

# Public Document Pack



## Northumberland County Council

**Your ref:**

**Our ref:**

**Enquiries to:** Lesley Little

**Email:** Lesley.Little@northumberland.gov.uk

**Tel direct:** 01670 622614

**Date:** Thursday, 29 September 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CASTLE MORPETH LOCAL AREA COUNCIL** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 10 OCTOBER 2022** at **4.00 PM**.

Yours faithfully

Rick O'Farrell  
Interim Chief Executive

**To Castle Morpeth Local Area Council members as follows:-**

**D Bawn, J Beynon (Chair), L Darwin, S Dickinson, R Dodd, L Dunn, J Foster (Vice-Chair (Planning)), P Jackson, V Jones, M Murphy, G Sanderson, D Towns (Vice-Chair) and R Wearmouth**



**Rick O'Farrell, Interim Chief Executive**  
County Hall, Morpeth, Northumberland, NE61 2EF  
T: 0345 600 6400  
[www.northumberland.gov.uk](http://www.northumberland.gov.uk)



# AGENDA

## PART I

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

1. **PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS** (Pages 1 - 2)
2. **APOLOGIES FOR ABSENCE**
3. **MINUTES** (Pages 3 - 24)
  - (a) Minutes of the meeting of the Castle Morpeth Local Area Council held on Monday 11 July 2022, as circulated, to be confirmed as a true record and signed by the Chair.
  - (b) Minutes of the meeting of the Castle Morpeth Local Area Council held on Monday 8 August 2022, as circulated, to be confirmed as a true record and signed by the Chair.
4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required 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 Registerable Interest or Non Registerable 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.

## 5. DETERMINATION OF PLANNING APPLICATIONS

(Pages  
25 - 28)

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 not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>*

### 6. 21/01137/FUL

**Construction of two residential properties, including new vehicular access, with associated drainage and infrastructure  
Land North West of Garden Cottage, Front Street, Ellington,  
Northumberland**

(Pages  
29 - 44)

### 7. 21/04413/FUL

**Conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall  
South Hall, Ingoe, Newcastle Upon Tyne, Northumberland, NE20 0SR**

(Pages  
45 - 70)

### 8. 21/04414/LBC

**Listed building consent for conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall  
South Hall, Ingoe, Newcastle Upon Tyne, Northumberland, NE20 0SR**

(Pages  
71 - 84)

9. **22/01923/FUL** (Pages 85 - 94)  
**Installation of a 30m x 3.65m fully carpeted single bay practice facility and fully enclosed single bay cricket cage with heavy duty galvanized tubular uprights and netting. Single pedestrian gate. White netting added behind bowler to act as a sight screen and install three protective sheets around each side of the batting end.**  
**Ulgham Playing Field, Ulgham Lane, Ulgham, Northumberland NE61 3BG**
10. **22/02252/FUL** (Pages 95 - 102)  
**Proposed construction of detached standalone garden room to rear garden area.**  
**Hepscott Hall, Side Lane, Hepscott, Morpeth Northumberland NE61 6LT**
11. **APPEALS UPDATE** (Pages 103 - 112)  
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.
12. **PUBLIC QUESTION TIME**  
To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)  
  
As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.  
  
Please note however that a question may possibly be rejected if it requires the disclosure of any categories of confidential or exempt information, namely information:
1. relating to any individual;
  2. which is likely to reveal the identity of an individual;
  3. relating to the financial or business affairs of any particular person
  4. relating to any labour relations matters/negotiations;
  5. restricted to legal proceedings
  6. about enforcement/enacting legal orders
  7. relating to the prevention, investigation of prosecution of crime.
- And/or:
- is defamatory, frivolous or offensive;

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

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

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

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

### 13. PETITIONS

(Pages  
113 -  
120)

This item is to:

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

**(b) Consider reports on petitions previously received:**

- Petition Against On-Going Planning Issues And Environmental Destruction On Land To The South Of St Mary's Park, Stannington - Report Attached

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

### 14. LOCAL SERVICES ISSUES

To receive a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of

members of the Local Area Council, who will also then have the opportunity to raise issues with the Area Managers.

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

**15. APPOINTMENTS TO OUTSIDE BODIES**

(Pages  
121 -  
126)

Members are asked to confirm if they wish to remain as appointees to the outside bodies which were agreed by the Castle Morpeth Local Area Council in July 2022 as follows:-

Choppington Education Foundation – M Murphy  
Druridge Bay Regeneration Partnership – S Dickinson  
Friends of Morpeth Museum – D Bawn  
Greater Morpeth Development Trust – R Wearmouth  
Linton Village Hall Management Committee – L Dunn  
Lynemouth Welfare Management Committee – L Dunn  
Stakeford/Bomarsund Social Welfare Centre – J Foster and M Murphy

A report is also attached appraising members of the nomination rights of the Council to the Stakeford and Bomarsund Sports and Social Welfare Centre (the Centre) and suggest nominations for members to consider.

**16. MEMBERS LOCAL IMPROVEMENT SCHEMES**

(Pages  
127 -  
154)

Details of the Members Local Improvement Schemes for the Castle Morpeth area are provided for information.

**17. LOCAL AREA COUNCIL WORK PROGRAMME**

(Pages  
155 -  
160)

To note the latest version of agreed items for future Local Area Council meetings (any suggestions for new agenda items will require confirmation by the Business Chair after the meeting).

**18. URGENT BUSINESS**

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

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

- Declare it and give details of its nature before the matter is 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](#).

<b>Subject</b>	<b>Description</b>
<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>
--	--

\* ‘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)

This page is intentionally left blank



## Northumberland County Council

### PROCEDURE AT PLANNING COMMITTEE

---

#### A Welcome from Chairman to members and Members of the public present

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

#### B Record attendance of members

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

#### C Minutes of previous meeting and Disclosure of Members' Interests

#### D Development Control

##### APPLICATION

##### Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

##### Planning Officer

Updates – Changes to recommendations – present report

##### Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

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

### **Committee members' questions to Planning Officers**

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

#### **Debate (Rules)**

Proposal

Seconded

DEBATE

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

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

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

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

## NORTHUMBERLAND COUNTY COUNCIL

### CASTLE MORPETH LOCAL AREA COUNCIL

At the meeting of the **Castle Morpeth Local Area Council** held at Council Chamber - County Hall on Monday, 11 July 2022 at 4.00 pm.

#### PRESENT

J Beynon (Chair) (in the Chair)

#### MEMBERS

R Dodd  
M Murphy

J Foster

#### OFFICERS

J Blenkinsopp  
V Cartmell

Solicitor  
Planning Area Manager - Development  
Management

M King  
L Little  
P Lowes  
R McCartney  
N Snowdon

Highways Delivery Area Manager  
Senior Democratic Services Officer  
Neighbourhood Services Area Manager  
Highways Infrastructure Manager  
Principal Programme Officer (Highways  
Improvement)

R Soulsby

Planning Officer

Around 11 members of the press and public were present.

#### 15 CHAIR'S ANNOUNCEMENT

Councillor J Foster, Vice-Chair Planning, in the Chair for the planning items, advised that as she would have to declare a personal and prejudicial interest in items 8 and 13 on the agenda the meeting would become inquorate for those items and therefore a decision had been made to withdraw them and they would be rescheduled for future meetings. She apologised to the members of public in attendance for these those items and allowed a short recess to allow them to leave if they so wished.

#### 16 PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS

Members were reminded of the procedure to be followed at the meeting.

#### 17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Darwin, Dunn, Dickinson, Jones, Towns and Wearmouth.

18 **MINUTES**

**RESOLVED** that the minutes of the meetings of the Castle Morpeth Local Area Council held on Monday 9 May 2022 and 13 June 2022, as circulated, be confirmed as a true record and be signed by the Chair.

19 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Foster advised that she had a personal and prejudicial interest in item 8, planning application 22/00075/FUL as a close personal friend lived in a property affected by this application and whilst the issue had not been discussed she felt it best to withdraw for this item. In respect of item 13, appointments to outside bodies and the nominees to the Stakeford and Bomarsund Welfare Committee she advise that she was the Chair of Trustees and was also on the Parish Council, therefore she also had a personal and prejudicial interest and would need to withdraw for that item.

Councillor Murphy also advised that she was a Trustee of the Stakeford and Bomarsund Welfare Committee and therefore had a personal and prejudicial interest and would also need to withdraw for item 13.

20 **DETERMINATION OF PLANNING APPLICATIONS**

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

21 **22/01086/FUL**

**Full planning application for change of use of existing agricultural field for forestry and community education uses including creation of planting amphitheatre and associated infrastructure  
Land to The North of Eland Lane, Ponteland, Northumberland**

R Soulsby, Planning Officer provided an introduction to the application with the aid of a power point presentation. Members were informed that a late representation from Ponteland Town Council had been received which read as follows:

“The Council has concerns over access; parking on a narrow country lane; blocking a road that is used regularly by the neighbouring farm and residents; litter; safety with such a proximity to the river; vandalism; the risk of antisocial behaviour; the remoteness of this facility and the risk that it could become a 'hangout' area for youths resulting in antisocial behaviour.”

The Planning Officer advised that whilst objectors had raised concerns regarding the site potentially resulting in an increase in antisocial behaviour and litter within the area, these were not material planning considerations.

Mr C Jackson addressed the Committee speaking in objection to the application.



His comments included the following:-

- This was a retrospective application for previously productive agricultural land and it was incomprehensible that Bellway continued to develop and change the use when it could be productive agricultural land.
- There was no reference to the current condition of the land.
- The proposal was unnecessary.
- No educational body had been consulted or expressed a need for this facility.
- The developer had based this on the Miyawaki method which was particularly suitable for urban areas and this was not an urban area, and therefore there was no basis to support the application.
- The placement of the trees 2 to 3 metres apart was inconsistent with the size site as a much larger site would be required for the number of trees and therefore the proposals were inappropriate.
- There had been no engagement with community groups and the educational aspect was not valid.
- The application failed to consider or meet the objectives set out in Northumberland's Local Plan (NLP)- Policy STP1, in particular sub bullet g; Policy STP3; Policy STP4; Policy STP5, bullet 2, in particular sub bullets, a, f and g and extracts of the NLP were read out to the Committee.
- In respect of Policy STP6 the land was already well maintained farm land and there was no attempt to meet any of the planning objectives outlined in the report. Agricultural use on the site was already well managed and there would be no net biodiversity gain, but in fact there would be a net loss.
- The clear ecological benefit had not been outlined.
- The developer had rubbished the concerns from residents in relation to fly-tipping and anti-social behaviour on the site.
- STP5 stated that you must not create an area which does not promote, support and enhance the health and wellbeing of communities and must support the wider issue of public safety and the Police have not endorsed this development.

Eilidh Paul, Agent on behalf of the applicant addressed the Committee speaking in support of the application. Her comments included the following information:-

- Thanked Members for the opportunity to speak and Officers for the report.
- Ponteland would be the first tiny forest created by Bellway in the country and would also act as an educational tool for community and educational groups. The forest funded by Bellway had already had groups on site.
- There would be 300 trees provided requiring low maintenance and would enhance the green infrastructure and provide ecological enhancements to the site.
- The site would not typically require planning permission as it was a small site and the development could be undertaken under permitted development rights which would also allow for use of the site for up to 28 days per year.
- Bellway had sought consent to remove the 28 day limit and the application would also give the Council more control of the development and maintenance of the site.

- There were no technical objections and the application was recommended for approval.
- The development was in accordance with the NLP and the objections related to the risk of anti-social behaviour and vandalism were not within the remit of planning. There was no evidence that the development of the site would result in anti-social behaviour or vandalism and the Police had not objected to the application.
- The site would mainly be used by groups for educational purposes with the young people supervised whilst on the site.
- The proposal was sustainable development and would have ecological benefit, accorded with planning policies and Members were requested to approve the application.

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

- The applicant had set out that the site would be used as a learning tool for biodiversity and protected species and would be used by school and community groups. All that was being assessed as part of the application was the change of use to forestry from agricultural land.
- Works had been undertaken on the site but had not been approved and Officers were not aware of any specific project or timescales for the use of the site by the groups.

Councillor Dodd proposed refusal of the application as he felt that this was not a forest as it was no bigger than two back gardens and the description did not match up with what would be provided. He felt that the Committee were being conned regarding the change of use and as a farmer himself this was not a location where he would plant trees and considered they would be alien to what was already there.

Members were reminded by the Planning Area Manager that all Members were being asked to look at was the change of use so that planting could go ahead on the site and questioned what would be alien as trees could already be there. Councillor Dodd stated that if it had a purpose such as a shelter belt then that would be different but he considered that this was a trojan horse and felt that it would encourage anti-social behaviour on the site as there was a lot of this happening in Ponteland at the current time.

Members were reminded that any reason for refusal must be linked to a principle of development and whilst there was some sympathy that was not a planning reason for the refusal of the application. There was no building to object to and robust reasons for any refusal must be provided by the Committee linked to policies which would be defensible at any future appeal. There was a defined Green Belt boundary around the settlement of Ponteland however, the application site was located within the inset boundary and was therefore not located within designated Green Belt.

Councillor Dodd withdrew his proposal to refuse the application.

Councillor Beynon then proposed acceptance of the recommendation to approve the application as outlined in the report, which was seconded by Councillor Murphy.

Members suggested that if Bellway wished to offset their carbon footprint then it should be done on their own housing estates by the provision of more green areas with tree planting on them rather than by buying more land. They also highlighted the concerns that the Town Council had in respect of the application, and it was stated that the application would provide more community benefit in an urban environment rather than in Ponteland where it was not needed and this was something the NLP should look to encourage.

A vote was taken on the proposal to approve the application as follows:- FOR 2; AGAINST 2; ABSTAIN 0. As this was a tied decision, the Vice-Chair Planning, in the Chair used her casting vote in favour of the proposal and it was therefore:

**RESOLVED** that the application be **GRANTED** for the reasons and subject to the conditions outlined in the report.

22

**21/04875/FUL**

**New vehicular access to serve four permitted dwellings**

**Land North of Southcroft Stables, The Croft, Ulgham, Northumberland**

R Soulsby, Planning Officer provided an introduction to the report with the aid of a power point presentation.

Councillor J Scott, Chair of Ulgham Parish Council addressed the Committee speaking in objection to the application. His comments included the following:-

- The Parish council wished to object on the grounds of unnecessary development in the Green Belt.
- There was no justification for a new access as the existing access to the site was perfectly adequate, within the 30 mph limit and had approximately 75m clear view in either direction.
- Any new entrance could have only one purpose which would be to allow access for a future large scale development. An application for which had already been refused.
- The proposed new access was well outside the line of the brownfield site which already had permission for four dwellings.
- The Highways report, which was fully supported, went into far more detail and left no doubt that the application should be refused.

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

- In terms of the Green Belt and the NPPF, this was an acceptable form of development within the Green Belt and would not impact on the openness of the area. Highways had no objection to the application on highway safety grounds, subject to the imposition of conditions.
- The road was public highway and as part of a Section 78 agreement must be approved to a certain standard.
- There was an application for the development of houses, however this was refused and all Members had to consider today was the actual access

being proposed. The site and surrounding area was outside of the settlement boundary for Ulgham and within designated Green Belt therefore there was not policy support for residential development within this area.

Councillor Dodd proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Murphy. A vote was taken on the proposal and it was unanimously:

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

## 23 **APPEALS UPDATE**

**RESOLVED** that the information be noted.

A short recess was held at this point, and Councillor J Beynon took the Chair when the meeting recommenced.

## 24 **PUBLIC QUESTION TIME**

No questions had been submitted.

## 25 **PETITIONS**

**(a) Receive New Petitions** – no new petitions had been received.

**(b) Petitions Previously Received – Request for footpath/cycleway connecting Red Row Drive to Barrington Road, Bedlington Station**

A report had been provided responding to the paper and e-petition and the lead petitioner, Mrs M Trotter had been invited to attend and provide a response. Her comments included the following:-

- The body of the report deviated towards the existing pedestrian access to Bedlington Station over the Welwyn Bridge and via Stakeford Road, with statements made suggesting that the bridge was not fit for purpose. This was an objective assessment where it had been identified as unsuitable but mitigated by adding traffic lights.
- It is not defensible to state that no accidents had occurred so it cannot be justified. Near misses were not recorded, therefore it was not that there was no risk, it was just that the risk was not recorded.
- An accident in which she had been involved happened on the bridge in December 2019 which resulted in her receiving a fractured wrist. The Council were informed of this accident and whilst no one contacted her in respect of this, the cause of the accident was removed the following week.
- One of the primary objectives as a local authority was a duty of care and to take proactive action to minimise risk to life, therefore was this an appropriate alternative route to allow children to ride their bikes safely; expect less able and wheelchair users to attempt the route; and allow parents with pushchairs to experience difficulties crossing.
- Residents needed to be able to travel to access local amenities and link

communities together and were not always walking towards Bedlington Station, but trying to access a wider range of activities in the opposite direction.

- The request for a pavement/cycleway was to allow children to safely ride their bikes to schools, parks and leisure facilities; minimise the risk to the travelling public; strengthen inclusion by improving the highway and broadening outdoor opportunities for those less able and wheelchair users; link communities to the new rail link rather than them having to use the Welwyn Bridge, with its increased traffic heading to the station car parks; and allow residents the choice of a safer route.
- A supporting statement from Steve Patterson, Managing Director of Remondis was read out to the Committee in which, as a local employer, he advised that he strongly supported the scheme and had pledged a contribution of £1500 towards the cost of a scheme to should it be approved.

Officers advised that they appreciated the concerns and supported a scheme being put forward in the next round of the LTP, however it might still be difficult to prioritise this over other schemes, but it would be submitted and go through the normal process.

Councillor Foster advised that she would also be happy for this to be put forward for consideration as part of the LTP and make a contribution to any costs should it be successful. She highlighted the gradient of the bridge and advised that the petition route would be the route of choice as there was no gradient and it would be safer if it had a footpath. She highlighted that a lot of other areas had cycle lanes but there were none in Stakeford or Choppington.

It was clarified that the traffic lights on the bridge were put in when the schools in the area changed to two tier and whilst there was no data on the numbers using that route, an analysis could be undertaken and contact made with the schools in the area.

**RESOLVED** that the contents of the report and the actions to be taken be noted.

**(c) Updates on Petitions previously received** – no updates were provided.

## 26 LOCAL SERVICES ISSUES

M King, Highways Delivery Area Manager provided an update which included the following information:

- There was still a backlog in category 1 repairs following the winter storms, however routine work was now on schedule. Reactive third party requests continued to rise in the Castle Morpeth area and the reason for this would be investigated as it impacted on the category 1 work.
- A new hot box was now in use for the Castle Morpeth area and the impact on the backlog would be seen shortly.
- A large amount of work in relation to drainage had been identified and it was hoped that work would commence in August.
- New gully maintenance vehicles had arrived and a review of systems and new routes would be created.

- Minor patching work was ongoing with schemes being extended if possible.
- A large patching scheme was being undertaken at Lancaster Park in Morpeth.
- Other work being undertaken included footpath work in Heddon, signage repaired or removed and verge safety work. It was hoped to commence work on the footpath in Lynemouth the following week.
- Work at Goosehill car park was going well, however there was an issue with a change of sub-contractor and it was likely the completion date would need to be extended with Members kept advised of any changes.
- There had been new staff recruited to join the Castle Morpeth team but difficulties in recruiting the right staff to deliver the best service were highlighted.

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

- Temporary lighting at the Goosehill site would be looked at.
- It was not thought there would be any impact on road surfaces in the County due to the level of heat expected, however if the level was raised to three, then there may be some impact on materials and the situation would be monitored. Staff who had to wear full protective equipment had been advised to take extra breaks, wear sun-tan lotion and keep hydrated and therefore a small dip in output might occur.
- N Snowdon would check the progress of the junction of Thornhill Road and North Road in Ponteland and report back to Councillor Dodd.
- In relation to the speed signs for Belsay guidance would be provided on what assistance the Parish Council could provide.
- In respect of signage requested for the roundabout at the junction beside the A69 requested by Councillor Dodd, this would be looked at again to determine if it was within Northumberland or Newcastle.
- N Snowdon advised that an update would be provided to Councillor Foster regarding the possibility of lighting being installed at the chicane on the C403 which had been replaced the previous week, and the team would also report back on whether works on Riverbank had been included in the U-roads schemes.
- The reporting process for the LTP schemes was currently being looked at in relation to how information was to be presented and how often, including the dates of any planned schemes.
- Councillor Dodd advised that a long term plan for the management of, or removal of Ash trees in the County was required as a number of these were dying and could impact powerlines and roads if they fell during storms. He would also raise this at Council.

Paul Lowes, Neighbourhood Services Area Manager provided the following information:-

- Residual, Recycling and bulky waste collection services continued to perform well with the garden waste service also performing well with over 7000 customers signed up so far this year.
- Grass Cutting was now on cut 7. There had been some staffing issues recently but work had been undertaken to keep any disruption to a

minimum. The first application of weed treatment was also complete. Members should report any areas of concern.

- Verges Cutting works started on schedule again this year with 6.8 million sq. metres of verge to cut in the county. For some of this local farmers had been engaged to help get through the significant workload and some was done in-house. Despite some issues with equipment in the Coopies Lane Depot, all works were on target to be completed by the end of July. If members or residents had any safety concerns please report them and they would be looked at as a priority.
- The glass trial extension was ongoing. There had been almost 300 tonnes collected in the initial trial period and over 200 tonnes collected in the extension period so far.
- Some delays had been experienced with the implementation of the food waste trial in terms of securing the required equipment but this was being progressed as quickly as possible.

**27 LOCAL AREA COUNCIL WORK PROGRAMME**

The Chair advised that the work programme was for information and should Members wish to ask for any items to be added to the agenda, then they contact either himself or Democratic Services.

**RESOLVED** that the information be noted.

**28 DATE OF NEXT MEETING**

The next meeting was scheduled for Monday 8 August 2022 and would be planning only.

**CHAIR**.....

**DATE**.....

This page is intentionally left blank



**NORTHUMBERLAND COUNTY COUNCIL**

**CASTLE MORPETH LOCAL AREA COUNCIL**

At the meeting of the **Castle Morpeth Local Area Council** held at Council Chamber - County Hall on Monday, 8 August 2022 at 3.00 pm.

**PRESENT**

J Foster (Vice-Chair Planning) (in the Chair)

**MEMBERS**

J Beynon	L Darwin
S Dickinson	R Dodd
L Dunn	V Jones
M Murphy	D Towns
R Wearmouth	

**OFFICERS**

T Crowe	Solicitor
L Little	Senior Democratic Services Officer
S Milne	Senior Planning Officer
J Murphy	South East DM Area Manager
E Sinnamon	Development Service Manager
T Wood	Principal Planning Officer

Around 14 members of the press and public were present.

**29 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor D Bawn and G Sanderson.

**30 PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS**

Members were reminded of the procedure to be followed at the meeting.

**31 DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Towns advised that he had a prejudicial interest in item 8, application 22/01537/FUL and item 9, application 22/01895/FUL as the applicant was a client of his company and would leave the chamber whilst the items were being discussed.

Councillor Beynon advised that he had an interest in item 9, application 22/01895/UL as he worked closely with the school and had previously provided funding to the school through his Members Small Schemes allocation and would leave the chamber whilst the item was being discussed.

Councillor Dickinson advised that he had an interest in item 6, application 21/02485/FUL as he stored his caravan on another site owned by the applicants and would leave the chamber whilst the item was being discussed.

Councillor Darwin advised that he had a personal interest in item 10 as he was Chair of Governors at Kylloe House.

Councillor Foster advised that she had a personal and prejudicial interest in item 5, planning application 22/00075/FUL as a close personal friend lived in a property affected by this application and whilst the issue had not been discussed she felt it best to withdraw from the chamber for this item.

## 32 **DETERMINATION OF PLANNING APPLICATIONS**

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

Councillor Foster left the Chamber at this point and Councillor Beynon took the Chair.

## 33 **22/00075/FUL** **Retrospective application for alteration/re profiling to land levels related to residential development.** **Hepscott Park, Stannington, Northumberland**

T Wood, Principal Planning Officer provided an introduction to the application with the aid of a power point presentation.

