

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 16 November 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held in **MEETING ROOM 1, BERWICK LEISURE CENTRE, TWEEDMOUTH, TD15 2AS** on **THURSDAY, 24 NOVEMBER 2022** at **2.00 PM**.

Yours faithfully

Rick O'Farrell
Interim Chief Executive

To North Northumberland Local Area Council members as follows:-

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



Rick O'Farrell, Interim Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

1. **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 8)

Minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 20 October 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. 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 9 - 12)
- To request the committee to decide the planning applications attached to this report using the powers delegated to it.
- Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>*
- 6. 21/04696/FUL** (Pages 13 - 36)
Relocation of 2 Barns for agricultural storage, workshops and estate office with solar roof panels, new access track, hardstanding and garaging and change of use small agricultural field to garden. Land West of Barnhill Farm Cottages, Guyzance, Northumberland
- 7. 22/02585/VARYCO** (Pages 37 - 50)
Variation of Condition 2 (Approved Plans) on approved application 20/01238/FUL to allow minor changes to design of windows of the new hotel building and update information to reflect the proposed treatment of windows on existing buildings. Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland, NE66 1LZ
- 8. 22/02587/VARYCO** (Pages 51 - 66)
Variation of Condition 2 (Approved Plans) on approved application 20/01239/LBC to update approved plans to reflect minor changes to window design of new hotel building and to reflect proposed treatment of existing windows on existing buildings. Removal of condition 3 – to be removed entirely or for wording to be amended to allow the proposed treatment of the existing windows. Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland, NE66 1LZ
- 9. 22/02876/FUL** (Pages 67 - 74)
Construction of single storey front extension – re-submission of planning application ref: 21/03848/FUL

10. APPEALS UPDATE

(Pages
75 - 82)

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.

11. SECTION 106

(Pages
83 - 86)

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

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

This item is to:

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

(b) Consider reports on petitions previously received - None

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

14. NORTH SUNDERLAND HARBOUR COMMISSION APPOINTMENTS

(Pages
87 - 92)

To provide members with the background, progress and proposed next steps with regard to the Council's appointment of Harbour Commissioners to the North Sunderland Harbour Commission.

15. 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.

16. SPACE FOR SHOREBIRDS

To receive a presentation on Space for Shorebirds from Richard Willis – Senior Wildlife Ranger

17. HOMELESSNESS AND ROUGH SLEEPING

(Pages
93 - 102)

To receive a report with an update for members of the service provision for residents who are homeless, or at risk of homelessness, in Northumberland providing an outline of the key data and the services available for people sleeping rough.

18. LOCAL AREA COUNCIL WORK PROGRAMME

(Pages
103 -
110)

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).

19. DATE OF NEXT MEETING

The next meeting of the North Northumberland Local Area Council is scheduled for Thursday, 22 December 2022 at St James URC, Pottergate, Alnwick, NE66 1JW

20. 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.

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
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):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

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

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

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

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

Non participation in case of disclosable pecuniary interest

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

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

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

Disclosure of Other Registerable Interests

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

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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

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

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

Table 1: Disclosable Pecuniary Interests

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	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.
Contracts	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.
Land and Property	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.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor’s knowledge)—

	<p>(a) the landlord is the council; and</p> <p>(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.</p>
Securities	<p>Any beneficial interest in securities* of a body 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"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or 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.

* 'director' includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

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

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



Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

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

Welcome to also include reference to

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

B Record attendance of members

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

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

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

Applicant/Supporter (up to 5 mins)

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

Committee members' questions to Planning Officers

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

Debate (Rules)

Proposal

Seconded

DEBATE

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

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

Vote(by majority or Chair's casting vote)

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

Public Document Pack Agenda Item 3

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held at Main Hall - St James's URC, Pottergate, Alnwick, NE66 1JW on Thursday, 20 October 2022 at 2.00 pm.

PRESENT

G Castle (Chair) (in the Chair)

MEMBERS

T Clark
G Renner-Thompson
C Hardy
M Mather

G Hill
C Seymour
I Hunter
M Swinbank

OFFICERS

J Blenkinsopp
V Cartmell
J Hudson
R Little

Solicitor
Planning Area Manager
Planning Officer
Assistant Democratic Services Officer

Around 10 members of the press and public were present.

59 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Bridgett, Councillor Thorne, Councillor Pattison, and Councillor Watson

60 **MINUTES**

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 22 September, as circulated, were confirmed as a true record and were signed by the Chair.

Councillor Hardy – Vice Chair, Planning - in the chair.

61 **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.

RESOLVED that this was noted.

62 **22/00666/FUL**

New detached house for permanent residence.

Land West of Radcliffe Park, Radcliffe Park, Bamburgh, NE69 7AN

J. Hudson – Senior Planning Officer, introduced the application and gave the following updates:

- A late representation from Bamburgh Parish Council had been submitted and included the following information:
 - i. The proposed site sat behind the corner between the larger detached houses at the entrance to Radcliffe Park, and the houses on Radcliffe Road, which were all large, individual detached houses. The entrance to Radcliffe Park was dominated by West house, a 3-storey house much taller than the proposed dwelling.
 - ii. The driveway of the proposed dwelling entered a quiet cul-de-sac along with the driveways of the 2 other detached houses. The Conservation Officer stated, “The dwelling would not integrate into existing highway routes easily.” That statement would not hold up to scrutiny.
 - iii. The Parish Council had concerns with the response of Highways. The response seemed to prioritise sustainability, not their stated aims to check that the proposal would not result in an adverse impact on highway safety. There was a fundamental presumption in favour of

- the development but based on Highways reading, that being in a location which is reliant on a private car, and which does not provide a genuine choice of transport modes, there was an objection to the development. The basis for objection covered not only the application, but vast swathes of rural Northumberland.
- iv. Highway concerns seemed misplaced; in that they had highlighted sustainability over road safety. The building would be constructed to contemporary standards with high levels of insulation. It would be heated by a ground source heat pump, working in combination with a ground mounted solar panel array.
 - v. Inconsistencies eroding public confidence in the planning system. When Highways were consulted regarding a proposal to build 10 houses at the Friars, just up from Radcliffe Road, they made no objections.
 - vi. The AONB supported the application on the grounds that it would make a positive contribution to sustainable communities in the Neighbourhood Area.
 - vii. Bamburgh Parish Council supported the proposal as the North Northumberland Coastal Communities Plan, which should take great weight in planning matters.
 - A late objection from the ecologist stating that original comments were made on 31/03/22 with no objection to planning conditions, however they had since submitted an objection as they had been recently contacted by a consultant ecologist who had identified evidence of protected species on land. Therefore, considering new information there was a strong possibility that the proposed development may result in the loss of important foraging and habitat for the protected species. To fully consider the impact, a re-assessment was required.
 - Following the late objection from the ecologist, the applicant responded with the following information:
 - i. The development was designed so that substantial areas of grassland were being retained, providing a fenced area of undisturbed land.
 - ii. The mitigation within the application documents was considered appropriate by the County Ecologist.
 - iii. The proposed mitigation included a requirement for a Construction and Environmental Management Plan (CEMP) for Biodiversity to be submitted and approved prior to commencement of the works. The CEMP provided the opportunity for any changes in the protected species to be considered.
 - iv. The site was sufficiently large enough to accommodate any minor changes which may be required such as the relocation of the package treatment plant.
 - Following the rebuttal from the applicant, the Planning Officer contacted the ecologist who had advised that a further assessment of the site was required.
 - A further reason for refusal was announced as follows: “Reason 5 - Insufficient information in regard to an up-to-date ecology survey has been provided. The application cannot be determined until further details have been submitted and adequate mitigation, where

necessary, is provided. Due to the lack of further information the proposal is considered to be unacceptable and not in accordance with policy ENV 2 of the Northumberland Local Plan, policy 3 of the North Northumberland Coast Neighbourhood Plan and paragraph 182 of the NPPF.”

Councillor Castle raised a Point of Order explaining that the update provided was very long and that he could not absorb and would not be able to recall all of the information which formed the update from the Planning Officer and felt that he would not be able to make a decision without having the update in front of him and being given time to read and consider the information. Councillor Renner-Thompson agreed and stated that even with the information being circulated beforehand, members could not be able to make a decision without the ecology survey on the protected species being complete.

Councillor Hill proposed to defer the application, so that the information provided as an update could be circulated to all members to have time to consider prior to the next meeting, it was noted that further time may also allow time for a further ecology report to be completed. This was seconded by Councillor Castle.

A vote was taken and was it was unanimously

RESOLVED that the application was **DEFERRED** for the further information provided as an update to be circulated to members prior to the next meeting, it was noted that further time may also allow time for a further ecology report to be completed.

63

TREE PRESERVATION ORDER

Land at rear of Neston and The Nook, Pondicherry, Rothbury, Morpeth, NE65 7YS

Tree Preservation Order 2020 (no. 5 of 2020)

V. Cartmell – Planning Area Manager, introduced the application with the following update:

- A late representation had been submitted in support of the order.

Following members questions to the planning officer, the following information was provided:

- A Tree Officer had completed an assessment on the trees and found that they were worthy of protecting.
- Tree Officers no longer had the capacity to consult on future TPOs.
- The Tree Officer had taken into account the localised decay and had incorporated that into the report.

Councillor Castle proposed to confirm the Tree Preservation Order, this was seconded by Councillor Swinbank.

Councillor Mather raised as a Point of Order, if the North Northumberland Local Area Council could write to the Head of Planning to ask if there could be money allocated to fund a Tree Officer role in planning, this was agreed by Councillor Hill.

A vote was taken as follows: FOR; 8, AGAINST; 0, ABSTAIN; 1

RESOLVED that the Tree Preservation Order be **CONFIRMED** without modification.

64 **S106 FELTON : HEALTHCARE EXPENDITURE**
To extend the time period for the expenditure of Healthcare contributions for a further three years.
Land North of Benlaw Grove, Main Street, Felton, Northumberland

V. Cartmell – Planning Area Manager, introduced the report to members.

Following questions from Members to the Planning Officers, the following information was provided:

- Both parties of the S106 were content with the recommendation.
- The healthcare contributions were to go towards a new surgery for Felton.
- At the end of 2025, if not given to healthcare, the money will be re-allocated to affordable housing.

Councillor Hunter proposed to accept the variation of the section 106 agreement to allow 3 further years to spend the Healthcare Contribution, which was seconded by Councillor Seymour.

A vote was taken and was it was unanimously

RESOLVED that the S106 variation was **GRANTED**.

65 **APPEALS UPDATE**

RESOLVED that this was noted.

66 **SECTION 106**

RESOLVED that this was noted.

67 **DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Council was scheduled for Thursday, 17 November 2022 at Berwick Leisure Centre, Tweedmouth, Berwick Upon Tweed, TD15 2AS

RESOLVED that this was noted.

68 **URGENT BUSINESS**

Councillor Mather noted that in the report for 22/00666/FUL, Highways objection read “Object to the scheme as the proposed development is located in an unsuitable location reliant on a private car which does not provide a genuine choice of transport modes” – and asked whether a highways officer could attend the next meeting. V. Cartmell explained that the highways officer for the North Northumberland Area was on leave but would be attending the November meeting to discuss sustainable transport.

Resolved that this was noted.

CHAIR.....

DATE.....



Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

24 NOVEMBER 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 North Northumberland Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application

- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 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
Finance and value for Money:	None unless stated

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

Report author : Rob Murfin
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

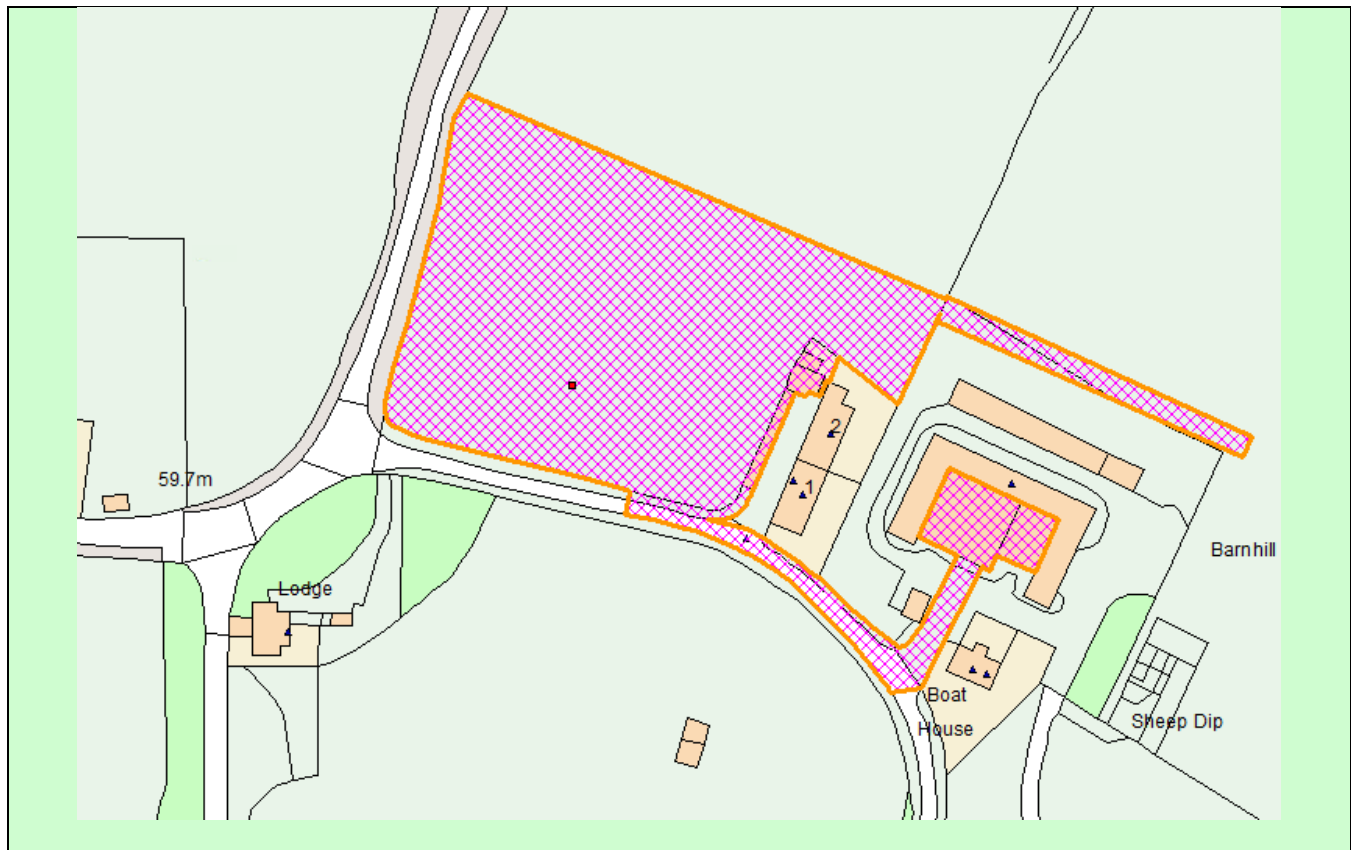
County Council

North Northumberland Local Area Council Planning Committee

24th November 2022

Application No:	21/04696/FUL		
Proposal:	Relocation of 2 Barns for agricultural storage, workshops and estate office with solar Roof Panels, new access track, hardstanding and garaging and change of use small agricultural field to garden.,		
Site Address	Land West Of Barnhill Farm Cottages, Guyzance, Northumberland,		
Applicant:	Mr Jonathan Dodd Shelley Road, Newburn Industrial Estate, Newcastle, NE159RT	Agent:	Mr Henry Shipley 8 Norhurst, Whickham, Tyne and Wear, NE16 5UX
Ward	Amble West With Warkworth	Parish	Acklington
Valid Date:	21 February 2022	Expiry Date:	30 November 2022
Case Officer Details:	Name: Mrs Vivienne Cartmell Job Title: Planning Area Manager (North) Tel No: 07966330464 Email: vivienne.cartmell@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application falls to be determined by North Northumberland Local Area Council Planning Committee due to a recommendation of approval contrary to an objection from the parish council and local residents.

1.2 In accordance with the Council's Scheme of Delegation the application has been reviewed by the Committee Chairs and the Director of Planning who requested that the application be determined by committee for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 Planning permission is sought for the relocation of 2 barns for agricultural storage, workshops and estate office with solar Roof Panels, new access track, hardstanding and garaging and change of use small agricultural field to garden at Land West Of Barnhill Farm Cottages, Guyzance.

2.2 Whilst the application title states that 2 barns will be relocated for agricultural storage, it is noted that it is only the existing portal frames from the infill barns at Barnhill that will be re-used for this aspect of the proposal.

2.3 The applicant's agent has stated that the proposed buildings will collectively operate as management and headquarters for the estate and is a continuation/reorganisation of the agricultural operation ongoing at the estate. The overriding premise for this development is that all agricultural buildings and estate management buildings will be integrated and on the same site as it would be inefficient and unworkable to split them. The proposed office will be a farm office (replacing the existing office which is within the Hall itself) as well as being the office for holiday lets and general administration of the farm. A small isolated field has also been allocated for garden use to number 2 The Cottages.

