference number:** 16/01241/VARYCO

**Description:** Variation of conditions 10 (landscaping), 11 (conservation strategy), 15 (method statement), and 24a (archaeological), Remove condition 17 (method statement - duplicate) of approved planning application 14/02291/FUL

**Status:** Permitted

**Reference Number:** 19/00652/FUL

**Description:** Construction of a two storey rear extension to existing dwelling

**Status:** Refused

**Reference Number:** 19/04166/FUL

**Description:** Proposed two storey rear extension.

**Status:** Refused

**Reference Number:** 20/01020/FUL

**Description:** Proposed two storey rear extension.

**Status:** Permitted

**Reference Number:** 20/04195/FUL

**Description:** Two storey rear extension.

**Status:** Pending Consideration

### 4. Consultee Responses

Acomb Parish Council	<u>First comments, received 14.09.2022:</u>
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	<p>Acomb Parish Council wishes to object to this application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. It is retrospective.</li> <li>2. The Heritage Statement claims that the White House is of low level significance. However, it is shown as A Non-designated Heritage Asset in the Acomb Neighbourhood Plan (Appendix A) and therefore is not of low level significance.</li> <li>3. The application claims that all natural materials have been used, but the roof is described as Tile effect roof sheeting and it utilises aluminium bi-fold doors.</li> <li>4. Most importantly, the Block Plan 20-02-11 dated Jan 2021, included in the, as-yet unapproved, Planning Variation 19/00068/VARYCO shows 3 on-site parking spaces and a further 2 spaces in the Lily Mews Hammerhead. The Block Plan (22-70-02, dated August 22) in Application 22/03046/FUL shows the loss of the 3 on-site spaces and the garage appears to have been constructed on half of the Lily Mews Hammerhead. The application claims 2 existing spaces will be lost, and 2 proposed spaces will be created. However, the creation of 1 single garage (plus an allowance of 1 Hammerhead space) is at the expense of 5 previously proposed spaces. The result will be that any overspill parking from Lily Mews, Artyhoose or the White House will be onto the already crowded area of The Green (aka The Pant or Trough). This land, which already has a parking problem, is owned by Acomb Parish Council (as opposed to Northumberland County Council) and is also used as a turning circle for local buses. Clearly there are insufficient parking arrangements for the whole development (including the 3 Lily Mews properties).</li> <li>5. The development of the White House and Lily Mews has been carried out in a piecemeal fashion with no overall plan for approval by any of the statutory consultees, the Parish Council or the County Council. Instead, several, often conflicting, Planning Applications have been submitted. This Development, inside the Conservation Area, has regularly proceeded regardless of Planning Approval.</li> </ol> <p><u>Second comments, received 15.10.2022:</u></p> <p>Acomb Parish Council wishes to add comment to the revised plans which have been submitted for the above application.</p> <ol style="list-style-type: none"> <li>1. The revised Block Plan (Rev A) shows that the only change from the earlier Block Plan in this application, is to move the red line surrounding the property to create a parking place and reduce the size of the hammerhead turning accordingly. It has not created an extra parking space, unless the garage (already built) itself has been moved. The Parish Council's previous</li> </ol>
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	<p>comments about varying Block Plans should also be noted.</p> <p>2. The revised plans show that the garage roof is now “slate roof covering”. The previous version showed “metal sheet tile effect covering”. The garage is built and roofed. Have only the plans been changed? Photograph of current garage is attached.</p>
Highways	No objection subject to recommended conditions

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	2
Number of Objections	0
Number of Support	0
Number of General Comments	0

### Notices

Site Notice – Affecting the Character or Appearance of a Conservation Area:  
Displayed 13.09.2022

Press Notice – Hexham Courant: Advertised 13th October 2022

### Summary of Responses:

None Received.

## 6. Planning Policy

### 6.1 Development Plan Policy

#### *Northumberland Local Plan (March 2022)*

Policy STP 1 Spatial strategy  
 Policy HOU 9 Residential development management  
 Policy QOP 1 Design principles  
 Policy QOP 2 Good design and amenity  
 Policy QOP 5 Sustainable design and construction  
 Policy QOP 6 Delivering well-designed places  
 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  
 Policy ENV 7 Historic environment and heritage assets  
 Policy ENV 9 Conservation Areas  
 Policy WAT 3 Flooding  
 Policy POL 1 Unstable and Contaminated Land  
 Policy POL 2 Pollution and air, soil and water quality

#### *Acomb Neighbourhood Plan (2019)*

Policy 4 Flooding  
Policy 8 Acomb Conservation Area  
Policy 9 Non-designated Heritage Assets  
Policy 10 Design in New Development

## 6.2 National Planning Policy

National Planning Policy Framework (July 2021)  
National Planning Practice Guidance (2018, as updated)

## 6.3 Other documents

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 plan comprises policies in the Northumberland Local Plan and the Acomb Neighbourhood Plan. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

Principle of the development  
Heritage and Design  
Residential amenity  
Highway safety  
Surface water drainage  
Contaminated land

### Principle of development

7.3 The application proposes works that are domestic in nature to extend and carry out within residential curtilage in the service village of Acomb. The principle of development is acceptable and in accordance with Policies STP1 and HOU 9 of the Northumberland Local Plan and the NPPF.