Mrs C Knowles addressed the Committee speaking in objection to the application. Her comments included the following:-

- She was concerned that the report focussed on the flooding issues within the nursery and her formal objection had been ignored.
- The land had been raised 1.25m alongside her property and previous to this there had been no issues with water retention on her property. The water now came off the higher levels and into her garden. There was no drainage at the lower end of the site.
- The raised level of the site now meant that the previous height of her fence of 1.8m was now reduced to 60cm allowing no privacy to her own and neighbouring properties when people were using the site to walk dogs etc.
- There was now a security issue as the land in question was not secured and allowed greater access to all the properties.

H Wafer, planning consultant addressed the Committee also speaking in objection to the application. Her comments included the following:-

- Her client was an adjacent landowner who had objected to the application.

- The works had created issues with drainage and increased flooding risks with flooding now being seen on previously agricultural land. There were still concerns that the additional information provided and works to be undertaken to address the problem were insufficient and would still not resolve the current issues being encountered.
- There should be a condition imposed which would allow the regular monitoring of the site over an 18 month period, provide additional security and allow defects to be rectified within a timely manner.

E Moon, addressed the Committee speaking in support of the application on behalf of the applicant, Bellway Homes. Her comments included the following:-

- This application came about following discussions with the adjacent children's Nursey, which had been subject to historic surface water flooding. They approached Bellway Homes to seek to take advantage of the works being carried out on site to help alleviate this issue.
- The land was used as a compound during the construction of the new houses and during restoration the opportunity was taken, following discussions with the Nursery and the Council's Flood Officers, to create a flood alleviation scheme to help provide protection for the Nursery.
- The work resulted in a number of issues off-site as it was discovered that the existing culvert was blocked. This resulted in ponding on the site and impacted on a number of surrounding properties which gave rise to the objections. The problem was resolved as soon as possible with the use of pumps on site. While the temporary measures were in place a more permanent solution was discussed and agreed with the Council's Flood Officers including :
  - Creation of a new outfall into a low water flow channel 'swale'.
  - New 600mm deep drainage ditch and new connection to private drainage network via a silt trap along the northern boundary.
  - Additional field drainage along the southern boundary.
 This was fully in accordance with the Water policies in the Local Plan, specifically WAT3 and WAT4. The approach had been fully agreed with by the Flood Office and conditions proposed to require a verification report to be submitted to confirm that the work has been carried out.
- In addition, the need to update the approved landscaping plan provided an opportunity to create additional habitats on the site. In addition to the 10m landscaping buffer the site previously proposed, the swale and grassland were proposed to be planted with an appropriate wildflower mix to improve the biodiversity of the site, in accordance with Policy ENV2.
- In relation to the concerns about 'overlooking', there was no public access to the site and there were no formal or informal footpaths that would provide a vantage point for overlooking. The site has been profiled so that the ground level has been maintained where it meets the gardens so there are no security issues. Officers were thanked for working proactively with Bellway throughout the determination process and she respectfully requested that Members support the Officer's recommendation for approval, advising it was the intention that the additional flood alleviation measures would be carried out as soon as possible should permission be granted.

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

- There was no information on the previous land levels, however the application had been considered by the Local Lead Flood Authority (LLFA) who had requested condition 3 to be attached to any permission granted to ensure that the system had been constructed in line with the proposed scheme.
- The application allowed the LLFA to assess the approach to be undertaken to ensure that the flood risk was not increased elsewhere. Blockages had been found and the applicant had undertaken work to rectify this and introduce flood alleviation measures with the LLFA. A huge amount of work had been undertaken to get the application to this stage.
- The case officer had looked at the position of the bund and found it to be acceptable and it would be a decision for Members to take on whether they found it acceptable.
- Legislatively retrospective applications were allowed and Members were reminded that the fact that this was a retrospective application was not a material planning consideration.
- It was possible that additional landscaping could be provided to enhance the privacy of residents, however privacy in planning terms referred to the separation distances between habitable rooms and public footpaths at the rear of the property. A condition related to the boundary treatments to improve privacy to all the home owners adjacent to the bund could be included.
- If Members wished to change the wording of condition 3 then it was suggested that the application could be deferred to allow a LLFA Officer to attend a future meeting or that delegated authority could be given to the Director of Planning in conjunction with the Chair to agree the wording following consultation with the LLFA.
- It was clarified that whilst the verification report would most likely be provided by a suitably qualified drainage engineer employed by Bellway, this would be reviewed and agreed by the LLFA.

Councillor Wearmouth proposed acceptance of the recommendation to approve the application with a revision to condition 3 to reflect a longer time period of 12 months for monitoring purposes and any remedial works necessary to be undertaken by Bellway, and an additional condition to be attached related to the privacy of residents along the southern boundary, with delegated authority to the Director of Planning and Chair and Vice-Chair Planning of this Committee to agree the wording. This proposal was seconded by Councillor Towns.

A vote was taken on the above proposal and it was unanimously:-

**RESOLVED** that the application be **GRANTED** for the reasons and with the conditions outlined in the report with a revision to condition 3 to reflect a longer time period of 12 months for monitoring purposes and any remedial works necessary to be undertaken by Bellway, and an additional condition related to the privacy of residents along the southern boundary, with delegated authority to the Director of Planning and Chair and Vice-Chair Planning of this Committee to agree the wording.

Councillor Foster returned to the room and took the Chair and Councillor Dickinson left the meeting at this point.

34

**21/02485/FUL**

**Change of use of agricultural land to touring caravan site for up to 40 touring caravans, conversion of existing stables to maintenance/storage sheds associated with caravan site use, erection of buildings comprising site amenities building, reception/warden accommodation building and electricity sub-station, refuse/gas storage/collection areas, hard surfaced areas for access, parking, storage & site servicing purposes and landscaping**

**Land At North Of Bewick Drift, Cresswell, Northumberland**

An introduction to the application was provided by J Murphy, Area Development Manager with the aid of a power point presentation. She advised that the application had been withdrawn from the June Committee in order to allow the applicant to provide additional information which had now been received.

T Carter, agent on behalf of the applicant addressed the Committee speaking in support of the application. His comments included the following:-

- Planning officers were thanked for a professional, thorough and balanced appraisal of the application.
- The tourism enterprise has been made by a local business, who had contributed in the past and continued to contribute to the local area. This was a fantastic opportunity to put Lynemouth on the map through this welcomed tourism facility. The level of support the application has received confirmed this.
- Significant weight had been given to the economic benefits of the proposed development, which would result in economic effects absorbed at the local and district wide levels resulting from both direct and indirect job creation and associated economic benefits.
- It was expected that the proposal would create 4 jobs with a view to increasing employment opportunities as the site developed. Further to this, tourists would support nearby settlements of Lynemouth, Cresswell, Ellington and beyond.
- This touring caravan site would yield an average annual expenditure of over half a million pounds. This would be distributed across those directly involved with the site and those living in the local and wider area, supporting existing business in Lynemouth and Cresswell such as the retailers, takeaways and other local businesses etc.
- The Parish Council objected to the scheme in July last year. Since then, the applicant had worked with officers to address concerns, which centred on two main issues of highway safety and ecology, both of which had now been addressed. Ecologists and highways officers had accepted the proposals and had not raised objections. Further, the applicant would make a contribution of nearly £14000 towards the Coastal Mitigation Scheme.
- In terms of residential amenity, the site was not close to housing to impact amenity and there was no evidence to suggest that holiday use would increase the rise of crime with no objections raised from Northumbria Police on this matter.

- Although it was not anticipated that noise would be an issue, given the proposals were for a touring caravan site alone, and did not propose a clubhouse as such, the applicant had agreed to provide a noise management plan as requested by Environmental Health.
- It was acknowledged that there would be a slight increase in traffic to the site but as highways officers had recently confirmed, any potential inconvenience would not result in significant impact to the amenity for those using the highway network for a site of this nature and scale.
- A significant number of members of the public supported these proposals, stating amongst other benefits that they too find it encouraging that a business was willing to invest in the local economy and bring employment opportunities when so many tourism businesses had closed as a result of the Covid-19 pandemic.
- By bringing an unused parcel of land of low landscape value into use, which would see the provision of hedge and tree planting on the boundaries of the site, replacement of the industrial looking palisade fencing, planting of suitable tree species and shrubs in the grassed areas throughout the development, and the introduction of grassed mounds in this location, would be of a visual and ecological benefit to the area.
- Creswell and this part of the North East coast, had for some time been a tourist destination, people from all over the country visited the village and surrounding area, but had limited opportunities to stay there and spend their money at nearby businesses and facilities.
- The applicant had actively sought to address objections, and the proposals were totally policy compliant in both local and national terms. Whilst some objectors had identified potential issues regarding noise, and highway safety, planning officers, along with specialists had considered the proposals would not bring about any harm and he asked that Members agree the recommendation to approve the application.

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

- It was thought that the reception/warden services on the site would be provided by a shift pattern working and would not require specific accommodation to be provided.
- Highways had looked very closely at the proposals in relation to highway safety and it was considered the 3 sets of signage regarding the restrictions on the bridge into Lynemouth to deter usage would be sufficient.

Councillor Wearmouth proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Darwin.

In welcoming the application and the benefits that the proposals would bring to the area by expanding tourism areas down the coast, Members did highlight that the ability to regenerate the area would also depend on having the infrastructure in place to support this and improvements to the bridge in particular should be a goal.

A vote was taken on the proposal to approve the application and it was unanimously:

**RESOLVED** that the application be **GRANTED** for the reasons and subject to the conditions as outlined in the report and a Unilateral Undertaking to secure a contribution to the Coastal Mitigation Scheme.

35 **21/00085/OUT**

**Outline application with all matters reserved for up to four residential dwellings (Resubmission of 18/04275/FUL) (amended description) Land To The Rear Of 51 Station Road, Station Road, Stannington, Northumberland**

T. Wood, Principal Planning Officer provided an introduction to the application with the aid of a power point presentation.

T. Hall addressed the Committee speaking in objection to the application on behalf of a group of residents. His comments included the following:-

- Between 2015 and 2018, 9 applications, 5 within the Green Belt had been approved for 73 houses which was an estimated 95% increased development rate which was excessive, disproportionate and unprecedented for a small village. This small application plus the remaining brownfield site would push that figure to 108%.
- He questioned how a planning department could approve a plan in the Green Belt which immediately created a critical situation within the Green Belt, advising that the site was outside the inset boundary which should have altered them.
- The last approval was August 2018 with all subsequent applications refused with NCC immediately and repeatedly acknowledging that development had reached a critical point with regard to the Green Belt.
- This was a clear example of over-development, it should not have occurred and it can only be critical because an optimal point at which appropriate action should have been taken was not.
- Contrary to the officer's report this application contravened the Northumberland Local Plan (NLP) STP19(d) which stated that "small villages will support a proportionate level of development". Apparently 10% had originally been suggested but at a later stage was replaced by proportionate. The structure of the NLP and social hierarchy clearly indicated that proportionate development would be significantly less than 108%. In terms of proportionality, 10% and 108% were irreconcilable. There was now a small village, not even in the social hierarchy, with the largest relative contribution to development that any other location in Northumberland.
- The officer's report attempted to address objectors' concerns of overdevelopment by stating that the inset boundary has defined the level of appropriate development, which was debatable as there was another version that the inset boundary was actually drawn around land sites that were mainly already approved prior to late 2016 and then around the Green Belt to be protected.
- This was effectively an admission of overdevelopment because two developed sites, 19/0131 and 18/01044 were outside the inset boundary

and therefore must be inappropriate. If you used the boundary to define appropriate land areas for housing then you had already reached quota by developing twice outside the boundary which negated any future brownfield development. It was inconceivable that 108% would be considered appropriate when the 20 year target represented an increase of only 12% or 6% annually. Where was the justification for more houses in a small already overdeveloped village when NCC were already 4 years ahead of plan, several years of housing land supply and a 20 year target slashed.

- There was no supply/demand imperative and it appeared the application was being recommended for approval just because it was a brownfield site inside the inset boundary.
- There was a need to balance the benefits of the application and the situation which had resulted in Stanning Station seeing the small village increased by 95% and rising; a critical situation which could and should have been avoided, the effects of which were permanent; substantial loss of Green Belt which should have been protected; irreparable loss of amenity, community and village life and character; increased noise pollution, major traffic hazard at the level crossing and continuous construction disturbance; inadequate infrastructure causing blocked drains.
- This was a small rural community which had been bombarded with 23 building applications and 8 appeals within a few years and all within the distance of less than one mile. The residents of Stannington Station needed some positive action after the horrendous and unprecedented situation that had been inflicted on them over the past few years. No more development was the least that they deserved.

M Ketley, agent on behalf of the applicant addressed the Committee speaking in support of the application. His comments included the following:-

- Altoria Development Ltd was a Morpeth based company who specialised in building bungalows and had a proven track record of providing this type of housing for older persons to help address the shortage.
- Altoria had delivered two further developments in Stanning and one in Blyth, all built to the lifetime homes specification including smart technology providing monitoring services allowing people to live independently.
- Stannington Station had development over the last decade but the adoption of the NLP drew a line in the sand because of the Green Belt boundary providing certainty for the 20 – 30 years.
- This site was within the inset boundary of the Green Belt and was therefore acceptable for future development.
- This application was for outline permission with all matters reserved for 4 bungalows which would easily be accommodated and was good use of the site. The development was appropriate in principle and the site was proportionate for 4 bungalows.
- Work had been undertaken with officers to reduce the number of bungalows on the site to 4 and it was a sensitive scheme in a sustainable location with appropriate services and transport. The village had a shop, restaurant and farm shop and a new bus route had been introduced.
- He asked that Members endorse the officers recommendation and approve the application.



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

- The application had been assessed as an application for market housing and not as a not for profit scheme.
- The newly adopted NLP included a map and had a definitive area indicated.
- As places developed then the way in which they would be described in the plan would change. Stannington Station was described at the current time as a small settlement in accordance with the plan.
- The applicant agent in his speech said that the site was being promoted as bungalows and that this was the applicants unique selling point with the product being marketed for a particular demographic, however single storey bungalows were delivered on many other sites across the County. The applicant was not the only provider but it would appear that there was a market for this type of property.
- The 436 bus service now ran through the village every 2 hours and there was a bus stop at the eastern end of the village which was used by a greater number of buses.

Councillor Beynon proposed refusal of the application as it would be an overdevelopment of the area, and this was seconded by Councillor Darwin who advised that the speed limit reduction from 40 mph to 30 mph had still not happened, there was no shortage of bungalows along Station Road and he also considered it overdevelopment.

Members in debating the proposal to refuse the application highlighted that the application site was not within Green Belt, the type of development was very land intensive and was not as profitable as putting 4/5 bedroomed detached houses on the plot and this type of development should be encouraged. The site was set back from the road and would not block any views. The site had been looked at by a Planning Inspector very recently who had commented that this particular site would be suitable for development and this would carry great weight at any future appeal. The objectors had made good points, but it was considered that any appeal would be lost and could in fact have costs awarded against the Council if the inspector thought that the decision was unreasonable. The application met policy requirements, however there would be very few sites within Stannington Station left on which any future development would be allowed.

A vote was taken on the proposal to refuse the application as follows: FOR 3; AGAINST 6; ABSTAIN 0. The motion failed.

Councillor Towns proposed acceptance of the recommendation to approve the application as detailed in the report which was seconded by Councillor Wearmouth. The development was sustainable with a shop, restaurant and farm shop nearby and the bungalows would meet an identified need, were sympathetic with the area and did not constitute overdevelopment.

A vote was taken on the proposal to approve the application as follows:- FOR 6; AGAINST 3; ABSTAIN 0.

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

Councillor Towns left the meeting at this point.

36 **22/01537/FUL**  
**Installation of additional fencing for the purpose of maintaining security King Edward Vi School , Cottingwood Lane, Morpeth, Northumberland NE61 1DN**

J Murphy, Area Development Manager provided an introduction to the report with the aid of a power point presentation, advising that the application had come to Committee for transparency reasons as it was a school application.

Councillor Wearmouth proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Darwin and following a vote it was unanimously

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

Councillor Beynon left the meeting at this point.

37 **22/01895/FUL**  
**Erection of timber frame building to form performing arts hub within school grounds to facilitate both school activities and wider community external groups, to include drama, dance and music, along with external toddler groups**  
**Morpeth Stobhillgate First School, Morpeth, Northumberland, NE61 2HA**

J Murphy, Area Development Manager provided an introduction to the report with the aid of a power point presentation. The update from Highways Development Management as outlined in paragraph 7.10 had been received and two further conditions were required to be added to any permission granted as follows:-

“The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced G700 Construction Phase Plan and Additional Information (Construction Method Statement) received on 21st July.

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and Policies TRA1, TRA2 and TRA4 of the Northumberland Local Plan.”

“The development shall not be brought into final use until the proposed car parking bays indicated on the approved plans have been implemented in accordance with the approved plans. Thereafter, the car parking bays shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.”

Councillor Wearmouth proposed acceptance of the recommendation to approve the application with the conditions as outlined in the report and additional conditions as above, which was seconded by Councillor Darwin and following a vote it was unanimously

**RESOLVED** that the application be **GRANTED** for the reasons and subject to the conditions as outlined in the report and additional conditions as above.

- 38     **22/01227/FUL**  
**Construction of single storey extension and perimeter walls to courtyards**  
**Kyloe House, Netherpton Park, Stannington, Morpeth**  
**Northumberland**  
**NE61 6EF**

S Milne, Senior Planning Officer provided an introduction to the application with the aid of a power point presentation.

Councillor Darwin proposed acceptance of the recommendation to approve the application as outlined in the report which was seconded by Councillor Wearmouth and following a vote it was unanimously

**RESOLVED** that the application be **GRANTED** for the reasons and subject to the conditions outlined in the report.

- 39     **APPEALS UPDATE**

**RESOLVED** that the information be noted.

**CHAIR**.....

**DATE**.....

This page is intentionally left blank



## Northumberland County Council

### CASTLE MORPETH LOCAL AREA COUNCIL

10 OCTOBER 2022

---

### DETERMINATION OF PLANNING APPLICATIONS

**Report of the Interim Executive Director of Planning and Local Services**

**Cabinet Member:** Councillor C Horncastle

---

#### **Purpose of report**

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

#### **Recommendations**

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

#### **Key issues**

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

### DETERMINATION OF PLANNING APPLICATIONS

#### **Introduction**

1. The following section of the agenda consists of planning applications to be determined by the Castle Morpeth 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**

**Policy:** Procedures and individual recommendations are in line with policy unless otherwise stated

<b>Finance and value for Money:</b>	None unless stated
<b>Human Resources:</b>	None
<b>Property:</b>	None
<b>Equalities:</b>	None
<b>Risk Assessment:</b>	None
<b>Sustainability:</b>	Each application will have an impact on the local environment and it has been assessed accordingly
<b>Crime and Disorder:</b>	As set out in the individual reports
<b>Customer Considerations:</b>	None
<b>Consultations:</b>	As set out in the individual reports
<b>Wards:</b>	All

Report author : Rob Murfin  
Interim Executive Director of Planning and Local Services  
01670 622542  
Rob.Murfin@northumberland.gov.uk

## **APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES**

### **Chair**

Introduce application

### **Planning Officer**

Updates – Changes to Recommendations – present report

### **Public Speaking**

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

### **Member's Questions to Planning Officers**

### **Rules of Debate**

Proposal

Seconded

DEBATE

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

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

Chair should read out resolution before voting

Voting should be a clear show of hands.



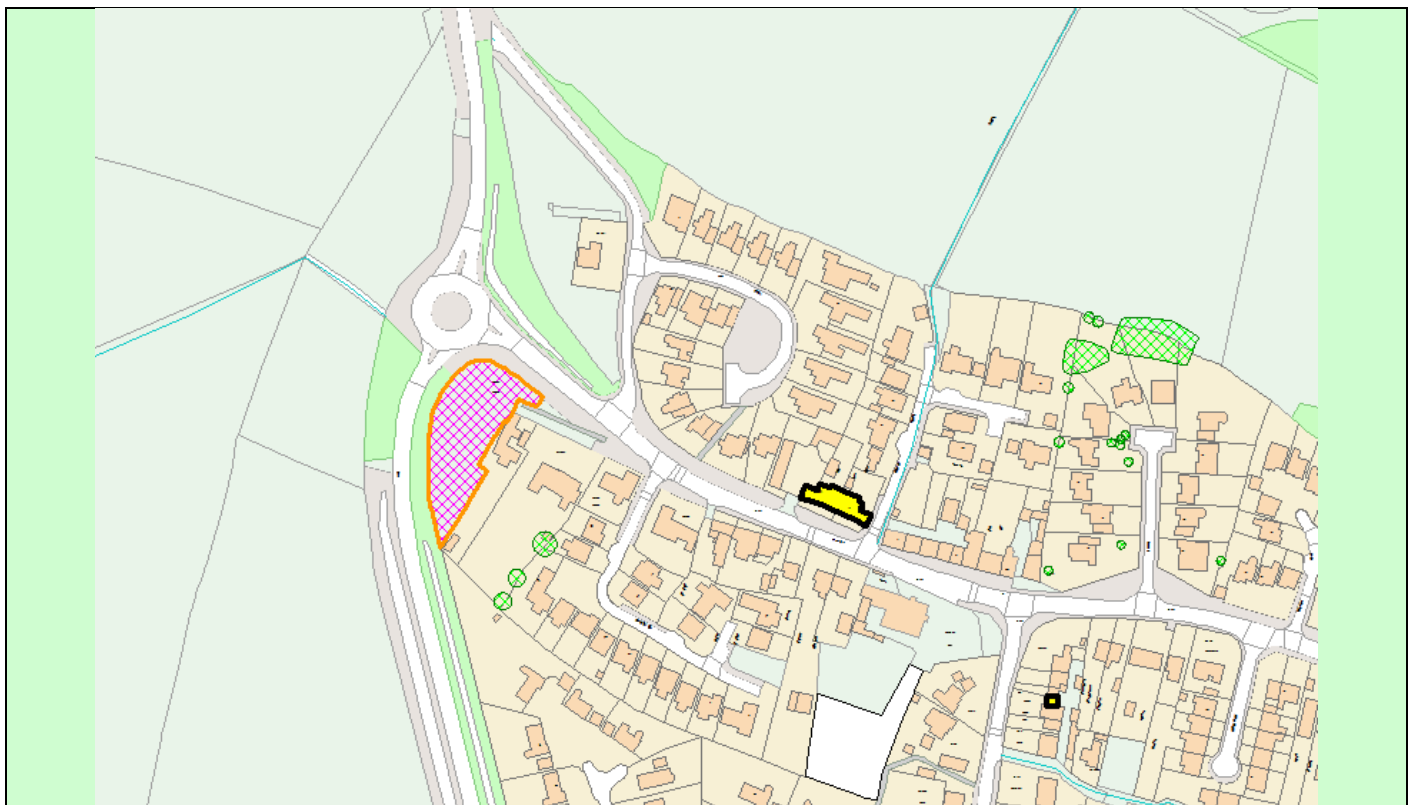


## Northumberland County Council

### Castle Morpeth Local Area Council Committee, Monday 10<sup>th</sup> October 2022

<b>Application No:</b>	21/01137/FUL		
<b>Proposal:</b>	Construction of two residential properties, including new vehicular access, with associated drainage and infrastructure		
<b>Site Address</b>	Land North West of Garden Cottage, Front Street, Ellington, Northumberland		
<b>Applicant:</b>	Mr Peter Colquitt Lichfields, St. Nicholas Building, St. Nicholas Street, Newcastle upon Tyne, NE1 1RF	<b>Agent:</b>	Mr Dominic Crowley Lichfields, St Nicholas Building, St Nicholas Street, Newcastle NE1 1RF
<b>Ward</b>	Lynemouth	<b>Parish</b>	Ellington And Linton
<b>Valid Date:</b>	22 March 2021	<b>Expiry Date:</b>	13 September 2022
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to a legal agreement securing coastal mitigation contributions and relevant conditions.