2.4 The application site is located within the Guyzance Conservation Area.

3. Planning History

N/A

4. Consultee Responses

Public Protection	No objection subject to conditions.
County Archaeologist	<p>The proposed works comprise the demolition of existing (modern) barns within the range at Barnhill Farm and the construction of replacement buildings west of the site on land historically in agricultural use. Provided the works are carefully undertaken, the demolition of the existing barns from within the farm range will not materially harm the significance of the existing farm buildings as non-designated heritage assets.</p> <p>The construction of the proposed new barns and associated infrastructure on the areas of ridge and furrow earthworks west</p>

Following reconsultation	<p>of the farm will generate an impact of 'substantial harm' to the significance of the earthworks locally (in that the earthworks will be wholly destroyed within the construction footprint) and 'less than substantial harm' to the group of ridge and furrow earthworks as a whole.</p> <p>In determining this application, the LPA will need to balance any perceived benefits of the proposed development against identified harms. Overall it is considered that the proposed development will generate an impact of 'less than substantial harm' to the significance of the ridge and furrow earthworks as heritage assets. Notwithstanding the harm to the ridge and furrow earthworks, the risk of the proposed development damaging or destroying significant unrecorded archaeological remains is low. The ridge and furrow are already recorded to an appropriate level of detail and it is not considered that an archaeological mitigation response will be required.</p> <p>No further comments or observations following comments in memo of 23/03/22.</p>
Historic England Following reconsultation	<p>It is our position that the works would harm the special significance of the Guyzance Conservation Area. Object to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 130, 197, 199 and 206.</p> <p>Historic England objects to the application on heritage grounds. The amended information does not alter the physical details of the proposal to any great degree and we remain of the opinion that the proposal would cause a notable degree of harm to the significance of the Guyzance Conservation Area, through changing the traditional rural undeveloped character of this part of the conservation area with a development that is unsympathetic in its form, scale and detail. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 200 and 202 of the NPPF.</p>
Acklington Parish Council	<p>Great concerns about the impact this application would have on the Guyzance Conservation Area and ask it be refused. The site is a grazing field in open countryside, part of the historic landscape of Guyzance with medieval ridge and furrow markings clearly visible in the proposed development site. The proposals would harm and dominate the character of the landscape and affect the setting of the Grade II listed buildings in the village. The Guyzance Hall estate comprises more than 300 acres with existing service and agricultural buildings within the estate away from public eye and outside of the conservation area where a more suitable position could be found, there is no justification for this site to be used.</p>
Lead Local Flood Authority (LLFA)	<p>Object on flood risk and drainage grounds. The drainage document provided doesn't reflect the level of detail required for a full planning application.</p>

Following reconsultation	No objection subject to the following documents being listed as approved and following conditions.
County Ecologist	Objection - the following information is required to enable ecological advice to be provided: <ul style="list-style-type: none"> Updated ecological assessment - to included completion of a detailed impact assessment and design of appropriate mitigation specific to this development, including a more detailed grassland survey and the impact on bats and nesting birds at the former Barnhill Farm.
Following reconsultation	Objection - further information required: <ul style="list-style-type: none"> Botanical survey in the optimum season across the field parcel, to include mapping the abundance and distribution of adder's tongue fern. The above to inform an updated impact assessment and appropriate avoidance, mitigation and compensation measures.
Following reconsultation	No objection subject to conditions - the proposed development may impact on protected and notable species, and priority habitat in the absence of avoidance and mitigation measures that should be secured by condition. An enhancement for biodiversity can be incorporated into the design of the scheme through using native species in the proposed new landscaping.
Highways	Concerns that could be overcome by submission of amended plans or additional information.
Following reconsultation	Insufficient information has been provided at this time to make a suitable and substantive response within the defined consultation period.
Following reconsultation	Amended plans and/or additional information required: Insufficient information has been provided at this time to make a suitable and substantive response within the defined consultation period.
Following reconsultation	Imposition and implementation of condition (s): Required to ensure acceptability.
Building Conservation	The proposal would fail to preserve and enhance the character and appearance of the Guyzance Conservation Area. The NPPF (para 200) requires any harm to a designated heritage asset to be supported by clear and convincing justification. No clear and convincing justification has been put forward for the introduction of this substantial built development on open pasture, which is an essential aspect of the Conservation Area, and contributes to the reason it was designated.

<p>Following reconsultation</p>	<p>When harm identified to a designated heritage asset (Guyzance Conservation Area) is quantified as 'less than substantial harm,' the NPPF (202) and NLP Policy ENV 7 (5) - and ENV 9 (1.b) - require this to be weighed against the public benefits of the proposal, including securing an optimum use that is viable and justifiable. No heritage benefit would result. Any benefit would be private not public.</p> <p>This response is provided due to the submission of additional supporting information. Photographic renderings / computer generated images (CGIs) have been submitted. The first CGI shows an image of the development after construction and the second an image of the development ten years after construction, once the proposed landscaping belt has established.</p> <p>The images confirm the scale and massing of the new build structures proposed would introduce an agricultural development, at the edge of the village and within the boundary of Guyzance Conservation Area, larger than any other structure within the village. The visual and spatial openness of the pasture - and its ridge and furrow - would be negatively affected. As the site forms the historic rural backdrop to the east side of the village the development proposed would result in 'less than substantial' harm to the character and appearance of Guyzance Conservation Area.</p> <p>Object - less than substantial harm identified.</p>
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	9
Number of Objections	12
Number of Support	0
Number of General Comments	0

Notices

Affecting Conservation, 1st March 2022

Northumberland Gazette 3rd March 2022

Summary of Responses:

12 objections have been received from local residents raising the following:

- Application would have a severe detrimental impact on the rural character, layout and building density and would fail to preserve and enhance the character and appearance of the Guyzance Conservation Area with no clear and convincing justification put forward and nothing in the additional documentation mitigates the harm identified by the Conservation Officer.

- Application does not meet the requirements of the NPPF and does not comply with section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- The taking in hand of the farming at Guyzance Hall is not diversification and will bring no public economic benefits.
- The permission for six dwelling units on the original Barnhill site did not require any reception or office space to run these and any office space now required should be in the curtilage of the buildings approved in that application - no planning justification to create an office space in the open countryside for these units
- All the existing holiday letting have functioned without an office space and most holiday letting business do not require "office" space.
- The applicants' statements regarding vehicle access to the estate do not justify the proposed application and are incoherent
- The access control issue is a private matter not a planning justification and suggest the electric gates installed by the applicant are in the wrong position
- The new documentation does not provide any evidence of economic benefit
- No part of the dialogue between the applicant's agent and the Director of Planning has been publicly disclosed, even though it is plainly relevant to the determination of this application.
- The applicant claims the agricultural land in the application is of low quality which is not supported by the applicant own agricultural assessment which state the land as moderate quality. Other documents advertising the land put the land as a higher quality.
- There are apparently a further 25 applications in the pipeline - the council should be aware of the risk that the piecemeal approval of application may cause such damage to the conservation area that its designation is in effect varied or cancelled by stealth, contrary to the provisions in section 70 of the 1990 Act.
- The statement that the hall has been in sad decline for many years and requires significant investment conflicts with the fact that the previous owner ran a successful events business from the Hall and the condition on the buildings will have been reflected in the purchase price of the Hall and does not provide planning justification. Guyzance Hall is not on Historic England's at Risk Register and never has been.
- Proposal is contrary to NLP Policy.
- No public benefit - only the applicant will benefit personally by financing the upkeep of the Hall
- The employment opportunities stated by the applicant have no evidence to support them and are not dependent on the application. Any increase in employment from bringing farming in house will be equalled by the loss in employment from those who currently farm the estate land.
- Claims regarding green energy are unsubstantiated and no calculations are provided to support them.
- The hydro electric scheme is not operational and so is a theoretical energy source and it is possible the applicant is over stating the green energy aspect of this development due to the number of building's it provides energy for.

- Application will increase the daily volume of traffic by 100% which conflicts and is contradictory to the claim to contribute to Environmental and Sustainability matters.
- The application appears to directly conflict with the adjacent housing project in term of the provision of safe and accessible houses
- Extends the hamlet by introducing an unsightly industrial element to the first view of the settlement from the East.
- Unacceptable impact on the residents of hamlet and holidaymakers in the newly approved dwellings adjacent to the site.
- The proposals would have an adverse effect on the landscape through reduction of openness resulting from increased built form on a prominent site. Would harm the regular pattern of buildings parallel to the road in the hamlet and will dominate the northern approach harming its ambience and reducing visual attractiveness.
- Barns will resemble industrial building seen on business parks and will dominate due to height.
- Siting is illogical and out of keeping with local farms by placing it at the edge of the built area. There are a number of other barns and land where new farm buildings could be placed outside the conservation area and more secure.
- The purchase and rental of assets by the applicant is a financial business and does not qualify as a land-based business and is therefore not supported by the NPPF.
- Development is too close to residential cottages and would be detrimental to the amenity of residents due to noise and dust. Impact from the farm machinery being moved late into the night.
- The approaches into/out of Guyzance Village have an aesthetic charm which is valued by residents and local people and the development proposed over and above the relocation of the existing barns would effect a permanent blight to that enjoyment.
- Concerned about implications for traffic safety and increase in traffic.
- The tree planting affords no meaningful screening for the focal point of the conservation area.
- The design and access statement are misleading and should reflect the amended plans.
- Question the necessity of the relocation given the impact on the environment and the vista of the hamlet
- Concerned about the future long-term plan for these relocated "agricultural structures" and the hardstanding adjacent to the barns labelled as phase 2 being a foundation for a third barn.
- The application is the latest in a series of plans and the cumulative impact on the conservation area, wildlife and countryside must be considered. In a simultaneous application, the applicant's consultant refers to a larger picture and this application appears to be another stage of a larger scheme which the public are not privy to.

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=R3HTWIQSL1800>

6. Planning Policy

6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

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

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

ECN 13 - Meeting rural employment needs (Strategic Policy)

ECN 14 - Farm/ rural diversification

ECN 15 - Tourism and visitor development

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

ICT 2 - New developments

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 4 - Parking provision in new development

TRA 2 - The effects of development on the transport network

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

ENV 2 - Biodiversity and geodiversity

ENV 3 - Landscape

ENV 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

WAT 3 - Flooding

WAT 4 - Sustainable Drainage Systems

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

N/A.

6.4 Other Documents/Strategies

Northumberland Landscape Character Assessment

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 key planning issue raised by the proposal include:-

- Principle of development
- Design, Scale and Visual Impact
- Impact upon Residential Amenity
- Impact on the Guyzance Conservation Area
- Archaeology
- Ecology
- Highways Access and Safety
- Flooding and drainage
- Noise/contamination
- Broadband Connectivity
- Other Matters

Principle of Development

7.3 The application site is located in the open countryside and therefore part g. of Policy STP 1 of the NLP applies. Part g. lists forms of development that will be supported in countryside locations. The most relevant of these criteria is parts i. which supports the sustainable growth and expansion of an existing business or the formation of a new business in accordance with Policy ECN13; part ii. which supports the development and diversification of agricultural and other land-based rural businesses in accordance with Policy ECN14 and; part iii. which supports sustainable rural tourism and leisure developments in accordance with Policy ECN15.

7.4 Turning to Policy ECN 13, this sets out that in the countryside, development that will generate employment opportunities, proportionate to the rural location, will be supported where all of the specified criteria apply. It is understood that the estate farmland has been worked by agricultural contractors employed by the estate, with the inputs and outputs of such stored and taken away to buildings under their ownership. However, the applicant now wishes to bring this back in-house for the benefit of the estate and it is therefore reasonable and necessary to have a farm building to facilitate this. Whilst the siting of the building is within the Guyzance Conservation Area (the impacts on which are further detailed below), the applicant

has looked at other sites and these have been discounted. It is therefore considered that the proposal would be acceptable in relation to the provision of Policy ECN13 in respect of this element of the proposal.

7.5 As well as bringing the management of the farm back in house, it should be acknowledged that the proposed buildings will also collectively operate as management and headquarters for the estate as this will be the most efficient and workable solution for the estate. This involves the diversification of the farm in the form of tourism and green technology which would provide employment with associated social and economic benefit. It is therefore necessary to consider whether the proposal would accord with Policy ECN 14 of the NLP, which provides support to rural diversification schemes provided the proposal meets with the specified criteria.

7.6 As outlined above, the development would partially be for the farming needs of the estate. However, in addition to this, the existing woodland within the estate requires management and these buildings are part of the proposed strategic approach to woodland management. Furthermore, the estate has a portfolio of holiday lets, which the applicant has outlined they intend to expand. The proposed estate office will be the reporting point prior to occupation of the properties and used also for enquiries. It is therefore considered that the proposal would meet with the criteria of this policy and is therefore acceptable in relation to such.

7.7 In respect of Part i of STP 1, the policy outlines that development in the open countryside should be sensitive to its surroundings, not have an unacceptable impact upon the local road network and use previously developed land where opportunities exist. It is considered that whilst the proposals would not be sensitive to its surroundings, in particular the Guyzance Conservation Area, which will be considered below, nor would it use previously developed land, in this case the benefits of the scheme as outlined above, would, on balance outweigh this conflict.

7.8 Policy STP 3 of the NLP outlines sustainability principles that proposals should adhere to where appropriate. Whilst the proposal would meet with the majority of the principles outlined in Policy STP 3, it is considered that it would not adhere to parts d and o for reasons which will be further detailed below. However, as outlined, it is considered that in this case the benefits of the scheme would, on balance, outweigh the conflict with these principles subject to conditions and informatives.

7.9 It is therefore considered that the proposal would, on balance, be acceptable in relation to Policies STP 1, STP 2, STP 3, STP 4, ECN 1, ECN 13 and ECN 14 of the NLP and the NPPF.

Design, Scale and Visual Impact

7.10 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.11 Local Plan Policy QOP 1 sets out a number of design principles. Proposals will be supported where design makes a positive contribution to local character and

distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.12 Local Plan Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.13 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to the permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

7.14 Turning to design and appearance of the proposals, there are several built elements to the proposal:

- Two large adjoining storage sheds - Shed 1 275sqm & Shed 2 211sqm - plus a large area of concrete hard standing 309 sqm (Phase 2).
- A standalone building described as a joiners shop with a store workshop, office, WCs and kitchen facility.
- Double garage with workshop 57.50m.
- New vehicular access, parking for visitors and staff.

7.15 It is considered that the proposed appearance and materials for all of the buildings would be in keeping in this location and are therefore considered to be acceptable. However, it is considered that the scale of the proposed adjoining storage sheds in particular would result in an unacceptable harmful impact on the character and appearance of the immediate and wider area (including the Conservation Area) and landscape. This is exacerbated by the topography of the site and the fact that the open space provides visual and aesthetic relief between the former Barnhill Farm and the village itself.

7.16 Whilst the scale of the storage sheds is comparative to agricultural buildings in this type of setting, in this case, the buildings in the immediate area are characterised by their small-scale and low density. The proposal does not respect this form, and consequently would have a greater visual impact. However, the proposed building would be seen in the context of existing buildings at Guyzance and it is noted that landscaping is proposed as part of this application, and it is considered that this would help ameliorate the impact identified.

7.17 In light of this, it is considered that the proposal would not have such an unacceptable impact upon the landscape and character as to warrant refusal on these grounds. The proposed development is therefore considered to be acceptable in relation to Policies QOP 1, QOP 5, ENV 1 and ENV 3 of the NLP and NPPF.

Impact upon Residential Amenity

7.18 Policy QOP 1 of the NLP sets out a number of design principles, one of which is that development proposals should not cause unacceptable harm to the amenity of existing and future occupiers of the site and its surroundings. Policy QOP 2 of the NLP seeks to ensure that new development has a positive impact on amenity.

7.19 In terms of amenity of the nearest residential properties, it is considered that there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook or privacy. As such the proposal is considered to be in accordance with the NLP and NPPF in this respect.

7.20 The proposals are therefore considered to be in accordance with Policies QOP 1 and QOP 2 of the NLP and the principles of the NPPF in relation to impact upon residential amenity.

Impact on the Guyzance Conservation Area

7.21 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In addition, Section 66 of the Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.22 The application site is located within the Guyzance Conservation Area and consequently Policies ENV 7 and ENV 9 of the NLP apply. Under Policy ENV 7 of the NLP, 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. Under Policy ENV 9 of the NLP decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance.

7.23 Historic England have been consulted on the application and have objected to the proposal on the grounds that it would harm the special significance of the Guyzance Conservation Area on account of the position, scale and appearance of the new development. Similarly, the Council's Conservation Officer has also concluded that the proposal would fail to preserve and enhance the character and appearance of the Guyzance Conservation Area. The Conservation Officer has identified the harm to be 'less than substantial harm' as the development would remove a key element of its historic character and its appearance would fail to respect the distinct low scale vernacular and architectural character of the closest buildings.

7.24 The application site is currently open pasture, which is in a prominent position and makes a positive contribution to the Conservation Area. It is considered that a key part of the character of the Guyzance Conservation Area is the small scale buildings with the exception of the Hall with its huge footprint of house and support structures. The village terraces and cottages are single storey, low density and linear form which line the historic route through the settlement and adds to the local distinct character. Given the sloping topography of the landscape, the application site is

higher than the Barnhill Farm complex and at its highest point is on the same level as the historic linear village core.

7.25 It is considered that given this context, the scale, massing and number of new build structures proposed within this application would introduce a quantum of development at odds with the historic context of the village and would result in the loss of its rural backdrop. It would also result in the loss of a key element of its historic character and appearance and would fail to respect the distinct low scale vernacular architectural character of the closest buildings. It is therefore considered that given this, the proposals would not preserve or enhance the Guyzance Conservation Area.

