



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 12 July 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE** to be held in **MAIN HALL - ST JAMES'S URC, POTTERGATE, ALNWICK, NE66 1JW** on **THURSDAY, 20 JULY 2023** at **2.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To North Northumberland Local Area Planning Committee members as follows:-

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



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

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

1. **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 Committee held on Thursday, 22 June 2023 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. sures 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. **21/03496/FUL**
Proposed new detached dwelling
Westlea Bed and Breakfast, 29 Riverside Road, Alnmouth, NE66 2SD

(Pages
13 - 50)

7. APPEALS UPDATE

(Pages
51 - 64)

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

8. DATE OF NEXT MEETING

The next meeting of the North Northumberland Local Area Committee is scheduled for Thursday, 24 August 2023.

9. URGENT BUSINESS

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

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)

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

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

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking
- (iii) If any Member leaves and then returns to the room during consideration of an application then they may not take any further part in that application.

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)

Agenda Item 3

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE

At the meeting of the **North Northumberland Local Area Planning Committee** held at Main Hall - St James's URC, Pottergate, Alnwick, NE66 1JW on Thursday, 22 June 2023 at 2.00 pm.

PRESENT

G Castle (Chair)
(in the Chair)

MEMBERS

T Thorne
G Hill
C Hardy

T Clark
G Renner-Thompson
M Swinbank

OFFICERS

M Bulman
V Cartmell

R Little
J Sharp

Solicitor
Planning Area Manager - Development
Management
Assistant Democratic Services Officer
Senior Planning Officer

Around 5 members of the press and public were present.

1 **MEMBERSHIP AND TERMS OF REFERENCE**

RESOLVED that the Membership and Terms of Reference for the North Northumberland Local Area Planning Committee as agreed by Council at the meeting on 17 May 2023 be noted.

2 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bridgett, Hunter, Mather, Pattison, Seymour, and Watson.

3 **MINUTES**

It was noted that there had been a typo in minute 168, and should have read “The next meeting of the North Northumberland Local Area Committee is scheduled for Thursday, 22 June 2023”

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Committee held on Thursday, 18 May 2023, as circulated, were confirmed as a true record, and were signed by the Chair.

4 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Thorne stated that he had a personal and prejudicial interest in planning application 22/02619/FUL and would leave the meeting.

Councillor Thorne left the meeting at this point.

Councillor Hardy, Vice-Chair (Planning) in the Chair.

5 **DETERMINATION OF PLANNING APPLICATIONS**

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

Councillor Castle explained that a question may be asked through the chair to the public speakers however that would only be used for clarity on a subject. Any questions should be answered by the planning officers in the first instance.

RESOLVED that this was noted.

**Retrospective Change of Use of White Cottage to Serviced Accommodation in Association with the Joiners Arms
White Cottage, The Inn Road, Newton-By-The-Sea, Northumberland, NE66 3EA**

J. Sharp – Senior Planning Officer, introduced the application to members with the aid of a PowerPoint presentation, there were no updates.

P. Goodfellow spoke in objection to the application and gave the committee the following information:

- The applicant continued to push the boundaries of planning law to facilitate commercial development by repeatedly developing areas then seeking retrospective permission.
- Original plans had been submitted for the Shepherds Hut in the rear garden of White Cottage in April 2020, there was no mention of development of the cottage itself to provide extra accommodation.
- Neighbours had witnessed noise and disruption from the rear of the premises, including loud music and shouting until the early hours of the morning.
- Concerns over traffic congestion on a busy junction.
- The application shows car parking spaces that did not exist, five spaces at the front of the pub and two in the rear garden of White Cottage.
- The applicant had not mentioned the alterations to the drainage/sewerage for the site. Building regulations/planning were required to ensure it was adequate.
- The application was setting a precedent which was concerning for residents of High Newton.

W. Pattison had registered to speak as the Local Member and submitted a speech to be read out by an officer at the meeting, in accordance with the Public Speaking Protocol. The committee were given the following information:

- Cllr Pattison objected to the application and noted that it did not differ from the application submitted under 20/04267/FUL
- The application was an overdevelopment in a crowded area of the village.
- There was no adequate parking provision for the property.
- The application had not taken sustainability into account.
- Light pollution and the overdevelopment of a small village lying within the AONB was a huge concern.

J. Roper spoke on behalf of Newton-by-the-Sea Parish Council and gave the committee the following information:

- The Parish Council agreed with the statements by The Northumberland Coast AONB Partnership.
- The change of use from dwelling house to serviced holiday accommodation was not supported.
- The extension to the Joiners Arms was considered an overdevelopment in the small rural village set in an AONB.
- The application was fundamentally flawed by a serious mistruth on the number of parking spaces provided.

- A planning application for installing a shepherd hut in the rear of the garden of White Cottage was granted by the Planning Authority in April 2020 on the strict condition that two dedicated parking spaces were provided for the huts in the rear curtilage of White Cottage and should not be used for any other purpose.
- The application included the use of the two parking spaces as part of the three to be dedicated to White Cottage.
- The provision for White Cottage was therefore only one space which failed to satisfy NCC's minimum requirements.
- The introduction of outdoor hot tubs at the rear of White Cottage were inappropriate for the short stay lets set in a small rural village in an AONB, which tranquillity was an expected quality.
- A large expansion of The Joiners Arms was undertaken by The Apartment Group on its acquisition in 2011 including; the building footprint was increased by 30%, five B&B rooms added above the pub, the front beer garden was increased, and a new rear beer garden was created.
- In March 2021, a planning application for significant further expansion of The Joiners Arms was submitted then withdrawn as the Planning Authority advised it would be refused on grounds including the inability to provide adequate onsite parking.
- Overdevelopment in a small rural village.
- The village was at, or over the tipping point in terms of its future sustainability.

S. Bailey spoke in support of the application and gave members of the committee the following information:

- The application was a retrospective application as the applicant had been advised that no planning permission was required.
- The site has been open and trading for three years with no issues and the business was respectful of the community.
- There had been a lack of objectors to the application.
- Noise issues from patrons had been immediately addressed.
- The Joiners Arms did not close for the Winter, giving year-round jobs for residents of Northumberland.
- The application site was originally a second home that contributed little to the community.

Following public speaking, committee members were invited to ask questions of the planning officers. The following information was provided:

- Retrospective planning applications were to be considered as if they were regular planning applications.
- It was not clear that Highways were aware about the parking condition relating to the huts at the rear curtilage of White Cottage when making their assessments.
- There was no neighbourhood plan in Newton-by-the-Sea.
- A small development would not significantly impact on the tranquillity of the village.
- Hot tubs did not require planning permission.
- There had been no issues of foul drainage as far as the planning officer was aware.
- Building Regulations and the Planning Authority were separate authorities.

Councillor Castle proposed to defer the application to receive clarity of the parking and foul drainage issues and for a Highways Officer to attend. This was seconded by Councillor Hill.

A vote was taken to defer the application to allow a Highways Officer to attend and to receive clarity on the parking and foul drainage issues and it was unanimous.

RESOLVED that the application be **DEFERRED**.

7 **APPEALS UPDATE**

RESOLVED that this was noted.

8 **S106 UPDATE**

RESOLVED that this was noted.

9 **DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Planning Committee was scheduled for Thursday, 20 July 2023 at St James URC, Pottergate, Alnwick, NE66 1JW

RESOLVED that this was noted.

CHAIR.....

DATE.....

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Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA PLANNING COMMITTEE

20 JULY 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Housing and Planning

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

The Local Area Committee 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 Planning Committee 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 Committee 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 Committees.

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.