## 1. Introduction

- 1.1 Following the receipt of an objection from Ellington and Linton Parish Council, the application was referred to the director of planning and the chairs of the local area council committee. The chair referral response confirmed that the application shall be determined at local area council committee.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of 2no residential dwellings on land north west of Garden Cottage, Front Street, Ellington.
- 2.2 The proposed dwellings would be 1.5 storey properties, constructed in brick with a slate roof. Plot 1, located to the site frontage, would measure 9.55m in width by 7.77m in length, incorporating a pitched roof that measures 6m to the ridge. Plot 2 proposes an L shaped arrangement that would measure a maximum of 11.8m in width by 14.17m in length. A pitched roof would also be incorporated upon this property, measuring 6.7m at the highest point.
- 2.3 Plot 1 would have a detached double garage located towards the northern boundary of the site, as well as hardstanding to the site frontage, whilst plot 2 would have an integral single garage with further parking provision to the front and side of the dwelling. A new access to the site would be created from the adjacent Front Street/C122 public highway.
- 2.4 Both properties would benefit from private outdoor amenity space with the the existing trees and hedging upon the western and northern boundaries of the site to be retained. A strip of hedging would be removed to the north east of the site to facilitate the proposed vehicular access.
- 2.5 The application site is located within the existing settlement of Ellington. Pre application advice was sought by the applicant prior to submission of the full planning application.
- 2.6 An amended proposal was submitted by the applicant on 21<sup>st</sup> July 2022 reducing the scale of the 2no dwellings following concerns being raised by the local planning authority. It is these amended details that will be considered within the below appraisal.

## 3. Planning History

N/A

## 4. Consultee Responses

Ellington And Linton Parish Council	Concern regarding highway safety, in particular with regard to how this will affect traffic coming off the roundabout off the A1068.
Highways	No objection subject to recommended conditions.

County Ecologist	No objection subject to recommended condition.
Northumbrian Water Ltd	No objection subject to recommended condition.
Public Protection	No objection subject to recommended conditions.
Lead Local Flood Authority (LLFA)	No objection subject to recommended conditions.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	5
Number of Objections	5
Number of Support	6
Number of General Comments	2

### Notices

General site notice, 29th April 2021  
No Press Notice Required.

### Summary of Responses:

5no objections were received against the application from neighbouring residents. Concerns were raised regarding:

- Access to the site;
- Highway safety;
- Flooding implications;
- Inaccuracy of application details;
- Impact upon visual character of the area;
- Residential amenity concerns;
- Development of a greenfield site;
- Lack of services;
- Biodiversity impacts;

Material planning considerations shall be assessed within the below appraisal.

2no general comments were received against the application, advising of the neutrality towards the proposals. These comments recognised benefits of the proposed development as well as concerns regarding the proposal.

6no support comments were received from members of the public. They supported the development due to –

- Unkept and overgrown land at present;
- A need for further development in Ellington;

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QQ7TFGQSMU300>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036 (Adopted March 2022)

Policy STP 1 - Spatial strategy (strategic policy)  
Policy STP 2 - Presumption in favour of sustainable development (strategic policy)  
Policy STP 3 - Sustainable development (strategic policy)  
Policy STP 4 - Climate change mitigation and adaption (strategic policy)  
Policy STP 5 - Health and wellbeing (strategic policy)  
Policy HOU 2 - Provision of new residential development (strategic policy)  
Policy HOU 5 - Housing types and mix  
Policy HOU 9 - Residential development management  
Policy QOP 1 - Design principles (strategic policy)  
Policy QOP 2 - Good design and amenity  
Policy QOP 3 - Public realm design principles  
Policy QOP 4 - Landscaping and trees  
Policy QOP 6 - Delivering well designed places  
Policy TRA 1 - Promoting sustainable connections (strategic policy)  
Policy TRA 2 - The effects of development on the transport network  
Policy TRA 4 - Parking provision in new development  
Policy ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (strategic policy)  
Policy ENV 2 - Biodiversity and geodiversity  
Policy WAT 3 - Flooding  
Policy WAT 4 - Sustainable drainage systems  
Policy POL 1 - Unstable and contaminated land  
Policy POL 2 - Pollution and air, soil and water quality  
Policy INF 6 - Planning obligations

### 6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)  
National Planning Practice Guidance (2021) (NPPG)

## **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 of the Northumberland Local Plan (NLP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development;
- Design and visual character;
- Residential amenity;
- Highway safety;
- Ecological impacts;

- Land contamination, stability and ground gas;
- Drainage and flooding.

### **Principle of development**

- 7.2 Policy STP 1 of the NLP, read in conjunction with the Proposals Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. Ellington is recognised as a service village where a proportionate level of housing can be accommodated. The application site is located within the settlement of Ellington.
- 7.3 The site is clearly sustainable owing to its location within the existing settlement of Ellington. A public house, convenience store, supermarket and school are all located within walking distance of the application site. Furthermore, the site is well supported by public transport links that allow travel to neighbouring towns, as well as Newcastle city centre, without the requirement of a private car. Whilst the site is recognised as a greenfield plot with no evidence of previous built form, its location within the existing settlement boundary does ensure accordance with relevant policies included in the NLP.
- 7.4 The application site is bounded by residential development to the east with a number of existing residential properties located upon Front Street. The LPA recently permitted 3no dwellings on land to the north of the application site under application ref no. 21/01747/FUL.
- 7.5 The principle of development is therefore acceptable and accords with relevant local and national planning policy.

### **Design and visual character**

- 7.6 Policy HOU 9 of the NLP states that residential development will be supported where they *'contribute to a sense of place'* and *'are constructed to a high quality of design'*. Policy QOP 1 is also relevant within this assessment and states that development proposals should *'make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography'*.
- 7.7 The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development with paragraph 130 noting developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.8 As part of the application assessment, a site visit was undertaken by the planning officer to assess the application site and the wider surrounding area. An earlier visit had also previously been undertaken as part of the pre application submission. It was noted as part of the application assessment that there is an evident housing mix within Ellington however, bungalows are the identifiable housing style to the south of the C122 with two storey properties located to the north. The topography of the surrounding land slopes westwards, ensuring the site is not readily visible from neighbouring viewpoints, partly screened by existing dwellings. As part of the pre

application response provided by the LPA, it was outlined that careful consideration would need to be given to the ridge heights of the proposed dwellings, ensuring they were not significantly higher than existing properties within the immediate area.

- 7.9 Following the submission of amended details on 21<sup>st</sup> July 2022, the LPA are satisfied that the proposed 2no dwellings are of an appropriate scale and design that would not cause harm to the visual amenity of the area. The amended proposal reduces the ridge height of the dwellings, ensuring they are in keeping with the roof profiles upon neighbouring properties when taking into consideration the sloped nature of the land. The proposed material palette of brickwork and slate roof tiles is acceptable and the LPA can secure the submission of precise details via planning condition. Fenestration has been appropriately sited in a uniform pattern upon both properties.
- 7.10 The proposed dwellings accord with both local and national planning policy in regards to good design.

### **Residential amenity**

- 7.11 Policy QOP 2 of the NLP states that *'development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area'*. Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *'create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users'*.
- 7.12 The site is bounded by existing residential development to the east with a public highway bounding the site to the north and west beyond existing soft landscaping. The orientation and siting of the 2no dwellings within the plot ensures that there would be no significant adverse impact upon the amenities of the adjacent Garden Cottage or further plots located eastwards. Appropriate separation distances would be retained between the 2no dwellings and existing properties to ensure no significant overshadowing or loss of light would occur whilst fenestration has been appropriately sited to ensure no direct overlooking to protect the privacy of residents. The retention of soft landscaping upon the northern and western boundaries of the application site is welcomed, ensuring both properties benefit from well screened, outdoor amenity space. The introduction of timber fencing throughout the site will provide additional screening.
- 7.13 To protect the amenity of neighbouring residents during the construction phase, appropriate conditions have been recommended by the local authority's environmental protection team that must be adhered to throughout the construction works on site. Subject to conditions, the LPA are satisfied that the proposed development will not adversely impact upon the residential amenity of neighbouring properties in accordance with policy QOP 2 of the NLP and the NPPF.

### **Highway safety**

- 7.14 Policy TRA 2 of the NLP states that developments will be expected *'provide effective and safe access and egress to the existing transport network'* and *'include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or highway safety'*. Policy TRA 4 is also relevant within this assessment and states that *'an appropriate amount of off-street vehicle parking to serve new development shall be made available in safe, accessible and convenient locations'*.
- 7.15 Paragraph 111 of the NPPF states that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 7.16 Consultation was undertaken with highways development management (HDM), who, following the submission of additional information, raised no objection to the application proposals subject to recommended conditions. A road safety audit prepared by the applicant was appropriately assessed by HDM, identifying improvement work that would secure highway safety on site through the implementation of the new access. The applicant will be required to enter into a S278 agreement with the local highways authority in regard to the construction of the vehicular and pedestrian access, as well as the relocation of traffic calming features upon the existing C122. A condition is recommended to ensure these works are completed in full prior to occupation of either dwelling.
- 7.17 Appropriate in curtilage parking has been demonstrated for both plots, according with NLP parking standards whilst matters relating to refuse storage and cycle parking can be secured via planning condition. To ensure highway safety throughout the construction phase of the development, a condition method statement (including plan) has been requested by HDM prior to the commencement of any development upon site. Subject to recommended conditions, the LPA consider the proposed development accords with both local and national planning policy in relation to highway safety.

### **Ecological impacts**

- 7.18 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. These provisions are mirrored within paragraph 174, part d) of the NPPF.
- 7.19 An ecological assessment forms part of the application submission allowing the LPA to appropriately assess potential impacts upon protected species and how these can be mitigated at the site. Consultation was undertaken with the local authority's ecologist who raised no objection to the application subject to recommended conditions and the securing of coastal mitigation contributions via a legal agreement. A condition has been recommended that would ensure no tree felling would be undertaken during bird nesting season, all retained trees and hedgerows should be appropriately protected and that a bird box must be incorporated within the fabric of both properties.
- 7.20 As this is a proposed residential development within 10km of the coast, consideration will need to be given to the impact of increased recreational

disturbance to bird species that are interest features of the coastal SSSIs and European sites, and increased recreational pressure on dune grasslands which are similarly protected.

- 7.21 When developers apply for planning permission for new residential development within the coastal zone of influence, the LPA has to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites. Until now, we have required the developer to devise suitable mitigation, supported by survey work that they have commissioned. However, due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service which will be used to fund coastal wardens who will provide the necessary mitigation.
- 7.22 Contribution to the Coastal Mitigation Service enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is set at £615 per unit within 7km of the coast and £307 per unit for those between 7-10km of the coast. Minor developments of 9 units or less contribute £615 per unit within 7km of the coast but are exempt beyond that. The coastal mitigation contribution for this development has been calculated at £1,230 (£615 x 2). The applicant has agreed to these contributions which can be secured via a unilateral undertaking.

### **Land contamination, stability and ground gas**

- 7.23 Policy POL 1 of the NLP outlines that *'development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts'*.
- 7.24 Policy POL 2 of the NLP is also relevant within this assessment and states that *'Development proposals in locations where they would cause, or be put at unacceptable risk of harm from, or be adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances will not be supported'*. Both of these provisions are mirrored within the NPPF.
- 7.25 As the site is located with an area subject to former coal mining activity, the applicant will be required to install appropriate ground gas protection within the development to protect the health of future occupiers of the properties. A condition has been requested by Environmental Protection that would secure the installation of protection within this development with a verification report to be provided prior to occupation to ensure protection has been correctly installed.



- 7.26 Further conditions have been requested by Environmental Protection to protect the amenity of neighbouring residents during the development phase on site with a phase 2 site investigation also requested to ensure any contamination on site shall be appropriately addressed on site to ensure no adverse impact upon the end user of the site. Subject to recommended conditions, the LPA are satisfied that the application accords with relevant local and national planning policy.

### **Drainage and flooding**

- 7.27 Policy WAT 4 of the NLP states that sustainable drainage systems (SuDS) will be a requirement for any development in order to separate, minimise and control surface water run-off. As part of the application assessment, consultation was undertaken with the lead local flood authority (LLFA) team who, following the submission of additional information, raised no objection to the application subject to recommended conditions. The condition ensures appropriate SuDS will be implemented on site and that a maintenance schedule will ensure their continued operation throughout the lifetime of the development.

### **Equality Duty**

- 7.28 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**

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

### **Human Rights Act Implications**

- 7.30 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.
- 7.31 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.

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

## 8. Conclusion

- 8.1 The proposals demonstrate an appropriate form of development that accords with both local and national planning policy. Technical matters on site have been addressed and the submission of further information can be secured via appropriately worded conditions attached to an approval.

## 9. Recommendation

That this application be GRANTED permission subject to a legal agreement securing coastal mitigation contributions and the following conditions:

### Conditions/Reason

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

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans. The approved plans for this development are:-

- 1) Location plan drawing no.001 (received 19<sup>th</sup> March 2021)
- 2) Ecological assessment BSG ecology (received 19<sup>th</sup> March 2021)
- 3) Drainage design drawing no. NT15127-02-001 rev. B (received 1<sup>st</sup> July 2021)
- 4) Noise assessment report 0003 V4.0 (received 1<sup>st</sup> July 2021)
- 5) Proposed site plan drawing no. 003 rev. C (received 1<sup>st</sup> July 2021)
- 6) Phase I contamination risk assessment GEOL20-9455 (received 14<sup>th</sup> July 2021)
- 7) Plot 1 proposed plans and elevations drawing no. T4-000 rev. B (received 21<sup>st</sup> July 2022)
- 8) Plot 2 proposed elevations drawing no. T5-000a (received 21<sup>st</sup> July 2022)
- 9) Plot 2 proposed floor plans drawing no. T5-000 (received 21<sup>st</sup> July 2022)
- 10) Plot 1 detached garage plans and elevations drawing no. DG 01 (received 22<sup>nd</sup> August 2022)

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

03. Notwithstanding any description of the materials in the application, prior to construction above damp proof course level of the dwellings hereby approved, precise details of the materials to be used in the construction of the external walls, roof and fenestration of the dwellings, shall be submitted to, and approved in writing by, the Local Planning Authority. Development must not be undertaken above damp proof course level until approval from the Local Planning Authority has been provided in writing. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development from the outset in the interests of amenity and in accordance with the provisions of in accordance with the provisions of policy QOP 1 of the Northumberland Local Plan and the National Planning Policy Framework.

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

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

05. Prior to the commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

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

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

Monday to Friday - 08:00 to 18:00  
Saturday - 08:00 to 13:00

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

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

07. No development shall commence, including any works of demolition, until a written dust management plan has been submitted and approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the duration of the site works and shall include measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, dealing with complaints of dust and arrangements

for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.

Reason: To ensure a commensurate level of protection against windblown dust and debris.

08. The development hereby approved must be constructed in full accordance with the Proposed Site Plan and the following sections of the Noise Assessment Report –

Noise assessment report 0003 V4.0 (received 1<sup>st</sup> July 2021):  
Sections 6.2.4 and 6.2.5, Pages 11 and 12 of the Report and Figures 3, 7 and 8.

All acoustic barriers/ fences to be installed with a minimum density of 15 kg/m<sup>2</sup>

Reason: To ensure habitable living conditions with respect to noise for future residents.

09. Prior to the commencement of the development no building shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings) have been submitted to and approved in writing by the Local Planning Authority. The aforementioned report must also detail to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling. Furthermore, the report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

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

10. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 10 which has been approved in writing by the LPA.

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

11. If during redevelopment contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority

prior to occupation of the development hereby approved – the written method statement must be written by a competent person. No building shall be occupied until measures proposed to deal with the contamination have been carried out.

Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this Condition, prior to occupation of the development hereby approved.

“Competent Person” has the same definition as defined within the National Planning Policy Framework (NPPF) ISBN 978-1-5286-1033-9

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

12. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

- a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. A copy of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

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

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

13. Prior to occupation of the development hereby approved, a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination (as required within Condition 12) have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

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

14. Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:
- i. details of temporary traffic management measures, temporary access, routes and vehicles
  - ii. vehicle cleaning facilities
  - iii. the parking of vehicles of site operatives and visitors
  - iv. the loading and unloading of plant and materials
  - v. storage of plant and materials used in constructing the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

15. Development shall not be occupied until details of the required highway works (relocation of traffic calming features and amendments to the Traffic Regulation Order on the C122, Front Street Ellington) have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

16. The development shall not be occupied until details of the access (vehicular and pedestrian) have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the access arrangements shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

17. No dwelling shall be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before each dwelling is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in

accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

18. No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

19. No dwelling shall be occupied until the car parking area indicated on the approved plans has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

20. The development hereby permitted shall undertake in accordance with the following, unless otherwise agreed in writing by the local planning authority:

- No tree felling or vegetation clearance shall be undertaken between 1st March and 31<sup>st</sup> August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.
- Retained trees and mature hedgerows should be protected in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction' throughout the construction phase of the development.
- Prior to first occupation or use of the development, a minimum of one integrated bird box must have been constructed within the fabric of each of the new buildings following best practice guidance.
- All garden boundary fences, or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To conserve and enhance local biodiversity in line with the National Planning Policy Framework.

### **Informatives**

- 1) You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development.

All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.

- 2) You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).
- 3) You are advised to contact the Council's Traffic Management Section at [highwaysprogramme@northumberland.gov.uk](mailto:highwaysprogramme@northumberland.gov.uk) before and during the construction period in respect of the relocation of traffic calming features and amendments to the Traffic Regulation Order on the C122, Front Street Ellington.
- 4) Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
- 5) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- 6) Hedgehogs are a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act (2006) and therefore of priority conservation concern. Contractors working at the site should be made aware of their potential presence and caution is needed in case of nesting hedgehogs when clearing the ground prior to development, particularly piles of deadwood or leaves and areas of long grass or dense vegetation. It is advised that work likely to cause disturbance through the removal of hibernation habitats such as log piles and dense scrub should not take place during November to March. In addition to using permeable fencing, habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles in gardens. Further guidance for developers is available from the British Hedgehog Preservation Society,

<https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

**Date of Report:** 18<sup>th</sup> August 2022

**Background Papers:** Planning application file(s) 21/01137/FUL



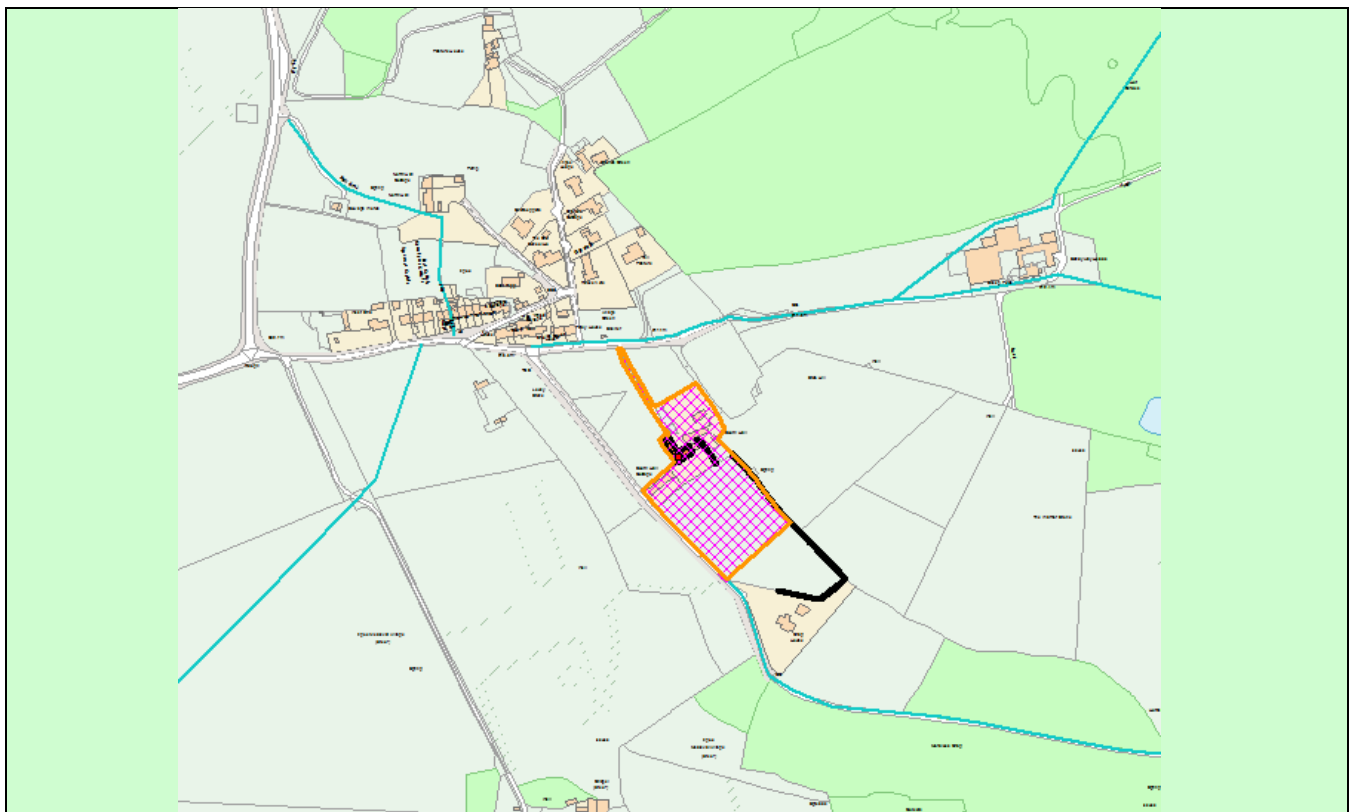


**Northumberland**  
County Council

**Castle Morpeth Local Area Council Planning Committee**  
**Monday 10<sup>th</sup> October 2022**

<b>Application No:</b>	21/04413/FUL		
<b>Proposal:</b>	Conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall		
<b>Site Address</b>	South Hall, Ingoe, Newcastle Upon Tyne, Northumberland, NE20 0SR		
<b>Applicant:</b>	Mr Eric Dunmore South Hall, Ingoe, Newcastle Upon Tyne, Northumberland NE20 0SR	<b>Agent:</b>	Miss Kate Wilson 16 Hallstile Bank, Hexham, NE46 3PQ, England
<b>Ward</b>	Ponteland West	<b>Parish</b>	Matfen
<b>Valid Date:</b>	12 November 2021	<b>Expiry Date:</b>	14 September 2022
<b>Case Officer Details:</b>	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

## **1. Introduction**

1.1 Several representations of objection have been received in relation to this application from local residents and from general members of the public. Therefore, under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the Castle Morpeth Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

## **2. Description of the Proposals**

2.1 Planning permission is sought at South Hall, Ingoe for:

- The conversion and extension of two existing outbuildings into two, one-bedroom holiday let units.
- The repair and reconfiguration of one outbuilding for storage purposes ancillary to the main dwelling of South Hall.
- Change of use of agricultural land into residential curtilage associated with South Hall.
- Creation of a small car parking area within the north eastern corner of the extended residential curtilage.
- External landscaping works.

2.2 A Listed Building Consent application (reference: 21/04414/LBC) has been submitted alongside this full planning application and will also be referred to the Committee for determination.

2.3 Full details of the proposed works are set out within the plans and documents submitted with these applications.

2.4 South Hall is a Grade II\* listed three storey country house which dates from the early 18th century and is constructed of ashlar stone with a stone slate roof. The two outbuildings proposed to be converted into holiday lets are single storey and of a linear form, orientated in an east-west direction. The outbuilding proposed to be repaired and reconfigured for storage purposes is located within a walled garden to the south east of South Hall, orientated in a north-south direction. All three of the outbuildings are constructed of roughly coursed and/or roughly squared stone with Welsh slate roofs. By virtue of their connection with South Hall, the outbuildings are considered to be curtilage listed.

2.5 The application site is located within the open countryside to the south of the settlement of Ingoe. The application site is within a high-risk coal working referral area and is also located within an area of archaeological interest.

2.6 During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the

Council's Built Heritage and Design team, the Council's Highways team and the Council's Ecology team.