7.4 The overall acceptability of the scheme is subject to other matters as set out later in this report.

### Heritage and Design

7.5 The application site lies within the Acomb Conservation Area, a designated heritage asset.



- 7.6 When determining this application, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Members, as the decision maker, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 7.7 Policy ENV1 of the Local Plan states that the character and/or significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by giving great weight to the conservation of designated heritage assets.
- 7.8 Policy ENV7 of the Local Plan states that proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. The Policy goes on to state that decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance.
- 7.9 The Policy also states that where development proposals would cause less than substantial harm to the significance of designated heritage asset, this will be weighed against the public benefits of the proposal, including securing the optimum use that is viable and justifiable.
- 7.10 Policy ENV9 of the Local Plan states that within a conservation area, it will be ensured that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance. The Policy goes on to state that development must respect existing architectural and historic character and cultural associations, by having regard to:
- i. Historic plot boundaries, layouts, densities and patterns of development; and
  - ii. The design, positioning, grouping, form, massing, scale, features, detailing and the use of materials in existing buildings and structures; and
  - iii. The contribution made by the public realm, private spaces and other open areas, including hard and soft landscape features, trees, hedges, walls, fences, watercourses and surfacing.
- 7.11 Similar to Policies ENV1, ENV7 and ENV9 of the Local Plan, Policy 8 of the Acomb Neighbourhood Plan requires any proposal within the Acomb Conservation Area to demonstrate how it will preserve or enhance the character or appearance of the Acomb Conservation Area, as defined in the Acomb Conservation Area Character Appraisal. Policy 8 goes on to state that proposals in the Conservation Area and its setting should have regard to:  
The aim of making a positive contribution to local character and distinctiveness by reflecting the vernacular scale, massing, layout, means of enclosure, detailed design and materials characteristic of the Acomb Conservation Area through:
- i) the use of appropriate materials for Acomb including natural sandstone and natural slate roofing materials;
  - ii) The maintenance of 'plain' rooflines, avoiding the addition of dormer windows which would detract from the special character of Acomb Conservation Area;
  - iii) The incorporation of timber sliding sash windows;
  - iv) The use of locally distinctive detailing of masonry, doorways, rooflines, chimneys and chimney-pots, windows and rainwater goods;

- v) The provision of appropriate boundary treatment including sandstone walls and/or hedgerows; and
- vi) The retention of existing boundary walls.

- 7.12 Paragraph 199 of the NPPF 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.
- 7.13 Paragraph 200 of the NPPF then 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.
- 7.14 Paragraph 202 of the NPPF then 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.
- 7.15 Acomb Parish Council object to this application on the Neighbourhood Plan identifies White House as a non-designated heritage asset. As a point of clarity, the recommending officer notes that Figure 13 on Pages 36-37 of the Neighbourhood Plan identifies White House as a "potential non-designated heritage asset."
- 7.16 White House is considered to be a non-designated heritage asset. The building is in a prominent location atop the crest of the hill on Main Street in the centre of Acomb, located at The Green. The building's southern principal elevation is prominent from public vantage points at The Green and along Main Street, and the Conservation Area's Character Appraisal notes that the buildings along this stretch of Main Street are of interest. Paragraph 6.1.7 of the Character Appraisal notes the eighteenth century White House, with its reverse stepped gable coping, and an adjoining terrace of four neighbouring stone houses. Whilst the building is currently in need of some external refurbishment, as is the picket fence to the front, in the opinion of the recommending officer it is undoubtably of architectural merit within the historic core of Acomb, and the southern principal elevation makes a notable contribution to the character of the Conservation Area.
- 7.17 Policy ENV7 of the Local Plan states that proposals that affect the significance of non-designated heritage assets shall require a balanced judgement, taking into account the scale of any harm or loss and the significance of the heritage asset. This is in line with Policy 9 of the Neighbourhood Plan, and Paragraph 203 of the NPPF.
- 7.18 Policies QOP1, QOP2 and HOU9 of the Local Plan and Policy 10 of Neighbourhood Plan require proposals to be of a high quality design in keeping their surroundings, making a positive contribution to local character and distinctiveness. The requirements of these Policies tie in to the requirements of other Policies set out above.

