

NORTHUMBERLAND COUNTY COUNCIL

CASTLE MORPETH LOCAL AREA PLANNING COMMITTEE

At the meeting of the **Castle Morpeth Local Area Planning Committee** held at Council Chamber - County Hall on Monday, 9 October 2023 at 4.00 pm.

PRESENT

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

MEMBERS

J Beynon
R Dodd
V Jones
G Sanderson

L Darwin
L Dunn
M Murphy
R Wearmouth

OFFICERS

T Crowe
L Little
E Sinnamon
T Wood

Solicitor
Senior Democratic Services Officer
Head of Planning
Principal Planning Officer

Around 13 members of the press and public were present.

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

The Vice-Chair (Planning) advised of the procedure to be followed during the planning part of the meeting.

38 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dickinson and Towns.

39 **MINUTES**

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Committee held on Monday 11 September 2023, as circulated, be confirmed as a true record and be signed by the Chair.

40 **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

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procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

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23/02203/FUL

**Demolition of existing building and replacement with a single dwelling including proposed garage and bin store
Land South-West of Gubeon Farm, Morpeth, Northumberland**

Councillor Sanderson left and then returned to the meeting during consideration of this item and therefore took no part in the deliberation or decision. Councillor Wearmouth joined the meeting during consideration of this item and therefore also took no part in the deliberation or decision.

T Wood, Principal Planning Officer, provided an introduction to the report with the aid of a power point presentation. There were no updates.

Councillor M Sharp addressed the Committee speaking on behalf of Mitford Parish Council (MPC). His comments included the following:-

- Following initial concerns that the proposed building would dominate the site, MPC now supported the application as they were satisfied that it would not be overbearing, was well designed and would use materials that would sit well in the setting.
- MPC wished to challenge two arguments in the report which had been made to justify refusal, both of which conflicted with policies of MPC and the Morpeth Neighbourhood Plan (MNP).
- This was a former farm with stone outbuildings, one of several within Mitford Parish, some of which had been converted for housing, some derelict with very few continuing to function as farms. MPC policy was to encourage the repurposing of derelict and underutilised farm steadings to both help grow the rural economy and to provide housing to support that economy. This position was reflected in policies SUS1 and SET2 of the MNP and was consistent with the rural employment strategy in the Northumberland Local Plan (NLP).
- Everyone wanted to see a vibrant and diverse rural economy, but there was no need to build business parks and housing estates in the countryside to achieve this, rural Northumberland was littered with old farm buildings begging to be repurposed and this should not be discouraged.
- It was within the Green Belt but it was on the site of a derelict barn and enclosed on two sides by converted farm buildings, it was screened by woodland and hedging on the other sides. It would not impact the open countryside, would not compromise the intent of the Green Belt and would be a vast improvement to the existing.
- The report stated that the proposal failed on sustainable travel grounds and like many rural parishes, Mitford had no public transport and no local shops. If this rule was applied over zealously, much of rural Northumberland and our heritage would be doomed to further decay. The answer would be to encourage the provision of more bus services, not restrict the economic development in a Country which was largely rural. Sites such as this should be treated as an exception to this rule.

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- This site provided employment through its equestrian operation, provided four housing units and this proposal would add an attractive family home to the mix.
- Members were urged to use common sense in considering this proposal as this would be a quality development which would replace a blot on the landscape.

Craig Ross, Agent addressed the Committee speaking in support of the application. His comments included the following:-

- This application had the support of the Parish Council and residents.
- This was a small community on the outskirts of Morpeth with access to services. The existing seven dwellings had been refurbished buildings and there was an outstanding permission for the conversion of a barn to a dwelling which this proposed development would replace. There would not be an increase in the number of dwellings but this proposal would made the best use of the site.
- The proposed development would be contained within a courtyard within the boundary of the site, there would be no encroachment into the open countryside and there was already vehicular access to the site.
- The proposed development would form part of the small community with the addition of a new family.
- There was an extant permission for the conversion of an existing agricultural dwelling and therefore the travel impact would remain the same and there would be no greater harm.
- There was no interference with the Green Belt with the site limited to infill with the re-use of land which already had the benefit of an extant permission. This had been explored in planning caselaw and court judgements. This was a significant material consideration as the development would be instead of an existing approval, for a single dwelling and was no worse than the extant but was of a better design and made best use of the site.
- MPC had recognised that the development was not the open countryside and it had been demonstrated that there would be no harm to the Green Belt and that there were very special circumstances to support the application.