2.7 Following a subsequent site visit on 25<sup>th</sup> August 2022, it was noted that some walls adjacent to outbuilding 3 had been demolished (as proposed within this application) and works, including re-roofing and the installation of garage doors to the west elevation, to outbuilding 3 had been undertaken. Informal discussions were held with the Council's Built Heritage and Design Officer, and whilst the works undertaken are unauthorised, they raise no concerns. The demolition of some of the walls adjacent to outbuilding 3 and some of the works to outbuilding 3, such as re-roofing, are covered under these current full planning and Listed Building Consent applications. However, some of the alterations to outbuilding 3, such as the installation of garage doors to the western elevation, are not covered under these current applications and the works would need to be regularised via the submission of separate applications.

### 3. Planning History

**Reference Number:** 21/04414/LBC

**Description:** Listed building consent for conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall

**Status:** Pending Consideration

**Reference Number:** 21/02402/LBC

**Description:** Listed Building Consent for internal alterations including removal of existing staircase to back hall/office and construction of new floor with plaster board ceiling below; replacement of modern timber fireplace to drawing room with new marble fireplace to match study fireplace; removal of existing staircase; new cast iron effect external soil waste pipe; formation of new bathroom within existing bedroom; installation of new soil waste pipe within boxing to ground floor wc. Alterations so some internal walls and doors. Make good plaster to walls and skirting.

**Status:** Permitted

**Reference Number:** 21/02401/FUL

**Description:** Internal alterations including removal of existing staircase to back hall/office and construction of new floor with plaster board ceiling below; replacement of modern timber fireplace to drawing room with new marble fireplace to match study fireplace; removal of existing staircase; new cast iron effect external soil waste pipe; formation of new bathroom within existing bedroom; installation of new soil waste pipe within boxing to ground floor wc. Alterations so some internal walls and doors. Make good plaster to walls and skirting.

**Status:** Withdrawn

**Reference Number:** 13/03679/VARYCO

**Description:** Removal of condition 8 from planning approval CM20090150 (Conversion of redundant building to holiday letting accommodation)

**Status:** Permitted

**Reference Number:** 16/03737/LBC

**Description:** Listed Building Consent: Internal and external alterations

**Status:** Permitted

**Reference Number:** 16/04239/FUL

**Description:** Proposed construction of garden room extension.

**Status:** Permitted

**Reference Number:** 16/04240/LBC

**Description:** Listed building consent for construction of garden room extension.

**Status:** Permitted

**Reference Number:** CM/20090153

**Description:** Proposed erection of a micro-wind generator to provide energy to proposed holiday let (Application ref CM/20090150 & 151LBC)

**Status:** Application Returned

**Reference Number:** CM/20090152

**Description:** Proposed erection of a micro-wind generator to provide energy to proposed holiday let (Application ref CM/20090150 & 151LBC)

**Status:** Refused

**Reference Number:** CM/20090151

**Description:** Conversion of redundant building to holiday letting accommodation

**Status:** Permitted

**Reference Number:** CM/20090150

**Description:** Conversion of redundant building to holiday letting accommodation

**Status:** Permitted

**Reference Number:** CM/20090150

**Description:** Conversion of redundant building to holiday letting accommodation

**Status:** Permitted

**Reference Number:** CM/05/D/103/LBC

**Description:** Internal alterations to create 2 bathrooms, 2 No bedrooms rebuild chimney stack, create link to new study with rooflights over

**Status:** Permitted

#### 4. Consultee Responses

<p>Matfen Parish Council</p>	<p>No response received in relation to this full planning application.</p> <p>However, Matfen Parish Council have provided the following comments on the accompanying Listed Building Consent application (reference: 21/04414/LBC):</p> <p>Matfen Parish Council has concerns over the level of objections by residents in Ingoe to this development. Under the Local Plan it states that "Ingoe is a remote hill top village where the Council considers that no change to the settlement pattern and identity is required. The strategy is to maintain and enhance the pleasant rural character and built form of this settlement. No new development is proposed within the village." Due to the strength of feeling from residents the Parish</p>
------------------------------	--

	Council would like to suggest the applicant speak to the Parish Council and residents of Ingoe, which the Parish Council would be happy to facilitate, to try and mitigate some of the objections.
County Ecologist	No objection subject to conditions and informatives.
County Archaeologist	No objection from an archaeological perspective and no archaeological work will be required.
Building Conservation	The Built Heritage and Design team are satisfied with the additional information and revised plans and recommend conditions should be attached to any consent granted.
The Coal Authority	No objection. Recommend informative.
Highways	No objection subject to conditions and informatives.
Public Protection	No objection subject to conditions and informatives.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	12
Number of Support	0
Number of General Comments	0

### Notices

Site notice affecting Listed Building – Displayed on 23rd December 2021

Press notice in Morpeth Herald – Published on 25th November 2021

### Summary of Responses:

12 representations of objection have been received in relation to full planning application reference: 21/04413/FUL. The objections raise concerns on the following issues:

- Impact on the Listed Building/Archaeology/historic environment
- Impact on the amenity of local residents
- Impact on the rural character of the village of Ingoe
- Impact on ecology and trees
- Light pollution
- Noise
- Highway safety
- Traffic
- Car parking

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online->

## **6. Planning Policy**

### **6.1 Development Plan Policy**

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

Policy STP 1 – Spatial Strategy (Strategic Policy)  
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)  
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)  
Policy ECN 1 – Planning Strategy for the Economy (Strategic Policy)  
Policy ECN 12 – A Strategy for Rural Economic Growth (Strategic Policy)  
Policy ECN 15 – Tourism and Visitor Development  
Policy HOU 9 – Residential Development Management  
Policy QOP 1 – Design Principles (Strategic Policy)  
Policy QOP 2 – Good Design and Amenity  
Policy QOP 4 – Landscaping and Trees  
Policy QOP 5 – Sustainable Design and Construction  
Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)  
Policy TRA 2 – The Effects of Development on the Transport Network  
Policy TRA 4 – Parking Provision in New Development  
Policy ENV 1 – Approaches to Assessing the Impact of Development on the Natural, Historic and Built Environment (Strategic Policy)  
Policy ENV 2 – Biodiversity and Geodiversity  
Policy ENV 3 – Landscape  
Policy ENV 7 – Historic Environment and Heritage Assets  
Policy WAT 2 – Water Supply and Sewerage  
Policy WAT 4 – Sustainable Drainage Systems  
Policy POL 1 – Unstable and Contaminated Land  
Policy POL 2 – Pollution and Air, Soil and Water Quality

### **6.2 National Planning Policy**

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG) (2021)

## **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, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan.

7.2 The main considerations in the determination of this application are:

- Principle of the development.
- Design.
- Amenity.
- Impact upon the Listed Buildings.

- Archaeology.
- Highway safety.
- Ecology.
- Environmental Protection.
- Coal mining risk.
- Drainage and sewerage.
- Other matters.

### Principle of the Development

7.3 The application site is located within the open countryside to the south of the settlement of Ingoe. As a starting point, Policy STP 1 of the Northumberland Local Plan relates to spatial strategy. This policy sets out the overall approach to the distribution of development across the county. Policy STP 1 indicates that development within the open countryside will be supported where it can be demonstrated that it fulfils one of a number of criteria. Criterion (iii.) is supportive of sustainable rural tourism and leisure developments in accordance with Policy ECN 15.

7.4 Policy ECN 1 of the Northumberland Local Plan, which sets out the planning strategy for Northumberland's economy, is generally supportive of development proposals that support both existing and new businesses and that support and promote tourism and the visitor economy.

7.5 Policy ECN 15 of the Northumberland Local Plan, which relates to tourism and visitor development, states that in the open countryside, visitor accommodation should, wherever possible, be limited to the reuse of buildings that are structurally sound.

7.6 The proposal includes the conversion of two existing outbuildings at South Hall into two, one-bedroom holiday let units. One of the proposed conversions comprises a very modest, single storey extension, on the footprint of a previous extension (now demolished), to allow the holiday let to be habitable through the provision of a bathroom. The existing outbuildings are considered to be of permanent and substantial construction and thus are considered suitable for conversion to two holiday let units. A letter from BT Bell Consulting Engineers has been submitted to accompany this application. The submitted letter concludes that following an inspection of the outbuildings, they are considered to be structurally stable and capable of conversion. The submitted letter acknowledges that the walls of outbuilding 1 are in a reasonable condition, though there are areas where some localised rebuilding is likely to be required, and it is acknowledged the external joinery and roof timbers of outbuilding 1 are in a serviceable condition. The submitted letter acknowledges that similarly to outbuilding 1, the joinery of outbuilding 2 needs refurbishment.

7.7 This element of the proposal would involve the re-use of two existing outbuildings, which are considered to be of permanent and substantial construction, to provide holiday accommodation. This is considered to be an appropriate and sustainable form of development in this open countryside location. It is also recognised that this element of the proposal would not involve any significant extension or significant rebuilding works. The proposed conversion (with minor extension) of the two outbuildings would be in

accordance with Policies STP 1, ECN 1, ECN 12 and ECN 15 of the Northumberland Local Plan as a matter of principle.

- 7.8 As a material consideration, the NPPF seeks to support a prosperous, rural economy. Paragraph 84 of the NPPF advises that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. The proposed conversion of the existing outbuildings at South Hall to provide two holiday let units would constitute sustainable development that would be acceptable as a matter of principle within this open countryside location in accordance with Paragraph 84 of the NPPF. It is considered that this element of the proposal would respect the character of the countryside, and this issue will be discussed further in the following section of this appraisal.
- 7.9 The application also proposes to repair and reconfigure one of the outbuildings, referred to as outbuilding 3 within this application. This outbuilding would continue to be utilised for storage purposes ancillary to the main dwelling at South Hall. This element of the proposal would be domestic in nature within the residential curtilage of the existing dwelling. Therefore, the principle of this element of the proposed development is acceptable in accordance with Policy HOU 9 of the Northumberland Local Plan, which relates to residential development management, and the principles of the NPPF.
- 7.10 The application also proposed to extend the residential curtilage of South Hall into the adjoining field to the south. Within the proposed extended residential curtilage, it is proposed to create a small car parking area within the north eastern corner (adjacent to the access) and to create a footpath to link this car parking area to the main dwelling of South Hall. The proposed extended curtilage would remain predominantly grassed, although it would be more domestic in appearance than the existing open field due to the proposed soft landscaping. There are no national or local planning policies which specifically cover the extension of residential curtilages into adjacent land. However, in this particular instance, the openness of the site would be retained, and it is proposed that permitted development rights be removed from the extended residential curtilage to ensure the character of the area and the openness of the site is retained and that it respects the wider landscape. This element of the proposal is therefore considered to be acceptable for the reasons set out above.

### Design

- 7.11 The proposed conversion of two outbuildings into two holiday let units would re-use the existing buildings, with one of the conversions including a very modest, single storey extension, on the footprint of a previous, historic extension (now demolished), to allow the holiday let to be habitable through the provision of a bathroom within the proposed extension. The proposed extension to Outbuilding 1 would be constructed of stone with Welsh slate roofing tiles, to match the materials of the existing outbuilding. The proposed conversions would predominantly utilise and alter the existing openings of the buildings; however, it also proposes to sensitively install some new openings, including rooflight windows. During the course of the application, the design of the proposed holiday lets has been amended, which included reducing the number of new openings, in line with the Council's Built Heritage and Design Officer's advice.



- 7.12 The proposed repair and reconfiguration of one of the outbuildings, referred to as outbuilding 3 within this application, would involve re-roofing this building by re-using existing Welsh slate roof tiles, wherever possible. This element of the proposal would also involve replacing the existing single door to the south elevation with timber garage doors and would involve blocking up the existing large opening to the west elevation. This outbuilding is in a state of disrepair and the proposed repair works would allow the building to be used again for storage purposes ancillary to the main dwelling at South Hall.
- 7.13 It is acknowledged that the Built Heritage and Design Officer, in which the matter of design falls into their remit, considers that the additional information and revised plans are satisfactory and raises no objection subject to conditions. The proposed conversion and repair work to the three outbuildings are considered to be acceptable and would retain the character of the outbuildings, the wider site and the surrounding landscape.
- 7.14 Landscaping within the site would provide a more domestic arrangement; however, it is considered to maintain the character of the site and the wider rural landscape. The car parking area within the north eastern corner of the proposed extended residential curtilage and the footpath connecting the car parking area to the main dwelling at South Hall would be constructed of gravel. The proposed extended curtilage to the south would remain predominantly grassed, although it would be more domestic in appearance than the existing open field due to the proposed soft landscaping. Patio/garden areas would be provided for both of the proposed holiday let units (to the west of outbuilding 1 and to the east of outbuilding 2). It is considered that the wider design set out in this application is considered to be appropriate and would respond positively to the character of the site and would respect the wider landscape. Overall, it is considered that the proposed development, for the reasons set out above, would accord with Policies HOU 9, QOP 1, QOP 2, QOP 4, ENV 1 and ENV 3 of the Northumberland Local Plan and the principles of Chapter 12 of the NPPF in relation to design.
- 7.15 The representations of objection have made comments in regard to the impact of the proposed development upon the rural character of the area and upon the rural character of the village of Ingoe. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment, it is considered that the proposal as submitted, is acceptable in this respect in planning terms.

### Amenity

- 7.16 The application proposes to convert two existing outbuildings at South Hall, Ingoe into two, one-bedroom holiday let units. Each unit would have a patio area and grassed garden area. The outdoor amenity space to the west of outbuilding 1 and to the east of outbuilding 2 would provide generous curtilages for the new holiday lets.
- 7.17 South Hall is located within the open countryside, approximately 90 metres to the south of the settlement of Ingoe. South Hall is surrounded to all four sides by open agricultural land. However, directly to the south west of South Hall is a residential property, known as South Hall Cottage, which is within separate ownership and is enclosed by a high boundary wall. This is the only immediate

neighbouring property to South Hall. The outbuildings proposed to be converted and repaired are located to the north east of South Hall and therefore these works would be predominantly screened from South Hall Cottage by the existing three storey country house at South Hall. The separation distance between South Hall Cottage and the outbuildings at South Hall is in excess of 30 metres. It is also noted that the proposed holiday lets would utilise the existing access to the north of the site. Therefore, given the above considerations, the proposed conversion and repair works to the outbuildings at South Hall would not adversely affect this neighbouring property with regard to loss of privacy, outlook or from an overbearing appearance.

7.18 Whilst it is acknowledged that the property of South Hall is within the ownership of the applicant, the impact of the proposed conversion of the two outbuildings into two holiday lets on the amenity of this property must also be carefully considered as part of this application. As aforementioned, the outbuildings are located to the north east of the property at South Hall. Due to their positioning and orientation and due to the careful siting of new openings (predominantly to northern elevations), it is considered that the proposed holiday lets would not adversely affect the existing residential property at South Hall with regard to loss of privacy, outlook or from an overbearing appearance. The amenity spaces which are proposed for the holiday lets would be sited so as to ensure privacy for both the future visitors to the holiday lets and for the existing occupiers of South Hall.

7.19 The proposal also seeks to extend the residential curtilage of South Hall into the adjacent field to the south and to the south of the neighbouring property, South Hall Cottage. It is proposed to create a new, small car parking area within the north western corner of the extended curtilage, adjacent to the access and directly to the south of South Hall Cottage. It is acknowledged that South Hall Cottage is enclosed by high stone boundary walls and the extended curtilage to the south would not have an adverse impact on this neighbour due to the existing boundary treatments and due to the nature of the works within the extended curtilage, which are considered to be minor.

7.20 Overall, the application is considered to be acceptable in respect of the impact of the development on the amenity of local residents and future visitors in accordance with Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the principles of the NPPF.

7.21 Concerns regarding amenity have been raised within the representations of objection. Whilst the concerns raised have been taken into consideration when assessing the impact on amenity, it is not considered they represent an appropriate reason for refusal in this instance. It is therefore considered that for the reasons outlined above, the scheme proposed, represents a proposal which would not adversely impact upon the amenity of neighbouring properties.

#### Impact upon the Listed Buildings

7.22 As aforementioned, South Hall is a Grade II\* listed three storey country house which dates from the early 18th century and is constructed of ashlar stone with a stone slate roof. The two outbuildings proposed to be converted into holiday lets are single storey and of a linear form, orientated in an east-west direction. The outbuilding proposed to be repaired and reconfigured for storage purposes is

located within a walled garden to the south east of South Hall, orientated in a north-south direction. All three of the outbuildings are constructed of roughly coursed and/or roughly squared stone with Welsh slate roofs. By virtue of their connection with South Hall, the outbuildings are considered to be curtilage listed.

7.23 The impact upon these designated heritage assets has been assessed in detail in the Listed Building Consent application (reference: 21/04414/LBC) which was submitted alongside this full planning application. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy ENV 7 of the Northumberland Local Plan, which relates to the historic environment and heritage assets, states *“development proposals will be assessed, and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland’s heritage assets and their settings”*. The Council’s Built Heritage and Design Officer has been consulted on this application and is satisfied with the additional information and revised plans and recommend conditions should be attached to any consent granted. The proposed development is therefore considered to be appropriate in this instance and would preserve the setting of the Grade II\* listed South Hall and its curtilage listed outbuildings. The proposed development would accord with Policies ENV 1 and ENV 7 of the Northumberland Local Plan and the aims of Chapter 16 of the NPPF in this respect.

7.24 The representations of objection have made comments in regard to heritage impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council’s Built Heritage and Design team, it is considered that the proposal as submitted, is acceptable in respect of the heritage impacts of the development.

### Archaeology

7.25 The Council’s Archaeologist has been consulted on this application and has assessed the application from an archaeological perspective. Following a review of LiDAR data, it is acknowledged that curved ridge and furrow earthworks and the remains of field boundaries and landscape divisions survived well on land around South Hall. These earthworks preserve evidence of cultivation and land management in the medieval and post-medieval period and are associated with the deserted medieval village of Ingoe. Some traces of ridge and furrow earthworks survive in the immediate vicinity of South Hall but are only faintly visible. The application site is therefore less sensitive to development impact than the surrounding areas. Taking account of the relatively localised nature of landscaping proposed and the already denuded condition of archaeological earthworks within the application site, the Council’s Archaeologist concludes that the risk of significant archaeological remains being substantially harmed by the proposed development is low. Therefore, the Council’s Archaeologist concludes that they have no objection to the application from an archaeological perspective and no archaeological work will be required. It is therefore considered that the proposed development would adhere to Policies ENV 1 and ENV 7 of the Northumberland Local Plan and the principles of the NPPF in this respect.

7.26 The representations of objection have made comments in regard to archaeological impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's Archaeologist, it is considered that the proposal as submitted, is acceptable in respect of the archaeological impacts of the development.

### Highway Safety

7.27 The Council's Highway Development Management (HDM) team has been consulted on this application and having reviewed the additional information and revised plans, considers technical highway matters, such as access and parking, are acceptable. The revised plans now clearly showcase that the southwestern access would be upgraded to Type A specification and that the northern access would be upgraded to Type B specification. Therefore, the Council's HDM team conclude that they have no objection to the application subject to conditions and informatives. The recommended conditions relate to the implementation of the car parking area, the means of vehicular access to be constructed, the implementation of cycle parking, details of surface water drainage and details of electric vehicle charging points. Subject to accordance with the recommended conditions, the application is considered to be acceptable in this respect and thus the proposal is in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the principles of Chapter 9 the NPPF.

7.28 The representations of objection have made comments in regard to highway safety, traffic and car parking. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's HDM team, it is considered that the proposal as submitted, is acceptable in respect of highway safety, traffic and car parking.

### Ecology

7.29 An Ecological Impact Assessment and Bat Survey has been submitted to accompany this application. The Council's Ecologist has been consulted on this application and raises no objection subject to conditions and informatives.

7.30 Recent case law has shown that where a planning application is likely to have implications for European protected species, explicit consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017. The three tests are:

1. The proposal must be required for imperative reasons of overriding public interest or for public health and safety;
2. There must be no satisfactory alternative to the proposal; and
3. The proposal will not be detrimental to the maintenance of the favourable conservation status of the species in its natural range.

7.31 Regarding the first of these, the test of imperative reasons of overriding public interest seems to be considered to have been satisfied if a proposal meets an identified development need. In this case the proposed development is considered to be acceptable and in accordance with the development plan and the NPPF. The second concerns whether the development need which the

application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. There are two strands to this second test:

- A) whether the development need could be met in a different way than through this particular application.
- B) whether the development proposal itself could be re-configured or undertaken in such a way that it meets the same development need while having a lower impact on the population of protected species concerned.

The proposal would involve re-using and extending the existing, redundant outbuildings, by converting two of them into holiday let units and by repairing and reconfiguring one of them to use for storage purposes ancillary to South Hall. The proposal would secure an economically viable future for the outbuildings. It is considered the extensive works required will allow the retention or restoration of the roost potential of the site, therefore the second test is considered to have been met.

7.32 The third of these is examined in terms of the mitigation proposals submitted by the applicants.

7.33 The Council's Ecologist raises no objection to the proposed development on ecological grounds subject to conditions to ensure the mitigation and enhancement measures detailed in the report are carried out in full and to ensure a Natural England licence is sought.

7.34 Subject to accordance with the recommended conditions, the proposed development is considered to be in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the NPPF in this respect.

7.35 The representations of objection have made comments in regard to ecological impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's Ecology team, it is considered that the proposal as submitted, is acceptable in respect of the ecological impacts of the development.

### Environmental Protection

7.36 The Council's Environmental Protection (EP) team have been consulted on this application and conclude that they have no objection subject to conditions (relating to land contamination and ground gas protection) and informatives. The recommended conditions are considered to be necessary in order to protect public health and to prevent loss of amenity. Subject to accordance with these conditions, the application is considered to be acceptable in accordance with Policy POL 1 of the Northumberland Local Plan and the aims of the NPPF in this respect.

7.37 The representations of objection have made comments in regard to noise and light pollution. These comments have been taken into account when compiling this section of the appraisal. The matters of noise and lighting fall within the remit of the Council's EP team, who raise no concerns. Following an assessment in consultation with the Council's EP team, it is considered that the proposal as

submitted, is acceptable in respect of contamination, ground gas protection, noise, lighting and other matters within the Council's EP teams' remit.

### Coal Mining Risk

7.38 The application site is located within a high-risk coal working referral area. The Coal Authority have therefore been consulted on this application. The Coal Authority's general approach to development in high-risk coal working referral areas is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application. However, when considering the nature of this particular development, The Coal Authority note that the conversion of the two existing outbuildings to two holiday lets, the repair and re-configuration of one existing outbuilding, and the creation of a new car parking area and main entrance to South Hall, are all categorised as exemptions. With regard to the extension to Outbuilding 1, due to it being a small single storey extension and due to it being constructed on the site of a previous extension to the outbuilding, it does not appear to require substantial foundations or earthworks. On this basis, The Coal Authority do not consider that a Coal Mining Risk Assessment is required, nor would it be proportionate to the nature of the development proposed in this particular case. The Coal Authority therefore conclude that they raise no objection and recommend an informative containing standard advice be added to any permission granted. The application is therefore considered to be acceptable in this respect in accordance with Policy POL 1 of the Northumberland Local Plan and the aims of the NPPF.

### Drainage and Sewerage

7.39 The application form states that foul sewerage would be disposed of by septic tank and that surface water would be disposed of by soakaway. During the course of the application, a Foul Drainage Assessment Form and additional drainage information has been submitted, as requested by the Council's Ecologist and as required for this type of application. The additional information indicates that the proposal would connect to the existing septic tank which currently serves South Hall and South Hall Cottage. The additional information also indicates that the existing septic tank has sufficient capacity to accommodate the increase in units at South Hall. Therefore, the application is considered to be acceptable in accordance with Policies WAT 2 and WAT 4 of the Northumberland Local Plan and the principles of the NPPF.

### Other Matters

#### Equality Duty

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

### Crime and Disorder Act Implications

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

### Human Rights Act Implications

7.42 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

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

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

## **8. Conclusion**

8.1 The main planning considerations in determining this application have been set out and considered above indicating accordance with the relevant development plan policies. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local planning policies and the NPPF on the matters of relevance in this application.

8.2 The technical issues affecting the proposal have been suitably addressed subject to conditions set out in the recommendation.