- 7.19 As a starting point, the recommending officer is mindful that the proposed works are to the rear of White House, an area of limited views from public vantage points from Main Street. The rear of White House has recently been developed with the construction of three detached dwellings and their associated boundary treatments, garaging and hardstanding under decision 14/02291/FUL.
- 7.20 The proposed boundary wall to the rear of White House is in a similar location to the boundary wall approved under decision 14/02291/FUL, and is constructed of natural stone which is sympathetic to the host building. It is considered that the boundary wall does not harm the character or appearance of the Conservation Area, or harm the significance of White House.
- 7.21 The proposed outbuilding is situated at the end of the rear curtilage of the property. The degree of visual screening between the site and neighbouring dwellings to the west and east, as well as the degree of screening from Main Street and The Green to the south is noted. It is considered that the scale, massing and positioning of the outbuilding does not harm the character or appearance of the Conservation Area, or harm the significance of White House.
- 7.22 The proposed outbuilding is constructed of timber-clad elevations. The use of timber for outbuildings of this scale is considered appropriate within residential curtilages, and it is not considered that the use of stone or brick elevations is necessary. The Parish Council have raised concerns with the use of aluminium bi-fold doors on the southern elevation. The recommending officer considers the scale of the opening and the use of aluminium frames to be acceptable – the use of timber frames is not considered necessary, whilst aluminium frames are preferred to upvc frames. The Parish Council have also raised concerns with the use of lightweight metal tile-effect roof sheeting. The recommending officer agrees that this roofing material is unacceptable. Following discussions with the applicant, amended plans have been received which show the use of a slate roof covering. The recommending officer considers the use of *natural* slate roof tiles to be acceptable, and it is recommended that if Members grant approval for this application they impose a condition requiring the installation of *natural* slate roof tiles within three months of the date of the decision. This is considered a reasonable period of time for the applicant to source and install the new tiles, therefore this condition would accord with Paragraph 56 of the NPPF. Subject to the use of this planning condition, it is considered that the external materials of the outbuilding do not harm the character or appearance of the Conservation Area, or harm the significance of White House.
- 7.23 The proposal also seeks to extend the rear curtilage of White House to add an additional parking bay, adjacent to the northern elevation of the outbuilding. This would not harm the character or appearance of the Conservation Area, or harm the significance of White House.
- 7.24 For the reasons set out above, subject to the described planning condition, the proposal is considered acceptable, in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 8, 9 and 10 of the Acomb Neighbourhood Plan, and the NPPF.

#### Residential amenity

- 7.25 The proposed works would not have an adverse impact on the amenity of neighbouring residents, in accordance with Policies HOU9, QOP1 and QOP2 of the Northumberland Local Plan, Policy 10 of the Acomb Neighbourhood Plan, and the NPPF.

#### Highway safety

- 7.26 The proposal seeks approval for a single bay detached garage and an additional single parking bay, to serve the three bedroom dwelling at White House. The proposed works also encroach into an area which was previously approved as a vehicular turning head under decision 14/02291/FUL, therefore approval for a change of use of land is also sought.
- 7.27 The Highways officer has been consulted and they note that the proposal seeks to provide sufficient car parking for the three bedroom dwelling. Subject to recommended conditions, they have no objection to the proposal. The recommending officer notes that one such condition requires White House to not be occupied until the hereby approved car parking is implemented. The recommending officer notes that this is a standard condition recommended on many different types of applications, however in this instance it is not considered necessary as White House is already occupied, whilst the car parking bays have already been implemented. Therefore, this condition is not recommended should Members decide to grant planning permission. The second condition ensures the outbuilding remains occupied ancillary to White House, and shall be used for car parking ancillary to White House. This is considered reasonable and necessary, and this condition is therefore recommended to be imposed should permission be granted.
- 7.28 The Parish Council have raised concerns with the loss of the previously approved vehicular turning head under this application. They consider that the turning the loss of the turning head would lead to insufficient parking provision across the Lily Mews development to the north of the site, for the adjacent holiday let unit to the east of the site, and for White House itself, leading to parking on The Green to the south of the site. It is noted that sufficient car parking for the three dwellings to the north of the site, known as Lily Mews, was approved and implemented within each of those plots under decision 14/02291/FUL. The turning head as approved under 14/02291/FUL was not required nor intended for the parking of vehicles. In respect of the adjacent holiday let, this is subject to a separate planning application; whilst the Highways officer has no objection to that proposal, the car parking provision for that development is a separate matter when determining the current application. The recommending officer is also mindful of previous complaints from neighbouring residents regarding indiscriminate parking on The Green during construction works at White House and at Lily Mews. These works have since finished, therefore if Members were to grant permission for the current application there would not be a need for the parking of construction vehicles at the site or in the local area such as at The Green.
- 7.29 The Highways officer has no objection to the proposal. Subject to a recommended condition, the proposal would not have an adverse impact on highway safety in accordance with Policies TRA2 and TRA4 of the Northumberland Local Plan and the NPPF.

## Other Matters

### *Equality Duty*

- 7.30 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*

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

### *Human Rights Act Implications*

- 7.32 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.
- 7.33 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.
- 7.34 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 For the reasons set out in the above report, and subject to recommended conditions, it is considered that the proposal is an acceptable form of

development. Officers therefore recommend that planning permission be granted.