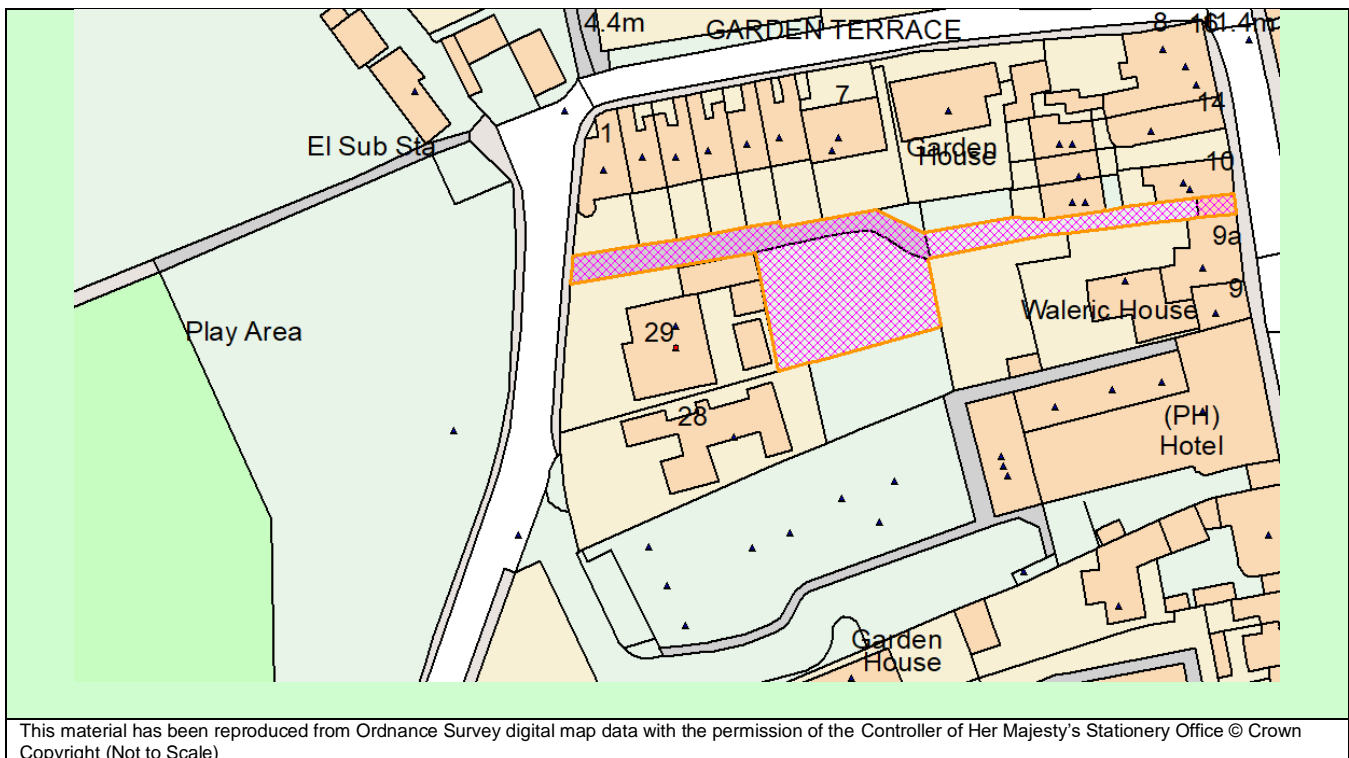


Northumberland County Council

North Northumberland Local Area Committee Planning Committee 20th July 2023

Application No:	21/03496/FUL		
Proposal:	Proposed new detached dwelling		
Site Address	Westlea Bed And Breakfast , 29 Riverside Road, Alnmouth, NE66 2SD		
Applicant:	Paul Edwards Westlea , 29 Riverside Road, Alnmouth, NE66 2SD	Agent:	Michael Rathbone 5 Church Hill, Chatton, Alnmouth, NE66 5PY
Ward	Alnmouth	Parish	Alnmouth
Valid Date:	21 September 2021	Expiry Date:	30 June 2023
Case Officer Details:	Name: Mrs Hannah Nilsson Job Title: Planning Officer Tel No: 07966329496 Email: hannah.nilsson@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to a financial contribution towards coastal mitigation and to secure the occupancy of the dwelling to principal residence only.



1. Introduction

1.1 This application is brought to the North Northumberland Local Area Council Committee as the application is recommended for approval contrary to an objection from Alnmouth Parish Council and local residents.

2. Description of the Proposals

2.1 Planning permission is sought for a proposed new detached dwelling on land to the rear of Westlea Bed and Breakfast, Alnmouth, Northumberland.

2.2 The application site is a sloping grassed area of land which is bounded to the north by the rear of the properties known as Garden Terrace which is a row of late 19th century terraced properties. To the east and south east are 28 Riverside Road and 29 Riverside Road (also known as Westlea Bed and Breakfast) both of which are 20th century detached dwellings, constructed in brick with flat and hipped roofs.

2.3 The site subject to this application is located within the Alnmouth Conservation Area and is within the Northumberland Coast Area of Outstanding Natural Beauty (AONB).

2.4 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 of appearance of the conservation areas.

3. Planning History

Reference Number: 15/01706/FUL

Description: Construction of two dormers to west elevation of main roof and enlargement of existing dining room window opening

Status: REF

Reference Number: A/87/A/72

Description: Change of use to guest house

Status: PER

Reference Number: A/76/A/430

Description: Alterations and extensions to existing cottage

Status: NOOBJ

Reference Number: A/2009/0535

Description: Construction of detached garage and alterations to vehicular access including retrospective consent for a timber garage

Status: PER

Reference Number: A/ENQ/2005/0426

Description: Extension

Status: REPLY

Reference Number: A/2001/0531

Description: Front extension incorporating balcony and conversion of garage to bedroom

Status: PER

Reference Number: A/2001/0023

Description: Front Extension

Status: PER

4. Consultee Responses

Alnmouth Parish Council	<p>Object. Concerns raised about a number of issues;</p> <ol style="list-style-type: none">1. This is one of the last pieces of open space in the centre of the village and in this particular area and the plans show the footprint takes a substantial proportion of the plot with little amenity space remaining.2. Concerns about impacts upon privacy and amenity of the properties on Garden Terrace.3. Access and Parking. <p>Note that the Alnmouth Parish Neighbourhood Plan contained one policy which ensures that "each new dwelling is occupied only as a principal residence".</p>
Following reconsultation	<p>The parish council's original response regretted the loss of one of the last open spaces in the centre of the village and this concern remains.</p> <p>Whilst a site section has been submitted it would appear that the people standing on the balcony would be above the B&B's guttering level and therefore the parish council is still concerned that the privacy of Garden Terrace residents is threatened as no evidence to the contrary has been submitted and this concern also remains.</p> <p>The parish council's concerns about access also remain. The parish resolved to reiterate its objection to this application.</p>
Following reconsultation	<p>The parish note that the amended plan no longer shows the Shared Access route to Riverside as part of the site, yet the Method Statement depends upon this route for delivery materials. The parish see no reason why the proposed dwelling cannot use the Riverside entrance as the main vehicular entry/exit point. The Parish believes that the Northumberland Street entrance is dangerous and additional usage should be avoided at all costs as it has poor sight lines obscured by parked cars and crosses a busy pavement. Due to the restricted height and width access for emergency vehicles is also severely limited if not impossible.</p> <p>Still concerned about the impact on privacy of Garden Terrace and fears that the balcony (despite the limited use of opaque glass) compromises the privacy of neighbouring properties.</p>

	Therefore, the Parish council retains its object stance.
Highways	No objection, conditions and informatives recommended.
Following reconsultation	Concerns could be overcome by submission and approval of amended plans or additional information before any permission is granted.
Following reconsultation	Fundamental concern (Object): Concerns so significant that no reasonable action is likely to address the concern.
Following reconsultation	Fundamental concern (Object): Concerns so significant that no reasonable action is likely to address the concern.
Following reconsultation	Imposition and implementation of condition (s): Required to ensure acceptability.
Following reconsultation	Imposition and implementation of condition (s): Required to ensure acceptability.
Following reconsultation	Imposition and implementation of condition (s): Required to ensure acceptability.
Natural England	No objection subject to appropriate mitigation.
Following reconsultation	No objection subject to appropriate mitigation. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
Following reconsultation	No objection subject to appropriate mitigation. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
Building Conservation	We consider the principle of infill development on the site would fail to preserve or enhance the character and appearance of the Conservation Area. The design of the proposed dwelling also fails this statutory test. The proposals would amount to 'less than substantial' harm within the terms of paragraph 199 of the Framework. We are therefore directed to Paragraph 200 of the NPPF which requires clear and convincing justification for any harm and that such harm to be weighed against the public benefits of the proposal as set out under paragraph 202 of the NPPF. However, there are only private benefits to this scheme. Having identified harm to a designated heritage asset we do not support this proposal and recommend refusal.
Following reconsultation	The amended plans and elevations have not substantially changed from the initial plans assessed by BH&D in comments dated 7th December 2021. The concerns raised in these comments remain.

<p>Following reconsultation</p>	<p>The proposed development would not preserve or enhance the character and appearance of Alnmouth Conservation Area and therefore fails the statutory duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, and does not accord with Policies ENV 1, ENV 7 and QOP 1 of the Northumberland Local Plan (adopted March 2022).</p> <p>BH&D maintain their objection to this application due to the less than substantial harm caused to the significance of a designated heritage asset.</p> <p>The amendments do not address our concerns regarding the development's design and its impact on the significance of the Conservation Area.</p> <p>Built Heritage and Design maintain their objection to this application due to the less than substantial harm caused to the significance of the designated heritage asset.</p>
<p>County Ecologist</p> <p>Following reconsultation</p> <p>Following reconsultation</p>	<p>The proposal would require a contribution to the Coastal Mitigation Service and advise conditions and an informative is attached.</p> <p>Although some details have changed, my response from 12/10/2021 remains valid and please refer to that for ecological requirements.</p> <p>No objection subject to relevant conditions and advisory notes and ensuring a contribution to the Coastal Mitigation Service (CMS) is secured, as detailed in the Ecology response of 12th October 2021.</p>
<p>Northumberland Coast AONB</p> <p>Following reconsultation</p> <p>Following reconsultation</p>	<p>The AONB Partnership is supportive of the principle of a new dwelling on this backland plot however raises concerns over the siting, scale and massing of the proposed house and the subsequent loss of one of the few remaining green spaces within the historic core of Alnmouth.</p> <p>No further comment to add to those made on the 20th of October 2021.</p> <p>No further comment to add to those made on the 20th of October 2021.</p>
<p>County Archaeologist</p> <p>Following reconsultation</p> <p>Following reconsultation</p>	<p>Development site has the potential to retain significant unrecorded archaeological remains. It will therefore be necessary for the applicant to undertake a programme of archaeological evaluation (trial trenching) prior to the determination of this application. Object.</p> <p>No objections to the proposed development on archaeological grounds. No archaeological work is recommended.</p> <p>No further comments following response on 21/10/21.</p>

Following reconsultation	There are no objections to the proposal on archaeological grounds. No archaeological work is recommended.
Public Protection	No objection, conditions and informatives recommended.
Following reconsultation	No objection to this application and would recommend the attached conditions are imposed in order to protect public health and prevent loss of amenity.
Following reconsultation	The Environmental Protection Team have no objection to this application and would recommend the attached conditions are imposed in order to protect public health and prevent loss of amenity.
Lead Local Flood Authority (LLFA)	No comment.
Following reconsultation	This planning application is classed as a minor development and as such we are not a statutory consultee. Therefore we have not reviewed this application and make no comment. We have reviewed the Shoreline Management Plan and as Coastal Protection Authority we also make no comment. The development is not required to provide a coastal viability assessment.
Following reconsultation	Awaiting a revised response.
Following reconsultation	Please refer to our previous comments of 6 February 2023. We have no comment to make on this application. We note the amended site and location plan change when making these comments.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	23
Number of Objections	16
Number of Support	0
Number of General Comments	1

Notices

Affecting Conservation, 29th September 2021

Northumberland Gazette 30th September 2021

Affecting Conservation, 4th May 2023

Northumberland Gazette 11th May 2023

Summary of Responses:

Sixteen objections have been received which are summarised as follows:

- Would be in breach of a restrictive covenant on the land that limits the use to either a single storey building or as a garden and the proposal is for a two-storey building.
- There is a legal right for vehicular and pedestrian access along the shared access road between Northumberland Street and Riverside Road. This is currently blocked and used as a car park for the Westlea B&B. Would like clarity that the access from Riverside Road will be opened up and no longer used as a car park so access can be made from both entrances as we are legally entitled, and we do not want these rights restricted in any way temporarily or permanently.
- The statement regarding access is incorrect and residents are in the process of sending a solicitor's letter to 29 Riverside Road regarding the right of way for residents of Northumberland Mews for vehicular and pedestrian access which needs to be maintained and not obstructed by parked vehicles at the B&B.
- Seek a condition that Westlea's customers should not be permitted access to the B&B via the Northumberland Street entrance using the shared access as this would increase noise and environmental pollution and diminish quiet enjoyment of properties and impact value.
- Likelihood of damage to neighbouring properties that would be caused by significant ground works and vibration from the machinery excavating the ground for the proposed house and building a retaining wall around it. Surrounding houses were built in a period when foundations were slight or non-existent and that other works in the vicinity have already resulted in problems which are being investigated.
- Question the feasibility of the proposal in terms of how construction will be achieved.
- The lane from Northumberland Street is too narrow for traffic (including construction), passes adjacent to a number of properties and has height restrictions from a property which is built over the lane. Using the lane could damage property and cause a danger to residents, users of Northumberland Street and traffic, and if this happened and there are clear health and safety concerns with this. Access should be via Riverside Road.
- Concern over property damage to hedge and retaining garden wall.
- During construction suitable site hoardings/fencing should be erected between the car park and the construction site for health and safety and practical access reasons.
- Consideration needs to be given to the reduction of land drainage
- Digging to such a depth would destroy the archaeological potential of the area.
- Village doesn't have the necessary infrastructure, parking, and roads to absorb this increase in people and cars and don't feel it is sustainable development.
- Access for construction vehicles is limited.
- Roads around the site are narrow and some one-way and are congested so construction traffic will cause an impact on highways safety and traffic

during build and pose a health and safety hazard and risk of damage to cars and property

- Proposal would result in loss of parking spaces at Westlea B & B and cause further parking issues both during building and after.
- Concerns for safety of pedestrians and children due to additional traffic.
- The shared access track has only been occasionally used in the past 15 years and if permission is granted this will result in regular usage of this track and no information is detailed on the surface treatment of the track.
- Track narrows along the side the garage owned by 29 Riverside Road and there is concerns there would be insufficient width to facilitate the movement of vehicles not just during construction but long term.
- Utilisation of the track onto Riverside Road is a concern not just during construction but long term as this road is a traffic choke point for the majority of the year.
- As the access is very narrow and is the only usable access for several neighbours to park at their property's, conditions should be attached forbidding the applicant and builders using Northumberland Street for access, bringing in and taking out construction materials, parking or unloading and prevent storing materials on the drive or block it in any way.
- Construction management plan remains unclear indicating materials will be dropped off at Riverside Road but suggests access will be maintained from both access points which is unacceptable.
- Request a stipulation that any building supplies/deliveries will not be able to be placed upon the right of way and no construction vehicles can be allowed to park upon the right of way as marked on deeds.
- Condition should prevent the owners and their successors in title from taking access over the driveway from Northumberland Steet.
- The application documents contain errors including incorrect boundaries, ownership, and rights of access.
- There are areas of communal access including the boundary which are the subject of dispute between parties and no planning consent should be given as they are fundamental to the application.
- Concern about use of dwelling - the bed and breakfast has erected large structures on the plot and is being used as accommodation for the business. Based on this have serious concerns about the quality and design of the new building in the conservation area and its future use
- Applicant have consistently abused the planning system and are not considerate neighbours
- Design, access and heritage statements front image is outdated as the shared access track shown with a fence separating it from the parking at the B&B has been removed and the parking for the B&B extended across the track.
- No representation of the effect to the properties that run along Garden Terrace, no images or impact from this point of view are included.
- Insufficient information to be able to comment fully and no measurements provided to make it easy for residents to adequately comment on the full impact.
- New property could become a B&B and new guests will bring a high number of vehicles not aware of the danger of exiting onto either Northumberland Street or Riverside Road.
- Concerns about the situational context in relation to Garden Terrace in terms of the size and height and impact. Need more modelling

- demonstrating the proposal is suitable for the site and assessment of the adjacent properties.
- Building on the land will blight Westlea B&B, Garden Terrace and the views - properties will lose open vista looking towards the Schooner due to development on this site.
 - Is contrary to maintaining the area as a conservation area and AONB
 - The development is not sympathetic to the architectural and aesthetic quality of the area and design doesn't contribute positively to the character, distinctiveness, or significance.
 - Is significant overdevelopment not in keeping with surrounding properties and would increase density.
 - Concern over the cumulative development that has taken place at the B&B, 28 Riverside Road and the 7 new houses at the Schooner.
 - Proposal will affect the last remaining green space and previous development at B&B has removed almost all the green space and proposal would suggest approximately 75% of the site will be developed which will leave very little garden space.
 - Size of the property is large and disproportionate for the scope of the plot. Elevations too high.
 - Alnmouth is already densely developed and doesn't need any more development and plenty of land elsewhere in Northumberland for development.
 - Loss of the remaining natural environment, impact on wildlife, landscape and ecological habitats including the north perimeter established hedge.
 - No information detailing any planned works or changes to the north perimeter (established hedge), concerns that it is planned to remove a well-established natural habitat which is diverse in wildlife from birds and insects. There should be no alteration to this part of the perimeter and should be a condition of any planning permission.
 - Failure to compensate for the loss of green infrastructure - remaining green space should have biodiversity potential enriched.
 - Will wipe out the attractive hedge and narrow footpath that runs at the back of the garden of Garden Terrace
 - Is against the wishes and interests of the community
 - Impact on amenity in terms of:
 - Loss of privacy to properties on Garden Terrace and will change setting.
 - Impact/loss of Outlook
 - Impact from noise, light (from headlights) and air pollution from vehicles using parking and turning area and due to idling vehicles waiting while residents of Northumberland Mews park or reverse
 - Direct overlooking of living, bedrooms and gardens of properties on Garden Terrace
 - Impact of overshadowing
 - Loss of amenity due to location of the 'bin stance for day-to-day use'.
 - Seek assurance that the masonry wall between Westlea and the car park behind Northumberland Mews will be maintained as it's loss will cause overlooking and loss of privacy.
 - Object to vehicular access to and from the new property via Northumberland Street as it is very narrow and over a pavement in constant use onto a congested street. Will cause extreme congestion and increase danger to pedestrians.

- Access from Northumberland Street to Westlea is not of an adopted standard or anywhere near that and therefore unsuitable for increased vehicular access beyond the use of the parking spaces of the current residents at 1 - 3 Northumberland Mews.
- Plans show a home office behind Westlea B&B which is not used as an office and is used for B&B guests.
- Applicant appears to have included a parking space across the position of a telegraph pole that delivers wifi and telephone services and its removal is not acceptable.
- Applicant has already constructed 3 buildings at the B&B and no guarantee won't construct similar around proposed new dwelling.
- Latest changes to access and parking don't resolve issues the dwelling would create and the very narrow access, which exits across the pavement, onto Northumberland Street is totally unsuitable for use by any further vehicles. This is a danger to pedestrians.
- Amended plans show that Westlea own 2 parking spaces and they only own 1 as the other space is a turning head.
- Amended plans don't take into account a right of way for numbers 1 to 3 Northumberland Mews – applicant has been contacted via solicitors and has agreed to keep this access open and unobstructed as per the Deeds.
- Plans show the shared access will often be blocked and this is not acceptable and has to be maintained at all times.
- No provision to show how neighbours vehicles will be protected from construction traffic and kept clean.
- The Construction Management Plan indicates that the applicants intend to have visitors and construction traffic parking in the turning circle in the car park used by the residents of numbers 1-3 Northumberland Mews. That is not a parking space it is a shared turning space. If it is blocked then the residents will not be able to get in or out of their parking spaces.
- Applicants do not have sole use of all of the land they are claiming use of for parking, and it must be taken into account in the decision making.
- The existing car park for 1 to 3 Northumberland Mews is very small and awkward and that space is needed to help manoeuvre so that we are not backing out on to the main road.
- Extra three cars potentially emerging from this exit onto Northumberland Street will impact on highway safety for residents, pedestrians and road users alike. There will be double amount of traffic driving up the lane for the other residents of the properties on or off it, two of whom have front doors straight on to the lane.
- Height of dwelling and pitch of roof will shade properties and restrict light.
- Disruption to traffic, residents and visitors during construction
- Concern that the access will not be kept clear and residents will not be able to use the car park for no's 1 to 3 Northumberland Mews during construction due to construction materials and vehicles.
- Concern about damage to surface of access track from construction of property.
- Plan shows applicant owns turning space for no's 1 to 3 Northumberland Mews – this is shared with no's 1 to 3 Northumberland Mews.
- Amended plans don't address significant concerns as the size and design remains the same.
- Balcony will overlook properties on Garden Terrace
- Noise from the terrace will impact on existing neighbours

- Dwelling is similar in style and design to the B & B which doesn't enhance the area.
- plans are incorrectly drawn – indicate visitor parking and a turning space but the area they are in can't practically accommodate a fourth parking space or turning circle. The turning circle indicated does not exist and residents of Northumberland Mews would lose parking facilities if the application is approved.
- Concern that residents' vehicles be protected from construction debris and traffic.
- Seven properties can only gain access via the Northumberland Street access and the increase in traffic, disturbance and debris is a risk.
- If there is a restriction on the size of vehicles using the Northumberland Street access who will police it.
- The construction management plan shows an area utilised for site operatives and wheel wash is on land not within applicants' ownership.
- Concern regarding run-off of water as there are already drainage issues
- No details of how spoil to be excavated will be removed from the site with the limited access without causing damage.
- Paragraph 1.1 of the report doesn't identify all of the consultee concerns raised to the application (such as from the Councils Conservation Team and AONB Team), only that the application is being brought to the North Northumberland Local Area Council Planning Committee as it is being recommended for approval contrary to an objection from Alnmouth Parish Council.
- The report fails to identify any public benefits to outweigh the harm identified by the Conservation Officer and as a result there is no option available to approve the application against the comments of the conservation officer.
- The reasoning and assessment in relation to the impact on the AONB does not adequately address the concerns of the AONB Partnership and therefore fails to protect the AONB in accordance with the duty of care required to be administered by the Local Planning Authority under the Countryside and Rights of Way Act 2000 (CROW Act).
- Amended details that have been received require correct consultation.
- Reference to Policy STP 2 in paragraphs 7.3 to 7.5 has been made but it is not discussed or considered.
- The application is being recommended for approval despite an objection, on design grounds, from the Conservation Officer and significant concerns regarding the design from the AONB Partnership. The LPA are requested to refuse this application on design grounds and two images included show how Alnmouth has lost a significant amount of green space and that development of this site should be considered to be overdevelopment.
- Amenity concerns – the addition to the end of the balcony does not solve a problem and given the length of the balcony and the position of the dwelling in relation to neighbouring properties, those using the balcony will be able to travel along its entire length and achieve views of the surrounding neighbouring properties including private garden spaces and potential direct overlooking to windows.
- The existing gravel driveway causes significant noise issues when cars travel past the property and measures should be put in place to prevent the use of gravel to reduce noise impact.