7.26 It is therefore necessary to consider whether the harm identified as a result of the proposed agricultural building can be outweighed by the public benefits of the proposal in line with paragraph 202 of the NPPF. In this case, the agent submitted a number of public benefits which are set out below:

- The proposal will make an important contribution towards the strategic objectives of returning Guyzance Hall and Estate to its former glory for the 21st century safeguarding the many listed buildings and structures on the Estate and secures agricultural use on the Estate;
- Will be connected to the hydro-electric generating plant now under construction, which will offer a very low carbon footprint, reducing energy demand from the grid and opportunities to extend this beyond the Estate including Guyzance itself will be pursued where appropriate and possible;
- The development will contribute to the management of the estate and will help secure the funding of this and is an essential component of the development strategy;
- Running a cable to this development from the Estate's substation is an opportunity to tap into energy generated from the hydroelectric plant at rates less than those being offered by the major suppliers and this opens up significant opportunities for new green energy uses - this is currently under investigation;
- A net increase of 3 jobs, excluding construction jobs and the proposal will help secure employment for another 2 jobs.
- A new solar energy array on the roofs of the proposed buildings will augment the hydro-electrical supply and will provide power when the river supplying the hydro electric plant is low and the hydro-electric output is reduced (dry summer months);
- The buildings are a part of the proposed strategic approach to woodland management;
- Will contribute to the new forestry development proposed;
- The estate management buildings are required to help promotion of riverine development (ecological tourism/fishing/wild water swimming - subject to appropriate consents);
- Possible energy storage for augmented grid feed-in may be available, when wind turbines are not production in Northumberland. This is currently under investigation;
- The farm buildings are required to help secure high energy farming and forestry uses;
- Help to promote to local schools and colleges the new sustainable approach being developed on the Estate - the new farm buildings are required to help secure this complex network currently under investigation.

7.27 It is the opinion of the LPA that the majority of the above are private benefits and cannot therefore be considered when weighing up the harm against public benefits. However, notwithstanding this, the following are considered to be public benefits arising from the development:

- A net increase of 2.5 jobs, excluding construction jobs, (in total 3 jobs will be created from the proposal in its entirety)
- The farm buildings are required to help secure the future of the farming operation on the estate

7.28 In this case, it is considered that on balance, the less than substantial harm that has been identified is considered to be outweighed by these public benefits.

7.29 In conclusion, it is therefore considered that the proposals would be acceptable in relation to Policies ENV 7 and ENV 9 of the NLP and the NPPF.

Archaeology

7.30 Under Policy ENV 7 of the NLP, decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance.

7.31 In response to the consultation on this enquiry the County Council's Archaeology Officer has confirmed that provided works are carefully undertaken, the demolition of the existing barn's form within the farm range will not materially harm the significance of the existing farm buildings as non-designated heritage assets.

7.32 The Officer has also set out that the construction of the proposed new barns and associated infrastructure on the areas of ridge and furrow earthworks west of the farm will generate an impact of 'substantial harm' to the significance of the earthworks locally (in that the earthworks will be wholly destroyed within the construction footprint) and 'less than substantial harm' to the group of ridge and furrow earthworks as a whole. Notwithstanding the harm to the ridge and furrow earthworks, the risk of the proposed development damaging or destroying significant unrecorded archaeological remains is low. The ridge and furrow are already recorded to an appropriate level of detail and it is not considered that an archaeological mitigation response will be required.

7.33 In light of the identified harm to the ridge and furrow earthwork outlined, it is therefore necessary to consider whether the harm identified can be outweighed by the public benefits of the proposal in line with paragraph 202 of the NPPF. In this case, the agent submitted that the public benefits arising from this development are as summarised:

- Will make an important contribution towards the strategic objectives of returning Guyzance Hall and Estate to its former glory for the 21st century safeguarding the many listed buildings and structures on the Estate and secures agricultural use on the Estate;
- Will be connected to the hydro-electric generating plant now under construction, which will offer a very low carbon footprint, reducing energy demand from the grid and opportunities to extend this beyond the Estate including Guyzance itself will be pursued where appropriate and possible;

- The development will contribute to the management of the estate and will help secure the funding of this and is an essential component of the development strategy;
- Running a cable to this development from the Estate's substation is an opportunity to tap into energy generated from the hydroelectric plant at rates less than those being offered by the major suppliers and this opens up significant opportunities for new green energy uses - this is currently under investigation;
- A net increase of 3 jobs, excluding construction jobs and the proposal will help secure employment for another 2 jobs.
- A new solar energy array on the roofs of the proposed buildings will augment the hydro-electrical supply and will provide power when the river supplying the hydro electric plant is low and the hydro-electric output is reduced (dry summer months);
- The buildings are a part of the proposed strategic approach to woodland management;
- Will contribute to the new forestry development proposed;
- The estate management buildings are required to help promotion of riverine development (ecological tourism/fishing/wild water swimming - subject to appropriate consents);
- Possible energy storage for augmented grid feed-in may be available, when wind turbines are not production in Northumberland. This is currently under investigation;
- The farm buildings are required to help secure high energy farming and forestry uses;
- Help to promote to local schools and colleges the new sustainable approach being developed on the Estate - the new farm buildings are required to help secure this complex network currently under investigation.

7.34 It is the opinion of the LPA that some of the above are private benefits. However, notwithstanding this, the following are considered to be the public benefits arising from the agricultural building:

- A net increase of 2.5 jobs, excluding construction jobs on taking the agricultural use in hand (in total 3 jobs will be created from the proposal in its entirety)

7.35 In this case, it is considered that on balance, the less than substantial harm that has been identified is considered to be outweighed by these public benefits.

7.36 It is therefore considered that the proposed development is acceptable in relation to policy ENV 7 of the NLP and the NPPF.

Ecology

7.37 Policy ENV 2 of the NLP seeks to minimise the impacts of development on biodiversity and geodiversity and to secure net biodiversity gains and /or wider ecological enhancements through new development.

7.38 During the course of this application, the Council's Ecology Advisor has been consulted and following the submission of additional information by the agent, have raised no objection subject to conditions. Subject to the imposition of the

recommended conditions the proposal would be acceptable in relation to Policy ENV 2 of the NLP and the NPPF.

Highways Access and Safety

7.39 Policies TRA 1, TRA 2 and TRA 4 of the NLP relate to the transport network and seek to ensure sustainable connections, highway safety and appropriate parking provision in new development.

7.40 During the course of this application, the Council's Highways Advisor has been consulted and following the submission of additional information by the agent, have responded that they have no objection subject to conditions.

7.41 It is therefore considered that the proposed development would be acceptable in relation to the NPPF and Policies TRA 1, TRA 2 and TRA 4 of the NLP.

Flooding and drainage

7.42 Policy WAT 3 of the NLP sets out that development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources.

7.43 During the course of this application, the LLFA have been consulted and following the submission of additional information by the agent, have responded that they have no objection subject to submitted documents being listed as approved and conditions. It is proposed to attach the requested conditions and it is therefore considered that subject to such the proposal would be acceptable in relation to Policies WAT 3 and WAT4 of the NLP and the NPPF.

Noise/contamination

7.44 Policy POL 1 of the NLP sets out 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.

7.45 Policy POL 2 of the NLP aims to protect new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution.

7.46 As part of this application, the Council's Public Protection Advisor has been consulted and has raised no objection to the proposal subject to conditions. It is proposed to attach the requested conditions and it is therefore considered that subject to such, the proposal would be acceptable in relation to the NPPF and Policies POL 1 and POL 2 of the NLP.

Broadband Connectivity

7.47 Policy ICT2 of the Northumberland Local Plan requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The Policy states that where no broadband provision is included, developers will be required to demonstrate,

including through consultation with broadband providers, that connections are not deliverable, and/or viable.

7.48 The current application does not state whether full-fibre broadband connections are proposed. It is therefore recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Other Matters

7.49 In response to the objections raising the following:

- The permission for six dwelling units on the original Barnhill site did not require any reception or office space to run these and any office space now required should be in the curtilage of the buildings approved in that application - no planning justification to create an office space in the open countryside for these units
- All the existing holiday letting have functioned without an office space and most holiday letting business do not require "office" space.

Whilst the previous application did not seek permission for office space, each application has to be considered on its own merits and it is entirely reasonable for the applicant to now seek office accommodation for his tourism business.

7.51 In response to the objections raising the following:

- No part of the dialogue between the applicant's agent and the Director of Planning has been publicly disclosed, even though it is plainly relevant to the determination of this application.

All relevant information pertaining to this planning application is available to view via public access.

7.52 In response to the objections raising the following:

- Claims regarding green energy are unsubstantiated and no calculations are provided to support them.
- The hydro electric scheme is not operational and so is a theoretical energy source and it is possible the applicant is over stating the green energy aspect of this development due to the number of building's it provides energy for.

The hydro electric scheme is out with the application site, is not yet operational and has been discounted as a public benefit in the assessment above.

7.53 In response to the objections raising the following:

- The statement that the hall has been in sad decline for many years and requires significant investment conflicts with the fact that the previous owner ran a successful events business from the Hall and the condition on the buildings will have been reflected in the purchase price of the Hall and does not provide planning justification. Guyzance Hall is not on Historic England's at Risk Register and never has been.

It is noted that the Hall is not on Historic England's at Risk Register.

7.54 In response to the objections raising the following:

- The applicant claims the agricultural land in the application is of low quality which is not supported by the applicant's own agricultural assessment which states the land as moderate quality. Other documents advertising the land put the land as a higher quality.

The Council has to consider the information submitted as part of the application.

7.55 In response to the objections raising the following:

- There are apparently a further 25 applications in the pipeline - the council should be aware of the risk that the piecemeal approval of application may cause such damage to the conservation area that its designation is in effect varied or cancelled by stealth, contrary to the provisions in section 70 of the 1990 Act.
- The application is the latest in a series of plans and the cumulative impact on the conservation area, wildlife and countryside must be considered. In a simultaneous application, the applicant's consultant refers to a larger picture and this application appears to be another stage of a larger scheme which the public are not privy to.

Each application has to be considered on its own merits. Further applications may be submitted in the future, however, future applications are not material to this application and cannot be considered in the determination of this application.

7.56 In response to the objections raising the following:

- Concerned about the future long-term plan for these relocated "agricultural structures" and the hardstanding adjacent to the barns labelled as phase 2 being a foundation for a third barn.

This is not a material consideration in the determination of this application.

7.57 In response to the objections raising the following:

- The design and access statement is misleading and should reflect the amended plans.

It is considered that sufficient and appropriate information has been provided in order to allow consideration and determination of the application

Equality Duty

7.58 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

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

Human Rights Act Implications

7.60 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.

7.61 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.

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

8. Conclusion

8.1 The principle of the development is acceptable.

8.2 The proposed development would be acceptable in relation to design and appearance, residential amenity, ecology, highways access and safety, flooding and drainage, noise/contamination and broadband connectivity subject to conditions and informatives.

8.3 The proposed development would, on balance, be acceptable in relation to archaeology and it is considered that the impact on the Guyzance Conservation Area can be outweighed by public benefits.

8.4 The development would be in conformity to the policies of the Development Plan and the National Planning Policy Framework.

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 91 of the Town and Country Planning Act 1990 (as amended)

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

1. Drawing no 1011 Rev PO2 titled Arboricultural impact plan as submitted 08 Jun 2022
2. Drawing no 2100 Rev PO2 titled Construction arrangements as submitted 03 Oct 2022
3. Drawing no 1012 Rev PO3 titled proposed demolition plan as submitted 03 Oct 2022
4. Drawing no 1101 Rev PO9 titled Proposed site plan as submitted 25 Jul 2022
5. Drawing no 1103 Rev PO1 titled farm track plan as submitted 05 Sep 2022
6. Drawing no 1102 Rev PO1 titled Guyzance estate outfall as submitted 08 Jun 2022
7. Drawing no 1100 Rev P09 titled proposed plan as submitted 26 Apr 2022
8. Drawing no 1110 Rev PO9 titled proposed plans_elevations as submitted 26 Apr 2022
9. Drawing no 1120 Rev PO1 titled proposed section A-A as submitted 26 Apr 2022
10. Drawing no 1125 Rev PO1 titled Proposed section B-B as submitted 26 Apr 2022
11. Drawing no 1115 Rev PO2 titled proposed plans_roofs as submitted 01 Mar 2022
12. Drawing no JN2082-Dwg-0004A titled figure 2 U3088/private road access junction visibility splay assessment as submitted 03 Oct 2022
13. Drawing no 1100 Rev P13 titled Proposed site plan as submitted 03 Oct 2022
14. Drawing no H131-004 titled topographic survey as submitted 08 Jun 2022
15. Drawing no 1000 Rev PO4 titled existing site plan as submitted 08 Jun 2022
16. APPENDIX IV Micro drainage hydraulic calculations from Flood Risk Assessment Guyzance 20 204 Rev 1 dated 12/07/2021
17. Application form dated 02/12/2021

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

03. The development shall not be occupied until the car parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays/ has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

04. The development shall not be occupied until a means of vehicular access has 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 TRA 2 of the Northumberland Local Plan.

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

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

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

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

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

07. Prior to the commencement of development including any ground clearance, ground investigations or importing of materials, a detailed translocation method statement for the adder's-tongue fern (*Ophioglossum vulgatum*) plants shall be submitted to and approved in writing by the local planning authority. The method statement shall include (but not be limited to) the following:

- a. Purpose and conservation objectives of the proposed works.
- b. The size and depth of turves to be lifted from the development site and the machinery and method that will be used to achieve this.
- c. The precise location of the receptor site, with detail of why and how this has been chosen as being suitable.
- d. The ground preparation that will be undertaken at the receptor site.
- e. The maximum amount of time that will be allowed to elapse between lifting turves and placing them in their final position.
- f. Timetable for implementation, including the times of year that will be regarded as being suitable for this work, and contingencies for delays or adverse conditions.
- g. Persons/organisation responsible for implementing the works. Details of initial aftercare and long-term maintenance.

h. Details for monitoring (with clear indicators of success/failure) and remedial measures.

The translocation shall then be carried out prior to commencement of development in accordance with the approved method statement.

Reason: To conserve a notable species for local biodiversity in line with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

08. Demolition works on the Barnhill Farm buildings shall not commence unless a checking survey by a suitably qualified ecologist has been undertaken immediately prior to works to confirm whether there are active barn owl nests in the structures, with evidence provided to the LPA that this has been undertaken. Prior to commencement of demolition the design and location of a barn owl box to be erected within suitable trees within 200m of the site, shall be submitted to the LPA for approval to be installed at least 30 days before works commence and retained in that manner thereafter.

Reason: For the conservation of a protected species and to provide an enhancement for biodiversity in line with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

09. All works on site must be carried out in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012 to protect the root zone of the adjacent hedgerows. Wherever possible there should be no storage of materials, ground disturbance or compaction, burning or contamination within 1m of the spread of the hedgerow. Within 1m hand tools should be used and every effort made to avoid roots over 25mm being severed.

Reason: For the conservation of priority habitat in line with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

10. Prior to the commencement of development a plan for the landscape planting of the site shall be submitted for the written approval of the Local Planning Authority. The plan shall detail the species and number of trees, hedgerows, shrubs and use only Northumberland native species. Once approved the plan shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development.

Reason: To conserve and enhance local biodiversity in line with policies ENV 2 and QOP 4 of the Northumberland Local Plan and the NPPF.

11. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be implemented in full and maintained throughout the construction phase.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features in accordance with Policy WAT 4 of the Northumberland Local Plan and the NPPF.

12. 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 in accordance with Policy WAT 4 of the Northumberland Local Plan and the NPPF.

13. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer or a suitably qualified professional must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- * As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
- * Construction details (component drawings, materials, vegetation);
- * Health and Safety file; and
- * Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non technical standards and in accordance with Policy WAT 4 of the Northumberland Local Plan and the NPPF.

14. During the construction / Demolition period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday 08:00 - 18:00, Saturday 08:00 - 13:00.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policies QOP 1, QOP 2 and POL 2 of the Northumberland Local Plan and the NPPF.

15. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours: Monday to Friday - 08:00 to 18:00 Saturday - 08:00 to 13:00 With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policies QOP1 and QOP 2 of the Northumberland Local Plan and the NPPF.

16. 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 in accordance with Policies QOP 1, QOP 2 and POL 2 of the Northumberland Local Plan and the NPPF.