## **9. Recommendation**

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

### Conditions

1) The development hereby permitted shall be retained in complete accordance with the approved plans. The approved plans for this development are:-

22-07-01 Revision A – Site Location Plan  
22-07-02 Revision A – Site Block Plans  
22-07-03 Revision A – Garage and Garden Room  
22-07-04 Revision A – Garden Wall

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

2) Notwithstanding the approved plans, within three months of the date of this decision, the dual pitched roof of the hereby approved outbuilding shall be relaid with natural slate roof tiles of similar appearance to those at the host property currently known as White House.

Reason: In the interest of the appearance of the development, in the interest of the character and appearance of the Conservation Area, and in the interest of the significance of White House which is a non-designated heritage asset, in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 8, 9 and 10 of the Acomb Neighbourhood Plan, and the National Planning Policy Framework.

3) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any other re-enacting or revoking Order with or without modification), the hereby approved outbuilding shall only be used as a garage and garden room ancillary to the residential dwelling currently known as White House.

Reason: In the interests of residential amenity, and to secure sufficient car parking provision for the dwellinghouse in the interest of highway safety, in accordance with Policies HOU9, QOP1, QOP2, TRA2 and TRA4 of the Northumberland Local Plan, Policy 10 of the Acomb Neighbourhood Plan, and the National Planning Policy Framework.

### **Informatives**

Standard coal working informative

**Background Papers:** Planning application file(s) 22/03046/FUL; 14/02291/FUL.

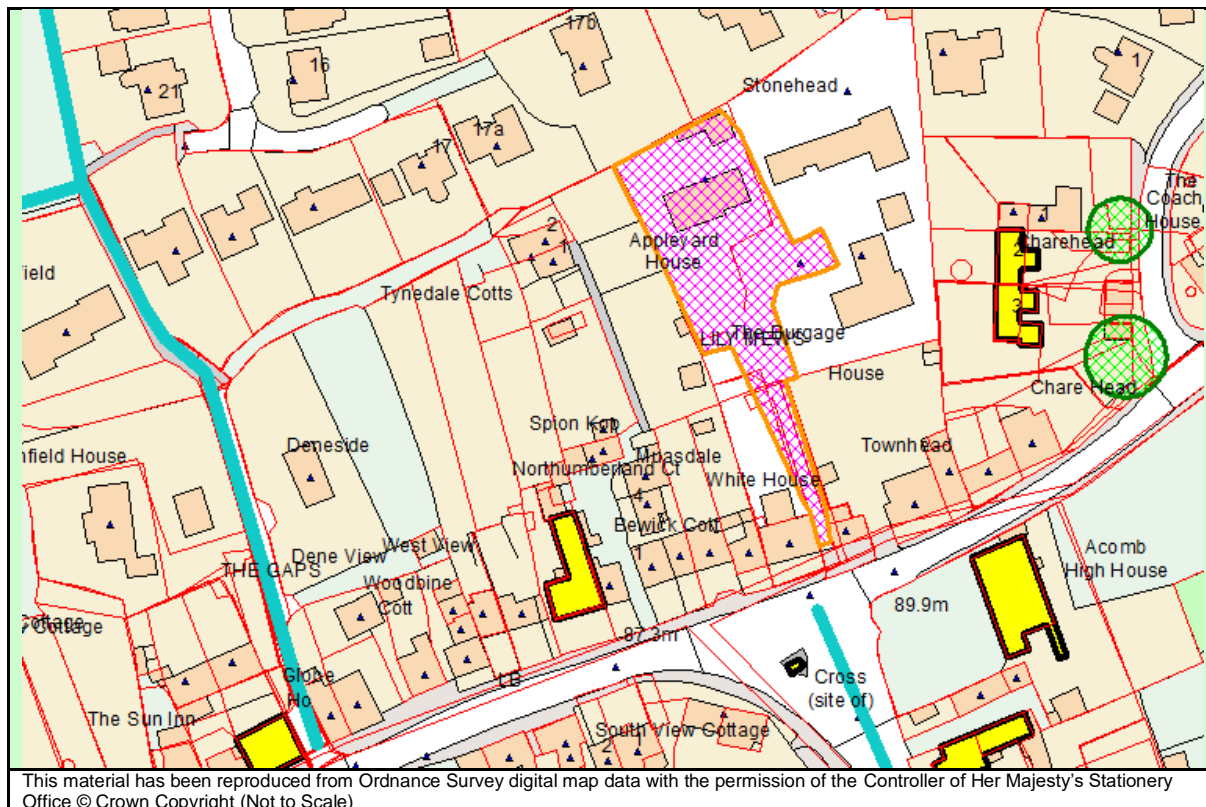


## Northumberland County Council

### Tynedale Local Area Council Planning Committee Tuesday 13<sup>th</sup> December 2022

<b>Application No:</b>	22/03159/FUL		
<b>Proposal:</b>	Retrospective - Construction of two garden buildings		
<b>Site Address</b>	1 Lily Mews, The Green, Acomb, Northumberland		
<b>Applicant/ Agent</b>	Mr Darryl Bingham 19 Burswell Avenue, Hexham, NE46 3JL,		
<b>Ward</b>	Hexham Central With Acomb	<b>Parish</b>	Acomb
<b>Valid Date</b>	13 September 2022	<b>Expiry Date</b>	14 December 2022
<b>Case Officer Details</b>	Name: Mr Callum Harvey Job Title: Senior Planning Officer Tel No: 07966 325 979 Email: Callum.Harvey@northumberland.gov.uk		