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

- No details were known of any additional dwellings built adjacent to the site and in any event would not be a material consideration to this application. The recommendation in the report was based on policies within the NLP and the MNP.
- The application site was within open countryside outside of the settlement boundary and had been assessed against policies for development both in open countryside and within the Green Belt. The proposal was contrary to both Open Countryside and Green Belt policies and the exemptions for development within the Green Belt were clear and therefore there must be very special circumstances demonstrated to allow development. The applicant was of the opinion that there were very special circumstances, however Officers did not consider these to be sufficient to offset any harm

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to the Green Belt.

- The application site was a greenfield site not brownfield as agricultural buildings were not classed as brownfield in the NPPF and whilst the land had previously been developed it was still a greenfield site.
- Officers had no issue with the design of the dwelling, however the extant permission was to convert and extend the existing agricultural dwelling but this proposed its removal and replacement with a much larger property. If Members were to take the view that there were very special circumstances then reasons for this would need to be demonstrated.

Councillor Dodd proposed to accept the recommendation to refuse the application as outlined in the report which was seconded by Councillor Jones.

Whilst Members were sympathetic to the views of MPC and recognised that the proposal was in keeping with a number of dwellings of this type around the County, the fact was that it was within the Green Belt and it was not felt that very special circumstances for development had been demonstrated and there would be no benefit to the community in this instance.

A vote was taken on the proposal to refuse the application as follows: FOR 6; AGAINST 0; ABSTENTION 1.

RESOLVED that the application be **REFUSED** for the following reasons:

- 1) The proposals represent an unacceptable and unjustified form of development within designated open countryside land. The principle of residential development is unacceptable, conflicting with the provisions of policies STP 1 and HOU 8 of the Northumberland Local Plan and the National Planning Policy Framework.
- 2) The proposals represent an inappropriate form of development in the Green Belt, which is by definition harmful and would conflict with the purposes of the Green Belt set out within National Planning Policy Framework. No very special circumstances have been demonstrated that would outweigh the level of harm therefore the development conflicts with the provisions of policies STP 7 and STP 8 of the Northumberland Local Plan and the National Planning Policy Framework.
- 3) The proposals fail to promote sustainable travel and connections, thus ensuring any future occupier would be reliant on a private car for access to everyday services and facilities. The proposals therefore conflict with the provisions of policies STP 3 and TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.

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23/02839/FUL

Proposed rural workers dwelling, consisting of retention and extension to dwelling located on site

Land at East of La Luna Farm, Mill Lane, Heugh, Northumberland

T Wood, Principal Planning Officer provided an introduction to the report with the aid of a power point presentation. There were no updates.

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Harry Horrocks addressed the Committee speaking in objection to the application on behalf of a large number of local residents. His comments included the following information:-

- Local residents had witnessed the applicant and family leave the site late at night and return early in the morning on numerous occasions with the site being left unattended for periods of time. This had been outlined in a number of objections. In spite of this evidence officers had concluded that there was an essential need to be on site.
- There were technological solutions available should the site be left unattended. Local properties had been for sale which would have provided alternative accommodation, or a caravan could be used to cover the foaling season. The British Equine Society guidance stated that a 24/7 presence was a nice to have. It could not therefore be understood how the conclusion that there was an essential need had been reached.
- Even if there was an essential need, which was strongly refuted, the applicant had to prove that the essential need outweighed the harm to the Green Belt. By merely stating that approval had been given under Appeal on the last application was not sufficient, and this was different as that was for a temporary dwelling but this application was for a permanent and bigger dwelling.
- Both local and national policy required local planning authorities to ensure that substantial weight was given to any harm in the Green Belt with the report not sufficiently applying this substantial weight and only briefly covered views.
- The UK economy had approximately one million job vacancies and precious Green Belt did not need to be destroyed to create one job.
- Members were urged to consider the views of the local residents, with 72 people signing a petition against this development. This showed the extent to which people were devastated by the destruction of the openness of the Green Belt.
- The onus was on the applicant to provide sufficient evidence yet no full balancing exercise had been conducted by the applicant to analyse the harm to the Green Belt.
- The Officers conclusion on the impact on the openness of the Green Belt, quality of design and essential need were in stark opposition to the local residents and Parish Council's views and Members were urged to protect the precious Green Belt.

Hannah Wafer addressed the Committee speaking in support of the application. Her comments included the following:-

- The proposal would retain the temporary dwelling within the Green Belt which had been permitted for three years by the Inspector in 2020.
- It had been demonstrated that very special circumstances did exist to allow the agricultural dwelling within the Green Belt.
- The Inspector in allowing the three year temporary permission for the agricultural dwelling for someone to live on site, had done so in order for it to be demonstrated that the business of horse breeding and the care of young stock was profitable and sustainable.
- A rural workers assessment had been undertaken and found that someone

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needed to live on the site and the Local Planning Authority (LPA) were satisfied that the tests had been met in order to allow this agricultural dwelling.