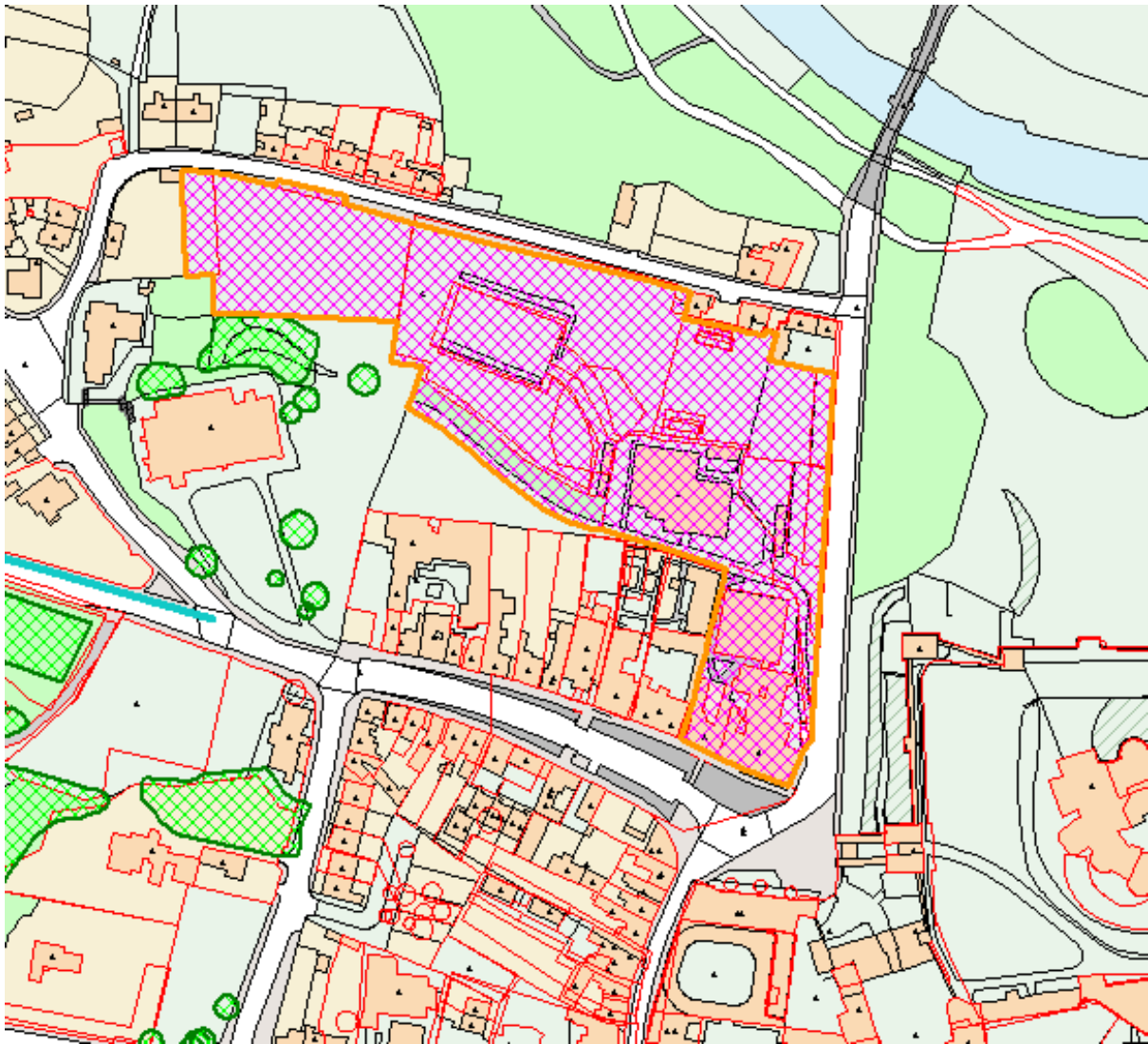
Background Papers: Planning application file(s) 21/04696/FUL



North Northumberland Local Area Council Planning Committee 24th November 2022

Application No:	22/02585/VARYCO		
Proposal:	Variation of Condition 2 (Approved Plans) on approved application 20/01238/FUL to allow minor changes to design of windows of the new hotel building and update information to reflect the proposed treatment of windows on existing buildings		
Site Address	Duchess High School Annexe , 2 Bailiffgate, Alnwick, Northumberland NE66 1LZ		
Applicant:	Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX United Kingdom	Agent:	None
Ward	Alnwick	Parish	Alnwick
Valid Date:	4 August 2022	Expiry Date:	3 November 2022
Case Officer Details:	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: 07517553360 Email: David.love@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1.0 Introduction

1.1 This proposal is considered appropriate for determination by the North Northumberland Local Area Council on the basis that the previous application was determined by the North Northumberland Local Area Council.

1.2 The application is a variation of planning permission reference 20/01238/FUL to replace the existing windows in the current building. The current units are single glazed and have been in situ for some considerable time. The replacements are proposed as double-glazed slim line glazing with cylindrical glass. They will have the same appearance as the existing windows and an expected life span of some 35 years.

2.0 Description of the Site and the Proposal

2.1 The site to which the application relates is located on Bailiffgate, Alnwick and on the land immediately to the North. The listed buildings, 2, 4 and 6-8 Bailiffgate, formerly housed the Duchess School. The site is situated on the outskirts of Alnwick town centre, it sits within the Conservation area and immediately to the West of Alnwick Castle. The site is accessed via the public road on Bailiffgate, the north of the site is accessed via a private single carriage road accessed off The Peth. The existing access road tracks to the north and then forms a gravel track towards the West providing some access to the rear of St Michaels Church.

2.2 The terraced buildings on Bailiffgate site at the top of the slope which forms The Peth. The site slopes gradually down to Walkergate to the North. It is bounded to the East by an existing retaining wall alongside The Peth, the West a series of existing stone walls forming the boundary with St Michaels Church. To the north Walker Gate forms the boundary with a stone retaining wall alongside the road.

2.3 The original permission to which this application relates is reference 20/01238/FUL and is for the conversion of no. 2-8 Bailiffgate to form 14no. hotel suite /apartments, including a new restaurant and bar area. This will be connected by a glazed link to a new-build hotel block extension to the rear, providing a further 33no. hotel rooms.

2.4 The original permission stated that the existing windows would be retained. Since this approval, the applicant has identified dry rot within the frames, however this has been known for some considerable time. This application seeks the following window treatments to the original buildings:

External Alterations / Repairs to Numbers 2 - 8

Alterations

- The early-20th century rear extension to No.2 Bailiffgate will be demolished along with a range of extension buildings to the rear of No. 4 Bailiffgate dating from the 18th-20th century. Two late-18th/early-19th century extensions will also be demolished to rear of Nos. 6-8. These buildings are in poor condition and are not deemed suitable for conversion as part of a proposal for hotel accommodation due to convoluted circulation, narrow floor plans, multiple level changes, poor natural light and limited external space.

Repairs

- Existing timber external doors are to be stripped, repaired, and redecorated.
- Existing stone elevation to be cleaned and descaled subject to a report by stone specialist.
- Leadwork and flashings to be renewed in line with roof condition survey and report.
- Single glazed timber windows to be retained and restored as per existing. Repair and replacement of sections as required. The design of the replacement sections to be a copy of the existing window design and detail.
- Existing slate roof to be repaired as required. Lead flashings to be renewed as per existing details.

Internal Alterations/Repairs Nos. 2-8

Alterations

- Nos. 2-8 will be converted to form 14no. hotel suite apartments, including a new restaurant and bar area on the ground floor of No.2.
- Minimal new partitions are proposed on the ground floor of No.2 to preserve the quality of the existing space. New partitions will be added to the first and second floors of No.2 to allow for the installation of bathrooms and hotel suite apartments.
- Works will involve the strip out of surface mounted electricals and modern built-in storage furniture.
- False ceilings are to be removed.

- Fire escape of No.2 to be removed and replaced with the opening replaced with a glazed panel as per the original elevation.
- Glazed partition with fire glass to be removed.
- Rooflight openings of No.2 retained, but the rooflights will be replaced.
- Non-original partitions to be removed from Nos.4-8
- Modern staircase to be removed from Nos. 4-8.

Repairs

- Existing fireplaces are to be restored and reinstated.
- Architraves and door moulding to be retained and repaired.
- Plasterwork and cornice repaired as required.
- Removal of dry rot and remedial works, and restoration or replacement of timber work and mouldings.
- Windows to be restored or replaced with timber sash as per existing.
- Reinstating window opening on the second floor (west elevation).
- Removal of modern window timber work and replaced with window panelling as per original.
- Missing door to be replaced to match existing 6-panel doors.
- Plaster ceilings and detailing on the first floor of Nos. 4-8 that has been severely damaged by water ingress to be reinstated and cornice detail repaired.
- Alcove storage to be removed and the chimney breast and fireplace to be reinstated in Nos. 4-8.

2.5 It is worth noting that a previous submission to amend the window types was refused by the North Northumberland Local Area Council on 6 May 2022.

2.6 The issue here is whether it is appropriate to replace the existing single glazed windows in a grade II* listed property with respect to the overall permission. Members should note that any grant of permission would replace the original approval. The window details in the new extension are acceptable.

3. Planning History

Reference Number: C/09/00074/CCD

Description: Removal of existing mobile unit and replacement with 2 double mobile units

Status: PER

Reference Number: 13/02288/LBC

Description: Listed Building Consent - Roof repairs to replace stolen lead roof

Status: WDN

Reference Number: 15/00563/VARCCD

Description: Variation of condition 1 from application C/09/00074/CCD (Removal of existing mobile unit and replacement with 2 double mobile units).

Status: APPRET

Reference Number: 18/02544/LBC

Description: Listed Building Consent: General repairs and reinstatement works following cessation of use as school in order to improve aesthetics and make premises wind and watertight. There will also be timber decay repairs, asbestos removal, and plaster repairs internally.

Status: PER

Reference Number: 19/04192/LBC

Description: Listed building consent for localised repair of existing pitched roofs, to include replacement of natural slates, lead work, roof lights and cast iron rainwater goods. Install new thermal insulation throughout roof voids at rafter level. Redecorate retained existing cast iron rainwater goods. (Amended 24.03.2021)

Status: PER

Reference Number: 20/01238/FUL

Description: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PER

Reference Number: 20/01239/LBC

Description: Listed Building Consent: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PER

Reference Number: 21/01678/DISCON

Description: Discharge of conditions 11(Archaeological Mitigation) 12(Demolition Method Statement) 14(ecological report) on approved application 20/01238/FUL.

Status: CONREF

Reference Number: 21/02200/DISCON

Description: Discharge of condition 3(detailed schedule and annotated plan of all existing windows) on approved application 20/01239/LBC.

Full set of window plans existing and proposed

Status: WDN

Reference Number: 21/02319/DISCON

Description: Discharge of conditions 3(foul and surface water), 5(proposed highway works), 8(Construction Method Statement) and 18(detailed landscape planting plan) on approved application 20/01238/FUL.

Status: CONREF

Reference Number: 21/03038/VARYCO

Description: Variation of condition 2 (approved plans) pursuant to planning permission 20/01238/FUL for minor change to design of windows of new build hotel, and updating of information to reflect the proposed treatment of windows on existing building.

Status: REF

Reference Number: 21/03039/VARYCO

Description: Variation of conditions 2 (approved plans) and 3 (window treatment) pursuant to planning permission 20/01239/LBC for minor change to design of windows of new build hotel and updating of information to reflect the proposed treatment of windows on existing building.

Status: REF

Reference Number: 21/03080/DISCON

Description: Discharge of conditions - 7 (ground gases) pursuant to planning approval 20/01239/LBC

Status: REF

Reference Number: 21/03100/DISCON

Description: Discharge of condition 19 (materials and window details) on approved application 20/01238/FUL

Status: REF

Reference Number: 21/03655/DISCON

Description: Discharge of Conditions 5 (Highways) and 8 (Highways) relating to planning permission 20/01238/FUL

Status: PER

Reference Number: 21/04428/DISCON

Description: Discharge of condition 7(Ground Gases) on approved application 20/01239/LBC.

Status: PER

Reference Number: 22/01749/DISCON

Description: Discharge of condition 11 (Archaeological post-excavation assessment) of approved planning application 20/01238/FUL

Status: REF

Reference Number: 22/02587/VARYCO

Description: Variation of condition 2 (approved plans) on approved application 20/01239/LBC to update approved plans to reflect minor changes to window design of new hotel building and to reflect proposed treatment of existing windows on existing buildings. Removal of condition 3 - to be removed entirely or for wording to be amended to allow the proposed treatment of the existing windows

Status: PCO

Reference Number: A/78/A/77

Description: Alterations to form teaching facilities (as amended by plan E403/12)

Status: PER

4. Consultee Responses

Alnwick Town Council	<ol style="list-style-type: none">1. The level of proposed works to this listed building are not appropriate for this key building within an historically important part of Alnwick Conservation Area;2. The proposed works do not comply with several of the Alnwick & Denwick Neighbourhood Plan Heritage & Design Policies HD4, HD6 (Protecting Town Gateways) and HD7 (Design in the Historic Centre);3. The applicant describes the proposed works as a 'minor change' but the amount of work would suggest that the works would entail a significant amount of work which would alter the look of this strategic building within the conservation area;
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	<p>4. The interruption of business (the Replacement Timber Windows, Design and Justification Statement 4.0 Lifespan ' states that the Localised repairs and decoration of existing windows would require more involved regular maintenance which would likely interrupt the commercial use of the hotel). We feel this is not a valid planning reason to approve such level of replacement windows;</p> <p>5. The number of replacement windows being suggested is high which we feel is due to the lack of any recent on-going repairs by the applicant causing the state of the windows to decay further. We feel this is also not a valid planning reason to approve such level of replacement windows.</p>
Historic England	No response received.
Building Conservation	<p>In this case we consider the harm would be at the higher end of less than substantial harm with no benefit to outweigh this impact.</p> <p>We object to the proposal and recommend refusal.</p>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	478
Number of Objections	1
Number of Support	0
Number of General Comments	0

Notices

Affecting LB & Conservation, 10th September 2022

Northumberland Gazette 18th August 2022

Summary of Responses:

A single objection has been received but seems to direct their concerns towards the disruption of the building works as opposed to the replacement windows themselves.

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=RFBFYQQSI9U00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan 2016

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)
QOP 1 - Design principles (Strategic Policy)
QOP 2 - Good design and amenity
ENV 7 - Historic environment and heritage assets
ENV 9 - Conservation Areas

Alnwick and Denwick Neighbourhood Plan
HD 4 - The Approaches to the Town
HD 6 - Protecting Town Gateways
HD 7 - Design in the Historic Centre

6.2 National Planning Policy

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

6.3 Other Documents/Strategies

Traditional Windows Their Care Repair and Upgrading (Feb 2017), Historic England

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 the Northumberland Local Plan and the Alnwick and Denwick Neighbourhood Plan. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

- Principle of Development, and
- Heritage Assets

7.3 The current development plan is made up of the Northumberland Local Plan and the Alnwick Neighbourhood Plan.

Principle of Development

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

7.5 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e., the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them.

7.6 In considering the standard advice from Historic England and policy ENV 7 the assessment must be considered as a two-stage process. The initial test is whether the existing windows can be repaired and if so, can this be done reasonably. The applicant has submitted a detailed analysis of the existing windows and their proposals. The submissions considers:

- Acoustic performance
- Thermal performance
- Secondary glazing
- Replacement detailing
- Robustness and longevity

7.7 This has been considered by officers. Of the windows there are a total of 78 with only 11 to be retained. The applicant's submission summarises that they have evidenced the requirements of replacing 67 of the windows through virtue of a condition survey. The Built Heritage and Conservation Officer has met with the applicant and carried out their own assessment.

7.8 Officers consider that there is no objection to changes to windows in the new build extension along the Peth on the understanding the condition 19 of 20/01238/FUL remains in place. Much of what is presented with the application by way of justification is substantially the same information considered by members on 6 May 2022 in their decision to refuse the applications. The Heritage Impact Assessment has not been updated since April 2020. The Mawson Kerr Justification (dated March 2022) includes a Window Schedule dated 30.03.22. While the narrative states most window frames are decayed by dry rot this is only given as a reason for replacement for six windows, less than 10% of the almost eighty windows assessed in the Schedule. Also, the Schedule is not a clear and convincing justification for replacement on this scale. Assertion is not evidence. There is no assessment of each window detailing the repairs required and explaining why they are beyond repair.

7.9 It should be noted to help reconcile thermal performance and building conservation certain classes of historic buildings are expressly exempted from the need to comply with the energy efficiency requirements of the Regulations where compliance would unacceptably alter their character and appearance.

7.10 Further, it is important to note the substantive applications (20/01238/FUL & 20/01239/LBC) were explicit that the existing single glazed windows would be repaired, not replaced, and our assessment of the level of harm arising was made on this basis. We disagree that the variation now sought is "a minor change to the design of windows" as stated in the application title. It would be an irrevocable and detrimental change, particularly regarding 2 Bailiffgate, a grade II* listed building of the highest national significance.

7.11 Despite the strong contribution the fenestration makes to the special interest of the group, the applicant has made no assessment of the significance of the glazing in this application. The justification provided concentrates on the perceived unsuitability of the existing single glazed traditional windows for the new use as a hotel and on their alleged poor condition.

7.12 The proposal is to renew almost every window wholesale, not to work within the existing fabric of the windows. It is claimed that the windows are beyond economic

repair. However, the relevant test is whether the windows are capable of reasonable repair. From the information presented by the applicant, even if accepted at face value, many windows are demonstrably capable of repair. Where reasonable repair is accepted as not possible the replacement window should match the form, detailing and operation of the window to be copied, accurately replicating the profiles of all the window components including head, jambs and cill of the frame and the stiles, rails, and glazing bars of the sashes. Old glass should be carefully salvaged and reused. Where practicable, ironmongery should be overhauled and reused.

7.13 Double glazed windows cannot accurately copy the appearance of single glazed windows. The reflective qualities of double glazing are different from those of single glazing, particularly where there is surviving historic glass. Some of this change might be subtle but when repeated across a whole elevation the negative impact would be readily apparent. Crucially, while some of the appearance could be mimicked in a copy, all the historic and evidential significance would be lost. Even the most excellent copy can be no more than a copy.

7.14 We note the comment about the replacement windows having a life of 35 years. However, those traditional windows this application would discard have in many cases been in place for well over two hundred years. There is no reason with reasonable maintenance they cannot continue to serve for many more years to come. Historic England this year updated its advice on historic windows stating:

7.15 Traditional windows make an important contribution to the visual character and heritage significance of historic buildings and areas. They are integral to the design of older buildings and can be important artefacts, made with great skill and ingenuity from high quality materials not generally available today. When contemplating improvements to save energy and reduce fuel bills, owners and residents of historic buildings often think first about replacement windows.

7.16 Many traditional windows have been lost because old windows are thought to be burdensome to maintain and not energy efficient. But research carried out by Historic England has shown that they can be made to meet current thermal performance requirements economically and with minimal harm to significance. Furthermore, they are durable, functional, and repairable and if properly maintained will last longer than many types of replacement. Therefore, this 'repair not replace' approach makes good social, economic, and environmental sense.

7.17 Policy ENV7 of the NLP sets out the requirements for development that impacts on the historic environment. This is explored in more detail below.

Heritage Assets

7.18 The application site is Grade II* listed and is located within the setting of several other heritage assets. As such consideration must be given to these heritage assets.

7.19 The legislative framework has regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) which requires the local planning authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.20 The local planning authority must also have regard to Section 72 of the PLBCCA which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

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

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

7.22 The Council's Building Conservation Officer responded advising that the changes would result in a total loss of part of a heritage asset. Grade II* listed properties only make up some 10% of all listed buildings across England. Therefore, the building is of national importance. The applicant has not demonstrated that the windows are beyond reasonable economic repair and has promoted that the double-glazed windows will offer a better acoustic and thermal performance over the single glazed. Although this is true Historic England advice expresses that single glazed units with a secondary glazing system will outperform double glazed units in respect of thermal and acoustic efficiency. The applicant has not demonstrated that they have researched a secondary glazing system. However, officers do accept that a secondary screen will impact on the internal character of the property and that other measures such as heavy curtains and shutters are not likely to be an acceptable option in a commercial building such as a hotel.