- The Councils Highways Team have maintained an objection through the process of the application, however following limited amendments, conditions are now suggested to overcome these significant concerns. Further details should be provided and a clear explanation as to why and how conditions can overcome longstanding highways objection.

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=QYRDTTQSIYQ00>

6. Planning Policy

6.1 Development Plan Policy

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

HOU 2 - Provision of new residential development (Strategic Policy)

HOU 3 - Housing requirements for neighbourhood areas (Strategic Policy)

HOU 9 - Residential development management

HOU 10 - Second and holiday

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

QOP 6 - Delivering well-designed places

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

ICT 2 - New developments

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 4 - Tranquillity, dark skies and a sense of rurality

ENV 5 - Northumberland Coast Area of Outstanding Natural Beauty

ENV 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

WAT 2 - Water supply and sewerage

POL 1 - Unstable and contaminated land

INF 6 - Planning obligations

STP 1 - Spatial strategy (Strategic Policy)

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

STP 3 - Principles of sustainable development (Strategic Policy)

Alnmouth Neighbourhood Plan (ANP) - 2021

Policy 1: Principal residence housing

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

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

6.4 Other Documents/Strategies

National Design Guidance

Northumberland Coast AONB Management Plan 2020-2024

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 (NLP).

7.2 The key planning issues raised by the proposal include:-

- Principle of the development
- Principal Occupancy
- Design, Scale and Visual Impact
- Impact on the AONB
- Impact upon amenity
- Impact on the Alnmouth Conservation Area
- Archaeology
- Highway Access and Safety
- Ecology
- Drainage and sewerage
- Noise/contamination

- Broadband Connectivity
- Other matters

Principle of the Development

7.3 Policy STP 1 of the NLP sets the spatial strategy for the County. Alnmouth is defined as a Service village, which will accommodate housing and services which maintains and strengthens its role. The proposal is small-scale development within Alnmouth and is therefore supported by policy STP1.

7.4 Policy STP 3 identifies a number of sustainable development principles to which development proposals will be expected to adhere to where appropriate. It is considered that the development accords with the majority of the principles, or failing that, through appropriate conditions and mitigation the criteria can be achieved.

7.5 Given the above, it is considered that the proposal would be acceptable in relation to Policies STP 1 and STP 3 of the NLP and the NPPF.

Principal Occupancy

7.6 Under Policy 1 of the Alnmouth Neighbourhood Plan (ANP) and HOU 10 of the Local Plan, proposals for all new housing, will only be supported where occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a principal residence.

7.7 Principal Residence housing is that which is occupied as the sole or main home of the occupants and where the occupants spend the majority of their time when not working away from home. These restrictions will be secured prior to the grant of planning permission through appropriate Planning Obligations created and enforceable under Section 106 of the Town & Country Planning Act 1990, or any subsequent successor legislation. This Planning Obligation will require occupiers of homes to keep proof that they are meeting the obligation and they will be obliged to provide this proof if/when Northumberland County Council requests this information.

7.8 It is therefore considered that subject to the completion of a S106 to secure the occupation of the dwelling to principal occupancy, the development would be in accordance with the Policy 1 of the ANP, Local Plan Policy Hou 10 and the NPPF.

Design, Scale and Visual Impact

7.9 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.

7.10 Local Plan Policy QOP1 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.

7.11 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.

7.12 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. Should the application be approved, a condition will be attached to in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

7.13 Policy HOU 9 of the NLP supports residential development that contributes to a sense of place, functions well, and is of a high quality of design.

7.14 The immediate area in and around the application site is characterised with dwellings of various ages (Victorian and 20th century) and materials (stone and slate, brick and tile/flat roof) and whilst they are predominantly terraced dwellings they are interspersed with detached dwellings such as the host property (no 29 Riverside Road). There has also been a development of 7 dwellings on land to the rear of the schooner hotel two plots along from the application site that has recently been completed. Alnmouth is characterised by being densely developed and the application site is one of the last undeveloped pieces of land within the village.

7.15 Whilst the design, scale and massing of the proposed dwelling has taken its cue from the Bed and Breakfast known as Westlea to the west (29 Riverside Road which is within the applicant's ownership), in terms of materials (stone and slate), the cue for these has been from the dwellings to the north (Garden Terrace). It is therefore considered that these aspects would be appropriate and in-keeping with the host property and existing dwellings in the locale and there would be sufficient amenity space within the site, and circulation space around the dwelling to ensure the proper function of the garden areas and residential plot as a whole.

7.16 It is also considered that the plot size of the proposal is consistent with the host dwelling to the front of the site (29 Riverside Road) and the wider area and would not represent overdevelopment nor result in a cramped layout and appearance and would consequently sit well within the street scene. Whilst the site raises up from Riverside Road towards Northumberland Street, it is not prominent and the development would not be readily visible from any public vantage points, with the exception of limited views from Riverside Road. It is also acknowledged that the proposed dwelling would be seen in the context of the existing dwellings, and therefore there would be no additional impact on the immediate and wider landscape in this regard.

7.17 During the course of this application, the agent has submitted revised plans in order to address concerns raised relating to the alignment of the fenestration and volume of glazing, and it is considered that the scheme is now acceptable in these regards.

7.18 It is therefore considered that the proposal would be acceptable in relation to Policies QOP 1, QOP 2, QOP 4, QOP 5 and HOU9 of the NLP and the principles of Chapter 12 of the NPPF subject to conditions.

Impact on the AONB

7.19 The application site is located within the Northumberland Coast Area of Outstanding Natural Beauty and as such consideration must be given to the impact of the proposals on that designated area.

7.20 Policy ENV 5 of the NLP sets out that the special qualities of the Northumberland Coast Area of Outstanding Natural Beauty will be conserved and enhanced, having regard to the current AONB Management Plan and locally specific guidance. It also sets out particular considerations when assessing development proposals.

7.21 In response to the consultation on this application, the AONB Partnership have commented that they are supportive of the principle of a new dwelling on this backland plot however they have raised concerns over the siting, scale and massing of the proposed house and the subsequent loss of one of the few remaining green spaces within the historic core of Alnmouth.

7.22 Notwithstanding these comments, as outlined above, the scale and massing has taken its cue from the Bed and Breakfast known as Westlea to the west (29 Riverside Road which is within the applicant's ownership) and are considered to be acceptable in these regards. Whilst it is acknowledged that the proposal would result in the loss of one of the few remaining green spaces within Alnmouth as raised by the AONB Partnership, the land is private land not readily accessible by the public and is not prominent, nor is it a key part of the character of the area. Furthermore, as also identified above, the proposed dwelling would be seen in the context of the existing dwellings, and therefore it is not considered that this would result in an unacceptable additional impact on the Northumberland Coast AONB.

7.23 It is therefore considered that the proposal would be acceptable in relation to Policy ENV 5 of the NLP and the NPPF.

Impact upon Amenity

7.24 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.

7.25 During the course of this application, it was noted that the proposed balcony on the western elevation of the dwelling had the potential to have an unacceptable impact on amenity and result in the loss of privacy on the dwellings known as Garden Terrace and particularly their external amenity space. Consequently, the agent has submitted revised plans showing full height obscure glazed screens to either end of the balcony and it is considered that these screens would be sufficient to address the concerns in this regard. Whilst glimpsed views of surrounding residential properties including their curtilages from the balcony may be possible, they would not be directly overlooked as they are to the side of the proposed dwelling. It is therefore considered that the proposal would not be unacceptable in

this regard, combined with the separation distance from the balcony to the dwellings surrounding the site.

7.26 Whilst it is acknowledged that there may be a minor reduction in light levels and some slight overshadowing, this would not be for prolonged periods and due to the separation distance, these impacts would not be unacceptable or a reason to refuse planning permission. For these same reasons there would not be an unacceptable impact in terms of outlook.

7.27 In response to the impact on amenity in terms of noise as a result of the proposed use of gravel for the parking areas, it is not uncommon for domestic settings to use gravel, and whilst vehicles on the gravel may be audible it is considered that this would only be domestic scale and nature and not such that it would warrant refusal on this ground.

7.28 In relation to the impact on the amenity of Westlea, this is a Bed and Breakfast and it has therefore been afforded less weight in terms of amenity. However, in any event, there is a distance of approximately 19.2 metres from the balcony of the proposed dwelling to the rear of Westlea and this is considered to be sufficient to ensure adequate levels of privacy and amenity.

7.29 The proposals are therefore considered to be in contrary to 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 Alnmouth Conservation Area

7.30 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.

7.31 The application site is located within the Alnmouth 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.

7.32 In response to the consultation on this application, the Council's Conservation Advisor initially responded that they consider the principle of infill development on the site would fail to preserve or enhance the character and appearance of the Conservation Area and that the design of the proposed dwelling also fails this statutory test. The conservation officer has identified that harm to be 'less than substantial harm'.

7.33 Since the conservation officer initially commented on the application, the agent has submitted revised plans in order to address concerns raised relating to the

alignment of the fenestration and volume of glazing. The Conservation Officer has subsequently been reconsulted on this application on two further occasions and has commented that the amended plans and elevations have not substantially changed from the initial plans and the concerns previously raised remain. They have also confirmed in both reconsultations that they maintain their objection due to the less than substantial harm caused to the significance of the designated heritage asset.