**Recommendation:** That Planning Permission be GRANTED for the proposed development



## 1. Introduction

- 1.1 This application is subject to an objection from Acomb Parish Council. Following referral to the Director of Planning and the Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Chair Referral Scheme, it was agreed that this application be determined by Members of the Tynedale LAC Planning Committee.

## 2. Description of the Proposals

- 2.1 The application site, known as 1 Lily Mews, is a recently constructed property located to the rear of White House, which is located on The Green in Acomb.
- 2.2 Retrospective planning permission is sought for the construction of two outbuildings to the rear of the property. Planning permission is required as permitted development rights for outbuildings were removed when the property was granted planning permission, under Condition 14 of decision reference 14/02291/FUL. These rights were removed in the interest of the character of the area, and in the interest of the amenity of neighbouring residents.
- 2.3 The first outbuilding comprises a garden shed and garden room, with an attached open sided loggia and decking. The structures measure 11.5m in width at the widest point, and 5.8m in depth at the furthest point. The shed is the highest structure and measures 4m in height to roof ridge. The structures are constructed of timber cladding with aluminium bi-fold doors. The roofs as currently constructed comprise lightweight metal tile-effect sheeting with a dull finish. Following discussion with the recommending officer, the received plans now state that slate roof tiles will be used in the event that planning permission were granted.
- 2.4 The proposal also seeks retrospective permission for a second garden shed measuring 3.7m in depth and 3.4m in width, with a dual pitched roof measuring 2.1m in height. The shed is constructed of timber cladding with a timber door. The roof as currently constructed comprises lightweight metal tile-effect sheeting with a dull finish. Following discussion with the recommending officer, the received plans now state that slate roof tiles will be used in the event that planning permission were granted.
- 2.5 The application site falls within the Acomb Conservation Area. The site is also within the Lower Risk Coal Advice Area as identified by the Coal Authority.

## 3. Planning History

**Reference Number:** 14/02291/FUL

**Description:** Demolition of one disused, corrugated steel shed and smaller garden structures, and erection of 3 no. dwellings including one house and two bungalows each with a double garage and large garden areas.

Renovation of dairy building at site entrance into an office.

**Status:** Permitted

**Reference Number:** 16/01241/VARYCO



**Description:** Variation of conditions 10 (landscaping), 11 (conservation strategy), 15 (method statement), and 24a (archaeological), Remove condition 17 (method statement - duplicate) of approved planning application 14/02291/FUL

**Status:** Permitted

**Reference Number:** 20/01315/VARYCO

**Description:** Variation of conditions 2 (approved plans) and discharge of conditions 3 (materials), 8 (rainwater goods) and 10 (landscaping) of application 16/01241/VARYCO - changes to plot 1, increase roof pitch, introduce rooflights and other minor elevation changes (amended description)

**Status:** Pending Consideration

#### 4. Consultee Responses

Acomb Parish Council	<p>Acomb Parish Council wishes to object to this application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. It is retrospective.</li> <li>2. The application claims that 'all natural materials' (as it is in a Conservation Area) have been used, but the roofs are described as 'Tile effect roof sheeting' and it would appear to utilise aluminium bi-fold doors.</li> <li>3. The Block Plan 22-69-02 dated Aug 22, included in this Application, shows a different red line delineation from Block Plan 20-70-02 dated Aug 2022, included in the, as-yet unapproved, Planning Application 22/03046/FUL. This is different again from the Block Plan (20-01-11, dated Jan 21) in Application 19/00068/VARYCO. Which is correct? Who owns which piece of land?</li> <li>4. The development of the White House and Lily Mews has been carried out in a piecemeal fashion with no overall plan for approval by any of the statutory consultees, the Parish Council or the County Council. Instead, several, often conflicting, Planning Applications have been submitted. This Development, inside the Conservation Area, has regularly proceeded regardless of Planning Approval.</li> </ol>
Historic England	No comment

#### 5. Public Responses

##### Neighbour Notification

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

## Notices

Site Notice - Affecting Character and Appearances of the Conservation Area:  
Displayed 16th September 2022

Press Notice - Hexham Courant: Advertised 22nd September 2022

## Summary of Responses:

None Received.