7.23 Regardless the proposal has not demonstrated the windows are beyond reasonable levels of repair whilst it must be noted that the proposal is not consistent with Historic England guidance. The proposed changes would constitute harm within the terms of paragraph 196 of the NPPF and the level of harm would be "less than substantial" but there are no public benefits that would outweigh the level of harm.

7.24 Following the submission of additional information, the conservation officer provided further comment, reaffirming their position that whilst replacing the traditional windows with good copies would retain some of the aesthetic significance, all other significance would be lost. It was noted that a fine copy is still a copy and cannot retain the historic significance of the original, even if its appearance is accurately copied. Officers assert that replacing traditional windows with copies is harm within the terms of the NPPF. It is always preferable to repair existing windows and officers are of the view that the existing windows can be repaired. Whilst the additional information addressed windows, the other matters of concern raised by the conservation officer in their initial comments were not addressed in this submission, i.e., reasonable repair.

7.25 Notwithstanding that the associated removal of modern interventions, such as the rear extension, would be of benefit to the building and that the proposed works would result in the reuse of a historic property, which has remained empty for some time, this should not be used as justification for inappropriate and harmful interventions. Furthermore, it has not been demonstrated that the proposed works are

necessary to secure the future of the heritage asset and as such there are sufficient grounds to refuse the application.

7.26 Policy ENV 7 of the Northumberland Local Plan (NLP) states that development proposals will be assessed, and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. It is clear from the above that the proposal does not meet the requirements of ENV 7.

7.27 Based on the above, the proposals are contrary to the Policies of the ADNP, the NLP, Chapter 16 of the NPPF and Section 16(2) of the PLBCAA.

Climate Change

7.28 Given the current climate emergency officers must consider the environmental impact and benefits of a proposal as we consider sustainable development. Replacement units will generate more carbon emissions than simple repair and installation of secondary glazing methods. Equally, thermal, and acoustic efficiency are greater when single glazed units are combined with a suitable secondary system over double glazed, as per the advice of Historic England. Finally, the existing windows have lasted some 200 years. The proposed replacements only have a lifespan of 35 years. Considering this it would be more sustainable to re-use and repair the existing units and combine them with a secondary glazing system than replacing them with double glazed units

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

7.32 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The

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

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

8. Conclusion

8.1 The proposal seeks to replace existing single glazed windows with slim line double glazed units in timber frames using cylinder glass. Planning policy, NPPF and Historic England advice offers that works to listed buildings should seek to reduce the potential harm from development. In the first instance applicants should demonstrate that the existing windows are beyond reasonable repair. Only thereafter can the planning authority proceed to consider replacement unit.

8.2 In this instance the applicant has advised that the units are suffering dry rot, but no details have been provided as to the expense required to repair them. Therefore, the initial policy test cannot be applied, and the planning authority cannot consider replacement units.

8.3 The council's Building Conservation team has commented that the proposals have the potential for 'less than substantial harm' as per the wording of the NPPF. This means that the proposal will harm the character of the building and there should be some positive reason for doing so. In this instance the applicant has not demonstrated that they have explored all potential options to address the issues of thermal and acoustic performance.

8.4 The planning department has considerable concerns regarding the potential for double glazed windows in a grade II* building. The double-glazed units are not representative of the original style. The applicant has cited thermal and acoustic performance. However, secondary glazing systems offer an opportunity to exceed that of double-glazed units and there are other potential options to meet this requirement through alternative means elsewhere through the design.

8.5 Considering the above the application is not consistent with NPPF the Alnwick Neighbourhood Plan or policy ENV 7 of the Northumberland Local Plan.

9. Recommendation

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

9.2 The proposal would lead to 'less than substantial harm' to a Grade II* listed heritage asset and it has not been demonstrated as necessary or justified. The proposal would not therefore accord with policy ENV 7 of the Local Plan, advice from

Historic England or the paragraph 202 of the NPPF and plan or Paragraph 196 of the National Planning Policy Framework. The proposal would also be contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Reason

The proposal would lead to 'less than substantial harm' to a Grade II* listed heritage asset which has not been demonstrated as necessary or justified. The proposal would not therefore accord with policy ENV 7 of the Local Plan, advice from Historic England or paragraphs 196 and 202 National Planning Policy Framework. The proposal would also be contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Background Papers: Planning application file(s) 22/02585/VARYCO



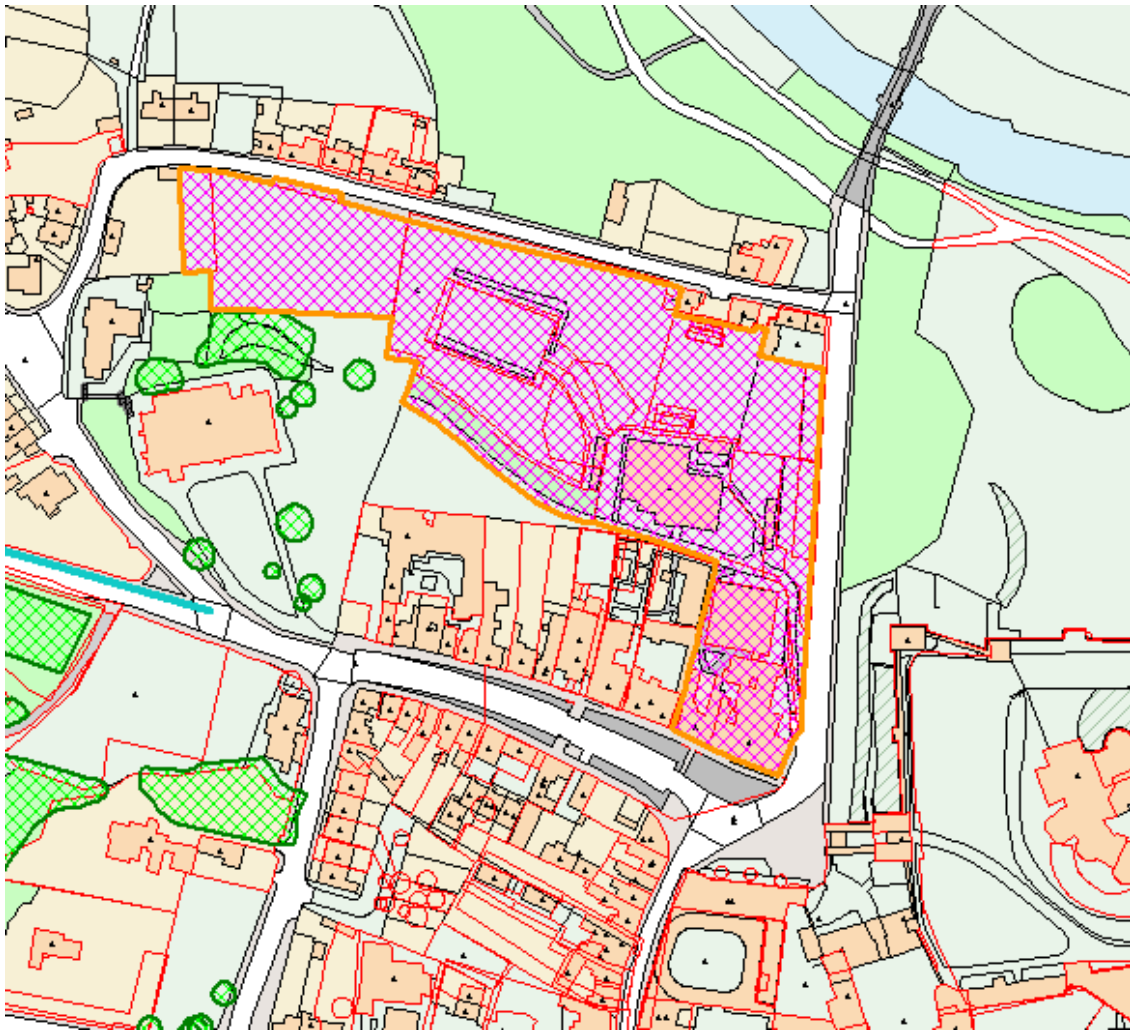
Northumberland

County Council

North Northumberland Local Area Council Planning Committee 24th November 2022

Application No:	22/02587/VARYCO		
Proposal:	Variation of condition 2 (approved plans) on approved application 20/01239/LBC to update approved plans to reflect minor changes to window design of new hotel building and to reflect proposed treatment of existing windows on existing buildings. Removal of condition 3 - to be removed entirely or for wording to be amended to allow the proposed treatment of the existing windows		
Site Address	Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland NE66 1LZ		
Applicant:	Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX	Agent:	None
Ward	Alnwick	Parish	Alnwick
Valid Date:	5 August 2022	Expiry Date:	30 September 2022
Case Officer Details:	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: 07517553360 Email: David.love@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1.0 Introduction

1.1 This proposal is considered appropriate for determination by the planning committee on the basis that the previous application was determined by the North Northumberland Local Area Council.

1.2 The application is a variation of planning permission reference 20/01239/LBC to replace the existing windows in the current building. The current units are single glazed and have been in situ for some considerable time. The replacements are proposed as double-glazed slim line glazing with cylindrical glass. They will have the same appearance as the existing windows and an expected life span of some 35 years. The application also seeks the removal or the rewording of condition three from the original consent. This condition is replicated below for ease of reference:

Prior to the commencement of work to windows a detailed schedule and annotated plan shall be submitted showing the type and condition of all existing windows. The schedule shall show which windows are to be retained and details of the windows that are to be replaced. No window shall be removed or replaced other than in accordance with the approved schedule. New or replacement windows shall match exactly the form, proportions and details of the originals in every respect including the design and profile of glazing bars and other mouldings.

New or replacement roof lights shall be flush fitting and metal framed.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

2.0 Description of the Site and the Proposal

2.1 The site to which the application relates is located on Bailiffgate, Alnwick and on the land immediately to the North. The listed buildings, 2, 4 and 6-8 Bailiffgate, formerly housed the Duchess School. The site is situated on the outskirts of Alnwick town centre, it sits within the Conservation area and immediately to the West of Alnwick Castle. The site is accessed via the public road on Bailiffgate, the north of the site is accessed via a private single carriage road accessed off The Peth. The existing access road tracks to the north and then forms a gravel track towards the West providing some access to the rear of St Michaels Church.

2.2 The terraced buildings on Bailiffgate site at the top of the slope which forms The Peth. The site slopes gradually down to Walkergate to the North. It is bounded to the East by an existing retaining wall alongside The Peth, the West a series of existing stone walls forming the boundary with St Michaels Church. To the north Walker Gate forms the boundary with a stone retaining wall alongside the road.

2.3 The original permission to which this application relates is reference 20/01238/FUL and is for the conversion of no. 2-8 Bailiffgate to form 14no. hotel suite /apartments, including a new restaurant and bar area. This will be connected by a glazed link to a new-build hotel block extension to the rear, providing a further 33no. hotel rooms.

2.4 The original permission stated that the existing windows would be retained. Since this approval, the applicant has identified dry rot within the frames, however this has been known for some considerable time. This application seeks the following window treatments to the original buildings:

External Alterations / Repairs to Numbers 2 - 8

Alterations

The early-20th century rear extension to No.2 Bailiffgate will be demolished along with a range of extension buildings to the rear of No. 4 Bailiffgate dating from the 18th-20th century. Two late-18th/early-19th century extensions will also be demolished to rear of Nos. 6-8. These buildings are in poor condition and are not deemed suitable for conversion as part of a proposal for hotel accommodation due to convoluted circulation, narrow floor plans, multiple level changes, poor natural light and limited external space.

Repairs

- Existing timber external doors are to be stripped, repaired, and redecorated.
- Existing stone elevation to be cleaned and descaled subject to a report by stone specialist.
- Leadwork and flashings to be renewed in line with roof condition survey and report.
- Single glazed timber windows to be retained and restored as per existing. Repair and replacement of sections as required. The design of the replacement sections to be a copy of the existing window design and detail.
- Existing slate roof to be repaired as required. Lead flashings to be renewed as per existing details.

- Internal Alterations/Repairs Nos. 2-8

Alterations

- Nos. 2-8 will be converted to form 14no. hotel suite apartments, including a new restaurant and bar area on the ground floor of No.2.
- Minimal new partitions are proposed on the ground floor of No.2 to preserve the quality of the existing space. New partitions will be added to the first and second floors of No.2 to allow for the installation of bathrooms and hotel suite apartments.
- Works will involve the strip out of surface mounted electricals and modern built-in storage furniture.
- False ceilings are to be removed.
- Fire escape of No.2 to be removed and replaced with the opening replaced with a glazed panel as per the original elevation.
- Glazed partition with fire glass to be removed.
- Rooflight openings of No.2 retained, but the rooflights will be replaced.
- Non-original partitions to be removed from Nos.4-8
- Modern staircase to be removed from Nos. 4-8.

Internal Repairs

- Existing fireplaces are to be restored and reinstated.
- Architraves and door moulding to be retained and repaired.
- Plasterwork and cornice repaired as required.
- Removal of dry rot and remedial works, and restoration or replacement of timber work and mouldings.
- Windows to be restored or replaced with timber sash as per existing.
- Reinstating window opening on the second floor (west elevation).
- Removal of modern window timber work and replaced with window panelling as per original.
- Missing door to be replaced to match existing 6-panel doors.
- Plaster ceilings and detailing on the first floor of Nos. 4-8 that has been severely damaged by water ingress to be reinstated and cornice detail repaired.
- Alcove storage to be removed and the chimney breast and fireplace to be reinstated in Nos. 4-8.

2.5 It is worth noting that a previous submission to amend the window types was refused by the NNLAC on 6 May 2022.

2.6 The issue here is whether it is appropriate to replace the existing single glazed windows in a grade II* listed property with respect to the overall permission. Members should note that any grant of permission would replace the original approval. The window details in the new extension are acceptable.

3. Planning History

Reference Number: C/09/00074/CCD

Description: Removal of existing mobile unit and replacement with 2 double mobile units

Status: PER

Reference Number: 13/02288/LBC

Description: Listed Building Consent - Roof repairs to replace stolen lead roof
Status: WDN

Reference Number: 15/00563/VARCCD

Description: Variation of condition 1 from application C/09/00074/CCD (Removal of existing mobile unit and replacement with 2 double mobile units).

Status: APPRET

Reference Number: 18/02544/LBC

Description: Listed Building Consent: General repairs and reinstatement works following cessation of use as school in order to improve aesthetics and make premises wind and watertight. There will also be timber decay repairs, asbestos removal and plaster repairs internally.

Status: PER

Reference Number: 19/04192/LBC

Description: Listed building consent for localised repair of existing pitched roofs, to include replacement of natural slates, lead work, roof lights and cast-iron rainwater goods. Install new thermal insulation throughout roof voids at rafter level. Redecorate retained existing cast iron rainwater goods. (Amended 24.03.2021)

Status: PER

Reference Number: 20/01238/FUL

Description: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PER

Reference Number: 20/01239/LBC

Description: Listed Building Consent: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PER

Reference Number: 21/01678/DISCON

Description: Discharge of conditions 11(Archaeological Mitigation) 12(Demolition Method Statement) 14(ecological report) on approved application 20/01238/FUL.

Status: CONREF

Reference Number: 21/02200/DISCON

Description: Discharge of condition 3(detailed schedule and annotated plan of all existing windows) on approved application 20/01239/LBC.

Full set of window plans existing and proposed

Status: WDN

Reference Number: 21/02319/DISCON

Description: Discharge of conditions 3(foul and surface water), 5(proposed highway works), 8(Construction Method Statement) and 18(detailed landscape planting plan) on approved application 20/01238/FUL.

Status: CONREF

Reference Number: 21/03038/VARYCO

Description: Variation of condition 2 (approved plans) pursuant to planning permission 20/01238/FUL for minor change to design of windows of new build hotel and updating of information to reflect the proposed treatment of windows on existing building.

Status: REF

Reference Number: 21/03039/VARYCO

Description: Variation of conditions 2 (approved plans) and 3 (window treatment) pursuant to planning permission 20/01239/LBC for minor change to design of windows of new build hotel and updating of information to reflect the proposed treatment of windows on existing building.

Status: REF

Reference Number: 21/03080/DISCON

Description: Discharge of conditions - 7 (ground gases) pursuant to planning approval 20/01239/LBC

Status: REF

Reference Number: 21/03100/DISCON

Description: Discharge of condition 19 (materials and window details) on approved application 20/01238/FUL

Status: REF

Reference Number: 21/03655/DISCON

Description: Discharge of Conditions 5 (Highways) and 8 (Highways) relating to planning permission 20/01238/FUL

Status: PER

Reference Number: 21/04428/DISCON

Description: Discharge of condition 7(Ground Gases) on approved application 20/01239/LBC.