7.34 It is therefore necessary to consider whether the harm identified as a result of the proposal can be weighed against any public benefits of the proposal in line with paragraph 202 of the NPPF. In this instance, the public benefits are considered to be:

1. Provision of a dwelling to contribute towards the councils housing supply;
2. Said dwelling would be restricted via a Section 106 agreement to ensure that first and future occupation is restricted in perpetuity to ensure that it is only occupied as a 'principal residence';
3. Economic benefits during construction and also post development through the subsequent occupation of the dwelling which would be permanent and throughout the year;
4. Social benefit of having a full-time resident in the village which would contribute to the social fabric of an affected community via support and demand for local facilities and schools and contribution permanent residents w/could bring to the sense of community.

7.35 In this case, given the Alnmouth Neighbourhood Plan has identified that a policy was required in response to the number of household spaces within Alnmouth parish that had no residents and an increase in the number of second and holiday homes in Alnmouth Parish, it is considered the securing the dwelling is a key benefit in this regard. It would help contribute to the aims and objectives of this policy as well as Policy HOU 10 of the NLP. In light of the above, it is considered that the less than substantial harm that has been identified is outweighed by these public benefits.

7.36 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

7.37 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.

7.38 Initially the council's archaeology advisor objected as the site had the potential to retain significant unrecorded archaeological remains and that it was therefore necessary for the applicant to undertake a programme of archaeological evaluation prior to the determination of the application. However, following the submission of an archaeological evaluation of the site with no significant archaeological remains were recorded, the advisor withdrew their objection and confirmed that no archaeological work was recommended.

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

Highways Access and Safety

7.40 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.

7.41 During the course of this application, the Council's Highways Advisor initially raised no objection subject to conditions and informatives. However, following this the applicant submitted revised plans to address issues relating to land ownership raised in objections received to the application. The plans were also amended at this point to provide a turning head to aid the manoeuvring of site vehicles so that they leave in a forward direction and the parking provision was also amended to provide more amenity space for the proposed dwelling.

7.42 Consequently, a re-consultation was undertaken with the Highways advisor who raised concerns about the proposed development and requested the submission of amended plans and additional information before permission is granted. Subsequently, additional information was provided by the agent with the view to addressing the concerns raised in these regards, however, the highways officer maintained their objection following several re-consultations on the basis of the access and deliverability of the construction route for the dwelling as well as necessary refuse drag distances. Following this, however, the highways officer has confirmed that a condition could be attached to any permission to secure a revised construction method statement to ensure that their previous concerns are addressed such as ensuring guest parking from the B&B is not impacted. However, it is noted that the highways officer's concerns regarding refuse drag distances remain.

7.43 Whilst the concerns regarding refuse drag distances are noted, paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is a very high test, and it is officer opinion that the test is not met by the remaining impacts arising from this proposal in terms of refuse drag distance. As such, the proposal is considered to be in accordance with the NPPF.

7.44 Accordingly, refuse drag distances would not be a sound reason for refusal and the highway officer has subsequently provided conditions to be attached to the permission

7.45 It is therefore considered that subject to conditions and informatives, the proposal would be acceptable in relation to Policies TRA 1, TRA 2 and TRA 4 of the NLP and the aims of the NPPF.

Ecology

7.46 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.

7.47 In response to the consultation on this application, the councils Ecology advisor has confirmation they have no objection subject to a condition and a contribution to the councils Coastal Mitigation Service which will be secured along with a restriction for occupancy as detailed below.

7.48 It is therefore considered that subject to such, the proposed development would be acceptable in relation to the Policies ENV1 and ENV2 of the NLP and the NPPF.

Drainage and Sewerage

7.49 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.

7.50 As part of this application, the LLFA have been consulted and have confirmed that they have reviewed the Shoreline Management Plan and as both Coastal Protection Authority and LLFA that they make no comment. They have also confirmed that the development is not required to provide a coastal viability assessment.

7.51 It is therefore considered that subject to such, the proposed development would be acceptable in relation to the Policy WAT3 of the NLP and the NPPF.

Noise/contamination

7.52 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.

7.53 As part of this application, the council's public protection advisor has been consulted and has raised no objection subject to conditions and informatives which it is proposed to attach to the permission.

7.54 It is therefore considered that the proposed development is acceptable in relation to Policy POL 1 of the NLP and the NPPF.

Broadband Connectivity

7.55 Policy ICT2 of the NLP 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.

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

Other Matters

7.57 In response to the objections raising:

- Would be in breach of a restrictive covenant on the land that limits the use to either a single storey building or as a garden and the proposal is for a two-storey building.

- There is a legal right for vehicular and pedestrian access along the shared access road between Northumberland Street and Riverside Road. This is currently blocked and used as a car park for the Westlea B&B. Would like clarity that the access from Riverside Road will be opened up and no longer used as a car park so access can be made from both entrances as we are legally entitled, and we do not want these rights restricted in any way temporarily or permanently.
- The statement regarding access is incorrect and residents are in the process of sending a solicitor's letter to 29 Riverside Road regarding the right of way for residents of Northumberland Mews for vehicular and pedestrian access which needs to be maintained and not obstructed by parked vehicles at the B&B.

These are civil matters which would have to be addressed through the appropriate legal avenues and are of limited weight in the determination of this application. It is noted that a solicitor's letter from residents has also been submitted as part of an objection to this application which raises issues relating to the above issues.

7.58 In response to the objections raising:

- Seek a condition that Westlea's customers should not be permitted access to the B&B via the Northumberland Street entrance using the shared access as this would increase noise and environmental pollution and diminish quiet enjoyment of properties and impact value.

The B&B is out with the red line boundary and planning permission is being sought for a dwelling only and there are no changes sought via this application to the access, parking or any other aspect of the B&B (Westlea) which the applicant owns and runs. As such, the existing arrangements for customers of the B&B in terms of access and parking will remain unchanged should permission be granted.

7.59 In response to the objections raising:

- Likelihood of damage to neighbouring properties that would be caused by vibration from the machinery excavating the ground for the proposed house and building a retaining wall around it. Surrounding houses were built in a period when foundations were slight or non-existent and that other works in the vicinity have already resulted in problems which are being investigated.
- Question the feasibility of the proposal in terms of how construction will be achieved.
- The lane from Northumberland Street is too narrow, passes adjacent to a number of properties and has height restrictions from a property which is built over the lane. Using the lane could damage property and cause a danger to residents if this happened and there are clear health and safety concerns with this. Access should be via Riverside Road.
- Concern over property damage to hedge and retaining garden wall.
- During construction suitable site hoardings/fencing should be erected between the car park and the construction site for health and safety and practical access reasons.
- Concern about damage to surface of access track from construction of property.

These are all civil/legal, health and safety and building control issues that are outside of the planning remit.

7.60 In response to the objections raising:

- Consideration needs to be given to the reduction of land drainage
- Concern regarding run-off of water as there are already drainage issues

As part of this application, the LLFA have been consulted and have raised no objection. Drainage is considered in paragraphs 7.49 to 7.51 above.

7.61 In response to the objections raising:

- Digging to such a depth would destroy the archaeological potential of the area.

As part of this application the council's archaeology officer has been consulted and following the submission of additional information has raised no objection.

7.62 In response to the objections raising:

- Village doesn't have the necessary infrastructure, parking, and roads to absorb this increase in people and cars and don't feel it is sustainable development.
- Access for construction vehicles is limited.
- Roads around the site are narrow and some one-way and are congested so construction traffic will cause an impact on highways safety and traffic during build and pose a health and safety hazard and risk of damage to cars and property
- Proposal would result in loss of parking spaces at Westlea and cause further parking issues both during building and after.
- Concerns for safety of pedestrians and children due to additional traffic.
- The shared access track has only been occasionally used in the past 15 years and if permission is granted this will result in regular usage of this track and no information is detailed on the surface treatment of the track.
- Track narrows along the side the garage owned by 29 Riverside Road and there is concerns there would be insufficient width to facilitate the movement of vehicles not just during construction but long term.
- Utilisation of the track onto Riverside Road is a concern not just during construction but long term as this road is a traffic choke point for the majority of the year.
- Disruption to traffic, residents and visitors during construction.

A full consideration of issues relating to highway safety and access has been undertaken in paragraphs 7.40 to 7.45 above. Any disruption and risks caused by traffic during construction is likely to be for a relatively short period of time. In any event the hours of construction and deliveries are proposed to be limited in line with the public protection officer's advice through conditions.

7.63 In response to the objections raising:

- As the access is very narrow and is the only usable access for several neighbours to park at their property's, conditions should be attached

forbidding the applicant and builders using Northumberland Street for access, bringing in and taking out construction materials, parking or unloading and prevent storing materials on the drive or block it in any way.

- Construction management plan remains unclear indicating materials will be dropped off at Riverside Road but suggests access will be maintained from both access points which is unacceptable.
- Request a stipulation that any building supplies/deliveries will not be able to be placed upon the right of way and no construction vehicles can be allowed to park upon the right of way as marked on deeds.

A condition requiring the submission of a construction method statement is proposed to be attached to any permission.

7.64 In response to the objections raising:

- Condition should prevent the owners and their successors in title from taking access over the driveway from Northumberland Street.

It is considered that taking access over the driveway from Northumberland Street would not result in severe harm to highway safety and is an appropriate access.

7.65 In response to the objections raising:

- The application documents contain errors including incorrect boundaries, ownership, and rights of access.
- There are areas of communal access including the boundary which are the subject of dispute between parties and no planning consent should be given as they are fundamental to the application.
- Concern about use of dwelling - the bed and breakfast has erected large structures on the plot and is being used as accommodation for the business. Based on this have serious concerns about the quality and design of the new building in the conservation area and its future use
- Applicant have consistently abused the planning system and are not considerate neighbours
- Design, access and heritage statements front image is outdated as the shared access track shown with a fence separating it from the parking at the B&B has been removed and the parking for the B&B extended across the track.
- No representation of the effect to the properties that run along Garden Terrace, no images or impact from this point of view are included.
- Insufficient information to be able to comment fully and no measurements provided to make it easy for residents to adequately comment on the full impact.
- New property could become a B&B and new guests will bring a high number of vehicles not aware of the danger of exiting onto either Northumberland Street or Riverside Road.
- plans are incorrectly drawn – indicate visitor parking and a turning space but the area they are in can't practically accommodate a fourth parking space or turning circle. The turning circle indicated does not exist and residents of Northumberland Mews would lose parking facilities if the application is approved.