- In relation to the comment from the objector that the applicant left the site unattended overnight on numerous occasions, this was disputed, however there was nothing to prevent them leaving the site.
- Sufficient evidence had been provided regarding the need for the agricultural dwelling and the extension to the existing dwelling was acceptable in terms of the Green Belt.
- Members were asked to grant permission as per the recommendation in the report.

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

- Condition 4 restricted occupation of the dwelling to those who were solely or mainly employed, or last employed with the equine business at La Luna Farm and it would continue to be an agricultural rural dwelling. A further application could come forward to vary this condition but these were generally pushed back.
- The principle of development had been established at Appeal. An independent consultant, Mr A Jackson had been instructed by the LPA to review the existing activities and a report had been prepared and reviewed by the LPA. It had been confirmed that this application had met the four tests that the LPA was required to consider i.e. functional need, full time worker, financial viability and suitability and availability of existing dwellings on the holding and how these were met were set out in paragraphs 7.11 to 7.19 of the report.
- There was no information regarding the applicant going off site, and this could not be taken into consideration.
- It was clarified that the application was not just for the existing agricultural dwelling to be made permanent it was also for the extension of the existing dwelling. Officers were satisfied that the tests had been met for the provision of a dwelling for an employee of the business and Members must consider the proposal for the extension and if these met other policies related to design etc. which referenced floor space of 150m² to 250m². This application fit within those parameters and that was why officers had deemed it acceptable.
- Condition 4 restricted residence of the dwelling to those involved in the business or retired from the business.
- Mr Jackson, the independent consultant had been used by the LPA for a number of applications within the County to independently verify information provided by applicants in relation to the provision of dwellings for rural workers and fully understood the tests to be undertaken. Mr Jackson had assessed the previous application and had found that the tests had not been satisfied in that instance and that application had been recommended for refusal. The Planning Inspector felt that the tests had been met and granted a temporary permission.
- The screening proposed by the applicant would be secured by Condition 7 and would enhance the biodiversity of the site.
- The provision of services such as the road, utilities etc had been taken into consideration by the Planning Inspector who had found that the need for

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the agricultural dwelling outweighed any harm to the Green Belt.

- The test was whether there was a functional need for the dwelling and not an essential need as outlined in paragraphs 7.11 – 7.13 of the report. It had been found that due to the value of the livestock having someone on the site would benefit the business.

Councillor Jones proposed a recommendation to refuse the application which was seconded by Councillor Dodd. Members were reminded that a valid reason for refusal was required to be provided when proposing a refusal. Following a discussion and advice from Officers, Councillor Jones and Councillor Dodd confirmed that the reason for refusal should be “that the proposal for the new and extended residential dwelling represented an inappropriate form of development in the Green Belt and very special circumstances had not been demonstrated”.

In debating the application, A Member queried the need for the dwelling stating that the argument for allowing a permanent agricultural dwelling in the Green Belt must be a very strong one and it was asked if a further report to look at Mr Jackson’s report could be provided. Officers advised that whilst Mr Jackson had been used as an independent consultant on a number of applications and his work had never been questioned, that if that was the wish of the Committee then it could be done. The application history of the site as outlined in the report was highlighted, which some Members felt demonstrated the applicant’s determination to build in the countryside regardless.

If it was accepted that there might be a need for someone to be at the site for specific times such as when a mare was foaling it was queried why it would be necessary on a full time basis for the relatively small number of livestock at the site with the technology now available to allow remote monitoring to be undertaken.

It was asked if the different parts of the application could be considered separately in that, if it was felt that the four tests had been met to allow the dwelling to be provided on a permanent basis, this part could be approved, and if it was felt there was no good reason for the existing dwelling to be extended, could this part be refused, Members were advised that the application was for both the permanency of the dwelling and the extension and must be decided as one application. A suggestion was made that applicant could be asked to withdraw this application and come back with a new application for the permanency only.

Members were reminded that the Planning Inspector had agreed to the temporary permission of three years in order for the applicant to provide evidence over that period of the need for the dwelling and all that information had been provided.

In summing up, Councillor Jones stated that she did not feel that the applicant had demonstrated very special circumstances for development in the Green Belt, it did not contribute to the local economy and that there were other ways of meeting the need without having a permanent dwelling with all the associated work in connection with this.

A vote was taken on the proposal to refuse the application for the reason that the new and extended residential dwelling represented an inappropriate form of

development in the Green Belt and very special circumstances had not been demonstrated as follows:- FOR 6; AGAINST 2; ABSTAIN 1.

RESOLVED that the application be **REFUSED** as the new and extended residential dwelling represented an inappropriate form of development in the Green Belt and very special circumstances had not been demonstrated.

43 **APPEALS UPDATE**

RESOLVED that the information be noted.

CHAIR.....

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