Status: PER

Reference Number: 22/01749/DISCON

Description: Discharge of condition 11 (Archaeological post-excavation assessment) of approved planning application 20/01238/FUL

Status: REF

Reference Number: 22/02585/VARYCO

Description: Variation of Condition 2 (Approved Plans) on approved application 20/01238/FUL to allow minor changes to design of windows of the new hotel building and update information to reflect the proposed treatment of windows on existing buildings

Status: PDE

Reference Number: A/78/A/77

Description: Alterations to form teaching facilities (as amended by plan E403/12)

Status: PER

4. Consultee Responses

Building Conservation	The loss of almost all the traditional windows as proposed would be irrevocable and detrimental harm. It would adversely
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	<p>diminish the architectural and historic interest of the listed buildings. It would fail to sustain their significance. We consider the proposal would give rise to less than substantial harm. Less than substantial harm is not a less than substantial planning objection and considerable importance and weight should be attached to the significance of the heritage assets affected.</p> <p>In this case we consider the harm would be at the higher end of less than substantial harm.</p> <p>We object to the proposal and recommend refusal.</p>
Alnwick Town Council	<p>1. The level of proposed works to this listed building are not appropriate for this key building within an historically important part of Alnwick Conservation Area;</p> <p>2. The proposed works do not comply with several of the Alnwick & Denwick Neighbourhood Plan Heritage & Design Policies HD4, HD6 (Protecting Town Gateways) and HD7 (Design in the Historic Centre);</p> <p>3. The applicant describes the proposed works as a 'minor change' but the amount of work would suggest that the works would entail a significant amount of work which would alter the look of this strategic building within the conservation area;</p> <p>4. The interruption of business (the Replacement Timber Windows, Design and Justification Statement 4.0 Lifespan ' states that the Localised repairs and decoration of existing windows would require more involved regular maintenance which would likely interrupt the commercial use of the hotel). We feel this is not a valid planning reason to approve such level of replacement windows;</p> <p>5. The number of replacement windows being suggested is high which we feel is due to the lack of any recent on-going repairs by the applicant causing the state of the windows to decay further. We feel this is also not a valid planning reason to approve such level of replacement windows.</p>
Historic England	Refer the LPA to existing published guidance.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	478
Number of Objections	1
Number of Support	0
Number of General Comments	0

Notices

Summary of Responses:

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7. Appraisal

7.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.3 The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.4 The National Planning Policy Framework (NPPF) "The Framework" is a material planning consideration in the assessment of an application. Section 16 pertains to conserving and enhancing the historic environment. Paragraph 197 states that local planning authorities should consider several criteria including the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

7.5 Paragraphs 199-202 introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the public benefits of the development.

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

- Principle of Development, and
- Heritage Assets

7.7 The current development plan is made up of the Northumberland Local Plan and the Alnwick Neighbourhood Plan. Should the variation of condition two be approved then condition three would need to be removed or amended to reflect these changes.

Principle of Development

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

7.9 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e., the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them.

7.10 In considering the standard advice from Historic England and policy ENV 7 the assessment must be considered as a two-stage process. The initial test is whether the existing windows can be repaired and if so, can this be done reasonably. The applicant has submitted a detailed analysis of the existing windows and their proposals. The submissions consider:

- Acoustic performance
- Thermal performance

- Secondary glazing
- Replacement detailing
- Robustness and longevity

7.11 This has been considered by officers. Of the windows there are a total of 78 with only 11 to be retained. The applicant's submission summarises that they have evidenced the requirements of replacing 67 of the windows through virtue of a condition survey. The Built Heritage and Conservation Officer has met with the applicant and carried out their own assessment.

7.12 Officers consider that there is no objection to changes to windows in the new build extension along the Peth on the understanding the condition 19 of 20/01238/FUL remains in place. Much of what is presented with the application by way of justification is substantially the same information considered by members on 6 May 2022 in their decision to refuse the applications. The Heritage Impact Assessment has not been updated since April 2020. The Mawson Kerr Justification (dated March 2022) includes a Window Schedule dated 30.03.22. While the narrative states the majority of window frames are decayed by dry rot this is only given as a reason for replacement for six windows, less than 10% of the almost eighty windows assessed in the Schedule. Also, the Schedule is not a clear and convincing justification for replacement on this scale. Assertion is not evidence. There is no assessment of each window detailing the repairs required and explaining why they are beyond repair.

7.13 It should be noted to help reconcile thermal performance and building conservation certain classes of historic buildings are expressly exempted from the need to comply with the energy efficiency requirements of the Regulations where compliance would unacceptably alter their character and appearance.

7.14 Further, it is important to note the substantive applications (20/01238/FUL & 20/01239/LBC) were explicit that the existing single glazed windows would be repaired, not replaced, and our assessment of the level of harm arising was made on this basis. We disagree that the variation now sought is "a minor change to the design of windows" as stated in the application title. It would be an irrevocable and detrimental change, particularly regarding 2 Bailiffgate, a grade II* listed building of the highest national significance.

7.15 Despite the strong contribution the fenestration makes to the special interest of the group, the applicant has made no assessment of the significance of the glazing in this application. The justification provided concentrates on the perceived unsuitability of the existing single glazed traditional windows for the new use as a hotel and on their alleged poor condition.

7.16 The proposal is to renew almost every window wholesale, not to work within the existing fabric of the windows. It is claimed that the windows are beyond economic repair. However, the relevant test is whether the windows are capable of reasonable repair. From the information presented by the applicant, even if accepted at face value, many windows are demonstrably capable of repair. Where reasonable repair is accepted as not possible the replacement window should match the form, detailing and operation of the window to be copied, accurately replicating the profiles of all the window components including head, jambs and cill of the frame and the stiles, rails, and glazing bars of the sashes. Old glass should be carefully salvaged and reused. Where practicable, ironmongery should be overhauled and reused.

7.17 Double glazed windows cannot accurately copy the appearance of single glazed windows. The reflective qualities of double glazing are different from those of single glazing, particularly where there is surviving historic glass. Some of this change might be subtle but when repeated across a whole elevation the negative impact would be readily apparent. Crucially, while some of the appearance could be mimicked in a copy, all the historic and evidential significance would be lost. Even the most excellent copy can be no more than a copy.

7.18 We note the comment about the replacement windows having a life of 35 years. However, those traditional windows this application would discard have in many cases been in place for well over two hundred years. There is no reason with reasonable maintenance they cannot continue to serve for many more years to come. Historic England this year updated its advice on historic windows stating:

7.19 Traditional windows make an important contribution to the visual character and heritage significance of historic buildings and areas. They are integral to the design of older buildings and can be important artefacts in their own right, made with great skill and ingenuity from high quality materials not generally available today. When contemplating improvements to save energy and reduce fuel bills, owners and residents of historic buildings often think first about replacement windows.

7.20 Many traditional windows have been lost because old windows are thought to be burdensome to maintain and not energy efficient. But research carried out by Historic England has shown that they can be made to meet current thermal performance requirements economically and with minimal harm to significance. Furthermore, they are durable, functional, and repairable and if properly maintained will last longer than many types of replacement. Therefore, this 'repair not replace' approach makes good social, economic, and environmental sense.

7.21 Policy ENV7 of the NLP sets out the requirements for development that impacts on the historic environment. This is explored in more detail below.

Heritage Assets

7.22 The application site is Grade II* listed and is located within the setting of several other heritage assets. As such consideration must be given to these heritage assets.

7.23 The legislative framework has regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) which requires the local planning authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.24 The local planning authority must also have regard to Section 72 of the PLBCCA which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

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

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

7.26 The Council's Building Conservation Officer responded advising that the changes would result in a total loss of part of a heritage asset. Grade II* listed properties only make up some 10% of all listed buildings across England. Therefore, the building is of national importance. The applicant has not demonstrated that the windows are beyond reasonable economic repair and has promoted that the double-glazed windows will offer a better acoustic and thermal performance over the single glazed. Although this is true Historic England advice expresses that single glazed units with a secondary glazing system will outperform double glazed units in respect of thermal and acoustic efficiency. The applicant has not demonstrated that they have researched a secondary glazing system. However, officers do accept that a secondary screen will impact on the internal character of the property and that other measures such as heavy curtains and shutters are not likely to be an acceptable option in a commercial building such as a hotel.

7.27 Regardless the proposal has not demonstrated the economic cost of repair etc whilst it must be noted that the proposal is not consistent with Historic England guidance. The proposed changes would constitute harm within the terms of paragraph 196 of the NPPF and the level of harm would be "less than substantial" but there are no public benefits that would outweigh the level of harm.

7.28 Following the submission of additional information, the conservation officer provided further comment, reaffirming their position that whilst replacing the traditional windows with good copies would retain some of the aesthetic significance, all other significance would be lost. It was noted that a fine copy is still a copy and cannot retain the historic significance of the original, even if its appearance is accurately copied. The conservation officer asserts that replacing traditional windows with copies is harm within the terms of the NPPF. It is always preferable to repair existing windows and the conservation officer is of the view that the existing windows can be repaired. Whilst the additional information addressed windows, the other matters of concern raised by the conservation officer in their initial comments were not addressed in this submission, i.e., economic repair.

7.29 Notwithstanding that the associated removal of modern interventions, such as the rear extension, would be of benefit to the building and that the proposed works would result in the reuse of an historic property, which has remained empty for some time, this should not be used as justification for inappropriate and harmful interventions. Furthermore, it has not been demonstrated that the proposed works are necessary to secure the future of the heritage asset and as such there are sufficient grounds to refuse the application.

7.30 Policy ENV 7 of the Northumberland Local Plan (NLP) states that development proposals will be assessed, and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. It is clear from the above that

the proposal does not meet the requirements of ENV 7. Given the replacement windows are not acceptable there is no requirement to consider amendments to condition three.

7.31 Based on the above, the proposals are contrary to the Policies of the ADNP, the NLP, Chapter 16 of the NPPF and Section 16(2) of the PLBCAA.

Climate Change

7.32 Given the current climate emergency officers must consider the environmental impact and benefits of a proposal as we consider sustainable development. Replacement units will generate more carbon emissions than simple repair and installation of secondary glazing methods. Equally, thermal, and acoustic efficiency are greater when single glazed units are combined with a suitable secondary system over double glazed, as per the advice of Historic England. Finally, the existing windows have lasted some 200 years. The proposed replacements only have a lifespan of 35 years, according to the submission. Considering this it would be more sustainable to re-use and repair the existing units and combine them with a secondary glazing system than replacing them with double glazed units

Equality Duty

Equality Duty

7.33 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

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

Human Rights Act Implications

7.35 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.

7.36 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.

7.37 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, which includes the right of review by the High Court, complied with Article 6.

Conclusion

8.1 The proposal seeks to replace existing single glazed windows with slim line double glazed units in timber frames using cylinder glass. Planning policy, NPPF and Historic England advice offers that works to listed buildings should seek to reduce the potential harm from development. In the first instance applicants should demonstrate that the existing windows are beyond reasonable repair. Only thereafter can the planning authority proceed to consider replacement unit.

8.2 In this instance the applicant has advised that the units are suffering dry rot, but no details have been provided as to the expense required to repair them. Therefore, the initial policy test cannot be applied, and the planning authority cannot consider replacement units.

8.3 The council's Building Conservation team has commented that the proposals have the potential for 'less than substantial harm' as per the wording of the NPPF. This means that the proposal will harm the character of the building and there should be some positive reason for doing so. In this instance the applicant has not demonstrated that they have explored all potential options to address the issues of thermal and acoustic performance.

8.4 The planning department has considerable concerns regarding the potential for double glazed windows in a grade II* building. The double-glazed units are not representative of the original style. The applicant has cited thermal and acoustic performance. However, secondary glazing systems offer an opportunity to exceed that of double-glazed units and there are other potential options to meet this requirement through alternative means elsewhere through the design.

8.5 Considering the above the application is not consistent with NPPF the Alnwick Neighbourhood Plan or policy ENV 7 of the Northumberland Local Plan.

9. Recommendation

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

9.2 The proposal would lead to 'less than substantial harm' to a Grade II* listed heritage asset and it has not been demonstrated as necessary or justified. The proposal would not therefore accord with policy ENV 7 of the Local Plan, advice from Historic England or the paragraph 202 of the NPPF and plan or Paragraph 196 of the National Planning Policy Framework. The proposal is contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Background Papers: Planning application file(s) 22/02587/VARYCO

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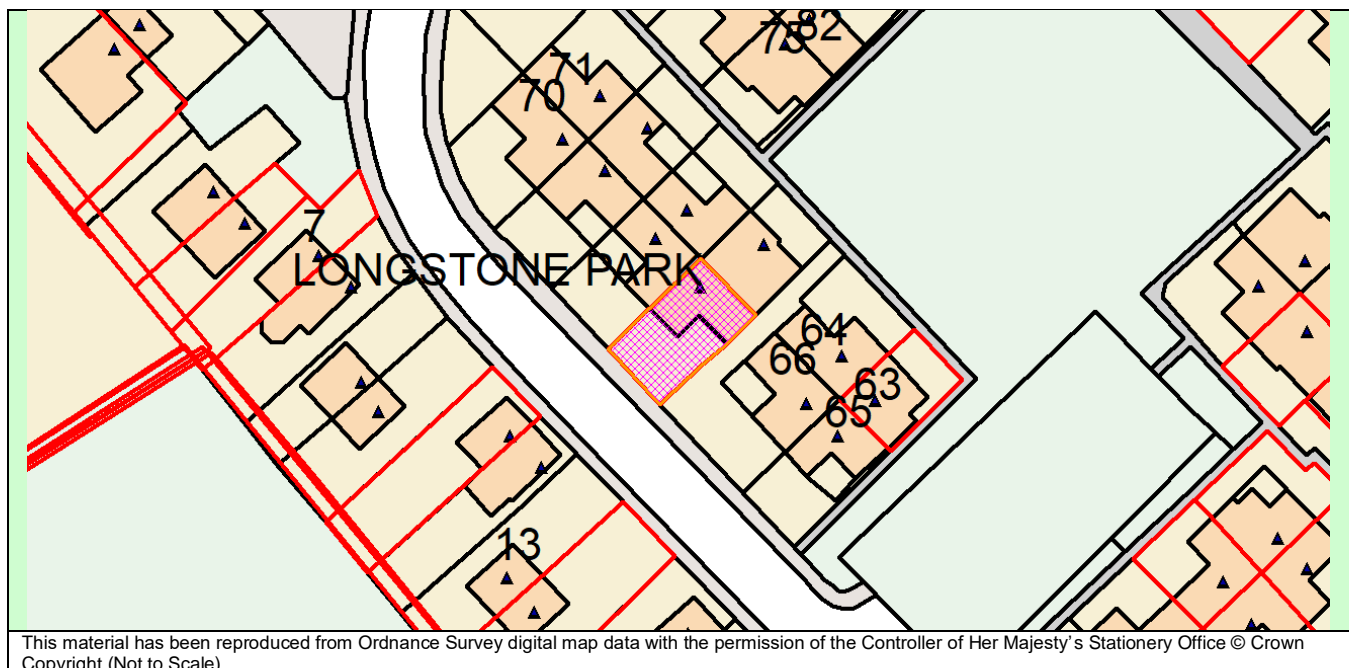


Northumberland
County Council

North Northumberland Local Area Council Planning Committee
24th November 2022

Application No:	22/02876/FUL		
Proposal:	Construction of single storey front extension - re-submission of planning application ref:21/03848/FUL		
Site Address	Beach Lea Bungalow, 67 Longstone Park, Beadnell, Chathill Northumberland NE67 5BP		
Applicant:	Mrs. Judith Goodall Beach Lea Bungalow 67 Longstone Park Beadnell NE67 5BP	Agent:	Mr. Paul Taylor Rivendell, Steppey Lane, Lesbury, Alnwick Northumberland NE66 3PU
Ward	Bamburgh	Parish	Beadnell
Valid Date:	23 August 2022	Expiry Date:	19 December 2022
Case Officer Details:	Name: Mr. Ben MacFarlane Job Title: Planning Officer Tel No: 07814075197 Email: Ben.MacFarlane@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to an objection received by Beadnell Parish Council which raises concerns with the design of the proposals and its insufficient parking provision. This is at odds with the officer recommendation that this application be approved.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 This application seeks permission for a single storey front extension to Beach Lea Bungalow, 67 Longstone Park, Beadnell. This building is a 1-bedroom single storey residential property. The proposed extension would infill the current L-shaped dwelling to provide a new living space.

2.2 The application site is located within the built-up area of Beadnell, in the centre of the settlement. It is bound on all sides by adjoining residential dwellings and as such can only extend to the front.

2.3 This application is a resubmission of 21/03848/FUL, which was reported to the North Northumberland Local Area Council Planning Committee on the 24th of February 2022 and was refused for the following reason:

The proposal would fail to respect local context and the character of the area and would therefore be contrary Policy 5 of the North Northumberland Coast Neighbourhood Plan.

2.4 Site constraints include,

AONB Coast
Coal Working Referral Area
Coastal Mitigation Zone
Heritage Coast
Impact Risk Zone SSSI
Neighbourhood Planning Area: North Northumberland Coastal Parishes
Occupancy Restriction for New Housing

3. Planning History

Reference Number: 21/03848/FUL

Description: Construction of single storey front extension

Status: REF

4. Consultee Responses

Beadnell Parish Council	Agreed by a majority to object. The Parish Council has made aware the existence of an Agreement between the builder and Local Authority which prohibited the erection of any building or structure on the amenity areas. Any such restrictive covenant is not a material planning consideration.
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	<p>The Parish Council objects on the following grounds:</p> <ul style="list-style-type: none"> • The application contravenes Policy No 5 of the North Northumberland Coast NHP, by failing to respect the local context and character of the area. • The application contravenes Policy No 8 (c) which states that all proposals for development must demonstrate sufficient car parking is provided within the curtilage to ensure no additional on-street parking on nearby streets. • The application is contrary to Policy QOP2 point 2 (a) which states “The physical presence and design of the development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring uses...”
Northumberland Coast AONB	The AONB Partnership raises concerns and does not support the application.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	0
Number of Support	1
Number of General Comments	0

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

A member of the public has made a comment in support of the application for the following reasons:

The works would allow a more sustainable use of the property and make it a more feasible option for permanent occupancy. It is also stated that care has been taken with the design of the proposed extension to match the materials to the existing, the roof integrates well into the existing structure and the design is sympathetic to the original building and the original design of these blocks have been compromised over the years by a variety of styles of porches/ conservatories/ extensions.