8.3 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval, subject to conditions, is recommended.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:

## Conditions/Reason

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

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

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

- Outbuilding 1 Proposed Floor Plans and Elevations, Drawing No: PP03 Revision: A
- Outbuilding 2 Proposed Floor Plans and Elevations, Drawing No: PP04 Revision: A
- Outbuilding 3 Proposed Floor Plans and Elevations, Drawing No: PP05
- Untitled Location Plan, Dated: 10/11/2021(Received on: 15/12/2021)
- Proposed Block Plan, Drawing No: PP01 Revision: B
- Proposed Site Plan, Drawing No: PP02 Revision: B
- Method Statement for New Opening in Outbuilding 2, Dated: 12/05/2022
- Concept Design Report – South Hall, Ingoe, Northumberland Revision: H
- Structural Survey Letter from BT Bell Consulting Engineers Dated 13/01/2022
- Design, Access and Heritage Statement – South Hall, Ingoe, Northumberland produced by Doonan Architects
- Historic Building Assessment – South Hall, Ingoe, Northumberland Dated: June 2016 Produced by Peter F. Ryder
- Ecological Impact Assessment and Bat Survey – South Hall, Ingoe, Northumberland Summer 2021 Produced by Ruth Hadden of Ryal Soil and Ecology
- Foul Drainage Assessment Form (received: 02/02/2022)
- Additional Highways and Ecology Information, Dated: 31.01.2022

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

3. The two holiday let units hereby permitted shall be implemented and occupied in accordance with the following:

- The accommodation shall be occupied for holiday purposes only;
- The accommodation shall not be occupied as a person's sole, or main place of residence;
- The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the accommodation, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To avoid the creation of two permanent residential dwellings in a location where this would be inappropriate and in the interests of amenity, in accordance with Policies QOP 1 and ECN 15 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.



4. The development shall not be brought into use until the car parking area indicated on the approved plans, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Policy TRA 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

5. The development shall not be brought into use until a means of vehicular accesses (both southern and northern access, including the first 6m from the highway to be hard surfaced) has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

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

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with Policies TRA 1 and QOP 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

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

Reason: In order to prevent surface water run-off in the interests of highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

8. Prior to occupation, details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of sustainable development, in accordance with Policy TRA 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

9. Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
  - b) Confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or
  - c) Written justification by a suitably qualified ecologist confirming why a licence is no longer required.

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Ecological Impact Assessment and Bat Survey South Hall Ingoe (Ruth Hadden, October 2021) and as shown on the Proposed Elevations plans, which detail the methods for maintaining the conservation status of bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The measures specified include:

- All works will follow the approved Natural England licence, including careful removal of roof coverings by hand, with high-risk areas undertaken under ecological supervision. Works to other buildings will be undertaken to a precautionary bat method statement.
- Crevice roosting opportunities will be retained/reinstated or incorporated into the completed development in the form of crevices within the stonework and/or integrated bat boxes.
- Lighting around the site will be low level and low lumen.

Reason: To maintain the favourable conservation status of a European protected species, in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

10. An Amphibian Method Statement will be submitted to the Local Planning Authority for approval in writing prior to the commencement of development and fully implemented as approved.

Reason: To maintain the favourable conservation status of a European protected species, in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

11. A detailed landscape planting plan, including the planting of locally native trees and shrubs of local provenance, shall be submitted to and agreed in writing with the Local Planning Authority with the planting to be fully implemented during the first full planting season (November – March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with Policies ENV 1,

ENV 2, ENV 3 and QOP 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

12. No development shall be carried out other than in accordance with the guidance set out in 'BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations' British Standards Institution, 2012. A Tree Protection Plan shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of development and fully implemented as approved.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policies ENV 1, ENV 2, ENV 3 and QOP 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

13. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Please note that some birds will nest outside of this period depending on species and temperatures and as such care should be taken to assess the building for nesting birds and stop work should any active nests be found.

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

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

14. No foundation works shall be commenced until a report detailing the proposed protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard required in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), or to a Characteristic Situation 2 level of protection, whichever is the highest, has been submitted to and approved in writing by the Local Planning Authority.

The report shall also specify to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling.

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

Reason: In order to prevent any accumulation of ground gas, which may be prejudicial to the health and amenity, in accordance with Policy POL 1 of the

Northumberland Local Plan and the principles of the National Planning Policy Framework.

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

Reason: In order to prevent any accumulation of ground gas, which may be prejudicial to the health and amenity, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

16. The development hereby permitted shall not be commenced until a scheme to deal with contamination of land or controlled waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be undertaken by a competent and qualified consultant. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

- A) A desk-top study (Phase 1 or Preliminary Risk Assessment) carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). The desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
- B) If identified as being required following the completion of the desk-top study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.
- C) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

Reason: To ensure that risks from land contamination are minimised, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

17. Prior to the development being brought into use or continuing in use the applicant shall submit a full closure (Verification Report) report to the Local

Planning Authority for its written approval. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination are minimised, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

18. If during redevelopment contamination not previously considered is identified within any statement / report that has received the approval of the Local Planning Authority, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. The written method statement must be written by a 'competent person'. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination are minimised, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent Order amending, revoking or re-enacting that Order), there shall be no further building or structure placed within the extended curtilage hereby permitted unless an application for planning permission has first been submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers that any further development would prejudice a satisfactory layout and would have a harmful effect upon the amenity of the area in accordance with Policy QOP 1, QOP 4 and ENV 3 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

## **Informatives**

1. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the

foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

2. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: [westernareahighways@northumberland.gov.uk](mailto:westernareahighways@northumberland.gov.uk)
3. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
4. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
5. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Amphibians, reptiles and mammals such as hedgehog and red squirrel also have legal protection, with great crested newt afforded additional protection under the Conservation of Habitats and Species Regulations 2017 (as amended).

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a good chance of encountering protected species during works.

Care should be taken when removing any roof coverings, window frames or other external features which may support bats or nesting birds.

If protected species such as bats or nesting birds are encountered during development then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice on bats by telephoning the National Bat Helpline on 0345 1300 228

<https://www.bats.org.uk/advice/bat-found-during-building-works>

The Chartered Institute of Ecology and Environmental Management (CIEEM) has an online professional directory should assistance be required.

<https://cieem.net/i-need/finding-a-consultant/>

Further information about protected species and the law can be found on the government website

<https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

6. The applicant should note that where sites are very overgrown or have features such as log piles or piles of stones there may be risk of causing harm to species protected under law from killing or injury such as reptiles, or species of principal importance such as hedgehogs. Any vegetation or materials clearance be carried out gradually and with due care and attention.
7. All works on sites close to watercourses will follow the guidance contained in the Pollution Prevention Guidelines: Works and maintenance in or near water. Further information can be found at this link:  
<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

All fuel and chemicals used on site should be kept on an impervious base within a secondary containment system such as a bund, not within 10m of any watercourse, and above flood water level.

8. The first recommended gas protection condition sets out why gas protection is needed and what is proposed to meet this requirement submitted in the form of a "report":

The gas protection proposed should meet a minimum of Characteristic Situation 2 (CS2) to the level required in BS 8485:2015+A1:2019.

Building type is Type A - residential dwelling.

The British Standard requires achieving a score of 3.5 for Building Type A. This may be met by a:

A well-reinforced raft/slab with minimal penetrations (scoring 1.0 or 1.5 in Table 5 of BS 8485:2015+A1:2019), and;

A gas membrane (scoring 2.0) and meeting the requirements of Table 7 of BS 8485:2015+A1:2019.

A technical brochure for the gas membrane to be used and any manufacturer's installation guidance (if available) and that the membrane will be installed following manufacturer guidance (if available).

That the membrane installation will be carried out by a suitably qualified and experienced installer.

Propose what verification of the install will be Building Control, independent verifier, main contractor inspection etc.

SEE APPENDIX 2 OF OUR ADOPTED GUIDANCE FOR A FULL LIST OF ITEMS TO ADDRESS THE FIRST CONDITION (see link below)

For the second gas protection condition this demonstrates that the installation has met what was proposed in the submission for the first one and should be a "report" which should:

Demonstrate that the floor was of the type required and sufficient air bricks (and telescopic vents if required) were included demonstration of at least good ventilation performance.

Membrane was installed to a standard following manufacturer's instructions (if available).

Membrane was installed by a suitably qualified and experienced installer (include any documentation which shows this is the case).

Installer logs/records (proforma in Appendix 5 of our adopted guidance below).

Verifier logs/records (proforma in Appendix 5 of our adopted guidance below).

Any third party inspection(s) to verify installation.

Details of Building Control inspections

Photographs

Plans showing location and number of ventilation bricks to meet very good ventilation performance.

SEE APPENDIX 3 OF OUR ADOPTED GUIDANCE FOR A FULL LIST OF ITEMS TO ADDRESS THE SECOND CONDITION (see link below)

Our adopted guidance YALPAG Technical Guidance Verification Requirements for Gas Protection Systems, is available under the related documents section at:

<https://www.northumberland.gov.uk/Protection/Pollution/Advice.aspx>

The British Geomembrane Association lists approved installers and should be qualified to a minimum of NVQ qualification (NVQ Level 2 membrane installation).



The British Geomembrane Association website is:  
<http://www.britishgeomembraneassociation.co.uk/>

#### Retrofitting Gas Protection

Guidance for incorporating gas protection in existing buildings is contained within CIRIA C795 Retrofitting Ground Gas Protection Measures in Existing or Refurbished Buildings, this can be found at:

<https://www.ciria.org/ItemDetail?iProductcode=C795&Category=BOOK>

#### Sealing of Service Ducts

The applicant should ensure that as well as any “top-hat” around the outside of service ducts being secured to the membrane (tape or weld) that also the internal annulus of the duct holding each of the service pipes and conduits (water, gas, electric etc.) should be filled with a sealant approved by the water supply companies, such as FILOseal+ or FILOseal+HD manufactured by Filoform UK Ltd:

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

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

9. The effectiveness of the development’s design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.
10. The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

**Date of Report: 26.08.2022**

**Background Papers:** Planning application file(s) 21/04413/FUL

This page is intentionally left blank

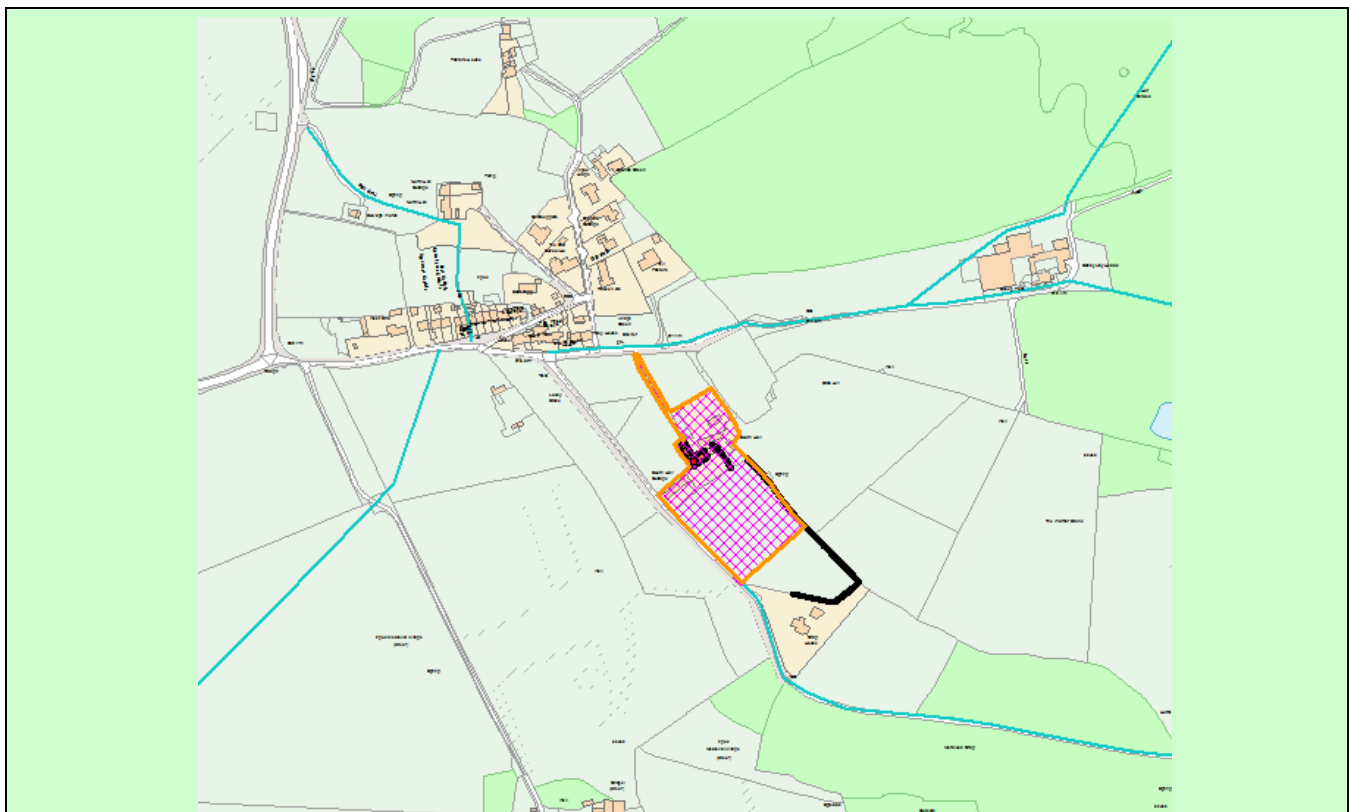


**Northumberland**  
County Council

**Castle Morpeth Local Area Council Planning Committee**  
**Monday 10<sup>th</sup> October 2022**

<b>Application No:</b>	21/04414/LBC		
<b>Proposal:</b>	Listed building consent for conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall		
<b>Site Address</b>	South Hall, Ingoe, Newcastle Upon Tyne, Northumberland, NE20 0SR		
<b>Applicant:</b>	Mr Eric Dunmore South Hall, Drive From U9017 To South Hall, Ingoe, NE20 0SR	<b>Agent:</b>	Miss Kate Wilson 16 Hallstile Bank, Hexham, NE46 3PQ, England
<b>Ward</b>	Ponteland West	<b>Parish</b>	Matfen
<b>Valid Date:</b>	12 November 2021	<b>Expiry Date:</b>	14 September 2022
<b>Case Officer Details:</b>	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

**Recommendation:** That Listed Building Consent be GRANTED



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

## **1. Introduction**

1.1 Several representations of objection have been received in relation to this application from local residents and from general members of the public. Concerns have also been raised by the Parish Council. Therefore, under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the Castle Morpeth Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

## **2. Description of the Proposals**

2.1 Listed Building Consent is sought at South Hall, Ingoe for:

- The conversion and extension of two existing outbuildings into two, one-bedroom holiday let units.
- The repair and reconfiguration of one outbuilding for storage purposes ancillary to the main dwelling of South Hall.
- External landscaping works.

2.2 A full planning application (reference: 21/04413/FUL) has been submitted alongside this Listed Building Consent application and will also be referred to the Committee for determination. The other elements of the proposal which do not require Listed Building Consent, but are covered for completeness within this application are:

- Change of use of agricultural land into residential curtilage associated with South Hall.
- Creation of a small car parking area within the north eastern corner of the extended residential curtilage.
- External landscaping works within the extended residential curtilage.

2.4 Full details of the proposed works are set out within the plans and documents submitted with these applications.

2.5 South Hall is a Grade II\* listed three storey country house which dates from the early 18<sup>th</sup> century and is constructed of ashlar stone with a stone slate roof. The two outbuildings proposed to be converted into holiday lets are single storey and of a linear form, orientated in an east-west direction. The outbuilding proposed to be repaired and reconfigured for storage purposes is located within a walled garden to the south east of South Hall, orientated in a north-south direction. All three of the outbuildings are constructed of roughly coursed and/or roughly squared stone with Welsh slate roofs. By virtue of their connection with South Hall, the outbuildings are considered to be curtilage listed.

2.6 The application site is also located within an area of archaeological interest.

- 2.7 During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the Council's Built Heritage and Design team.
- 2.8 Following a subsequent site visit on 25<sup>th</sup> August 2022, it was noted that some walls adjacent to outbuilding 3 had been demolished (as proposed within this application) and works, including re-roofing and the installation of garage doors to the west elevation, to outbuilding 3 had been undertaken. Informal discussions were held with the Council's Built Heritage and Design Officer, and whilst the works undertaken are unauthorised, they raise no concerns. The demolition of some of the walls adjacent to outbuilding 3 and some of the works to outbuilding 3, such as re-roofing, are covered under these current full planning and Listed Building Consent applications. However, some of the alterations to outbuilding 3, such as the installation of garage doors to the western elevation, are not covered under these current applications and the works would need to be regularised via the submission of separate applications.

### 3. Planning History

**Reference Number:** 21/04413/FUL

**Description:** Conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall

**Status:** Pending Consideration

**Reference Number:** 21/02402/LBC

**Description:** Listed Building Consent for internal alterations including removal of existing staircase to back hall/office and construction of new floor with plaster board ceiling below; replacement of modern timber fireplace to drawing room with new marble fireplace to match study fireplace; removal of existing staircase; new cast iron effect external soil waste pipe; formation of new bathroom within existing bedroom; installation of new soil waste pipe within boxing to ground floor wc. Alterations so some internal walls and doors. Make good plaster to walls and skirting.

**Status:** Permitted

**Reference Number:** 21/02401/FUL

**Description:** Internal alterations including removal of existing staircase to back hall/office and construction of new floor with plaster board ceiling below; replacement of modern timber fireplace to drawing room with new marble fireplace to match study fireplace; removal of existing staircase; new cast iron effect external soil waste pipe; formation of new bathroom within existing bedroom; installation of new soil waste pipe within boxing to ground floor wc. Alterations so some internal walls and doors. Make good plaster to walls and skirting.

**Status:** Withdrawn

**Reference Number:** 16/04240/LBC

**Description:** Listed building consent for construction of garden room extension.

**Status:** Permitted

**Reference Number:** 16/04239/FUL

**Description:** Proposed construction of garden room extension.

**Status:** Permitted

**Reference Number:** 16/03737/LBC

**Description:** Listed Building Consent: Internal and external alterations

**Status:** Permitted

**Reference Number:** 13/03679/VARYCO

**Description:** Removal of condition 8 from planning approval CM20090150  
(Conversion of redundant building to holiday letting accommodation)

**Status:** Permitted

**Reference Number:** CM/20090153

**Description:** Proposed erection of a micro-wind generator to provide energy to proposed holiday let (Application ref CM/20090150 & 151LBC)

**Status:** Application Returned

**Reference Number:** CM/20090152

**Description:** Proposed erection of a micro-wind generator to provide energy to proposed holiday let (Application ref CM/20090150 & 151LBC)

**Status:** Refused

**Reference Number:** CM/20090151

**Description:** Conversion of redundant building to holiday letting accommodation

**Status:** Permitted

**Reference Number:** CM/20090150

**Description:** Conversion of redundant building to holiday letting accommodation

**Status:** Permitted

**Reference Number:** CM/05/D/103/LBC

**Description:** Internal alterations to create 2 bathrooms, 2 No bedrooms rebuild chimney stack, create link to new study with rooflights over

**Status:** Permitted

#### 4. Consultee Responses

Matfen Parish Council	Matfen Parish Council has concerns over the level of objections by residents in Ingoe to this development. Under the Local Plan it states that "Ingoe is a remote hill top village where the Council considers that no change to the settlement pattern and identity is required. The strategy is to maintain and enhance the pleasant rural character and built form of this settlement. No new development is proposed within the village." Due to the strength of feeling from residents the Parish Council would like to suggest the applicant speak to the Parish Council and residents of Ingoe, which the Parish Council would be happy to facilitate, to try and mitigate some of the objections.
County Ecologist	No objection subject to conditions and informatives.
County Archaeologist	No objection from an archaeological perspective and no archaeological work will be required.

Building Conservation	The Built Heritage and Design team are satisfied with the additional information and revised plans and recommend conditions should be attached to any consent granted.
-----------------------	--

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	15
Number of Support	0
Number of General Comments	0

### Notices

Site notice for Listed Building Consent – Displayed on 23rd December 2021  
 Press notice in Morpeth Herald – Published on 25th November 2021

### Summary of Responses:

15 representations of objection have been received in relation to Listed Building Consent application reference: 21/04414/LBC. The objections raise concerns on the following issues:

- Impact on the Listed Building/Archaeology/historic environment
- Impact on the amenity of local residents
- Impact on the rural character of the village of Ingoe
- Impact on ecology and trees
- Light pollution
- Noise
- Highway safety
- Traffic
- Car parking

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=R2EXY5QSKKI00>

## 6. Planning Policy

### 6.1 Development Plan Policy

*Northumberland Local Plan (2022)*

Policy ENV 1 – Approaches to Assessing the Impact of Development on the Natural, Historic and Built Environment (Strategic Policy)

Policy ENV 2 – Biodiversity and Geodiversity

Policy ENV 7 – Historic Environment and Heritage Assets

Policy QOP 1 – Design Principles (Strategic Policy)

### 6.2 National Planning Policy

## 7. Appraisal

7.1 The main issue in the determination of this application falls on whether the proposed development would preserve or enhance the listed building and its features of architectural and historic interest, having regard to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), relevant policies in the development plan and the aims of the NPPF.

### Impact on the Character of the Listed Building

7.2 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires the local authority to have special regard to the desirability of preserving the listed building, its setting, and any features of special or historic interest which it possesses. Chapter 16 of the NPPF also places emphasis on the preservation and enhancement of heritage assets.

7.3 Paragraph 199 of the NPPF advises *“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”*.

7.3 Policy ENV 7 of the Northumberland Local Plan relates to the historic environment and heritage assets. Policy ENV 7 states *“development proposals will be assessed, and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland’s heritage assets and their settings”*. Policy ENV 7 follows on to states that *“development proposals, which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, will require an appropriate desk-based assessment, and, where necessary, a field evaluation”*.

7.4 As aforementioned, South Hall is a Grade II\* listed three storey country house which dates from the early 18<sup>th</sup> century and is constructed of ashlar stone with a stone slate roof. The two outbuildings proposed to be converted into holiday lets are single storey and of a linear form, orientated in an east-west direction. The outbuilding proposed to be repaired and reconfigured for storage purposes is located within a walled garden to the south east of South Hall, orientated in a north-south direction. All three of the outbuildings are constructed of roughly coursed and/or roughly squared stone with Welsh slate roofs. By virtue of their connection with South Hall, the outbuildings are considered to be curtilage listed.

7.5 The Council’s Built Heritage and Design Officer has been consulted on this application to assess the impact of the proposed development upon the character and appearance of the curtilage listed buildings. Having reviewed the additional information and revised plans submitted during the course of the application, the Council’s Built Heritage and Design Officer considers these are satisfactory, raises no objection to the proposals and recommends conditions be attached to any consent granted. The proposed works would allow for the redundant outbuildings to be brought back into use. It is considered that the



proposals, as a whole, are acceptable and would not cause harm to the significance of the curtilage listed buildings. The proposed works are considered to be appropriate and would be sympathetic to the curtilage listed buildings.

7.6 The Council's Archaeologist has been consulted on this application and has assessed the application from an archaeological perspective. Following a review of LiDAR data, it is acknowledged that curved ridge and furrow earthworks and the remains of field boundaries and landscape divisions survived well on land around South Hall. These earthworks preserve evidence of cultivation and land management in the medieval and post-medieval period and are associated with the deserted medieval village of Ingoe. Some traces of ridge and furrow earthworks survive in the immediate vicinity of South Hall but are only faintly visible. The application site is therefore less sensitive to development impact than the surrounding areas. Taking account of the relatively localised nature of landscaping proposed and the already denuded condition of archaeological earthworks within the application site, the Council's Archaeologist concludes that the risk of significant archaeological remains being substantially harmed by the proposed development is low. Therefore, the Council's Archaeologist concludes that they have no objection to the application from an archaeological perspective and no archaeological work will be required.