The agent has provided plans and documentation which are sufficient to consider and determine the application. The agent has amended the red line boundary during

the course of the application to remove land not within the applicant's ownership and no substantiated representations disputing the revised red line boundary have been received in response to the reconsultation exercise undertaken. In any event planning permission does not override land ownership considerations. With regards the concerns regarding use, the title of the application is for a dwelling, and it is proposed to restrict its occupancy to principal residence. Should the applicant wish to use the property for other uses in the future, consideration to the impacts of such would have to be undertaken as and when a planning application is submitted.

7.66 In response to the objections raising:

- Concerns about the situational context in relation to Garden Terrace in terms of the size and height and impact. Need more modelling demonstrating the proposal is suitable for the site and assessment of the adjacent properties.
- Building on the land will blight Westlea B&B, Garden Terrace and the views - properties will lose open vista looking towards the Schooner due to development on this site.
- Is contrary to maintaining the area as a conservation area and AONB
- The development is not sympathetic to the architectural and aesthetic quality of the area and design doesn't contribute positively to the character, distinctiveness, or significance.
- Is significant overdevelopment not in keeping with surrounding properties and would increase density.
- Concern over the cumulative development that has taken place at the B&B, 28 Riverside Road and the 7 new houses at the Schooner.
- Proposal will affect the last remaining green space and previous development at B&B has removed almost all the green space and proposal would suggest approximately 75% of the site will be developed which will leave very little garden space.
- Size of the property is large and disproportionate for the scope of the plot.
- Alnmouth is already densely developed and doesn't need any more development and plenty of land elsewhere in Northumberland for development.
- Dwelling is similar in style and design to the B & B which doesn't enhance the area.
- Amended plans don't address significant concerns as the size and design remains the same.
- Height of dwelling and pitch of roof will shade properties and restrict light.

A full consideration of issues relating to design, scale, and visual impact has been undertaken in paragraphs 7.9 to 7.18, in relation to AONB 7.19 to 7.23 and in relation to Conservation 7.30 to 7.36 above.

7.67 In response to the objections raising:

- Loss of the remaining natural environment, impact on wildlife, landscape and ecological habitats including the north perimeter established hedge.
- No information detailing any planned works or changes to the north perimeter (established hedge), concerns that it is planned to remove a well-established natural habitat which is diverse in wildlife from birds and insects. There should be no alteration to this part of the perimeter and should be a condition of any planning permission.

- Failure to compensate for the loss of green infrastructure - remaining green space should have biodiversity potential enriched.

A full consideration of issues relating to ecological impacts has been undertaken in paragraphs 7.46 to 7.48 above. Conditions are proposed to ensure the development does not harm wildlife and result in a net gain for biodiversity in line with the ecology officers' recommendations.

7.68 In response to the objections raising:

- Will wipe out the attractive hedge and narrow footpath that runs at the back of the garden of Garden Terrace

The application site does not extend to the footpath referred to and therefore there are no changes proposed to this. Conditions related to boundary treatments are proposed as well as a condition requiring all hedgerows to be retained and protected during construction.

7.69 In response to the objections raising:

Impact on amenity in terms of:

- Loss of privacy to properties on Garden Terrace
- Impact/loss of Outlook
- Impact from noise, light and air pollution from vehicles using parking and turning area and due to idling vehicles waiting while residents of Northumberland Mews park or reverse
- Direct overlooking of living, bedrooms and gardens of properties on Garden Terrace
- Impact of overshadowing
- Loss of amenity due to location of the 'bin stance for day-to-day use'.
- Seek assurance that the masonry wall between Westlea and the car park behind Northumberland Mews will be maintained as it's loss will cause overlooking and loss of privacy.
- Balcony will overlook properties on Garden Terrace.
- Noise from the terrace will impact on existing neighbours

It is considered that there is likely to be a limited amount of traffic generated by the addition of a single dwelling. Therefore, the impact of traffic on the amenity of the nearest properties is considered to be limited and is therefore considered to be acceptable. A condition requiring details of boundary treatment to be submitted prior to occupation is proposed. A full consideration of issues relating to impact on amenity has been undertaken in paragraphs 7.24 to 7.29 above.

7.70 In response to the objections raising:

- Is against the wishes and interests of the community

All representations to the application have been considered appropriately as part of the determination of the application.

7.71 Following consultation on amended plans the following additional reasons for objection were received:

- Object to vehicular access to and from the new property via Northumberland Street as it is very narrow and over a pavement in constant use onto a congested street. Will cause extreme congestion and increase danger to pedestrians.
- Access from Northumberland Street to Westlea is not of an adopted standard or anywhere near that and therefore unsuitable for increased vehicular access beyond the use of the parking spaces of the current residents at 1 - 3 Northumberland Mews.
- Extra three cars potentially emerging from this exit onto Northumberland Street will impact on highway safety for residents, pedestrians and road users alike. There will be double amount of traffic driving up the lane for the other residents of the properties on or off it, two of whom have front doors straight on to the lane.

Highways access and safety is addressed in paragraphs 7.40 to 7.45 above and it is not considered that there are any issues in these regards that would warrant refusal of the application.

7.72 In response to the objections received raising:

- Plans show a home office behind Westlea B&B which is not used as an office and is used for B&B guests.

The Westlea B&B and its grounds are not the subject of this application and if breaches of planning control have occurred, this should be addressed via the council's planning enforcement team. As outlined above, the B&B is outwith the red line boundary and planning permission is being sought for a dwelling only and there are no changes sought via this application to the access, parking or any other aspect of the B&B (Westlea) which the applicant owns and runs.

7.73 In response to the objections received raising:

- Applicant appears to have included a parking space across the position of a telegraph pole that delivers wifi and telephone services and its removal is not acceptable.

Subsequent to this objection, the agent has removed this area from the red line of the application and also provided an amended plan removing car parking from this location post development.

7.74 In response to the objections received raising:

- Applicant has already constructed 3 buildings at the B&B and no guarantee won't construct similar around proposed new dwelling.

It is considered reasonable and necessary to attach a condition removing permitted development rights for extensions, porches, dormer windows, roof lights or free-standing buildings or structures from the site.

7.75 In response to the objections received raising:

- The construction management plan shows an area utilised for site operatives and wheel wash is on land not within applicants' ownership.

- The Construction Management Plan indicates that the applicants intend to have visitors and construction traffic parking in the turning circle in the car park used by the residents of numbers 1-3 Northumberland Mews. That is not a parking space it is a shared turning space. If it is blocked then the residents will not be able to get in or out of their parking spaces.

It is acknowledged that the most recent construction management plan does propose to use an area not within the applicant's ownership, notwithstanding this however, it is proposed to attach a condition requiring the submission of a construction method statement to address any issues relating to this. As the turning circle in the car park used by the residents of numbers 1 – 3 Northumberland Mews is a private road this would be a civil matter and it is not considered to create conditions that would have an unacceptable impact on highway safety. The granting of planning permission would not alter any private access arrangements or rights that may exist.

7.76 In response to the objections received raising:

- Applicants do not have sole use of all of the land they are claiming use of for parking, and it must be taken into account in the decision making.
- Plan shows applicant owns turning space for nos 1 to 3 Northumberland Mews – this is shared with nos 1 to 3 Northumberland Mews.

The applicant has provided a title plan to the council which has been reviewed against the most recent red line boundary and this has confirmed that the land subject to this application is within the ownership of the applicant. The title plan also shows that the applicant owns the shared access and turning area.

7.77 In response to the objections received raising:

- No provision to show how neighbours vehicles will be protected from construction traffic and kept clean.
- Concern that residents' vehicles be protected from construction debris and traffic.

It is not substantiated that this is likely to occur and in any event would not be a reason to withhold planning permission.

7.78 In response to the objections received raising:

- Plans show the shared access will often be blocked and this is not acceptable and has to be maintained at all times.
- Amended plans don't take into account a right of way for numbers 1 to 3 Northumberland Mews – applicant has been contacted via solicitors and has agreed to keep this access open and unobstructed as per the Deeds.
- Concern that the access will not be kept clear and residents will not be able to use the car park for nos 1 to 3 Northumberland Mews during construction due to construction materials and vehicles.

As this is a private road this would be a civil matter and it is not considered to create conditions that would have an unacceptable impact on highway safety. The granting of planning permission would not alter any private access arrangements or rights that may exist.

7.79 In response to the objections received raising:

- Latest changes to access and parking don't resolve issues the dwelling would create and the very narrow access, which exits across the pavement, onto Northumberland Street is totally unsuitable for use by any further vehicles. This is a danger to pedestrians.

The changes made are as a result of the clarification of land ownership from the applicant and have resulted in the removal of a small area of land not within their ownership. Access and parking have been considered by Highways as outlined in paragraphs 7.40 to 7.45 above.

7.80 In response to the objections received raising:

- Amended plans show that Westlea own 2 parking spaces and they only own 1 as the other space is a turning head.

The agent has since amended the plans to reflect that there is only 1 parking space owned by Westlea to the east and the other is a turning head as per this objection and this has been fully reconsulted on.

7.81 In response to the objections received raising:

- The existing car park for 1 to 3 Northumberland Mews is very small and awkward and that space is needed to help manoeuvre so that we are not backing out on to the main road.

The application is not proposing any changes to this area other than the use of some of the land within the applicant's ownership as a car parking space post development, and as a visitor space in the construction management plan (which is the subject of a condition requiring details). There has been no objection to the use of this space post development by the councils' highways officer.

7.82 In response to the objections received raising:

- No details of how spoil to be excavated will be removed from the site with the limited access without causing damage.

It is proposed to attach a condition requiring details of this to be submitted for approval prior to the commencement of any excavation.

7.83 In response to the objections received raising:

- If there is a restriction on the size of vehicles using the Northumberland Street access who will police it.