## **6. Planning Policy**

### 6.1 Development Plan Policy

#### *Northumberland Local Plan (March 2022)*

Policy STP 1 Spatial strategy  
Policy HOU 9 Residential development management  
Policy QOP 1 Design principles  
Policy QOP 2 Good design and amenity  
Policy QOP 5 Sustainable design and construction  
Policy QOP 6 Delivering well-designed places  
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  
Policy ENV 7 Historic environment and heritage assets  
Policy ENV 9 Conservation Areas  
Policy WAT 3 Flooding  
Policy POL 1 Unstable and Contaminated Land  
Policy POL 2 Pollution and air, soil and water quality

#### *Acomb Neighbourhood Plan (2019)*

Policy 4 Flooding  
Policy 8 Acomb Conservation Area  
Policy 9 Non-designated Heritage Assets  
Policy 10 Design in New Development

### 6.2 National Planning Policy

National Planning Policy Framework (July 2021)  
National Planning Practice Guidance (2018, as updated)

### 6.3 Other documents

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

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

## **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 plan comprises policies in the Northumberland Local Plan and the Acomb Neighbourhood Plan. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

Principle of the development  
Heritage and Design  
Residential amenity  
Highway safety  
Surface water drainage  
Contaminated land

Principle of development

7.3 The principle of constructing two outbuildings in the curtilage of a dwelling is acceptable in accordance with Policy HOU9 of the Local Plan. The acceptability of the proposal is dependent on other matters as set out below.

Heritage and Design

7.4 The application site lies within the Acomb Conservation Area, a designated heritage asset.

7.5 When determining this application, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Members, as the decision maker, to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

7.6 Policy ENV1 of the Local Plan states that the character and/or significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by giving great weight to the conservation of designated heritage assets.

7.7 Policy ENV7 of the Local Plan states that proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. The Policy goes on to state that decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance. The Policy also states that where development proposals would cause less than substantial harm to the significance of designated heritage asset, this will be weighed against the public benefits of the proposal, including securing the optimum use that is viable and justifiable.

7.8 Policy ENV9 of the Local Plan states that within a conservation area, it will be ensured that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance.

The Policy goes on to state that development must respect existing architectural and historic character and cultural associations, by having regard to:

- i. Historic plot boundaries, layouts, densities and patterns of development; and
- ii. The design, positioning, grouping, form, massing, scale, features, detailing and the use of materials in existing buildings and structures; and
- iii. The contribution made by the public realm, private spaces and other open areas, including hard and soft landscape features, trees, hedges, walls, fences, watercourses and surfacing.

- 7.9 Similar to Policies ENV1, ENV7 and ENV9 of the Local Plan, Policy 8 of the Acomb Neighbourhood Plan requires any proposal within the Acomb Conservation Area to demonstrate how it will preserve or enhance the character or appearance of the Acomb Conservation Area, as defined in the Acomb Conservation Area Character Appraisal. Policy 8 goes on to state that proposals in the Conservation Area and its setting should have regard to:

The aim of making a positive contribution to local character and distinctiveness by reflecting the vernacular scale, massing, layout, means of enclosure, detailed design and materials characteristic of the Acomb Conservation Area through:

- i) the use of appropriate materials for Acomb including natural sandstone and natural slate roofing materials;
- ii) The maintenance of 'plain' rooflines, avoiding the addition of dormer windows which would detract from the special character of Acomb Conservation Area;
- iii) The incorporation of timber sliding sash windows;
- iv) The use of locally distinctive detailing of masonry, doorways, rooflines, chimneys and chimney-pots, windows and rainwater goods;
- v) The provision of appropriate boundary treatment including sandstone walls and/or hedgerows; and
- vi) The retention of existing boundary walls.

- 7.10 Paragraph 199 of the NPPF 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.

- 7.11 Paragraph 200 of the NPPF then 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.

- 7.12 Paragraph 202 of the NPPF then 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.

- 7.13 Policies QOP1, QOP2 and HOU9 of the Local Plan and Policy 10 of Neighbourhood Plan require proposals to be of a high quality design in keeping their surroundings, making a positive contribution to local character and distinctiveness. The requirements of these Policies tie into the requirements of other Policies set out above.

7.14 It is noted that the outbuildings would be located to the rear of the property, and would not be visible from public vantage points. It is considered that their positioning, scale and massing is acceptable. The use of timber for outbuildings of this scale is considered appropriate within residential curtilages, and it is not considered that the use of stone or brick elevations is necessary. The Parish Council have raised concerns with the use of aluminium bi-fold doors on the western elevation of the garden room, facing out onto the decking. The recommending officer considers the scale of the opening and the use of aluminium frames to be acceptable – the use of timber frames is not considered necessary, whilst aluminium frames are preferred to upvc frames. The Parish Council have also raised concerns with the use of lightweight metal tile-effect roof sheeting. The recommending officer agrees that this roofing material is unacceptable. Following discussions with the applicant, amended plans have been received which show the use of a slate roof covering. The recommending officer considers the use of *natural* slate roof tiles to be acceptable, and it is recommended that if Members grant approval for this application they impose a condition requiring the installation of *natural* slate roof tiles within three months of the date of the decision. This is considered a reasonable period of time for the applicant to source and install the new tiles, therefore this condition would accord with Paragraph 56 of the NPPF. Subject to the use of this planning condition, it is considered that the external materials of the outbuildings do not harm the character or appearance of the Conservation Area.