7.7 Overall, the proposed development would not harm the significance of the curtilage listed buildings. The Council's Built Heritage and Design Officer and Archaeologist both raise no objection to the application subject to relevant conditions. It is therefore considered that the proposed development would adhere to Policies QOP 1, ENV 1 and ENV 7 of the Northumberland Local Plan and the principles within Chapter 16 of the NPPF.

7.8 The representations of objection have made comments in regard to heritage and archaeological impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's Built Heritage and Design team and the Council's Archaeology team, it is considered that the proposal as submitted, is acceptable in respect of the heritage and archaeological impacts of the development.

### Ecology

7.9 The Local Planning Authority has a duty to ensure that the proposed development meets necessary habitats and environmental legislation and regulations and therefore the ecological impacts of the proposed development can be considered and assessed as part of a Listed Building Consent application.

7.10 An Ecological Impact Assessment and Bat Survey has been submitted to accompany this application. The Council's Ecologist has been consulted on this application and raises no objection subject to conditions and informatives.

7.11 Recent case law has shown that where a planning application is likely to have implications for European protected species, explicit consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017. The three tests are:

1. The proposal must be required for imperative reasons of overriding public interest or for public health and safety;
2. There must be no satisfactory alternative to the proposal; and
3. The proposal will not be detrimental to the maintenance of the favourable conservation status of the species in its natural range.

7.12 Regarding the first of these, the test of imperative reasons of overriding public interest seems to be considered to have been satisfied if a proposal meets an identified development need. In this case the proposed development is considered to be acceptable and in accordance with the development plan and the NPPF. The second concerns whether the development need which the application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. There are two strands to this second test:

- A) whether the development need could be met in a different way than through this particular application.
- B) whether the development proposal itself could be re-configured or undertaken in such a way that it meets the same development need while having a lower impact on the population of protected species concerned.

The proposal would involve re-using and extending the existing, redundant outbuildings, by converting two of them into holiday let units and by repairing and reconfiguring one of them to use for storage purposes ancillary to South Hall. The proposal would secure an economically viable future for the outbuildings. It is considered the extensive works required will allow the retention or restoration of the roost potential of the site, therefore the second test is considered to have been met.

7.13 The third of these is examined in terms of the mitigation proposals submitted by the applicants.

7.14 The Council's Ecologist raises no objection to the proposed development on ecological grounds subject to conditions to ensure the mitigation and enhancement measures detailed in the report are carried out in full and to ensure a Natural England licence is sought.

7.15 Subject to accordance with the recommended conditions, the proposed development is considered to be in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the NPPF in this respect.

7.16 The representations of objection have made comments in regard to ecological impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's Ecology team, it is considered that the proposal as submitted, is acceptable in respect of the ecological impacts of the development.

#### Other Matters

7.17 The representations of objection have raised concerns regarding other matters, such as impact upon amenity and highway safety. This application is solely assessing the impact of the proposals on the character and appearance of the curtilage listed buildings. Therefore, the other concerns raised within the

objections will be taken into consideration when assessing the accompanying full planning application.

### Equality Duty

7.18 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

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

### Human Rights Act Implications

7.20 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.

7.21 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.

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

## **8. Conclusion**

8.1 It is concluded that the proposed development would not harm the significance of the curtilage listed buildings. The Council's Built Heritage and Design Officer and the Council's Archaeologist both raise no objection to the application subject to

relevant conditions. It is therefore considered that the proposed development would adhere to Policies QOP 1, ENV 1 and ENV 7 of the Northumberland Local Plan and the principles within Chapter 16 of the NPPF.

8.2 The proposed development would also be acceptable with regard to ecological impacts. The Council's Ecologist raises no objection to the proposed development on ecological grounds subject to conditions to ensure the mitigation and enhancement measures detailed in the ecology report are carried out in full and to ensure a Natural England licence is sought. The proposed development is considered to be in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the NPPF in this respect.

8.3 The application for Listed Building Consent is therefore supported and is recommended for approval subject to conditions.

## 9. Recommendation

That this application be GRANTED permission subject to the following:

### Conditions/Reason

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

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

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

- Outbuilding 1 Proposed Floor Plans and Elevations, Drawing No: PP03 Revision: A
- Outbuilding 2 Proposed Floor Plans and Elevations, Drawing No: PP04 Revision: A
- Outbuilding 3 Proposed Floor Plans and Elevations, Drawing No: PP05
- Untitled Location Plan, Dated: 10/11/2021(Received on: 15/12/2021)
- Proposed Block Plan, Drawing No: PP01 Revision: B
- Proposed Site Plan, Drawing No: PP02 Revision: B
- Method Statement for New Opening in Outbuilding 2, Dated: 12/05/2022
- Concept Design Report – South Hall, Ingoe, Northumberland Revision: H
- Structural Survey Letter from BT Bell Consulting Engineers Dated 13/01/2022
- Design, Access and Heritage Statement – South Hall, Ingoe, Northumberland produced by Doonan Architects
- Historic Building Assessment – South Hall, Ingoe, Northumberland Dated: June 2016 Produced by Peter F. Ryder
- Ecological Impact Assessment and Bat Survey – South Hall, Ingoe, Northumberland Summer 2021 Produced by Ruth Hadden of Ryal Soil and Ecology

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

03. Notwithstanding the details submitted as part of this application, the repointing of external walls shall be undertaken using NHL lime mortar.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

04. Prior to the installation of any new windows and doors to the hereby approved development, large scale details and sections (on a 1:5 scale) of the new windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the windows and doors shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

05. Notwithstanding the details submitted as part of this application, all new windows and doors shall be timber with a painted finish and shall be recessed into their openings by approximately 100mm and shall not include trickle vents.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

06. Prior to the construction of the small extension to Outbuilding 1, a sample panel of the stone and mortar mix (which should be lime mortar) to be used in the construction of the small extension to Outbuilding 1, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the small extension to Outbuilding 1 shall be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

07. Notwithstanding the details submitted as part of this application, the small extension to Outbuilding 1 shall be constructed of stone with a Welsh slate roof.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

08. Notwithstanding the details submitted as part of this application, any new rainwater goods shall be cast iron and painted black. All rainwater goods should be affixed using traditional brackets and no fascia boarding should be attached to the outbuildings.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

09. Prior to the installation of any new rainwater goods to the hereby approved development, details of the rainwater goods and how they will be affixed to the outbuildings, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the rainwater goods shall be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

10. In Outbuilding 2, the fireplace in the former garage and the stalls and troughs in the former stable shall be retained and re-used (with wall linings omitted in this area) in perpetuity.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

11. Prior to the restoration and reinstatement of the stone flagged floor in Outbuilding 2, details of how the stone flagged floor in Outbuilding 2 shall be restored and reinstated shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the stone flagged floor in Outbuilding 2 shall be restored and reinstated in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

12. Prior to the restoration of the existing corner fireplace, flue and chimney at Outbuilding 2, details of how the existing fireplace, flue and chimney shall be restored shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the existing corner fireplace, flue and chimney shall be restored in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

13. Prior to the blocking up of the existing garage door opening at Outbuilding 2, a sample panel of the stone and mortar mix (which should be lime mortar) to be used to block up the existing garage door opening at Outbuilding 2 shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the existing garage door opening at Outbuilding 2 shall be blocked up in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

14. Prior to the repointing of the external walls of Outbuilding 3, a sample area of the repointing (which should be using lime mortar) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the repointing

of the external walls of Outbuilding 3 shall be undertaken in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

15. Prior to any works being undertaken to Outbuilding 3, precise details of exactly how Outbuilding 3 is to be repaired and reconfigured, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, Outbuilding 3 shall be repaired and reconfigured in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

16. Notwithstanding the details submitted as part of this application, precise details of all materials to be used for hard landscaped areas, including car parking areas and footpaths, shall be submitted to, and approved in writing by, the Local Planning Authority prior to their first use on site. Thereafter, the hard landscaping shall be undertaken in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

17. Prior to the installation of any new boundary treatments to the hereby approved development, large scale details (on a 1:5 scale) of the new boundary treatments shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the new boundary treatments shall be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

18. Prior to the installation of the bin store to the hereby approved development, large scale details of the bin store shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the bin store shall be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the curtilage listed buildings, in accordance with Policy ENV 7 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

**Date of Report: 26.08.2022**

**Background Papers:** Planning application file(s) 21/04414/LBC





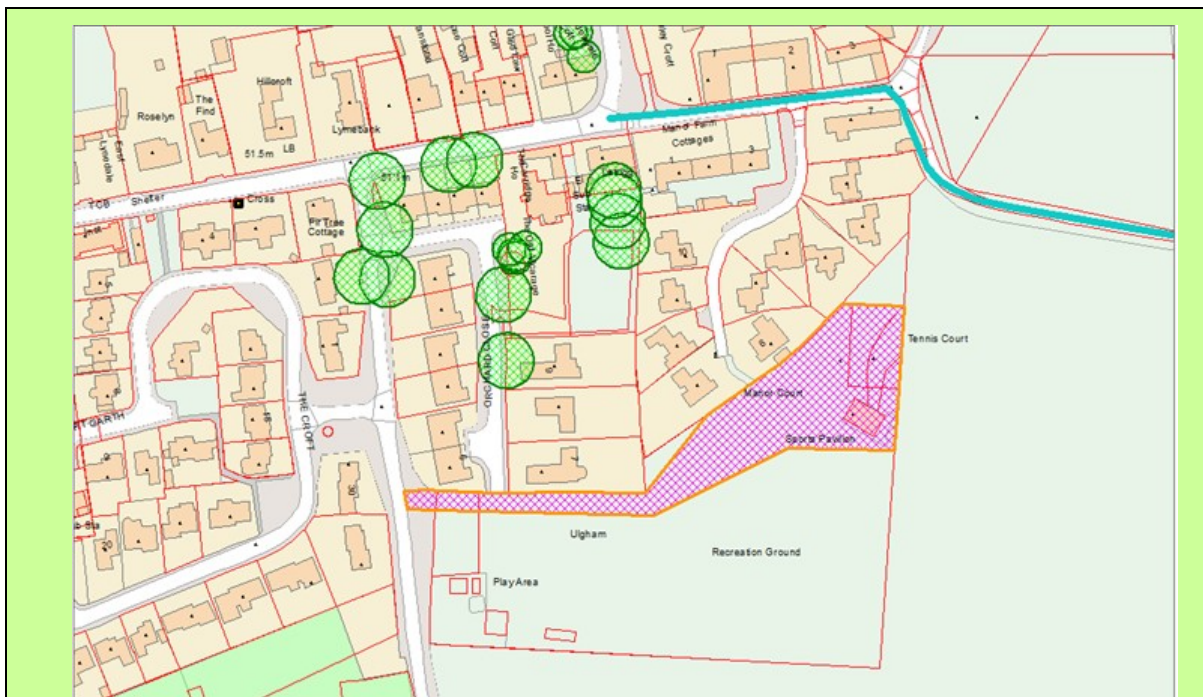


## Northumberland County Council

### Castle Morpeth Local Area Committee 10th October 2022

<b>Application No:</b>	22/01923/FUL		
<b>Proposal:</b>	Installation of a 30m x 3.65m fully carpeted single bay practice facility and fully enclosed single bay cricket cage with heavy duty galvanized tubular uprights and netting. Single pedestrian gate. White netting added behind bowler to act as a sight screen and install three protective sheets around each side of the batting end.		
<b>Site Address</b>	Ulgham Playing Field, Ulgham Lane, Ulgham, Northumberland NE61 3BG		
<b>Applicant/ Agent</b>	Mr Shaun Land 5 Harrogate Court, Ashington, Northumberland, NE63 9FJ		
<b>Ward</b>	Pegswood	<b>Parish</b>	Ulgham
<b>Valid Date</b>	15 June 2022	<b>Expiry Date</b>	10 August 2022
<b>Case Officer Details</b>	Name: Mr Ben Briggs Job Title: Planning Technician Tel No: Email: Ben.Briggs@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

## 1. Introduction

1.1 This application was referred to the Executive Director of Planning and Chair of the Castle Morpeth Local Area Council committee, due to request by ward member, where it was confirmed that the application should be referred to members for a committee decision.

## 2. Description of the Proposals

2.1 The application is for the installation of a 30m x 3.65m fully carpeted single bay practice facility and fully enclosed single bay cricket cage with heavy duty galvanized tubular uprights and netting, single pedestrian gate, white netting added behind bowler to act as a sight screen and install three protective sheets around each side of the batting end. The proposed development would be located at Ulgham Playing Field, adjacent and just to the west of the tennis courts.

2.2 The proposed development is located in open countryside, Green Belt area and upon protected open space.

## 3. Planning History

**Reference Number:** CM/88/D/579

**Description:** Extension to pavilion to provide storage building

**Status:** PER

**Reference Number:** CM/81/D/91

**Description:** Outline - Erection of ten detached houses with garages

**Status:** REF

**Reference Number:** CM/83/D/46B

**Description:** Renewal - Continuation of use of playing field

**Status:** PER

**Reference Number:** CM/83/D/46/A

**Description:** Landscaping, parking and Access details

**Status:** NOOBJ

**Reference Number:** CM/83/D/46

**Description:** Change of use of agricultural land to playing field

**Status:** PER

### Appeals

**Reference Number:** 81/00008/REFUSE

**Description:** Outline - Erection of ten detached houses with garages

**Status:** ALLOW

## 4. Consultee Responses

Pegswood Parish Council	No response received.
Open Spaces South East Area	No response received.
Architectural Liaison Officer - Police	Thank you for sending through the above planning application, we have no objections or comments from a crime prevention viewpoint.
The Coal Authority	<p>I have reviewed the site location plan and the proposals and supporting information available to view on the LPA website and can confirm that parts of the application site fall within the defined Development High Risk Area.</p> <p>The Coal Authority's information indicates that the site lies in an area of outcropping coal seams, which may have been worked in the past. Such workings can pose a risk of ground instability and may give rise to the emission of mine gases.</p> <p>However, the part of the site where the development is proposed lies outside of the defined High Risk Area and, in any case, the proposed development is unlikely to require significant groundworks or foundations. Therefore, we do not consider that a Coal Mining Risk Assessment is necessary to support this proposal and we do not object to this planning application.</p>
Sport England	<p>Having assessed the application, Sport England is satisfied that the proposed development meets exception 2 of our playing fields policy, in that:</p> <p>'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'</p> <p>This being the case, Sport England does not wish to raise an objection to this application.</p>
Public Protection	Public Protection have no comments/objections on this consultation.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	14
Number of Objections	3
Number of Support	8
Number of General Comments	0

### Notices

General site notice – 22/07/2022.  
No Press Notice Required.

### Summary of Responses:

Three objections and eight numbers of support have been received.

In summary the objections raise the following concerns:

- The practice net is far too close to the properties.
- The size of the net and the visual effect from the properties.
- Noise impact- The noise of wood on willow and any noise from the practicing cricketers.
- Location of the development and why it can't be on the other side of the Sports Pavilion.
- Concerns regarding children potentially congregating around the net in the off season/summer

In summary the support comments are the following:

- Opportunity to develop the skills of junior cricketers, from the local area. The practice facilities will give all members of the cricket club a safe place to practice and train others.
- The club provides an important sports activity for the village and the surrounding area and the addition of a practice net will further add to this.
- The proposal is sensitive to its surroundings. It's usage would most likely be limited to certain days of week and as such would cause minimal (if any) impact on environmental factors.
- Enhance the facilities available to residents of the village
- The nets cannot be placed at the other side of the pavilion as the score hut and container are there. Our current nets are no longer safe for use hence the need for an upgrade.

The above is a summary of the comments. The full written text is available on our website at: <https://publicaccess.northumberland.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan - 2016 - 2036 (Adopted March 2022)

STP 1 – Spatial strategy (Strategic Policy)  
STP 3 – Principles of sustainable development (Strategic Policy)  
STP 5 – Health and wellbeing (Strategic Policy)  
STP 8- Development in the Green Belt  
QOP 1 – Design Principles (Strategic Policy)  
QOP 2 – Good Design and Amenity  
QOP 5 – Sustainable design and construction

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

ENV 3 - Landscape

INF 5 – Open space and facilities for sport and recreation

## 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

## **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 of the Northumberland Local Plan (NLP). The National Planning Policy Framework (NPPF) (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 (Open Countryside, Green Belt and Protected Open Space)
- Design and visual impact
- Impact on amenity

### **Principle of development**

(Open Countryside)

7.3 The application seeks permission for works within the grounds of a well-established cricket club and playing field, which is located within open countryside, Green Belt and upon protected open space. Policy STP 1 sets out that development within the open countryside can be supported provided it demonstrates that it supports sustainable growth of a business, sustainable leisure developments and the retention, provision or improvement of accessible local services and community facilities. The proposals would support an existing community sporting facility that is relatively well related to the village of Ulgham. In addition, Policy STP 5 of the Local Plan supports development that promotes, supports and enhances the wellbeing of communities, residents and visitors and the development would provide access to enhanced sports facilities.

(Protected Open Space)

7.4 The site is defined as protected open space within the Local Plan. Policy INF 5 supports the development of ancillary facilities on open space subject to criteria, including that the proposal would be appropriate in scale and would not detract from the character of the site and its surroundings; the proposal would not have an unacceptable negative impact on residential amenity; and the proposal is necessary to, or would facilitate the functioning of, the open space. The proposal would meet the two first criteria and the proposal would lead to an improvement to the existing

sporting facility. The proposal therefore accords with Policy INF 5 of the Local Plan, and the public benefits of the proposal are to be afforded weight in favour of the application.

7.5 The above policies are considered to be in line with Paragraphs 92 – 93 and 98 – 99 of the NPPF in terms of promoting healthy and safe communities and enhancing the provision of and access to sports facilities.

(Green Belt)

7.6 The application site is located within the Green Belt. Policy STP 8 of the Northumberland Local Plan relates to development in the Green Belt. Policy STP 8 states “development which is appropriate in the Green Belt, as defined in national planning policy, will be supported”.

7.7 Paragraph 138 of the NPPF sets out the five purposes of the Green Belt, and the proposal would not conflict with these purposes as the proposal is to install a practice net within the existing cricket club grounds and playing field.

7.8 Paragraph 149 of the NPPF states that the construction of new buildings should be viewed as inappropriate in the Green Belt but follows on to list a number of exceptions. In regard to this specific application the development would fall to be considered under category *b) “the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries, burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”*. The proposal would fall under the exception under Paragraph 149 b) as it would result in the installation of a net facility in connection with the existing use of land of a well-established Cricket Club and playing field. It is considered that the proposed works would not have a great impact on the openness of the Green Belt in either a spatial or visual sense, as there is already a net facility, clubhouse and tennis court with a high cage around it..

7.9 Paragraph 145 of the NPPF sets out that “local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation.” Favourable weight can therefore be given to the proposal as it would seek to improve the existing facilities at a well-established Cricket Club and playing field.

7.10 The proposed works are therefore supported in principle within the Green Belt as it would improve an existing outdoor sports facility. The proposal is therefore in accordance with Policies STP 1, STP 5, STP 7, STP 8 and INF 5 of the Northumberland Local Plan and the NPPF.

### **Design and visual impact**

7.11. Policy INF 5 of the Northumberland Local Plan relates to development to open space and facilities for sport and recreation. It is proposed to install a practice net facility to the northern edge of the site next to the existing tennis court. The measurements for the proposed are 30m in length, 3.65m in width and 4m in height.

7.12. The practice cricket net would include the installation of a one lane fully enclosed net facility. The addition of the practice net will have a minimal impact due to the current scale of the tennis court and its caging which is situated in close proximity to the proposal. As well as other facilities in the area such as the clubhouse and original net. The proposed installation will have a minimal impact on the amenity of the site or the character of the wider area. As such it is considered that the proposal would be of an appropriate layout, scale and design for its purpose of a ancillary to a well-established Cricket Club and playing field.

7.13. As such the proposals would be in accordance with Policies QOP 1, ENV 1, ENV 3 and INF 5 of the Northumberland Local Plan and the NPPF.

### **Impact on Residential Amenity**

7.14. Officers are mindful that the proposal would be ancillary to an existing well-established Cricket Club at the site. Concerns regarding the noise and location of the proposal to nearby properties has been noted. Therefore, officers have carefully considered this. The application has been assessed against relevant policies and it is considered that as the scheme would not have a negative impact on the amenity of occupiers of nearby properties, due to the siting, layout, existing facilities and scale of the development and its relationship with the existing site. The proposal is therefore in accordance with Policies QOP 2 and INF 5 of the Northumberland Local Plan and the NPPF.

### **Other Matters**

#### **Equality Duty**

7.15 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**

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

#### **Human Rights Act Implications**

7.17 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.

7.18 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.

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

## **8. Conclusion**

8.1. The proposed works are considered acceptable in principle as appropriate facilities alongside the existing use of the site. The proposed works would not result in inappropriate development in the Green Belt, would not have an adverse visual impact on the appearance on the site or the character of the surrounding area, and would not have an adverse impact on the amenity of neighbouring properties. The proposal is therefore acceptable in accordance with relevant policies in the Local Development Plan and the NPPF.

## **9. Recommendation**

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

### Conditions/Reason

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

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

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

1. Titled: PROPOSED LAYOUT PLAN AND ELEVATIONS (received 26th May 2022)
2. Titled: 3D PLAN (received 26th May 2022)
3. Titled: PROPOSED SITE PLAN (received 15th June 2022)
4. Titled: APPLICATIONFORM (26th May 2022)
5. Titled: DESIGN & ACCESS STATEMENT (15th June 2022)



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

3. The facing materials and finishes to be used in the construction of the development shall be in accordance with the details contained within the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with Policies QOP 1, QOP 2, ENV 3 and INF 5 of the Northumberland Local Plan and the National Planning Policy Framework.

**Date of Report: 24/08/2022**

**Authorised by:**

**Date:**

**Background Papers:** Planning application file(s)

This page is intentionally left blank



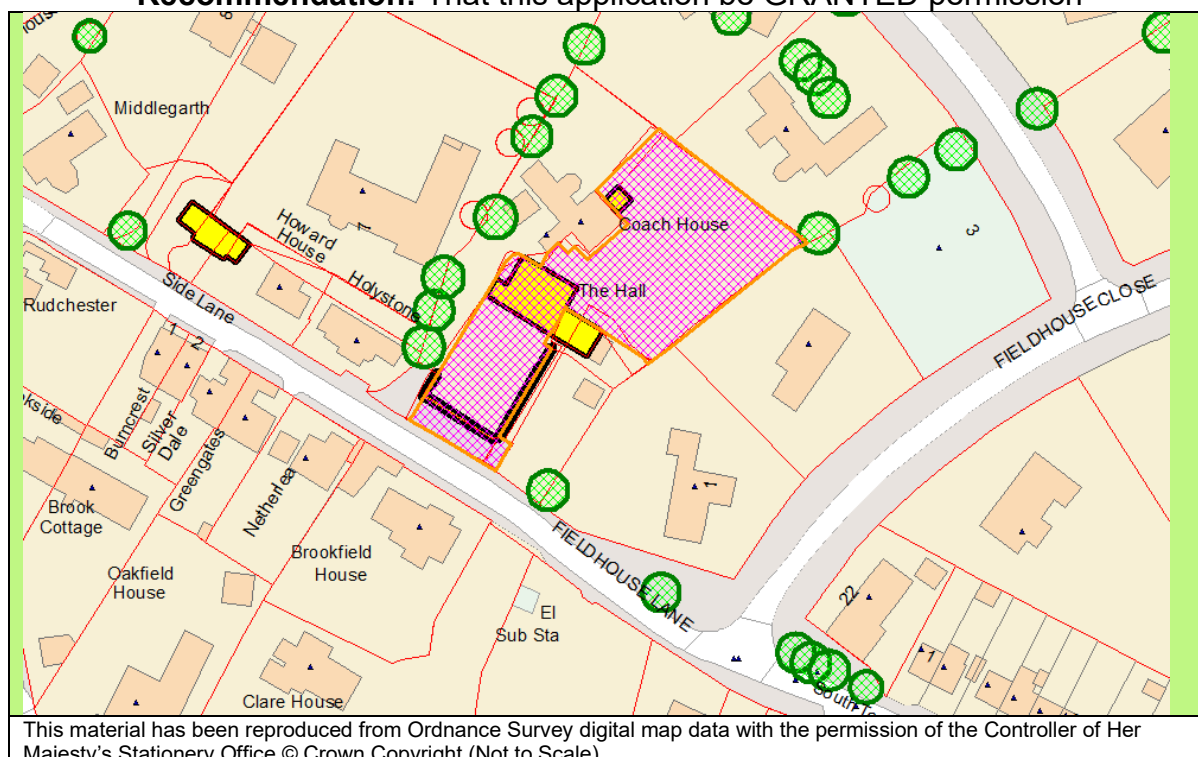
## Northumberland County Council

### Castle Morpeth Local Area Council Committee

**Monday 10<sup>th</sup> October 2022**

<b>Application No:</b>	22/02252/FUL		
<b>Proposal:</b>	Proposed construction of detached standalone garden room to rear garden area.		
<b>Site Address</b>	Hepscott Hall, Side Lane, Hepscott, Morpeth Northumberland NE61 6LT		
<b>Applicant/ Agent</b>	Mr. Richard Sullivan 14 Morwick Road, Warkworth, Morpeth, NE65 0TD		
<b>Ward</b>	Longhorsley	<b>Parish</b>	Hepscott
<b>Valid Date</b>	23 June 2022	<b>Expiry Date</b>	18 August 2022
<b>Case Officer Details</b>	Name: Mr Ben Briggs Job Title: Planning Technician Tel No: Email: Ben.Briggs@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



### 1. Introduction

1.1 This application was referred to the Executive Director of Planning and Chairs of the relevant Local Area Council committee for a decision on how the application was to be determined due to parish objection and concern from the neighbour. It was confirmed that the application should be referred to members for a Local Area Council committee decision.