Whilst there it is acknowledged that there is restricted access via Northumberland Street due to the existing buildings either side and above the shared access, whilst certain elements of development can be regulated via planning conditions, it is inevitable that in all construction projects an element of care and responsibility rests with those undertaking developments. It is therefore not proposed to address this via a condition.

7.84 In response to the objections received raising:

- Seven properties can only gain access via the Northumberland Street access and the increase in traffic, disturbance and debris is a risk.

The grant of planning permission does not override any rights to access and this would be a civil/legal and health and safety matter. Any disruption and risks caused by traffic during construction is likely to be for a relatively short period of time. Any disruption caused by traffic from the dwelling post development is not considered to be so sufficient to warrant a reason for refusal.

7.85 In response to the objections received raising:

- Paragraph 1.1 of the report doesn't identify all of the consultee concerns raised to the application (such as from the Councils Conservation Team and AONB Team), only that the application is being brought to the North Northumberland Local Area Council Planning Committee as it is being recommended for approval contrary to an objection from Alnmouth Parish Council.

The consultee concerns have been appropriately identified in Section 4 (Consultee Comments) of the report as well as in Section 7 (Appraisal) of the report.

7.86 In response to the objections received raising:

- The report fails to identify any public benefits to outweigh the harm identified by the Conservation Officer and as a result there is no option available to approve the application against the comments of the conservation officer.

Whilst the comments of the Conservation Officer have been taken into account in the report, it is officer opinion that the scheme has a neutral impact for the reasons outlined in paragraphs 7.30 to 7.36 above.

7.87 In response to the objections received raising:

- The reasoning and assessment in relation to the impact on the AONB does not adequately address the concerns of the AONB Partnership and therefore fails to protect the AONB in accordance with the duty of care required to be administered by the Local Planning Authority under the Countryside and Rights of Way Act 2000 (CROW Act).

This has been addressed in paragraphs 7.19 to 7.23 above.

7.88 In response to the objections received raising:

- Amended details that have been received require correct consultation.

A complete reconsultation exercise has been undertaken including a new site and press notice.

7.89 In response to the objections received raising:

- Reference to Policy STP 2 in paragraphs 7.3 to 7.5 has been made but it is not discussed or considered.

The report has been amended to reflect comment made in relation to this policy.

7.90 In response to the objections received raising:

- The application is being recommended for approval despite an objection, on design grounds, from the Conservation Officer and significant concerns regarding the design from the AONB Partnership. The LPA are requested to refuse this application on design grounds and two images included show how Alnmouth has lost a significant amount of green space and that development of this site should be considered to be overdevelopment.

The LPA have completed a full assessment of the application as outlined in the Section 7 (Assessment) above and have concluded that there would not be an unacceptable impact such as to warrant refusal of this application.

7.91 In response to the objections received raising:

- Amenity concerns – the addition to the end of the balcony does not solve a problem and given the length of the balcony and the position of the dwelling in relation to neighbouring properties, those using the balcony will be able to travel along its entire length and achieve views of the surrounding neighbouring properties including private garden spaces and potential direct overlooking to windows.
- The existing gravel driveway causes significant noise issues when cars travel past the property and measures should be put in place to prevent the use of gravel to reduce noise impact.

All impacts in relation to amenity have been assessed as outlined in paragraphs 7.24 to 7.29 above.

7.92 In response to the objections received raising:

- The Councils Highways Team have maintained an objection through the process of the application, however following limited amendments, conditions are now suggested to overcome these significant concerns. Further details should be provided and a clear explanation as to why and how conditions can overcome longstanding highways objection.

All impacts in relation to highways have been assessed as outlined in paragraphs 7.40 to 7.45.

Equality Duty

7.93 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

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

Human Rights Act Implications

7.95 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.

7.96 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.

7.97 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 design, scale and visual impact of the dwelling would not have any significant or unacceptable impact upon the character and appearance of the area or the amenity of the nearby residential properties. It would not result in an unacceptable impact on the Alnmouth Conservation Area or the Northumberland Coast Area of Outstanding Natural Beauty.

8.3 The development would be acceptable in relation to archaeology and would be acceptable in relation to highways, ecology, drainage, noise, broadband and occupancy subject to conditions, informatives and a Section 106 agreement to restrict occupancy and secure monies to the councils Coastal Mitigation Scheme.

8.4 The development complies with the policies of the Development Plan and the National Planning Policy Framework.

9. Recommendation

That this application be GRANTED permission subject to a financial contribution towards coastal mitigation and to secure the occupancy of the dwelling to principal residence only and 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 52/21 Rev 4 sheet 3 titled existing & proposed site plan as submitted 30 Jan 2023
2. Drawing no 52/21 Rev 2 Sheet 2 titled proposed elevations as submitted 30 Jan 2023
3. Drawing no 52/21 Rev 2 sheet 1 titled proposed floor plans as submitted 30 Jan 2023
4. Drawing no 52/21 Rev 0 sheet 4 titled site section & relationship plan as submitted 23 Feb 2022
5. Location Plan as submitted 23 Feb 2023

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

03. Notwithstanding the approved plans, prior to the commencement of development, a construction method statement together with a supporting plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for the following:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives, visitors and guest parking for the B&B;
- 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.

04. Notwithstanding the details submitted in relation to car parking, the proposed development shall not be occupied until the car parking areas have been provided, with minimum bay sizes of 5m x 2.5m. Thereafter, the car parking areas shall be retained.

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

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

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

06. Prior to occupation, the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development in accordance with the National Planning Policy Framework and Policy TRA 1 of the Northumberland Local Plan.

07. The development shall not be occupied until the 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.

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

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA 1 and TRA 2 of the Northumberland Local Plan.

09. Prior to occupation of the dwelling hereby approved, a plan for the landscape planting of the site shall be submitted to, and approved in writing by the Local Planning Authority. The plan shall detail the species to be used, numbers of plants, density of planting, rates of sowing and means of protection and use only species native to Northumberland with implementation in full during the first planting season (November - March inclusive) following the completion of the development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site in accordance with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

10. Prior to the commencement of development, a scheme for the provision of an integrated bird box and a bat boxes shall be submitted and approved in writing by the Local Planning Authority. The scheme shall detail the location, height, orientation, and specification of bird nesting provision and bat roosting provision. The approved scheme shall be implemented in full prior to the dwelling being occupied.

Reason: to protect and enhance the biodiversity of the site in accordance with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

11. All hedgerows at the site are to be retained. Hedgerows are to be protected from root compaction during the course of the development works in accordance with the guidance set out in 'BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations' British Standards Institution, 2012.'

Reason: To maintain and protect the existing landscape and biodiversity value of the site in accordance with Policy ENV 2 of the Northumberland Local Plan and the NPPF.

12. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with policies POL 1 and POL 2 of the Northumberland Local Plan and the NPPF.

13. During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800.
Saturday 0800 to 1300.

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

14. Deliveries and collections to and from the site during the construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

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

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

15. Prior to occupation of the dwelling hereby approved, the windows on the north elevation as shown on approved drawing 52/21 Sheet 2 Rev 2 titled proposed elevations as submitted 30 Jan 2023 shall be fitted with level 5 obscure glazing and that glazing shall be retained in perpetuity thereafter.

Reason: In the interests of residential amenity and in order to avoid any overlooking or loss of privacy which may otherwise have resulted, in accordance with the provisions of Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

16. Prior to occupation of the dwelling hereby approved, the full height glazed screens to the north and south ends of the balcony as shown on approved drawing 52/21 Sheet 2 Rev 2 titled proposed elevations as submitted 30 Jan 2023 shall be fitted with level 5 obscure glazing and that glazing shall be retained in perpetuity thereafter.

Reason: In the interests of residential amenity and in order to avoid any overlooking or loss of privacy which may otherwise have resulted, in accordance with the provisions of Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

17. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order to discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

18. Notwithstanding the details submitted with the application, prior to the occupation of the accommodation hereby approved, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure

proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening shall be made in the north elevation of the dwelling unless an application for planning permission in that regard is first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenity of the occupiers of adjacent properties and in accordance with Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

20. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no extensions, porches, dormer windows, roof lights or free standing buildings or structures shall be added to or constructed with regard to the dwelling hereby permitted within the boundary of the application site without the prior grant of planning permission from the Local Planning Authority.

Reason: In order that the impact on the appearance of the property and on neighbouring properties of any additions or curtilage buildings may be properly assessed in the interests of amenity and in accordance with Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

21. Notwithstanding the details shown on the submitted plans, prior to the commencement of development full details showing the proposed finished ground floor levels of the hereby approved development and the existing ground levels, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in complete accordance with the approved details.

Reason: In the interests of visual amenity and the satisfactory appearance of the development, in accordance with Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

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

materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development from the outset in the interests of amenity and in accordance with the provisions of in accordance with the provisions of policies QOP 1 and QOP 2 of the Northumberland Local Plan and the National Planning Policy Framework.

23. Prior to occupation of the development hereby approved, details of all proposed means of enclosure, and boundary walls and fences to the site, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the proposed development shall be undertaken in accordance with the approved details and maintained in accordance with such in perpetuity.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, and in accordance with the provisions of Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

24. Prior to any excavation commencing, details of how excess spoil to be excavated from the site will be removed (including timescales for such, route and use of plant and machinery, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the proposed development shall be undertaken in accordance with the approved details and maintained in accordance with such in perpetuity.

Reason: In the interests of amenity and in accordance with the provisions of Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the NPPF.

25.

Informatives

1. You should note that a highway condition survey should be carried out before the commencement of construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.
2. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
3. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
4. The risk of encountering nesting birds or other protected species in connection with the execution of this planning consent is low, but there is a small risk that individual animals may be encountered during works.

Wild birds and their nests are strictly protected under the Wildlife and Countryside Act 1981 (as amended). All wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Accordingly any vegetation removal or soil stripping undertaken between 1 March - 31 August carried out as part of the proposal should be preceded by checks to confirm that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

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

In the unlikely event of protected species such as nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away. Applicants and contractors can obtain advice by telephoning Natural England's advice line on 0845 600 3078.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

5. The Environmental Protection Team would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice. Failure to address issues of noise and dust at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.
6. There shall be no burning of any material associated with the construction phase on the site.
7. This is a planning permission granted under the Town and Country Planning Act. It does not convey any other form or consent that may be required from the Council. In particular building works may require approval under the Building Regulations and works affecting listed buildings may well require Listed Building Consent. Further information on these approvals can be obtained from the planning department at Northumberland County Council.