7.15 For the reasons set out above, subject to the described planning condition, the proposal is considered acceptable, in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 8, 9 and 10 of the Acomb Neighbourhood Plan, and the NPPF.

#### Residential amenity

7.16 The proposed works would not have an adverse impact on the amenity of neighbouring residents, in accordance with Policies HOU9, QOP1 and QOP2 of the Northumberland Local Plan, Policy 10 of the Acomb Neighbourhood Plan, and the NPPF.

#### *Equality Duty*

7.17 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*

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

#### *Human Rights Act Implications*

- 7.19 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.
- 7.20 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.
- 7.21 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 For the reasons set out in the above report, and subject to recommended conditions, it is considered that the proposal is an acceptable form of development. Officers therefore recommend that planning permission be granted.

## **9. Recommendation**

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

### Conditions

- 1) The development hereby permitted shall be retained in complete accordance with the approved plans. The approved plans for this development are:-

22-69-01 – Site Location Plan  
22-69-02 – Site Block Plans  
22-69-03 – Garden Store and Loggia  
22-69-04 Revision A – Garden Shed

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

2) Notwithstanding the approved plans, within three months of the date of this decision, the roofs of the hereby approved outbuildings shall be constructed of natural slate roof tiles of similar appearance to those at the host property currently known as 1 Lily Mews.

Reason: In the interest of the appearance of the development, and in the interest of the character and appearance of the Conservation Area, in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 8, 9 and 10 of the Acomb Neighbourhood Plan, and the National Planning Policy Framework.

### **Informatives**

None

### **EIA**

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

**Background Papers:** Planning application file(s) 22/03519/FUL; 14/02291/FUL.

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# Northumberland County Council

## Appeal Update Report

Date: December 2022

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### Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

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#### 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?
22/01800/FUL	<p>Home officer first floor extension over existing detached garage – 3 Keston Drive, Cramlington</p> <p>Main issues: disproportionate addition to the original garage resulting in harm to the character and appearance of the property and the street scene.</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?
21/04673/FUL	<p>Resubmission: Single-storey, flat-roofed, garage to rear of back garden (revised to now be 3 metres high) - 7 First Avenue, Blyth</p> <p>Main issues: incongruous addition to the rear garden of the property, represent an addition that is neither subordinate nor well related to the subject property and would have a negative impact on visual amenity.</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
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: development would appear as an incongruous and over dominant addition to the street scene resulting in significant harm to the visual amenity of the locality.</p>	<p>4 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04426/CLEXIS	<p>Certificate of lawful development of existing vehicular access from the B6318 – land on Hadrian's Wall remains south of Black Pasture Cottage, Brunton Bank, Wall</p> <p>Main issues: lack of information and evidence as submitted to grant certificate.</p>	<p>28 April 2022</p> <p>Appeal against non-determination</p>
19/01687/FUL	<p>Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping. Archaeological report received 09.2.2021 and amended site location plan received 26.02.21 - land north west of Springwood, Coast View, Swarland</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting and visual relationship between Swarland and wider countryside</p>	<p>1 June 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

	setting.	
21/03532/FUL	<p>Restore and re-build existing derelict dwellings to create single dwelling house with attached holiday-let and erection of ancillary workshop/agricultural storage building – land south west of Woodbine Cottage, Carrshield</p> <p>Main issues: significant works required to existing structure therefore conversion is unacceptable as a matter of principle; design would not respect historic character of the building and would affect the character of the North Pennines AONB; new outbuilding would be inappropriate in size and scale in the open countryside with impacts on the landscape and the AONB; insufficient information to assess ecological impacts of the proposals; and insufficient information to assess archaeological impacts.</p>	<p>16 August 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02094/FUL	<p>Remove green keepers compound and erection of 48 dwellings (including 10 affordable houses) plus upgrade of access road, electric substation, SUDs, domestic package treatment works and domestic gas storage.- Amended description – land north west of Burgham Park Golf Club, Felton</p> <p>Main issues: inappropriate development in the Green Belt; unnecessary and unjustified development in the open countryside and unsustainable location; and lack of completed S106 Agreement in respect of affordable housing, education, health and a Habitat Maintenance and Management Plan</p>	<p>17 August 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/02377/FUL	<p>Retrospective: Construction of carport in existing car park to provide cover for three car parking spaces and provide shelter for diners during COVID – Feathers Inn, Hedley, Stocksfield</p> <p>Main issues: inappropriate development in the Green Belt; and the design and materials adversely impact on the character of the site and its surroundings.</p>	<p>23 August 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02026/COU	<p>Change of use of 8no. Holiday cottages to residential dwellings – 1 - 4 Bamburgh Cottages and 5 - 8 Craster Cottages, Northumbrian Hills, Burgham Park, Felton</p> <p>Main issues: unnecessary and unjustified residential development in the open countryside</p>	<p>1 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00042/LBC	Listed building consent to replace 6 windows with similar casement windows with wooden	26 September