It is also noted that, of the 36 chalets in the area:

- 17 have no additions, the only changes over the years since construction in 1968 being to the front doors and/ or windows.
- 19 (53%) have been added to changing the original design and streetscape of the area with porches/ conservatories from modest to infilling the "L" of the properties' design.

- No. 67 is in the only row of 4 with no additions to date on the west side, the chalet adjoining no. 67 to the rear has a full infill conservatory.

And, of the 19 properties with additions (porches/ conservatories):

- 9 (25%) are "infills" of the L-shape including 55 Longstone Park with a
- permanent infill extension
- 10 (28%) of varying sizes

6. Planning Policy

6.1 Development Plan Policy

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

HOU 1 – Making the best use of existing buildings (Strategic Policy)

HOU 9 - Residential development management

QOP 1 – Design principles (Strategic Policy)

QOP 2 - Good design and amenity

TRA 2 – The effects of development on the transport network

ENV 5 – Northumberland Coast Area of Outstanding Natural Beauty

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

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

Policy 5 – Design in new development

Policy 8 – Sustainable development within the settlements

6.4 Other Documents/Strategies

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, applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan 2016-2036 (NLP) (2022). The National Planning Policy Framework (NPPF) (2021) and National Planning Practice Guidance (NPPG) are material considerations in determining this application.

Principle of the development

Design and visual impact

Impact on amenity

Impact on the transport network

Impact on AONB

Other matters

Principle of the development

7.2 The application proposes development that is domestic in nature within the residential curtilage of an existing dwellinghouse. The principle of development is therefore acceptable and in accordance with Policy HOU 9 of the Northumberland Local Plan and the NPPF.

Design and visual amenity

7.3 Beadnell Parish Council objects to the proposals on the grounds that the application contravenes Policy No 5 of the North Northumberland Coast NHP by failing to respect the local context and character of the area. The Parish Council is also of the opinion that the application is contrary to Policy QOP2 point 2 (a) which states “The physical presence and design of the development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring uses...”

7.4 This application is a resubmission of planning application 21/03848/FUL, which was refused at North Northumberland Local Area Council contrary to the officer recommendation that the application be granted permission. The proposals under this resubmission are almost identical, with some small updates to the design; the patio doors have been replaced with a large 4-pane window and all proposed windows would now have render surrounds to match those found around existing windows on the host dwelling and others in the area. The design under application 21/03848/FUL was deemed to be acceptable. It is the opinion of Officers that the design of the extension has been improved by these small alterations.

7.5 Policy 5 of the North Northumberland Coast Neighbourhood Plan 2017 requires that all new development should incorporate high quality design and demonstrate how local context and character is respected in terms of scale, density, height, massing, layout, materials and features including windows have regard to surrounding character and materials. As set out above by a supporting member of the public, and as noted by officers following site visits, a great number of similar properties in the immediate area have constructed front infill extensions.

7.6 The extension would remain subservient to the host property in terms of its scale, massing and height and would use materials in its construction to match those of the existing property. The proposals would respect the layout and arrangement of windows found on the existing property, even matching the render surrounds. With the above in mind, it is considered that the proposals' design is of a high quality and is in full accordance with Policy 5 of the North Northumberland Coast Neighbourhood Plan.

7.7 The Parish Council also refers to point 2 (a) of Policy QOP 2 of the Northumberland Local Plan, which requires that the physical presence and design of the development preserves the character of the area and does not have a visually obtrusive impact. As established, it is considered by officers that the proposals make great effort to preserve and mirror the character and local vernacular of the area. The proposed development is considered to be of an appropriate design which would not have a significant adverse impact on the character or visual amenity of the existing dwellinghouse or the surrounding area. Therefore, the proposed development is considered acceptable in terms of design in accordance with Policies

QOP 2, HOU 1 and HOU 9 of the Northumberland Local Plan, Policy 5 of the North Northumberland Coast Neighbourhood Plan and the NPPF.

Impact on residential amenity

7.8 In their objection, Beadnell Parish Council refer to point 2(a) of Policy QOP 2 of the Northumberland Local Plan, which requires that development proposals will ensure that the physical presence of the development does not have an overbearing impact on neighbouring uses, while outlook from habitable areas of the development is not oppressive. The proposed development has been assessed by officers and would not result in any loss of outlook or loss of privacy to neighbouring properties. The 45° test has been applied and it has also been established that the proposals would not result in and loss of light to neighbouring properties.

7.9 It is not considered that the proposals would have an overbearing impact on neighbouring uses and would not result in any oppressive outlook from habitable areas. The proposals are considered acceptable in this respect, in accordance with Policies QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.

Impact on the transport network

7.10 Beadnell Parish Council has also objected on the grounds that the application contravenes Policy No 8 (c) of the North Northumberland Coast Neighbourhood Plan which states that all proposals for development must demonstrate sufficient car parking is provided within the curtilage to ensure no additional on-street parking on nearby streets.

7.11 The application property is a one-bedroom bungalow. Were the proposals to be constructed, the application property would remain a one-bedroom bungalow. The proposal will not therefore impact on parking arrangements. The proposals are acceptable in this respect, in accordance with Policy TRA 2 of the Northumberland Local Plan and Policy 8 of the North Northumberland Coast Neighbourhood Plan.

Impact on AONB

7.12 The application site falls within the Northumberland Coast Area of Outstanding Natural Beauty. The AONB Partnership raise concerns over the application; they believe the extension is considered too large in terms of the host building and will impact on the original design of the building group in changing the layout and roof line.

7.13 As stated above, the design is of a high quality and would not result in any detriment to local character or visual amenity. The proposal is not therefore considered to result in any detriment to the character or visual amenity of the wider AONB. It is understood that the extension would impact on the original design of the building group, as any extension or alteration does. However, a change to the original design is not considered to be sufficient grounds for refusal in this case. Policy ENV 5 of the Northumberland Local Plan recognises that the AONB is a living, working area by allowing small scale development where it does not impact on the AONB's special qualities, as is the case in this instance.

Other matters

7.14 Upon refusing application 21/03848/FUL, Committee members suggested the applicant instead extends their property to the rear, however, this property immediately adjoins another to the rear and so this is not possible.

7.15 The points raised in the objection of Beadnell Parish Council have been thoroughly considered by officers in this decision-making process.

Equality Duty

7.16 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

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

Human Rights Act Implications

7.18 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.

7.19 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.

7.20 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, stating accordance with the relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the NLP and the NPPF on the matters of relevance in this case.

8.2 The proposal has addressed the main considerations and would accord with relevant policy and is considered to be acceptable.

9. Recommendation

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

Conditions/Reason

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

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

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

1. Drawing no. LP/02 Rev. A 'Proposed Plans and Elevations'

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in 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 the provisions of Policy HOU 9 of the Northumberland Local Plan.

Background Papers: Planning application file(s) 22/02876/FUL & 21/03848/FUL



Northumberland County Council

Appeal Update Report

Date: November 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?
21/04587/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>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
21/04652/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>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: development would appear as an incongruous and over dominant addition to the street scene resulting in significant harm to the visual amenity of the locality.</p>	<p>4 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04426/CLEXIS	<p>Certificate of lawful development of existing vehicular access from the B6318 – land on Hadrian's Wall remains south of Black Pasture Cottage, Brunton Bank, Wall</p> <p>Main issues: lack of information and evidence as submitted to grant certificate.</p>	<p>28 April 2022</p> <p>Appeal against non-determination</p>

19/01687/FUL	<p>Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping. Archaeological report received 09.2.2021 and amended site location plan received 26.02.21 - land north west of Springwood, Coast View, Swarland</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting and visual relationship between Swarland and wider countryside setting.</p>	<p>1 June 2022</p> <p>Committee 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 that is neither subordinate nor well related to the subject property and would have a negative impact on visual amenity.</p>	<p>7 July 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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</p>	<p>17 August 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>

	affordable housing, education, health and a Habitat Maintenance and Management Plan	
21/02377/FUL	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 Main issues: inappropriate development in the Green Belt; and the design and materials adversely impact on the character of the site and its surroundings.	23 August 2022 Delegated Decision - Officer Recommendation: Refuse
22/01800/FUL	Home office first floor extension over existing detached garage – 3 Keston Drive, Cramlington Main issues: disproportionate addition to the original garage resulting in harm to the character and appearance of the property and the street scene.	31 August 2022 Delegated Decision - Officer Recommendation: Refuse
20/02026/COU	Change of use of 8no. Holiday cottages to residential dwellings – 1 - 4 Bamburgh Cottages and 5 - 8 Craster Cottages, Northumbrian Hills, Burgham Park, Felton Main issues: unnecessary and unjustified residential development in the open countryside	1 September 2022 Delegated Decision - Officer Recommendation: Refuse
22/00042/LBC	Listed building consent to replace 6 windows with similar casement windows with wooden rather than plastic dividers – Broomhaugh Farm, Broomhaugh, Riding Mill Main issues: would result in loss of historic fabric and fail to preserve the special historic interest of the building, and would cause less than substantial harm to the listed building.	26 September 2022 Delegated Decision - Officer Recommendation: Refuse
22/01413/FUL	Dormer window to roof slope on principal (south) elevation – 3 Dene Park, Darras Hall, Ponteland Main issues: design, scale and massing would not be subordinate to the dwelling and would be out of character in the street scene.	27 September 2022 Delegated Decision - Officer Recommendation: Refuse
19/04687/OUT	Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham Main issues: inappropriate development in the Green Belt; lack of information in relation	27 September 2022 Delegated Decision - Officer Recommendation: Refuse

	to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education.	
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Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
20/01383/ENDEVT	Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).	9 February 2022
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022 Hearing date: 22 November 2022

22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022 Hearing date: 22 November 2022
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm, Kiln Pit Hill, Consett	29 April 2022
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	29 April 2022
19/01230/ENDEVT	Material change of use of the land from agricultural use for the siting of a shepherd's hut for use as holiday let accommodation - land south east of Closehead, Otterburn	29 June 2022

Inquiry and Hearing Dates

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

Implications

Policy	Decisions on appeals may affect future interpretation of policy and influence policy reviews
Finance and value for money	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
Legal	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	Each application/appeal may have an impact on the local environment and have been assessed accordingly
Wards	All where relevant to application site relating to the appeal

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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



Northumberland

County Council

S106

Agreements Update Report

September 2022

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

Recommendations

To note the contents of the report in respect of agreement monitoring and collection of s106 contributions.

Link to Corporate Plan

This report is relevant to all the priorities included in the NCC (Northumberland County Council) Corporate Plan 2021-2024.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the months of September 2022 and payments received for this month.



New Agreements

September	New Agreements completed and added to Database
21/03656/ful	Land at Brewery Cottage, Brewery Yard Newbiggin-By-The-Sea
21/04280/ful	Paintballing site Eshott Heugh
22/00272/AGTR ES	Land South West of West Burton, Bamburgh

Contributions Received

Development	Type of Contribution	Amounts Received
22/00430/ful Kens Autoparts 40 Park Road Blyth	Coastal Mitigation	£1230
20/04349/ful Guyance	Coastal Mitigation	£3690

Awards and Payments Made

Awards Paid Out	Project	Amount Paid
Guide Post Medical Group	Change office space to consultation rooms	£46881.89

Case Study - Healthcare S106 Contribution

S106 funding has recently been used to carry out some internal modelling works at Guidepost Medical Health Centre, North Parade, Guide Post Choppington NE62 5RA to expand patient capacity and services at the Health Centre.

Work has been done to change the existing admin and office space to create additional consulting room.



Photo 001



Photo 002



Photo 003



Photo 004



Photo 005

106 team - Any queries please email: s106@northumberland.gov.uk

Implications

Policy	Section 106 obligations are in line with policy unless other stated in individual applications.
Finance and value for money	As stated on individual applications
Legal	Legal Services will be instructed to assist with the preparation and monitoring of the obligations
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Each application will have regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	As set out in individual reports and decisions
Wards	All

Background papers

Planning applications and 106 Agreements

Report author and contact details

Elizabeth Sinnamon
 Senior Planning Manager - Development Management
 01670 625542
 Elizabeth.Sinnamon@northumberland.gov.uk



Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 24TH NOVEMBER 2022

NORTH SUNDERLAND HARBOUR COMMISSION APPOINTMENTS

Report of Helen Lancaster, Senior Manager, Legal Services

Purpose of report

To provide members with the background, progress and proposed next steps with regard to the Council's appointment of Harbour Commissioners to the North Sunderland Harbour Commission.

Recommendations

1. That Members receive this report.
2. That Members agree an interview panel consisting of three Councillors (from this Committee – the interview panel) to interview suitable prospective candidates for the two vacant posts of Harbour Commissioners.
3. To agree that the Council's Monitoring Officer in consultation with the interview panel (as agreed above) sets up the selection and interview process.
3. To agree that the interview panel to make the final recommendations for the two Harbour Commissioner's appointments to this Committee for its approval

Key issues

- North Sunderland Harbour Commission is a statutory harbour authority whose governing instrument is the North Sunderland Harbour Order 1931 (as amended)
- The Council has a power under the Order to appoint two Harbour Commissioners
- On the last two occasions that these appointments have come before the Committee no appointments have been made, the Council having been informed that a new Harbour Revision Order was due to be made which would remove any duty for the Council to appoint Harbour Commissioners
- The Council then in September 2022 received correspondence indicating that a claim for Judicial review was to be brought with regard to the failure to make appointments. This was followed by a claim for judicial review which was issued and served in October 2022 wherein a claim was made to require the Council to appoint two Harbour Commissioners.
- In order to ensure compliance with the Order the Council now needs to appoint two Harbour Commissioners

- Officers are now progressing with an advertising/appointment process which it is anticipated will be reported to the North Local Area Council in January 2023 with a view to members formally making appointments at that meeting.

Background

1. North Sunderland Harbour Commission (NSHC) is responsible for the maintenance and management of North Sunderland Harbour.
2. NSHC's governing instrument is the North Sunderland Harbour Order 1931 (as amended).
3. Article 7(1) of the Order provides that there should be 7 commissioners. Article 8(1) of the Order provides that
*'the appointment and election of commissioners shall be regulated as follows:-
(e) two members shall be appointed by the Northumberland County Council'*.
4. The matter of the appointment of Harbour Commissioners came before the Local Area Council on 22nd July 2021 where, in view of that fact that a Harbour Revision Order was to be made which would remove any duty on the part of the Council to make appointments, the matter was left in abeyance. The matter came before the Local Area Council again on 19th May 2022 when members resolved the following:
"North Sunderland Harbour were weeks away from signing a new Harbour Order which would no longer require an NCC representative. The Committee declined to appoint a member".
5. On 21st September 2022, the Council received a pre-action protocol letter indicating that the claimant was to commence proceedings for judicial review in relation to NSHC and the Council was named, in addition to NIFCA (Northumberland Inshore Fisheries and Conservation Authority) and Lord Crewe's Charity as appointing bodies, as a potential defendant. Within the pre-action protocol letter it was stated that the Council had declined to exercise its statutory discretion to make appointments and that any outstanding appointments should be made as soon as possible.
6. A response to the pre-action protocol letter was sent indicating that a Harbour Revision Order had been applied for by NSHC and that if the Harbour Revision Order had not been made by early November the matter of appointments would be considered by the North Local Area Council of the next meeting when appointments could be made was the committee.
7. On 19th October a claim for permission to proceed with a Judicial Review was issued and served on the Council. The remedy sought against the Council was an order requiring the Council to appoint such number of Commissioners to bring the number of serving Commissioners it has appointed to two. Officers have been in discussions with representatives of the claimant and negotiations have progressed on the basis

that the Council will appoint two Harbour Commissioners and that the appointments are anticipated to happen at the meeting of the North Local Area Council in January.

8. This therefore means that the Council must now appoint two Harbour Commissioners.
9. In appointing Harbour Commissioners the Council should have regard to the relevant parts of the Department for Transport's Ports Good Governance Guidance.
10. Looking at the Guidance, factors that the Council may want to consider when appointing Harbour Commissioners are;
 - Being a Fit and Proper Person
 - Independence
 - Accountability
 - Openness
 - Selflessness
 - Integrity
 - Objectivity
 - Honesty
 - Leadership
 - Merit

Guidance on all of the points above can be found in the Ports Good Governance Guide.

11. The process for the appointment of Harbour Commissioners should be open and transparent and officers are now putting together an application process which would be open to both members and members of the public. It is proposed that the two Harbour Commissioner positions are advertised and that interviews would then take place.
12. Members are therefore requested to agree an interview panel of three; a suggestion would be the Chair and Vice Chair and one other member.

Implications

Policy	Not Applicable
Finance and value for money	There are no financial implications within the report except minor advertising costs which will be met from existing budgets.

Legal	<p>The North Sunderland Harbour Order 1931 (as amended) sets out the legal framework requiring the appointment of Harbour Commissioners</p> <p>The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 confirm that the matters within this report are functions which may either be exercised by the Council or the Executive. Under the Constitution the Council has reserved these functions to itself and delegated these functions to the Local area Council under its terms of reference</p>
Procurement	Not applicable
Human Resources	Any persons appointed to the Harbour Commission would not be employees
Property	Not Applicable
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The interview and appointment process will be fully compliant with the Equality Act 2010
Risk Assessment	Not Applicable
Crime & Disorder	Not Applicable
Customer Consideration	The appointments will assist the efficient management of the North Sunderland Harbour Commission
Carbon reduction	The process will involve minimal non electronic materials
Health and Wellbeing	Not Applicable
Wards	Bamburgh

Background papers:

Ports Good Governance Guidance

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
Executive Director of Finance & S151 Officer	Jan Willis
Relevant Executive Director	Suki Binjal
Chief Executive	Rick O'Farrell
Portfolio Holder(s)	N/A

Author and Contact Details

Helen Lancaster
Senior Manager – Legal Services
01670 623323
Helen.lancaster@northumberland.gov.uk

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Northumberland County Council

COMMITTEE: NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 24TH NOVEMBER 2022

HOMELESSNESS AND ROUGH SLEEPING

Report of: Elizabeth Morgan, Interim Executive Director of Public Health and Community Services

Cabinet Member: Councillor Colin Horncastle, Portfolio Holder for Community Services

Purpose of report

The following report provides an update for members of the service provision for residents who are homeless, or at risk of homelessness, in Northumberland providing an outline of the key data and the services available for people sleeping rough.