## **2. Description of the Proposals**

2.1 The application is for construction of detached standalone garden room to the rear garden area.

2.2 The application site is located outside of a defined settlement boundary therefore situated in open countryside.

## **3. Planning History**

**Reference Number:** 15/02934/CLEXIS

**Description:** Certificate of Lawfulness of existing use for a swimming pool

**Status:** Approved

**Reference Number:** CM/91/D/256

**Description:** TWO STOREY EXTENSION TO PROVIDE LOUNGE AND BEDROOM WITH INTERNAL ALTERATIONS (AS AMENDED BY PLANS RECEIVED 5TH JUNE 1991)

**Status:** Approved

**Reference Number:** CM/80/D/617

**Description:** ERECTION OF 6FT HIGH BRICK BOUNDARY WALL

**Status:** Approved

**Reference Number:** CM/79/D/708

**Description:** Extension to kitchen

**Status:** Approved

**Reference Number:** CM/79/D/545

**Description:** Demolition of garage and conversion of retained outbuildings to one private dwelling (as amended by drawing dated 18th September 1979 and amended site plan)

**Status:** Approved

**Reference Number:** CM/76/D/301

**Description:** New window and doorway into cellar

**Status:** Approved

**Reference Number:** CM/74/D/20

**Description:** Kitchen extension

**Status:** Approved

**Reference Number:** 22/01016/LBC

**Description:** Listed building consent for refurbishment and alterations to existing non-original kitchen extension and construction of detached garden building

**Status:** Approved

#### 4. Consultee Responses

Hepscott Parish Council 14.07.22	<p>We recently commented on an application earlier this year that a sympathetic alteration to the heritage dovecote to make it a workshop would be acceptable. However, if this is an extra additional modern building on an already overdeveloped site we would have reservations. We assume the Listing Authority have been consulted and would agree to their findings.</p>
Hepscott Parish Council 19.07.22	<p>I wrote to you on 14 July 2022 on behalf of Hepscott Parish Council with regard to the above planning application.</p> <p>We have since been contacted by an anxious resident of a neighbouring property raising several concerns about the application. She states that the proposed "Garden Room" will be the size of a double garage and only 28" from her boundary wall with an overlooking window.</p> <p>HPC agree with her concerns that the proposed building will dominate, overlook and spoil her amenity. It would also interfere with the vista to and from the ancient monument. We also would agree that the development does not fit in with a listed building and for these reasons HPC would like to change their views and object to the application.</p> <p>I would be grateful if you could remove our earlier comment from your website if possible</p>
Morpeth Town Council	<p>No response received.</p>
Building Conservation	<p>Building Conservation has evaluated the development proposals having regard to Section 66 of the PLBCAA and Chapter 16 of the NPPF and Policy ENV 7 of the Northumberland Local Plan. In giving great weight to the conservation of heritage assets we have found that the application preserves the setting and significance of the Grade II listed buildings (Hall, Dovecote and Screen walls and piers) and therefore accords with the legislative framework and Local Plan Policy in respect of heritage assets.</p> <p>For the reasons outlined above, Building Conservation supports the application.</p>

---

## 6. Public Responses

### Neighbour Notification

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

### Notices

Affecting Listed Building - 22/07/22  
Morpeth Herald

### Summary of Responses:

One objection and a response by the agent has been received.

In summary the objection raises the following concerns:

- The construction is modern, ugly and out of character.
- The construction is to be built one metre from my boundary wall and will overlook the property.
- Noise issues
- Where currently a small garden shed and greenhouse stand, the proposed new room will be the size of a double garage and have a different use.
- Detrimental to the existing building and out of character with the grade II Listed Building and Hepscott Hall cottage.
- No objection if the proposal was to be constructed in the main garden area.

In summary the comments from the agent are the following:

- The proposed garden room will be set two metres away from the boundary with the neighbouring property and not less than one metre as stated on the objection.
- Privacy will not be affected as it will not be possible to see over the boundary wall, as well as vegetation acting as screening.
- Erection of the garden room will not increase the noise due to it being a private garden.
- proposed garden room is a high-quality contemporary structure, lightweight, removal and does not detract from the existing Listed structure.

The full written text is available on our website at:  
<https://publicaccess.northumberland.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## 4. Planning Policy

### 4.1 Development Plan Policy

Northumberland Local Plan - 2016 - 2036 (Adopted March 2022)

STP1-Spatial Strategy

HOU 9 - Residential development management

QOP 2 - Good design and amenity

ENV 7 - Historic environment and heritage assets

Morpeth Neighbourhood Plan (MNP) (2016):

Sus 1 – Sustainable Development Principles

Des 1 – Design Principles

Set 1 – Settlement Boundaries

#### 4.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

#### 4.3 Other documents

Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 66)

### **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 of the Northumberland Local Plan (NLP). Morpeth Neighbourhood Plan (MNP) (2016). The National Planning Policy Framework (NPPF) (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 (Open Countryside)**
- **Design and visual impact**
- **Impact on amenity**

#### **Principle of the development**

7.3 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. The application site is located inside the defined settlement boundary of Hepscoth.

7.4 The proposal would be deemed acceptable as it would not result in a disproportionate addition within the existing site. The principle of the development is therefore acceptable and in accordance with policies STP1 of the Northumberland Local Plan, SET1 of the MNP and the NPPF.

## **Design and Visual Impact**

7.5 In addition to ensuring development is of a proportionate scale to the host property, Policy HOU 9 of the Northumberland Local Plan also seeks to ensure development “*respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling and its setting in terms of its design and use of materials, or on the character of the surrounding area*”.

Similarly, Policy QOP 2 of the Northumberland Local Plan seeks to ensure that the physical presence and design of development preserves the character of the area.

7.6 It is considered that the design of the proposed garden room is wholly acceptable in terms of its appearance, which is sympathetic to the host property, and in terms of its scale and mass, which would remain subordinate to the host. It is also noted that building conservation supports the application as it preserves the setting and significance of the Grade II listed buildings. Therefore, the proposal is acceptable in terms of design and in accordance with Policy QOP 2 and HOU 9 of the Northumberland Local Plan, DES1 of the MNP and the NPPF.

## **Impact on amenity**

7.7 Officers have carefully considered the impact on amenity. It is noted that the addition will have minimal impact on privacy due to the boundary wall and shrubs along the boundary line. Furthermore, concerns regarding the noise were noted. It is considered due to the existing pool facility and garden space that there would be minimal increase in noise. The application has been assessed against relevant policies and it is considered that the proposal would not have a negative impact on the amenity of occupiers of nearby properties, due to the siting, layout, existing facilities and scale of the development. The proposal is therefore in accordance with Policies QOP 2 of the Northumberland Local Plan, MNP and the NPPF.

## **Other Matters**

### **Equality Duty**

7.8 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**

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

### **Human Rights Act Implications**

7.10 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.

7.11 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.

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

## **8. Conclusion**

8.1. The proposed works are considered acceptable in principle as appropriate. The proposed works would not result in inappropriate development in the open countryside, would not have an adverse visual impact on the appearance on the site or the character of the surrounding area, and would not have an adverse impact on the amenity of neighbouring properties. The proposal is therefore acceptable in accordance with relevant policies in the Local Development Plan and the NPPF.

## **9. Recommendation**

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

### Conditions/Reason

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

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans.

The approved plans for this development are:

1. Drawing number: 210200096TG0S1, titled: PROPOSED GARDEN ROOM (received 22nd June 2022)
2. Drawing number: 22004 103A, titled: SITE PLAN AS PROPOSED AND SITE LOCATION PLAN (received 22nd June 2022)
3. Drawing number: 22004, titled: Combined Design and Access Statement and Heritage Statement (received 22nd June 2022)
4. Application form (Received 22<sup>nd</sup> July)

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

3. The facing materials and finishes to be used in the construction of the development shall be in accordance with the details contained within the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with Policies QOP 2 of the Northumberland Local Plan and the National Planning Policy Framework.

**Date of Report: 25/08/2022**

**Background Papers:** Planning application file(s)



# Northumberland County Council

## Appeal Update Report

Date: October 2022

---

### Planning Appeals

**Report of the Director of Planning**

**Cabinet Member:** Councillor CW Horncastle

---

#### **Purpose of report**

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

#### **Recommendations**

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

#### **Link to Corporate Plan**

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

#### **Key issues**

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.



# Recent Planning Appeal Decisions

## Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
21/02591/FUL	<p>Installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no justifiable public benefits to outweigh the harm.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02592/LBC	<p>Listed building consent for installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no public benefits to outweigh the harm.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/00078/FUL	<p>Construction of a single storey detached garage – Shield Law, Bellingham</p> <p>Main issues: appeal against imposition of condition 6 on the grant of permission that removes permitted development rights for further outbuildings.</p> <p>Delegated Decision - Officer Recommendation: Approve</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?
21/03400/OUT	<p>Outline with all matters reserved for the construction of eight dwellings consisting of 8 x Dormer Bungalows – land east of Ashcroft Guest House,</p>	No

	<p>Lantys Lonnen, Haltwhistle</p> <p>Main issues: development on protected open space, harm to designated and non-designated heritage assets and currently objections and insufficient information to assess noise, highway safety, flood risk and drainage and ecological impacts.</p> <p>Appeal against non-determination</p>	
21/01668/LBC	<p>Listed Building Consent for replacement of sash windows throughout and replacement of front door – Brockburn, Monkshouse, Seahouses</p> <p>Main issues: harm to the listed building with no public benefits to outweigh the harm</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/01503/FUL	<p>Upwards extension of existing first floor bedroom, with removal of low level tiled pitched roof and replaced with proposed high level tiled pitched roof, including proposed Juliet balcony to west elevation – 25 Fontside, Mitford</p> <p>Main issues: the extension would not be subordinate to the original dwelling and does not represent good design.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/01188/FUL	<p>Two-storey extension at the front of the house – 13 Church Avenue, West Sleekburn</p> <p>Main issues: unduly prominent and incongruous addition to the property.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03297/FUL	<p>Change of use: Retail to holiday accommodation on first floor with associated internal and external alterations to the building – Amberley House, Stocksfield Post Office, Main Road, Stocksfield</p> <p>Main issues: lack of information to assess noise from air conditioning units and impacts on residential amenity; lack of information to assess impacts on bats or nesting birds; and lack of information to demonstrate adequate car parking provision can be achieved.</p> <p>Delegated Decision - Officer Recommendation:</p>	No

	Refuse	
21/04527/FUL	Construction of 3 bungalows – land south of Leylen House, Main Street, Red Row  Main issues: unacceptable in principle due to development in the open countryside beyond the settlement boundary and affecting protected open space.  Appeal against non-determination	No
22/01946/AGRGDO	Prior notification for the siting of a 10ft shipping container to store equipment and tools for forestry purposes – land to the rear of 19 Sycamore Grove, Prudhoe  Main issues: the proposed development would not be permitted development.  Delegated Decision - Officer Recommendation: Refuse	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	Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall  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.	4 January 2022  Committee Decision - Officer Recommendation: Approve
20/01457/CLEXIS	As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received	9 February 2022  Delegated

	<p>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>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 setting.</p>	<p>1 June 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/04587/FUL	<p>Proposed construction of a first floor dormer extension to the rear elevation and installation of rooflights to the front and rear elevations – 29 Leazes Street, Amble</p> <p>Main issues: incongruous and inappropriate form of development that would be out of scale and character with the existing property and would have a harmful impact upon the character and appearance of the site and surrounding Conservation Area.</p>	<p>24 June 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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</p>	<p>7 July 2022</p> <p>Delegated Decision - Officer Recommendation:</p>

	that is neither subordinate nor well related to the subject property and would have a negative impact on visual amenity.	Refuse
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>
20/02904/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>
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</p>	<p>31 August 2022</p> <p>Delegated Decision - Officer Recommendation:</p>



	and the street scene.	Refuse
21/04652/FUL	<p>Single storey extension to kitchen; two storey extension to rear;, provision of dormers to new extension - Size of existing garage footprint and roof increased and provision of dormers to garage to form storage area – Wooderfield, Grange Road, Widdrington</p> <p>Main issues: development would appear incongruous and out of character with the existing dwelling resulting in significant harm to visual amenity.</p>	<p>31 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>

## Recent Enforcement Appeal Decisions

### Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
19/00170/ENDEVT	Construction of an access track – School House Farm, Kiln Pit Hill, Consett	No

### 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

Elizabeth Sinnamon  
 Development Service Manager  
 01670 625542  
 Elizabeth.Sinnamon@northumberland.gov.uk



## Northumberland County Council

### COMMITTEE: LOCAL AREA COUNCIL

DATE: 10th October 2022

---

#### PETITION AGAINST ON-GOING PLANNING ISSUES AND ENVIRONMENTAL DESTRUCTION ON LAND TO THE SOUTH OF ST MARY'S PARK, STANNINGTON

**Report of** Rob Murfin, Interim Executive Director of Planning and Local Services

**Cabinet Member:** Cllr Colin Horncastle

---

#### Purpose of report

To acknowledge the petition received from residents of St Mary's Park in respect of on-going planning issues and to agree the Council's response.

#### Recommendations

That members determine the appropriate action to take in respect of the petition which can include:

- Making Recommendations to Full Council, Cabinet, a Committee or to Officers
- Taking no further action
- Accepting the actions officers propose to take as set out in this report

#### Link to Corporate Plan

The issues raised in the petition and the Council's response to the petition are indirectly relevant to priorities included in the Northumberland County Council Corporate Plan 2020-2024 as follows:

- 'how' - The Council faces tough decisions that will not be universally popular. These are not taken lightly and the council pledges to listen and consider views
- 'enjoying' - the Council wants to protect and improve quality places, but also make sure that the places where people live, work and play continue to evolve and grow whilst retaining and deepening their appeal.

#### Key issues

- The residents of St Mary's Park have submitted a petition raising a series of concerns pertaining to on-going outstanding planning matters on land to the south of the site. The residents feel that nothing has been done by Bellway Homes or Northumberland County Council to rectify matters. The petition contains 311 names.
- A planning application was submitted in 2006 by Bellway Homes for the erection of 172 residential units (66 by conversion / 106 new build) 53,000 sq ft (approx) of commercial development, associated landscaping including restoration of registered gardens and

associated highway access improvements off and on site, and granted planning permission in 2007. Since then, a number of subsequent applications for reserved matters or variations to the scheme have also submitted and approved.

- A number of planning applications have since been submitted in respect of St Mary's Park since its original approval, however, in summary, the residents consider that planning condition no. 16 of application 13/03761/VARYCO has not been fulfilled. Application 13/03761/VARYCO was to vary condition 2 (approved plans) of planning approval 11/02980/FUL. Condition no.16 of 13/03761/VARYCO reads as follows:
- *No development shall commence until the applicant has submitted a detailed landscape and planting plan to include the planting of locally native trees, shrubs, grasses and wildflowers of local provenance, re-design of SUDS pond, translocation of soils and sward, timing, methods of working, ploughing, cultivation spreading and aftercare by means of a whole site Habitat Management Plan with all works in compliance with Environment Agency Pollution Prevention Guidance Notes 01, 05, 06 and 21 to be agreed in writing with the Local Planning Authority and to be fully implemented during the first full planting season (November to March inclusive) following the commencement of development.*
- *Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.*
- The residents feel this condition was set to alleviate the environmental disturbance from across the development and provide an area of open access to residents. Instead, they believe it has been closed off and used to illegally dump construction waste and allowed to grow over. A discharge of conditions planning application has now been submitted to effectively remove the footpaths and gated access available to the public, which the residents believe needs to be immediately blocked/ refused. The application is still under consideration.
- The residents are also concerned that the approved intentions for the recreational field/pavilion to the south of the estate have also not been met. The pavilion was intended to be rebuilt and this has not happened, nor has the recreational area been developed.
- The residents state that construction waste remains on both areas, which contravenes both the planning permission and the recommendations of the Local Government Ombudsman following a complaint.
- The Council takes the matters raised very seriously. This report outlines how decisions are currently made and why, and where relevant identifies some matters which we will look to pursue to improve and refine the planning decision-making process.

## **Background**

1. St Mary's Park is located on the former St Mary's Hospital site in Stannington, Morpeth, which closed in 1996. The site lies 3km to the north west of the village of Stannington and 5km south west of Morpeth.
2. To the immediate north of the site boundary the land is rural in nature with facilities such as the Gubeon Plantation and the Whitehouse Farm Centre. To the east lies further rural fields with the A1 north/south connection beyond. The south and west are also rural in nature. A road at the south east corner of the site leads to Stannington Village.
3. The development is now fully complete and occupied.
4. The reason for the petition from the residents of the estate relates to 2no planning conditions. These are condition no. 10 of application CM/20060893 which has been discharged,

however, the site has not been developed in accordance with that condition, and condition no.16 of application 11/02980/FUL (listed above), which has not been discharged

5. For ease of reference, condition no.10 is shown below:

*No development shall take place until a scheme for the restoration and/or provision of playing fields and associated facilities, and their availability to the community has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of the current playing field quality and measures to improve it, details of the refurbishment or replacement of the pavilion and details of a management plan to ensure use of the facilities by the community. Development shall take place in accordance with the approved plans.*

*Reason: In the interests of retaining and improving sports facilities and their accessibility to the community.*

6. In preparing this report these cases have been reviewed in respect of the issues raised in the petition. However, this report does not seek to go over the details of each case. The Planning Officer's report relating to application CM/20060893 accounts for the considerations which informed the planning decision, details of which are publicly available via the Council's public access website. Instead, this report focusses on the actions the petitioners request that the Council address. The following takes each of the suggested action points in turn and sets out the Council's response.

## **MATTERS TO BE ACTIONED**

7. The Petition expresses dissatisfaction at the lack of action taken by Northumberland County Council on Bellway following their lack of adherence to the approved planning permission for St Mary's Park.
8. The Council acknowledges that not all conditions attached to the aforementioned planning permissions have been fully adhered to specifically conditions . 10 of application CM/20060893 and condition no.16 of application 11/02980/FUL. It is the responsibility of the developer, in this case Bellway Homes, to ensure all conditions are complied with. Any shortfall of that can result in the County Council pursuing enforcement action.
9. It is acknowledged that progress has been slower than anticipated in addressing the outstanding conditions. Work has been on-going for the past 2-3 years between the local planning authority and Bellway Homes to resolve matters. Due to the number of subsequent applications having been submitted since the original approval, this became a complex and challenging process requiring significant input from both the local planning authority and Bellway Homes. It should be made clear that a breach in planning control does not always resort to immediate enforcement action. Where possible, attempts will be made at all levels to resolve matters, as has been the case here. It is also worth pointing out that due to the number of subsequent applications some aspects of the original scheme have changed.
10. The petition is to Northumberland County Council and Bellway Homes to landscape and complete the sustainable wetland area and Recreation Field at St Mary's Park, Stannington as per original plans; amenity areas open to all residents with open footpaths, meadow grasses, trees and sports facilities.
11. The Council acknowledges that this is what was agreed in the originally approved proposals and has sought to achieve this through discussions with Bellway Homes. Notwithstanding

this, circumstances have changed in some respects since permission was granted and Bellway Homes, in agreement with Sport England, are pursuing an alternative proposal for the pavilion and cricket grounds. In this regard, an application is expected in August / September 2022 to address that proposed change and like all planning applications it will be made publicly available to the residents of St Mary's for their comments as part of the public consultation.