	<p>rather than plastic dividers – Broomhaugh Farm, Broomhaugh, Riding Mill</p> <p>Main issues: would result in loss of historic fabric and fail to preserve the special historic interest of the building, and would cause less than substantial harm to the listed building.</p>	<p>2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01413/FUL	<p>Dormer window to roof slope on principal (south) elevation – 3 Dene Park, Darras Hall, Ponteland</p> <p>Main issues: design, scale and massing would not be subordinate to the dwelling and would be out of character in the street scene.</p>	<p>27 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04687/OUT	<p>Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; lack of information in relation to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education.</p>	<p>27 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01100/FUL	<p>Timber shed for storage of tools and equipment required to maintain the woods and culverts. (Retrospective application) - Ochre Wood, Corbridge</p> <p>Main issues: inappropriate development within the open countryside and Green Belt; and insufficient information on access and car parking arrangements.</p>	<p>31 October 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/01112/FUL	<p>Replacement of existing store and smoking shelter within the rear car park with a shipping container to provide outdoor food and drink service ancillary to Beadnell Towers Hotel – Beadnell Towers Hotel, The Wynding, Beadnell</p> <p>Main issues: harm to the setting of the listed building and Conservation Area; and fails to conserve or enhance the Northumberland Coast AONB.</p>	<p>31 October 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/04958/FUL	<p>Resubmission - Retrospective application for outdoor dining facilities within car parking area to front. Material amendment to roof covering and part timber cladding – Percy</p>	<p>1 November 2022</p> <p>Committee Decision - Officer</p>

	<p>Arms, Chatton</p> <p>Main issues: development results in harm to the character and appearance of the Conservation Area; and substandard access to rear car park.</p>	<p>Recommendation: Approve</p>
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03397/LBC	<p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 &amp; 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00393/FUL	<p>Siting of 'Timber Living Trailer' - land south of Jubilee Cottages, West Woodburn</p> <p>Main issues: site is in the open countryside and not in a sustainable or accessible location; and adverse impacts on the open countryside and landscape.</p>	<p>3 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02696/S106A	<p>Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland</p> <p>Main issues: the S106 continues to serve a useful purpose and insufficient information</p>	<p>7 November 2022</p> <p>Delegated Decision - Officer Recommendation:</p>

	has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.	Refuse
22/00749/OUT	Outline application for demolition of existing garage and stable block and construction of new dwellinghouse (all matters reserved) - building and land west of Roedcliffe, Ladycutter Lane, Corbridge  Main issues: appeal against imposition of a condition in the decision notice that limits the siting and scale of the new dwelling.	9 November 2022  Delegated Decision - Officer Recommendation: Approve
21/04002/FUL	Proposed 6no. Yurts and associated structure for holiday and tourism – land south-east of Alnham House, Alnham Main Road, Alnham  Main issues: the site is not in an accessible location; and results in incursion into the open countryside and fails to respect the intrinsic character and beauty of the area.	17 November 2022  Delegated Decision - Officer Recommendation: Refuse

## Recent Enforcement Appeal Decisions

### Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

### Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		



# Enforcement Appeals Received

## Appeals Received

Reference No	Description and address	Appeal start date
20/01383/ENDEVT	Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett  Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).	9 February 2022
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022  Hearing date: 22 November 2022
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022  Hearing date: 22 November 2022
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm, Kiln Pit Hill, Consett	29 April 2022
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	29 April 2022
19/01230/ENDEVT	Material change of use of the land from agricultural use for the siting of a shepherd's hut for use as holiday let accommodation - land south east of Closehead, Otterburn	29 June 2022



## Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
21/04982/OUT	<p>Resubmission: Erection of 5no. custom self build homes, with associated garages, car parking and landscaping – land north of 30 Longhirst Village, Longhirst</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact on the rural character of the site and wider landscape; harm to the setting and significance of the Conservation Area; insufficient information to assess archaeological impacts; insufficient information to assess impacts on protected species; and fails to address disposal of surface water.</p>	<p>Hearing: 5 and 6 October 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

# Implications

<b>Policy</b>	Decisions on appeals may affect future interpretation of policy and influence policy reviews
<b>Finance and value for money</b>	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
<b>Legal</b>	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
<b>Procurement</b>	None
<b>Human resources</b>	None
<b>Property</b>	None
<b>Equalities (Impact Assessment attached?)</b> <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
<b>Risk assessment</b>	None
<b>Crime and disorder</b>	As set out in individual reports and decisions
<b>Customer consideration</b>	None
<b>Carbon reduction</b>	Each application/appeal may have an impact on the local environment and have been assessed accordingly
<b>Wards</b>	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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