Recommendations

It is recommended that members consider and comment on the contents of the report.

Link to Corporate Plan

This report is relevant to the priorities included in the Northumberland County Council Corporate Plan 2021-2024 which states:

***Enjoying, Connecting** - We will maintain, protect and enhance the environment, prioritising our commitments on Climate Change*

***Living, Learning** - We will care for our residents, support the most vulnerable in our society and help people to live healthy lives.*

Key issues

1. The Homelessness Act 2002 placed a duty on local authorities to carry out a review of homelessness in their area and formulate and publish a Homelessness Strategy based on the findings from the review. Our current strategy is written in accordance with this legislation and statutory guidance.

2. The Housing Act 1996, Part 7 has most recently been amended by the **Homelessness Reduction Act 2017 (HRA)**. This new Act represented fundamental amendments to the existing homelessness legislation. It introduced new requirements to prevent and relieve homelessness and, in that context, set out a range of new duties. These amendments came into force in April 2018.
3. The Northumberland Homelessness Strategy 2016-2021 was refreshed in 2019 to include measures set out in the Homelessness Reduction Act 2017 as well as responding to respond to the Government's vision set out in their **Rough Sleeping Strategy (2018)** *'to support every person who sleeps rough off the streets and into a home'*.
4. In February 2022 consultation was carried out with partners and stakeholders to establish whether our current objectives were still relevant and that they would enable the council to tackle homelessness and rough sleeping in the County and meet the requirements of the HRA.
5. The new draft **Homelessness & Rough Sleeper Strategy 2022 – 2024** reflects the consultation input and the needs and demands for homelessness services and housing options advice and support across the county. This is currently being reviewed through the committee process in advance of being adopted.

Background

The Council's Homelessness Strategy for Northumberland 2016- 2021 detailed 5 key strategic priorities for the delivery of homelessness and housing options support for Northumberland residents. Since that strategy was published in 2016 changes in national policy impacted upon the services we needed to provide.

The Homelessness Reduction Act 2017 was the most notable change to legislation relating to homelessness in over 40 years. It transformed the way homelessness services are expected to be delivered and introduced new duties. The Act made changes to the current homelessness legislation contained in Part 7 of the Housing Act 1996, with a renewed focus on preventing homelessness.

The Homelessness Code of Guidance 2018 (CoG 2018) was published in February 2018 in readiness for the implementation of the Homelessness Reduction Act 2017. The CoG 2018 is considered alongside the legislation when assessing and dealing with applications for assistance under either the Homelessness Reduction Act 2017 or Part 7 of the HA 1996.

The Government's **Rough Sleeping Strategy (August 2018)** set out the 2027 vision to support every person who sleeps rough off the streets and into a home. This was

the beginning of Government plans to meet their 2027 ambition, when the ambition is that no one must sleep rough again.

The Northumberland Homelessness Strategy 2016-2021 was refreshed in 2019 to include measures set out in the Homelessness Reduction Act 2017 as well as responding to the Government's vision set out in their Rough Sleeping Strategy (2018) 'to support every person who sleeps rough off the streets and into a home'. This led to the publication of the council's **Homelessness and Rough Sleeping Strategy for Northumberland 2019 - 2021**

This strategy supported the Council's priorities for the delivery of our statutory obligations to people who are homeless or at risk of homelessness whilst also supporting the delivery of the Council's Corporate Priorities and the delivery of the principle within the Housing Strategy for Northumberland that having a decent home is fundamental to the health and wellbeing of everyone living in Northumberland.

As this strategy ended in 2021 a new strategy has been drafted, reflecting the consultation that took place earlier this year and the needs and demands for homelessness service and housing options advice and support across the county.

In addition to changes to homelessness legislation, the **Domestic Abuse Act 2021** was passed into law in April 2021. The Act aims to further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice and strengthen the support for victims of abuse by statutory agencies. The **Northumberland Domestic Abuse Strategy 2021-2024** outlines how Northumberland County Council will implement the recommendations of the refreshed Domestic Abuse needs assessment and the statutory duties associated with the provision of safe accommodation and support.

The Council's new draft Homelessness Strategy, **Homelessness & Rough Sleeper Strategy for Northumberland 2012–2024**, sets out the priorities and future actions for tackling homelessness over the next three years. A detailed action plan will be produced to further explore how the priorities can be implemented and monitored to ensure delivery of the identified priorities.

The priorities within this strategy have been identified as follows;

- **Priority 1**
Improve services and accommodation options for rough sleepers and single homeless people
- **Priority 2**
Provide early intervention, prevention, and relief of homelessness through effective partnership working
- **Priority 3**
Improve access to suitable, affordable, and quality permanent, temporary, and emergency accommodation across all sectors
- **Priority 4**

Link health, well-being, and housing together to improve the life chances and aspirations of those affected by homelessness

- **Priority 5**

Develop homelessness pathways for specific groups including victims of domestic abuse, young people, prison leavers and armed forces veterans

The updated strategy will shortly be presented to OSC and Cabinet for approval and adoption.

To support the delivery of the priorities within the Homelessness Strategy the Council currently hosts the **Northumberland Homelessness Partnership** which meets on a quarterly basis to discuss issues affecting people who are homeless or at risk of homelessness and how best to deliver the services required to support them.

The Statutory Role of the Council

The Homelessness Reduction Act 2017 (HRA) came into force on 1st April 2018 and has placed a greater emphasis on intervention and acting quickly to provide advice and prevent homelessness. It also extends the duty placed on the council to offer more help to people considered to be 'non priority'.

Previously no duty was owed unless someone was homeless or threatened with homelessness and they had a 'priority need'. The HRA extends this duty to provide that people who are 'non priority' are captured by the "relief duty" and are provided assistance with securing accommodation. The HRA also increases the timeframe where help must be provided.

A person is also entitled to advice and assistance even if they have no local connection to the Local Authority area.

Current Council Provision

Housing Services currently manage 4 council-owned properties, providing 32 rooms and 73 bed-spaces, for temporary and emergency accommodation. These properties are generally shared accommodation, sharing kitchen and bathroom facilities. In addition, there are 3 self-contained flats, one in Alnwick and two in Berwick. The shared units are located across the county; Woodlands Lodge, Hexham, The Hawthorns in Ashington, Lamb House in East Cramlington and Middle Street, Berwick. The properties are staffed during general office hours, with out of hours cover provided for emergency admissions.

Provision at Lamb House was increased by 4 rooms (6 bed spaces) in 2017 with the conversion of the former Warden's House. This enabled the provision of an additional accessible room and bathing facilities for clients with a disability.

Due to the demand on Temporary Accommodation, we have acquired a further 6 dispersed units of Temporary accommodation via agreement with Advance and by Purchase and Repair using Homes England funding. These are in the Ashington and Bedlington area and consist of both houses and flats, increasing our flexibility to support people for whom shared accommodation would not be appropriate.

In addition, we have also acquired 4 additional properties from Bernicia, specifically to support with the households who require Temporary accommodation following a

breakdown of their placement under the Homes for Ukraine scheme, with further options also being explored with other social landlords.

In 2020 we successfully obtained Government funding under the Rough Sleeping Initiative (RSI) for 3 further properties and a Tenancy Support Officer. These 3 properties are specifically used for either rough sleepers or people at risk of rough sleeping. The Tenancy Support Officer provides a more intense level of support to try and break the cycle of rough sleeping and then move individuals onto more permanent accommodation. Since May 2021 we have had 20 referrals into the service and 5 have been successful with a placement.

Commissioned Provision

With the enactment of the Homelessness Reduction Act 2017 it was recognised that there was a requirement for increased availability of temporary accommodation for clients with complex needs, and those requiring more low-level support to ensure that the Council's Homeless Team could meet the statutory requirement of Relief of Homelessness required by the Act.

Following a procurement exercise completed in September 2017 Changing Lives were successfully commissioned to deliver 11 units of Supported Accommodation and an additional 25 units of Dispersed Accommodation to clients with complex needs, expanding their current service provision across the county, and extending their client group from being all-male to including female clients.

In 2020 the Council worked in partnership with Changing Lives to provide additional bedspaces under the Somewhere Safe to Stay provision. This means that if someone is found sleeping rough they can quickly access a bedspace and can then access the support of Changing Lives staff and move on to accommodation that meets their needs.

Challenges

In Northumberland single homeless adults who have an offending history, drug or alcohol issues or mental health problems often struggle to access mainstream housing in the social rented sector or decent private rented accommodation. They often move around, staying with family and friends and cycling in and out of low-quality accommodation. Whilst the procurement of services goes some way to meeting this need the accommodation of this group will remain a challenge.

Figures for rough sleeping in the county are reported to Government on annual basis in the Autumn via a statutory return. The count takes places on one night and partner organisations are asked to report how many people are found rough sleeping on that day. The official annual count in 2020/21 identified six rough sleepers and in 2021/22 the number recorded was reduced to four.

Homelessness statistics from 1 April 2020 to 31 March 2022

In 2020/21 a total of 767 applications were made to the Homelessness and Housing Options Service of which:

- 249 were prevented¹ from becoming homeless within 56 days
- 242 were relieved² from being homeless within 56 days
- 42 went through to main duty homelessness of which 23 were assessed as having no duty owed
- 234 were advice only, cancelled or closed.

In 2021/22 a total of 5408 applications were made to the service of which:

- 398 were prevented from becoming homeless
- 258 were relieved from being homeless within 56 days
- 51 went through to main duty homeless of which 18 were assessed as having no homelessness duty owed
- 60 cases still under investigation
- 4641 were advice only, cancelled or closed

The significant difference in the number of applications to service from 2020/21 to 2021/22 was due to the change in the way cases were recorded on the system. Previously if a case was resolved through advice and information they were not recorded on the system.

The low figure of cases accepted as homeless and in priority need reflects the impact of the Homeless Reduction Act where the expectation is that fewer applicants will progress to a full homeless application with increased preventative and relief work taking place over a longer period before a formal application is made.

	2020/21	2021/22
Successful Prevention cases	249	398
Successful Relief cases	242	258
Main Duty homeless cases	42	51
Advice only, cancelled or closed	234	4641
Total applications made to the service	767	5408

Reasons for Homelessness

The figures below show that the main reason for homelessness in Northumberland remains consistently domestic violence, however there was a 10% decrease from 2020/21 to 2021/22. The second highest reason for homelessness, exclusion from the family home, accounted for around 33% of all reasons for homelessness.

The largest increase in reason for homelessness was seen in 2021/22 in loss of private rented tenancy which showed a massive increase of 224% from the previous year. This was due to the impact of Covid-19 where many households found

¹ The 'prevention duty' places a duty on housing authorities to work with people who are threatened with homelessness within 56 days to help prevent them from becoming homeless.

² If someone is homeless the Council must help to secure suitable accommodation for them and their household. This is known as the relief duty.

themselves in financial difficulty as a result of furlough, reduced working hours or loss of employment.

Table 2: Reason for homelessness

Reason for homelessness	2020/2021	2021/2022
Departure from institution: Custody	0	1
Domestic abuse – victim	129	115
Domestic abuse – alleged perpetrator excluded from property	0	3
End of private rented tenancy – assured shorthold tenancy	55	178
End of private rented tenancy – not assured shorthold tenancy	2	4
End of social rented tenancy	10	86
Eviction from supported housing	6	14
Family no longer willing or able to accommodate	128	123
Friends no longer willing or able to accommodate	16	24
Fire or flood / other emergency	0	5
Home no longer suitable due to disability / ill health	0	2
Left HM-Forces	0	1
Left institution with no accommodation available	5	2
Mortgage repossession	0	2
Non-racially motivated / other motivated violence or harassment	21	21
Other	65	30
Property disrepair	2	6
Racially motivated violence or harassment	4	
Relationship with partner ended (non-violent breakdown)	90	88
Required to leave accommodation provided by Home Office as asylum support	0	5
Total	533	710

County Areas of Homelessness

An analysis of postcodes showed that over the period from 2020 to 2022 60% (146) of all cases of domestic abuse were from the southeast of the county. The figures also showed that in the whole of Northumberland a total of 135 household had

dependent children which amounted to 252 children who were either threatened with homelessness or made homeless due to domestic abuse.

Services to Support People Sleeping Rough

NCCs Ending Rough Sleeping Plan identified a total of six individuals who were known to be entrenched rough sleepers and very difficult to engage in services. A target of the Plan was to reduce this number to zero. This was achieved by enabling access to housing with support and ensuring that their tenancy was maintained and eventually to moving on to more permanent accommodation.

With the help of RSI funding from the Government we have been able to commission a Rough Sleeping Outreach service. This is provided by Changing Lives. The officers receive referrals from the Homelessness and Housing Options officers, Councillors and from members of the public. The officers will visit the areas that have been reported to them to locate the Rough Sleeper, they will try to engage with the person and offer support and assistance to that person. If applicable they will offer the SSTS/crash pad service to get that person off the streets. If the person declines, they will still offer support with food, warmth etc. They will continue to visit the person to engage with them to see if they change their mind. It can often take a few visits before the person trusts them enough to take up the offer of accommodation.

Once the person is in the crash pad/SSTS placement then they work with Changing Lives to identify any support needs. They will then work with the support worker to link in with support agencies in order to get the person the best support for their identified need.

Once a bed becomes available in the main Changing Lives project then the person can be moved into there which is longer term accommodation. They can then still work with the support worker but have more secure accommodation.

From 1 April 2021 to 31 March 2022 there have been 120 individuals referred into the Crash pad/SSTS facility.

The council continues to report monthly figures to the government on the number of people identified as sleeping rough and how they progress through the rough sleeper accommodation pathway.

Conclusion

Services to residents are provided county-wide with specific officers based in the south-east, west and north of the county ensuring that a consistent offer is provided to all requiring support and assistance.

Implications

Policy	Supports the delivery of the Corporate Plan and the priorities within the Housing Strategy for Northumberland 2019-2022 and the Private Sector Housing Strategy 2021-2023
Finance and value for money	There are no direct financial implications arising from this report. Sustaining tenancies and reducing homelessness has a positive impact on the budget.
Legal	The Homelessness service is a Statutory Service and is delivered in line with requirements of the Homelessness Reduction Act 2017.
Procurement	none
Human Resources	none
Property	Details the council's ambitions for homelessness & housing options services This is likely to lead to an increase in council-owned stock being used as temporary accommodation.
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	An EIS has been completed for the associated strategies to ensure that fair access to housing for all residents is considered.
Risk Assessment	none
Crime & Disorder	People who are homeless are both more likely to be the victims of crime; and may be more likely to commit crime for survival, to acquire money or shelter.
Customer Consideration	Enables provision of suitable accommodation for all residents
Carbon reduction	none
Health & Wellbeing	Sustaining tenancies and reducing homelessness & rough sleeping will have a positive impact upon the health & wellbeing of residents.
Wards	All

Background papers:

Draft Homelessness & Rough Sleeper Strategy for Northumberland 2022-2024

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
Executive Director of Finance & S151 Officer	Jan Willis
Relevant Executive Director	Liz Morgan
Chief Executive	Rick O'Farrell
Portfolio Holder(s)	Colin Horncastle

Author and Contact Details

Julie Stewart
Strategic Housing Manager
07771 974 112
Julie.stewart@northumberland.gov.uk

Northumberland County Council
North Northumberland Local Area Council
Work Programme 2022/23

Rebecca Little : 01670 622611 : Rebecca.Little@northumberland.gov.uk

UPDATED: 16 November 2022

16 November 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.
- (m) To exercise the following functions within their area:-

16 November 2022

- (i) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
- (ii) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
- (iii) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
- (iv) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007).
- (v) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Public question time (bimonthly, not at planning only meetings), petitions, Members' Local Improvement Schemes (bimonthly, not at planning only meetings)

To be listed:

Digital Connectivity Infrastructure Acceleration Project

Northumberland County Council
North Northumberland Local Area Council
Work Programme 2022-23

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24 November 2022

- Planning
- Local Services Update
- Space for Shorebirds
- Homelessness & Rough Sleeping

22 December 2022

- Planning

16 November 2022

19 January 2023	
	<ul style="list-style-type: none"> • Planning • Local Services Update
23 February 2023	
	<ul style="list-style-type: none"> • Planning
23 March 2023	
	<ul style="list-style-type: none"> • Neighborhood Policing Update • Planning • Local Services Update • Fostering
20 April 2023	
	<ul style="list-style-type: none"> • Planning

**NORTHUMBERLAND COUNTY COUNCIL
LOCAL AREA COUNCIL - NORTH NORTHUMBERLAND
MONITORING REPORT 2022/23**

Ref	Date	Report	Decision	Outcome
1	19.05.22	Presentation – Tweed Valley Railway Campaign.	Information was noted.	
	19.5.22	Appointments to Outside bodies	<p>The following changes were made to the outside body appointments:</p> <ul style="list-style-type: none"> •Glendale Gateway Trust no longer required a NCC appointment. •North Sunderland Harbour Commission were weeks away from signing a new Harbour Order which would no longer require a NCC representative. The committee declined to appoint a member. •Councillor Nick Morphet had been allocated to sit on Northumberland National Park Joint Local Access Forum. 	

3	18.08.22	River Tweed Commissioners	The North Northumberland Local Area Council were asked to approve the appointment of three new angling club members, for three years to the River Tweed Commissioners. Mr SJR Innes Mr E Seymour Mrs C Foreman	
4	22.09.22	Rural Business Growth Service	Information was noted	

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