12. With regards to the wetland area, planning officers have been engaging with the Local Lead Flood Authority who is content with the SuDS Basin at St Mary's Park and has advised that some maintenance is required around the inlet and outlets, which has been relayed to Bellway Homes. They have been provided with a deadline of end of September 2022 by which the maintenance should be complete.
13. In respect of the landscaping, meadow grass and trees, planning officers have been engaging with the Council's Ecologist who has provided detailed information on measures required to enable Bellway Homes to comply with condition no.16. Although it is acknowledged that there has been some planting it does fall short of the approved landscaping schemes and in some instances the planting has failed. All matters surrounding this are being discussed with Bellway Homes in conjunction with our County Ecologist along with timescales for works to be complete.
14. Should any of the above timescales not be met, and in view of the significant lack of compliance to date, the Council will pursue enforcement action without further delay.
15. The Council's adopted Petitions Protocol at section 8(ii) sets out the process to be followed and role of members:

*The Chair will firstly invite the lead petitioner to speak. Committee members may then ask questions of the lead petitioner. The Chair will then invite a relevant officer(s) to respond, after which the matter will be open for debate among members. The Local Area Council or the Petitions Committee will decide on the appropriate action to take in respect of the petition. This may involve making recommendations to full Council, Cabinet, a regulatory committee or another body, or to officers.*

**Implications:**

<b>Policy</b>	Planning decisions are made in the context of national and local level planning policies. The report discusses the new Northumberland Local Plan, against which future planning decisions are expected to be made.
<b>Finance and value for money</b>	There are no finance and value for money considerations.
<b>Legal</b>	The determination of planning applications is governed by planning and associated legislation including the Town and Country Planning Act 1990  The terms of reference for Local Area Councils include:  <i>To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.</i>



<b>Procurement</b>	There are no direct procurement considerations.
<b>Human Resources</b>	None significant
<b>Property</b>	
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	An Equalities Impact Assessment is not considered necessary given the proposals included in this report
<b>Risk Assessment</b>	N/A
<b>Crime &amp; Disorder</b>	N/A
<b>Customer Consideration</b>	The response set out in this report has been prepared in response to customer concerns. It seeks to respond to the matters raised and where appropriate seek improvements.
<b>Carbon reduction</b>	Climate change is inherently part of the planning system however, the specific matters raised in the petition do not directly influence carbon reduction.
<b>Health and Wellbeing</b>	N/A
<b>Wards</b>	Ponteland East and Stannington

**Background papers:**

Planning Applications ref: CM/20060893, 11/02980/FUL and 13/03761/VARYCO

**Report sign off**

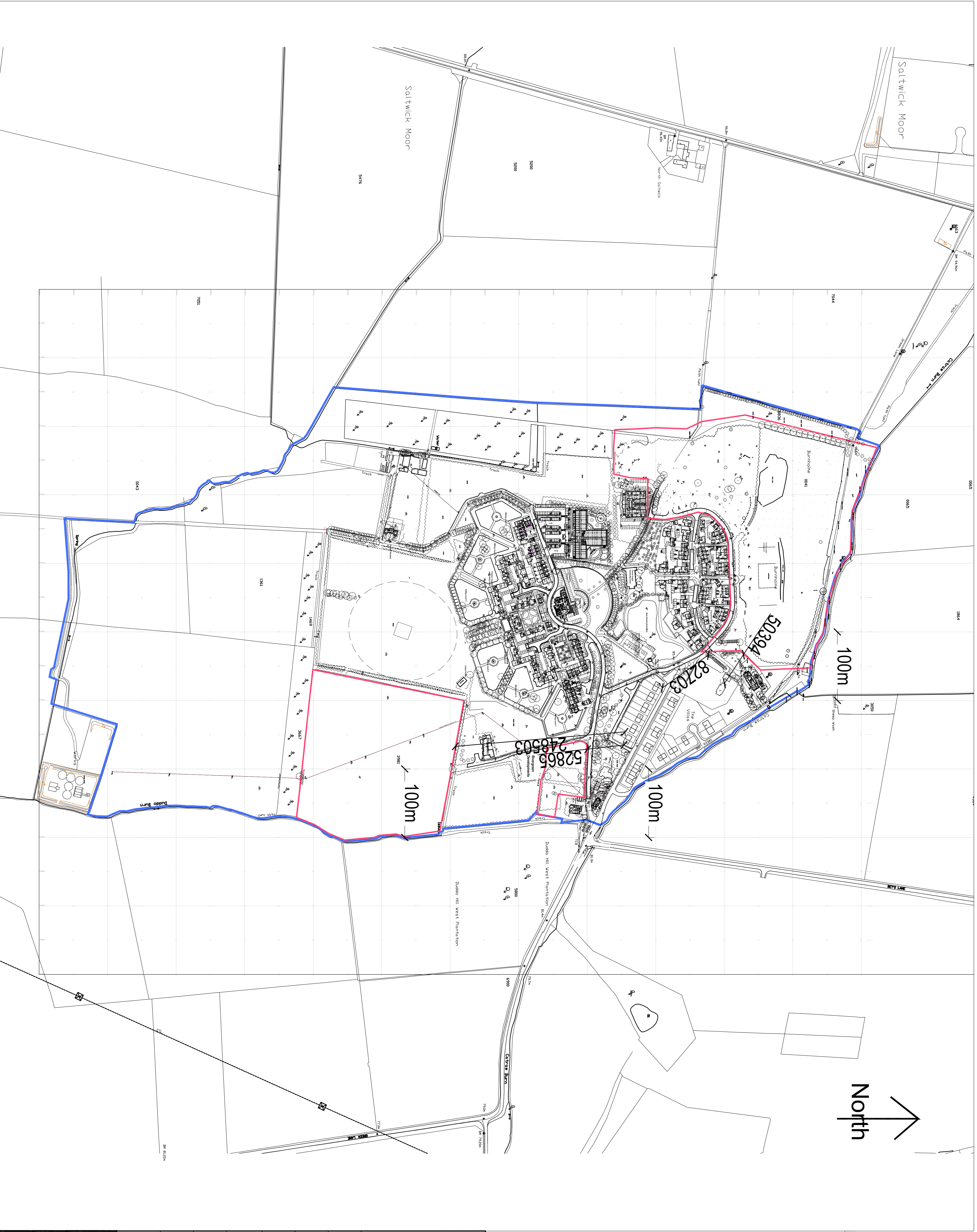
***Authors must ensure that officers and members have agreed the content of the report:***

	Full Name of Officer
Monitoring Officer/Legal	SB
Executive Director of Finance & S151 Officer	JW

Relevant Executive Director	RM
Chief Executive	RF
Portfolio Holder(s)	CH

**Author and Contact Details**

Rob Murfin  
Rob.murfin@northumberland.gov.uk



NOTES:

1. DO NOT SCALE from the drawing
2. Further Dimensions required to be requested from Project technical team.
3. Report all discrepancies to JDDK project technical team IMMEDIATELY
4. Refer to the following ASSOCIATED DRAWINGS:-

Revision Log	
Rev	Description



**Jane Darbyshire and David Kendall Limited**  
 Chartered Architects and Landscape Architects  
 Millport Park Road Newcastle Upon Tyne NE3 3AL  
 Telephone +44 (0) 191 268 5870  
 email millport@jddk.co.uk  
 www.jddk.co.uk

CLIENT	Belway Homes Ltd	
PROJECT TITLE	Burnholme, St Mary's Hospital, Stannington	
TITLE	Existing site plan overall	
MAIN CONTRACTOR		
QUANTITY SURVEYOR		
STRUCTURAL CONSULTANT	OTHER	
OTHER	OTHER	
DRAWING No.	2765B	Revision
Job Ref	10	124
SCALE:-	1:2500@A1	PAPER SIZE:-
DATE:-	Oct 11	CHECKED BY:-
DRG STATUS:-	PLANNING	

This page is intentionally left blank



## Northumberland County Council

CASTLE MORPETH LOCAL AREA COUNCIL

10 OCTOBER 2022

---

### STAKEFORD AND BOMARSUND SPORTS AND SOCIAL WELFARE CENTRE

**Report of Neil Masson**

**Cabinet Member:** Councillor Richard Wearmouth

---

#### **Purpose of report**

To appraise members of the nomination rights of the Council to the Stakeford and Bomarsund Sports and Social Welfare Centre (the Centre) and suggest nominations for members to consider.

#### **Recommendations**

**To agree to the following appointments, in addition to the two County Councillor appointments:**

**Councillor Paul S Vaughan**

**Councillor Hilary Allsopp**

**Councillor Arthur Iley**

**Councillor Graham Huntley**

#### **Link to Corporate Plan**

This report is relevant to the 'How' priority included in the NCC Corporate Plan 2021-2024 in that it enhances community engagement.

#### **Key issues**

- Under a Charitable Scheme set up in 2004 Wansbeck District Council could appoint seven individuals as trustees to the Stakeford and Bomarsund Sports and Social

Welfare Centre. The Functions of Wansbeck District Council have now transferred to Northumberland County Council upon local authority reorganisation.

- Northumberland County Council (the County Council) are currently only appointing two local members and the lack of trustees means it is difficult for the Centre to operate effectively.
- It is now proposed that the Council uses its rights under the Scheme to appoint four members of Choppington Parish Council (the Parish Council) to the Centre. There is nothing in the Scheme which prevents the County Council from using their powers of appointment to appoint non-County Councillors.
- Under the Scheme the appointments would be for a Term of four years

### **Background**

1. The Centre is a registered charity governed by a scheme (the Scheme) approved by the Charity Commission by Order of the 1<sup>st</sup> April 2004.
2. Under the Scheme the object of the Centre, as a Charity, is *“the provision of a recreation ground and Social Welfare Centre for the benefit of the inhabitants (and in particular, but not exclusively, such of the said inhabitants as are members of the mining community) of the area of benefit without distinction of political, religious or other opinions with the object of improving the conditions of life for the said inhabitants.”*
3. The Scheme provides for 14 nominated trustees (along with 2 co-opted trustees). These are as follows:
  - 1 shall be appointed by the National Union of Mineworkers (North East Area)
  - 1 shall be appointed by the Coal Industry Social Welfare Organisation;
  - 7 shall be appointed by Wansbeck District Council
  - 5 shall be appointed at a meeting to be convened by the Secretary of the Charity on or about the nearest convenient date to the 1st April each year (or at any time in the case of casual vacancies), to be attended by one representative of each organisation affiliated to the charity. Subject to clause 12 herein, they shall hold office until the next meeting called under this provision, but may, if eligible, be reappointed.
4. The County Council has been appointing two trustees, being the local ward members for the area. This leaves five vacant posts.
5. The Centre has been experiencing problems with being able to operate effectively given the lack of trustees and have suggested that a solution to this problem would be for the Council to appoint four members of Choppington Parish Council to the Centre. The Parish Council have proposed the following nominations:

- Cllr Paul S Vaughan - Former Welfare trustee and Chair of the Parish Council
- Cllr Hilary Allsopp - Retired Nurse with experience of older persons and those suffering long term affects of traumatic head injuries
- Cllr Arthur Iley - Retired business owner and Choppington Parish Council Sports champion
- Cllr Graham Huntley – Extensive experience of work in the charitable sector including support for those with disability.

6. Although the Scheme provided for seven nominations from the former Wansbeck District Council, following Local Government reorganisation in 2009, there are fewer County Councillors who could be considered local to this Centre. The solution suggested would therefore provide for greater local involvement in the Centre. If members agree to the appointment of the nominations from Choppington Parish Council, the proposal is to approach the Charity Commission in order to amend the scheme to provide for Parish Council appointments at the expense of the County Council appointments that are not being exercised. The alternative would be for the Council to appoint to all seven vacancies.

7. The powers of the trustees, once appointed, are wide ranging and are as follows:

**1. Powers of the trustees**

*In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the charity:*

- (1) *Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the object of the charity.)*
- (2) *Power to appoint staff and pay them reasonable remuneration, including pension provision for them and their dependants.*
- (3) *Power to insure against public liability and, if appropriate, employers' liability; and to insure the buildings of the charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).*
- (4) *Power to delegate to any one or more of the trustees the transaction of any business or the performance of any act required to be transacted or performed in the execution of the trusts of the charity and which is within the professional or business competence of such trustee or trustees: Provided that the trustees shall exercise reasonable supervision over any trustee or trustees acting on their behalf under this provision and shall ensure that all their acts and proceedings are fully and promptly reported to them.*
- (5) *Power to raise funds. (The trustees must not undertake any*

*permanent trading activity.)*

- (6) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustees may exchange information and advice with them.*
- (7) Power, with the prior written approval of CISWO (such approval not to be unreasonably withheld), to make rules and regulations consistent with this scheme for the management of the charity.*

8. Members are recommended to agree with the proposals to appoint four members of Choppington Parish Council. These appointments will be trustees of the charity for a term of four years. If members are not agreeable to this proposal members are asked to appoint are asked to appoint a total of seven members as trustees of the Centre.

**Implications**

<b>Policy</b>	N/A
<b>Finance and value for money</b>	N/A
<b>Legal</b>	The scheme provides the legal framework for the Charity
<b>Procurement</b>	N/A
<b>Human Resources</b>	N/A
<b>Property</b>	The trustees are able to make decisions under the Scheme relating to property
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Compliance with the Equality Act 2010 has been considered in the preparation of this report
<b>Risk Assessment</b>	N/A
<b>Crime &amp; Disorder</b>	N/A
<b>Customer Consideration</b>	N/A



<b>Carbon reduction</b>	N/A
<b>Health and Wellbeing</b>	N/A
<b>Wards</b>	Stakeford and Choppington

**Background papers:**

Scheme – by Order of the Charity Commissioners dated 1 April 2004

**Report sign off.**

***Authors must ensure that officers and members have agreed the content of the report:***

	Full Name of Officer
Monitoring Officer/Legal	Suki Binjal
Service Director Finance and Deputy Section 151 Officer	Alison Elsdon
Relevant Executive Director	N/A
Acting Deputy Chief Executive	Rob Murfin
Portfolio Holder(s)	Cllr Richard Wearmouth

**Author and Contact Details**

Neil Masson  
Senior Manager – Legal Services  
01670 623 314  
[neil.masson@northumberland.gov.uk](mailto:neil.masson@northumberland.gov.uk)

This page is intentionally left blank

Castle Morpeth Local Area Council

Members local Improvement Schemes

2021 - 2025

Progress Report - 1st August 2022




Balance carried over from 2021		£3,211.51		
Total Budget May 2021 - April 2023		£30,000.00		
Actual Cost + Committed Cost to Date			£17,420.70	
Total Estimated Cost		£19,842.92		
Balance Remaining to 31/3/23		£ 12,579.30		

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost




<b>Balance carried over from 2021</b>	<b>£11,666.67</b>		
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>		
<b>Actual Cost + Committed Cost to Date</b>	<b>£14,833.33</b>		
<b>Total Estimated Cost</b>	<b>£14,833.33</b>		
<b>Balance Remaining to 31/3/23</b>	<b>£ 15,166.67</b>		

**KEY**

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost






<b>Balance carried over from 2021</b>	<b>£15,000.00</b>		
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>		
<b>Actual Cost + Committed Cost to Date</b>		<b>£4,509.49</b>	
<b>Total Estimated Cost</b>	<b>£4,509.49</b>		
<b>Balance Remaining to 31/3/23</b>	<b>£ 25,490.51</b>		



**KEY**

- Approved Scheme Budget**
- Proposed Scheme**
- Completed Scheme / Final Cost**




--	--	--	--	--	--

<b>Balance carried over from 2021</b>	<b>£7,068.42</b>				
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>				
<b>Actual Cost + Committed Cost to Date</b>		<b>£13,429.58</b>			
<b>Total Estimated Cost</b>	<b>£13,429.58</b>				
<b>Balance Remaining to 31/3/23</b>	<b>£ 16,570.42</b>				

**KEY**

	<b>Approved Scheme Budget</b>
	<b>Proposed Scheme</b>
	<b>Completed Scheme / Final Cost</b>




<b>Balance carried over from 2021</b>	<b>£15,000.00</b>				
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>				
<b>Actual Cost + Committed Cost to Date</b>		<b>£0.00</b>			
<b>Total Estimated Cost</b>	<b>£0.00</b>				
<b>Balance Remaining to 31/3/23</b>	<b>£ 30,000.00</b>				




**KEY**

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost




Balance carried over from 2021	£11,000.00
Total Budget May 2021 - April 2023	£30,000.00
Actual Cost + Committed Cost to Date	£10,250.00
Total Estimated Cost	£10,250.00
Balance Remaining to 31/3/23	£ 19,750.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost






<b>Balance carried over from 2021</b>	<b>£15,000.00</b>			
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>			
<b>Actual Cost + Committed Cost to Date</b>		<b>£1,153.75</b>		
<b>Total Estimated Cost</b>	<b>£1,153.75</b>			
<b>Balance Remaining to 31/3/23</b>	<b>£ 28,846.25</b>			



**KEY**

Approved Scheme Budget

Proposed Scheme

Completed Scheme / Final Cost



**Cllr. P.A. Jackson Members Schemes 2021 to 2025**

**Castle Morpeth - Ponteland South with Heddon**



**Northumberland**  
County Council

Report Date 01/07/2022

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
	2021 / 2022					
	2022 / 2023					


Balance carried over from 2021	£15,000.00			
Total Budget May 2021 - April 2023	£30,000.00			
Actual Cost + Committed Cost to Date		£0.00		
Total Estimated Cost	£0.00			
Balance Remaining to 31/3/23	£ 30,000.00			

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

**Cllr.V.Jones Members Schemes 2021 to 2025**



**Castle Morpeth - Ponteland West**



**Northumberland**  
County Council

Report Date 01/07/2022

<b>Job Number</b>	<b>Scheme Description</b>	<b>Estimated Cost</b>	<b>Actual Cost</b>	<b>Current Status</b>	<b>Proposed Completion</b>	<b>Comments</b>
<b>2021 / 2022</b>						
HO210015	Contribution towards purchase and installation of new screen and audio/video equipment at Matfen Village Hall	£2,500.00	£2,500.00	complete	complete	Contribution to Matfen Village Hall made on 13 July 2021.
HO210052	Contribution towards purchase and installation of new heavy duty shed at Stamfordham Primary School	£2,000.00	£2,000.00	complete	complete	Contribution to the Friends of Stamfordham Primary School made on 22 September 2021.
HO210053	Contribution towards purchase and installation of new oil storage tank at Stamfordham Village Hall	£2,000.00	£2,000.00	complete	complete	Contribution to Stamfordham Playing Field & Village Hall made on 22 September 2021.
2021/070	Purchase and installation of 1No. interactive speed sign, B6318 Harlow Hill	£0.00	£0.00			Awaiting estimate.
<b>2022 / 2023</b>						


Balance carried over from 2021	£8,500.00		
Total Budget May 2021 - April 2023	£30,000.00		
Actual Cost + Committed Cost to Date		£6,500.00	
Total Estimated Cost	£6,500.00		
Balance Remaining to 31/3/23	£ 23,500.00		

**KEY**

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost




<b>Balance carried over from 2021</b>	<b>£10,000.00</b>			
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>			
<b>Actual Cost + Committed Cost to Date</b>		<b>£8,153.75</b>		
<b>Total Estimated Cost</b>	<b>£8,153.75</b>			
<b>Balance Remaining to 31/3/23</b>	<b>£ 21,846.25</b>			

	<b>Approved Scheme Budget</b>
	<b>Proposed Scheme</b>
	<b>Completed Scheme / Final Cost</b>



**Cllr. H.G.H. Sanderson Members Schemes 2021 to 2025**

**Castle Morpeth - Longhorsley**



**Northumberland  
County Council**

Report Date 01/07/2022

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
<b>2021 / 2022</b>						
HO210058	Contribution towards the Archie's Pond Scheme in Longhorsley Village	£5,000.00	£5,000.00	completed	completed	Contribution to Longhorsley Parish Council made on 29 September 2021.
	Additional contribution to HO206927	£656.30	£656.30	Delivery	TBA	Central Area Highways scheme - Additional contribution to HO206927 - Revised total scheme budget £5,000.00.
<b>2022 / 2023</b>						
2022SEP19	Contribution towards coaches for Ukraine refugees	£1,000.00	£1,000.00	Completed	completed	Paid 20/04/2022




<b>Balance carried over from 2021</b>	<b>£9,343.70</b>			
<b>Total Budget May 2021 - April 2023</b>	<b>£30,000.00</b>			
<b>Actual Cost + Committed Cost to Date</b>		<b>£6,656.30</b>		
<b>Total Estimated Cost</b>	<b>£6,656.30</b>			
<b>Balance Remaining to 31/3/23</b>	<b>£ 23,343.70</b>			

**KEY**

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

**Cllr. D.J. Towns Members Schemes 2021 to 2025**



**Castle Morpeth - Pegswood**



**Northumberland**  
County Council

Report Date 01/07/2022

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
<b>2021 / 2022</b>						
HO210082	Contribution towards the purchase and installation of new play equipment at Juliet Oakley Recreation Ground, Pegswood	£5,000.00	£5,000.00	Completed	Completed	Contribution to Pegswood Parish Council made on 21 January 2022.
HO210095	Contribution towards installation of 2No. new bus shelters at Fairmoor	£6,000.00	£6,000.00	Design	TBA	Highways Programme Team scheme.
<b>2022 / 2023</b>						
HO220023	Contribution towards court resurfacing at Morpeth Tennis Club	£2,500.00	£2,500.00	Accounts	TBA	Joint contribution with Cllrs. Bawn, Beynon & Wearmouth - total contribution £10,000.00
HO220024	Contribution towards IT equipment for Pegswood Welfare	£2,112.82	£2,112.82	Accounts	TBA	Approved. Sent to Accounts Payable 16/06/2022
HO220026	Contribution towards 2 x bus shelters on the Northern Bypass at Fairmoor	£6,000.00	£6,000.00	Accounts	TBA	Form returned. Contribution from Hebron PC for £3,877.00

<table> <tr> <td style="text-align: right;">Balance carried over from 2021</td> <td style="text-align: right;">£4,000.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: right;">Total Budget May 2021 - April 2023</td> <td style="text-align: right;">£30,000.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: right;">Actual Cost + Committed Cost to Date</td> <td></td> <td style="text-align: right;">£21,612.82</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: right;">Total Estimated Cost</td> <td style="text-align: right;">£21,612.82</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: right;">Balance Remaining to 31/3/23</td> <td style="text-align: right;">£</td> <td style="text-align: right;">8,387.18</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>							Balance carried over from 2021	£4,000.00						Total Budget May 2021 - April 2023	£30,000.00						Actual Cost + Committed Cost to Date		£21,612.82					Total Estimated Cost	£21,612.82						Balance Remaining to 31/3/23	£	8,387.18				
Balance carried over from 2021	£4,000.00																																								
Total Budget May 2021 - April 2023	£30,000.00																																								
Actual Cost + Committed Cost to Date		£21,612.82																																							
Total Estimated Cost	£21,612.82																																								
Balance Remaining to 31/3/23	£	8,387.18																																							
<table> <tr> <td colspan="3"></td> <td colspan="4" style="text-align: center;"><b>KEY</b></td> </tr> <tr> <td></td> <td></td> <td></td> <td style="background-color: yellow; width: 20px; height: 15px;"></td> <td colspan="3">Approved Scheme Budget</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="background-color: white; width: 20px; height: 15px;"></td> <td colspan="3">Proposed Scheme</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="background-color: #c8e6c9; width: 20px; height: 15px;"></td> <td colspan="3">Completed Scheme / Final Cost</td> </tr> </table>										<b>KEY</b>								Approved Scheme Budget							Proposed Scheme							Completed Scheme / Final Cost									
			<b>KEY</b>																																						
				Approved Scheme Budget																																					
				Proposed Scheme																																					
				Completed Scheme / Final Cost																																					



## Cllr. R. W. Wearmouth Members Schemes 2021 to 2025

### Castle Morpeth - Morpeth Kirkhill






Northumberland  
County Council

Report Date 01/07/2022

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Comments
<b>2021 / 2022</b>						
HO210055	Contribution towards the Carlisle Park Refurbishment Scheme	£3,333.33	£3,333.33	Accounts	TBA	Countryside & Open Spaces Team scheme - Joint scheme with Cllr's. Bawn & Beynon - Total contribution £10,000.00.
<b>2022 / 2023</b>						
HO220013	Contribution towards court resurfacing at Morpeth Tennis Club	£2,500.00	£2,500.00	Accounts	TBA	Joint contribution with Cllrs. Towns, Beynon & Bawn - total contribution £10,000.00


Balance carried over from 2021	£11,666.67	
Total Budget May 2021 - April 2023	£30,000.00	
Actual Cost + Committed Cost to Date		£5,833.33
Total Estimated Cost	£5,833.33	
Balance Remaining to 31/3/23	£ 24,166.67	

**KEY**

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost



	Number
A = Proposed Schemes	18

	Number	Original Estimated Cost	Current Estimate / Actual Cost	Totals
Total Budget May 2021 - Apr 2023				£390,000.00
Total Approved schemes	26	£112,775.27	£110,353.05	
Total Uncommitted Balance				£279,646.95

Highway Scheme	13	£40,878.26	£38,456.04
External Contribution	27	£71,897.01	£71,897.01
	40	£112,775.27	£110,353.05

**Northumberland County Council  
Castle Morpeth Local Area Council  
Work Programme 2022-23**

Lesley Little: 01670 622614 - [Lesley.Little@northumberland.gov.uk](mailto:Lesley.Little@northumberland.gov.uk)

**UPDATED: 27 September 2022**

## TERMS OF REFERENCE

- (a) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (b) To advise the Cabinet on budget priorities and expenditure within the Area.
- (c) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (d) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (e) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (f) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (g) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (h) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (i) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (j) To make certain appointments to outside bodies as agreed by Council.
- (k) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.



- (l) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.

**ISSUES TO BE SCHEDULED/CONSIDERED**

**Standard items updates:** Planning Applications (monthly), Public question time (bimonthly, not at planning only meetings), petitions (bimonthly, not at planning only meetings), members’ local improvement schemes (quarterly)

**To be listed:**

Northumberland County Council  
 Castle Morpeth Local Area Council  
 Work Programme 2022-23

**12 September 2022 – Cancelled**

- 

**10 October 2022**

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

**14 November 2022**

- Planning and Rights of Way
- Local Services Update
- Rural Business Growth Service - Presentation

**12 December 2022**

- Planning and Rights of Way

**NORTHUMBERLAND COUNTY COUNCIL  
LOCAL AREA COUNCIL - CASTLE MORPETH MONITORING REPORT  
2022-23**

Ref	Date	Report	Decision	Outcome
1	09.05.22	Red Row Drive-to Barrington Drive – Petition received	To receive a report at the next meeting	
Page 159 3	09.05.22	Petition Report – Reduced Speed and Safer Crossing Points – Morpeth North Bypass	Members agreed that a report on the findings should be considered by this Committee with any identified works possibly being included in the Local Transport Plan.	
	09.05.22	Members Local Improvement Schemes	<b>RESOLVED</b> that the information be noted.	
	4	11.07.22	Petition Report - Request for footpath/cycleway connecting Red Row Drive to Barrington Road, Bedlington Station	<b>RESOLVED</b> that the contents of the report and the actions to be taken be noted.

This page is intentionally left blank