Background Papers: Planning application file(s) 21/03496/FUL



Northumberland County Council

Appeal Update Report

Date: July 2023

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?
22/03324/FUL	Erect a feed barn for storage of animal feed – Eastside, Partnership Field, Springwell, Ovington Main issues: inappropriate development in the Green Belt. Delegated Decision - Officer Recommendation: Refuse	No
22/02969/FUL	Proposed new rear/side fence. (Retrospective) - 4 Admington Court, Sherbourne Park, Stakeford, Choppington Main issues: scale and design of the development are out of character in the street scene with detrimental visual appearance; and situated on adopted highway verge with insufficient evidence to demonstrate it will not harm the current and future maintenance of utilities and other associated works. Delegated Decision - Officer Recommendation: Refuse	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?
22/01121/FUL	Proposed new dwelling house and outbuilding with associated works to building plots 1 and 2 – Plots 1 and 2, land south west of Castle Hills Farm Cottages, Castle Hills, Berwick-upon-Tweed Main issues: development in the open countryside; and absence of suitable mitigation to address recreational disturbance with adverse effects on the	No

	<p>Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
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Planning Appeals Withdrawn

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

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
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	<p>pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p>	
21/03397/LBC	<p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02696/S106A	<p>Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland</p> <p>Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.</p>	<p>7 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00913/FUL	<p>Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House Farm Road, Netherton Colliery</p> <p>Main issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04208/FUL	<p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the North Pennines AONB; visibility splays from the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

21/01833/FUL	<p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.</p>	<p>10 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01812/FUL	<p>Proposed detached single storey garage and store with associated formation of driveway – Eland Close, Eland Land, Ponteland</p> <p>Main issues: inappropriate development in the Green Belt and the open countryside.</p>	<p>24 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02287/FUL	<p>Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington</p> <p>Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy.</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03609/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p>	<p>25 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer</p>

	Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.	Recommendation: Refuse
22/01297/FUL	Development of 4 no. residential dwellings including associated access, landscaping and all other ancillary works – land north of junction of Station Road, South End, Longhoughton Main issues: would fail to preserve the setting of the Grade I listed Church of St Peter and St Paul; harmful impact on the character and appearance of the area; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.	21 February 2023 Delegated Decision - Officer Recommendation: Refuse
22/02704/CLEXIS	Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.	27 February 2023 Delegated Decision - Officer Recommendation: Refuse
22/03417/OUT	Outline application with some matters reserved for development of one residential dwelling (Self Build); all matters reserved other than access – land north of Hill Top Cottage, Morpeth Main issues: development within the open countryside; inappropriate development in the open countryside; fails to promote the use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.	21 March 2023 Delegated Decision - Officer Recommendation: Refuse
22/04124/FUL	Erection of stables, tackroom and associated horse paddock – land east of Oakfield Lodge, Eachwick Main issues: inappropriate development in the Green Belt; and visually intrusive and harmful impact on the character and appearance of the site and surrounding landscape.	21 March 2023 Delegated Decision - Officer Recommendation: Refuse
22/03696/FUL	Retrospective application for works carried	22 March 2023

	<p>out to add pillars with metal railings between at front boundary wall; stone face side wall between front and rear garden and construction of raised timber deck – Woodstock, Mill Lane, Haltwhistle</p> <p>Main issues: harm to the character and appearance of the Conservation Area; and harmful impact on residential amenity.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04592/FUL	<p>Demolition of 2 no. youth hostel cabins and erection of 8 no. caravan pitches and children's play area (as amended) - Hareshaw Linn Caravan Park, Bellingham</p> <p>Main issues: harmful visual impacts on the character and appearance of the site and surrounding area; and harmful impacts on residential amenity.</p>	<p>23 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04246/FUL	<p>Proposed single storey garage extension including a study and a shower room – 57 Church Street, Amble</p> <p>Main issues: scale and design results in adverse impact on the character and appearance of the existing dwelling and the surrounding area.</p>	<p>23 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04507/FUL	<p>Demolition of existing ground floor rear extension and replacement with two storey rear extension – The Coach House, Fenwicks Close Farm, Earsdon</p> <p>Main issues: inappropriate development in the Green Belt; and disproportionate addition that would be incongruous with the character of the area.</p>	<p>3 April 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00637/FUL	<p>Alterations and extension – 2 West Hedgeley, Powburn</p> <p>Main issues: design would be out of scale and character with the existing property and surrounding area, and would harm the setting of Grade II listed buildings.</p>	<p>4 April 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04665/FUL	<p>Proposed first floor extension over existing sun room and installation of a fixed window to the southern gable wall at high level – 63 Merley Gate, Loansdean, Morpeth</p> <p>Main issues: the extension would constitute an incongruous addition that would be out of character with the dwelling and built context; and harmful impact upon residential amenity.</p>	<p>12 April 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00437/FUL	<p>Change of use of land from equestrian grazing use to campsite use – land north east of Bolam Lake Boat House Wood Car</p>	<p>13 April 2023</p> <p>Delegated</p>

	Park, Belsay Main issues: inappropriate development in the Green Belt.	Decision - Officer Recommendation: Refuse
22/03911/FUL	Proposal for a new family 1.5 storey dwelling with a garage, external parking and associated services - (Self Build) - 7 Springfield Meadows, Alnwick Main issues: design and visual appearance; and fails to secure a contribution towards coastal mitigation measures.	24 April 2023 Delegated Decision - Officer Recommendation: Refuse
22/04369/FUL	Proposed replacement windows – 6 Albert Place, Berwick-upon-Tweed Main issues: fails to conserve and enhance the significance of the Conservation Area; and results in harm to the Conservation Area that is not outweighed by public benefits.	25 April 2023 Delegated Decision - Officer Recommendation: Refuse
22/03876/FUL	A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge Main issues: inappropriate development in the Green Belt.	16 May 2023 Delegated Decision - Officer Recommendation: Refuse
22/01012/FUL	Conversion of agricultural buildings to create one dwelling including a link extension and detached garage – development site at Barley Hill House Barn, Kiln Pit Hill, Consett Main issues: design fails to reflect the character or appearance of the listed farm building and results in harm to the character and appearance of the listed building.	17 May 2023 Delegated Decision - Officer Recommendation: Refuse
22/03217/FUL	Erection of a forestry shelter and the location of a storage container (retrospective) - land east of Aydon Dipton Woods, Corbridge Main issues: development in the open countryside and inappropriate development in the Green Belt.	23 May 2023 Delegated Decision - Officer Recommendation: Refuse
22/04060/FUL	Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East Bedlington Main issues: fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to demonstrate appropriate off-street car parking provision; fails to demonstrate that appropriate ground gas protection has been incorporated into the development; fails to	26 May 2023 Delegated Decision - Officer Recommendation: Refuse

	demonstrate how surface water and flood risk will be mitigated on site; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.	
20/04096/OUT	<p>Outline planning permission for residential development for up to four dwellings (All Matters Reserved) with demolition of existing structures - resubmission of application 19/01511/OUT - land at Moor Farm Estate, Station Road, Stanington</p> <p>Main issues: proposal would permanently urbanise an open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p>	<p>5 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02870/FUL	<p>Construction of 8no. bungalows with associated access, parking and landscaping – land north of Hartford Court, East West Link Road, Cramlington</p> <p>Main issues: loss of open space; design, density, siting and layout does not respect the character of the area or contribute to a strong sense of place; impacts on residential amenity; fails to demonstrate how surface water and flood risk will be mitigated on site; fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to promote the use of sustainable travel within the development; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p>	<p>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03128/FUL	<p>Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland</p> <p>Main issues: loss of landscaping and detrimental impact on the character and appearance of the area; and subdivision of the plot would have a harmful impact on the character and appearance of the area.</p>	<p>13 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/00732/FUL	<p>Retrospective - Proposed full timber decking outdoor seating area with timber frame outbuilding / shed for outdoor store and service area – The Schooner Hotel, 8 Northumberland Street, Alnmouth</p>	<p>15 June 2023</p> <p>Delegated Decision - Officer Recommendation:</p>

	Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.	Refuse
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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 Withdrawn

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
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

20/00481/ENDEVT	Change of use of a forestry building for use as residential - English/Wheelings Wood, Corbridge	2 March 2023
21/00865/BRCOND	Construction of retaining wall – Woodlands Rise, Corbridge Road, Hexham	23 March 2023
22/01092/COU	Construction of a multi use arena, erection of an animal shelter and provision of gravelled parking area	25 April 2023
21/00080/ENDEVT	Installation of hardcore	13 June 2023

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
18/03394/REM	<p>Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping and other associated infrastructure – land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: the design fails to preserve or make a positive contribution to local character and distinctiveness, and the site's surroundings, and fails to create or contribute to a strong sense of place. The development does not demonstrate high quality sustainable design, is not visually attractive, does not incorporate high quality materials and detailing, and is substantially altered from the approved outline planning application.</p>	<p>Hearing - 27 June 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/02077/FUL	<p>Proposed construction of 13no dwellings (including 2no affordable dwellings), creation of new access, car parking and soakaways (amended description) - land south east of The Manor House, Riding Mill</p> <p>Main issues: harm to the character and appearance of the site and surrounding area and curtilage listed boundary wall; harm to</p>	<p>Hearing date to be confirmed</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	residential amenity; does not make sufficient provision for affordable housing on the site; insufficient information to fully assess the impacts of the proposed development on ecology and biodiversity and net gain for biodiversity; does not secure necessary planning obligations in respect of affordable housing, open space and education.	
21/03915/LBC	<p>Listed Building Consent for demolition of a section of existing curtilage listed boundary wall to create access for residential development – land south east of The Manor House, Riding Mill</p> <p>Main issues: loss of historic fabric and unacceptable alteration of the historic curtilage listed boundary wall.</p>	<p>Hearing date to be confirmed</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
 Elizabeth.Sinnamon@northumberland.gov.uk

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