



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: Lesley.Little@northumberland.gov.uk

Tel direct: 01670 622614

Date: Thursday 28 September 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CASTLE MORPETH LOCAL AREA PLANNING COMMITTEE** to be held in the **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 9 OCTOBER 2023 at 4.00 PM.**

Yours faithfully

Dr Helen Paterson
Chief Executive

To Castle Morpeth Local Area Planning Committee members as follows:-

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



Dr Helen Paterson, Chief Executive
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AGENDA

PART I

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

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

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 10)

The minutes of the meeting of the Castle Morpeth Local Area Committee held on Monday 11 September, as circulated, are to be agreed and signed by the Chair.

4. **DISCLOSURE OF MEMBERS' INTERESTS**

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

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

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

- 5. DETERMINATION OF PLANNING APPLICATIONS** (Pages 11 - 14)
- To request the committee to decide the planning applications attached to this report using the powers delegated to it.
- Please note that printed letters of objection/support are not circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>*
- 6. 23/02203/FUL** (Pages 15 - 28)
Demolition of existing building and replacement with a single dwelling including proposed garage and bin store
Land South-West of Gubeon Farm, Morpeth, Northumberland
- 7. 23/02839/FUL** (Pages 29 - 46)
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
- 8. APPEALS UPDATE** (Pages 47 - 60)
- For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.
- 9. URGENT BUSINESS**
- To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

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)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> 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.
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* ‘director’ includes a member of the committee of management of an industrial and provident society.

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

Table 2: Other Registrable Interests

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

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



Northumberland County Council

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)

NORTHUMBERLAND COUNTY COUNCIL

CASTLE MORPETH LOCAL AREA COMMITTEE

At the meeting of the **Castle Morpeth Local Area Committee** held at Council Chamber - County Hall on Monday, 11 September 2023 at 4.00 pm.

PRESENT

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

MEMBERS

J Beynon
R Dodd
V Jones
R Wearmouth

S Dickinson
L Dunn
G Sanderson

OFFICERS

H Dunleavy
D Hadden
L Little
J Murphy

Planning Technician
Solicitor
Senior Democratic Services Officer
South East DM Area Manager

Around 25 members of the press and public were present.

25 CHAIR'S ANNOUNCEMENT

The Vice Chair (Planning) advised of a change to the order of the agenda with items 9 and 10 being taken as the first and second substantial items.

26 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Darwin, Murphy and Towns.

27 MINUTES

RESOLVED that the minutes of the meeting of the Castle Morpeth Local Area Committee held on Monday 10 July 2023, as circulated, be confirmed as a true record and be signed by the Chair.

(a) Receive New Petitions – No new petitions were received.

(b) Petitions Previously Received – Ongoing planning issues and unfinished works on the Nursery Gardens Site, Stannington Station

An introduction to the report was provided by J Murphy, Area Planning Manager and photographs of the site were provided. She advised that further discussions had taken place with Mr Straker on behalf of the Developer since the report had been produced and they had been informed that a report from Northumbria Water was awaited before work could commence on the roads. Highways had also spoken to Mr Straker and had asked that the Contractor contact them directly. There had been a little progress since Mr Straker had been advised that the Council were considering issuing a Breach of Conditions Notice, with some work being undertaken although the quality of this was in doubt. Clarification would need to be provided if a Breach of Condition Notice was to be issued as to what works were outstanding. Officers were recommending that a further report be brought to Committee in two months on progress and if the work was not completed then the Breach of Condition Notice be issued.

The Lead Petitioner addressed the Committee in respect of the petition. She thanked Officers and Councillor Darwin for their assistance in the matter. The report had covered most of the grievances that residents had with Ludgate who were trading as Willow Homes, however there had been no mention of SURGO who had been the main contractor. They had been told that work would commence in August, however they were now being told that it would be September. A great deal of remedial work would need to be undertaken on the roads and paths before any actual work could be done. She asked what assurances could be given that the work would actually start in September and that it would be carried out to an acceptable standard given that the contractor had previously advised that 12 to 18 inches of top soil would be required, however the majority of this was still in bunds on the site and water was already pooling on the paths that had been provided. Residents had received flyers through their doors from SURGO and then Ludgate giving dates for works to be undertaken but no action had actually been taken until this latest intervention. Residents wanted the work to be completed. SURGO had used the dispute with Ludgate as an excuse not to complete snagging work which had been reported with residents suffering as a result of this and they were also concerned regarding the timescale and standard of development.

Councillor Sanderson thanked the petitioners for bringing this matter to the Council's attention and their time in attending the meeting. He also thanked officers and Councillor Darwin for their work in trying to resolve the situation. He did however consider that it was time to make a stand and set an example as he felt that there was a limit as to what the Local Planning Authority could do and this had been reached. He proposed that a Breach of Condition Notice be issued immediately. Councillor Wearmouth queried if it would be sensible to set a deadline of 2 to 3 weeks to allow the developer to complete the works before the issuing of the Breach of Condition Notice. Officers advised that the deadline they had set for the completion of the works was approaching without the works being done. Councillor Sanderson confirmed that his proposal was that the Breach of

Condition Notice be issued immediately and this was then seconded by Councillor Wearmouth.

In response to a question it was clarified that any decision made by this Committee did not need to be referred to the Petitions Committee.

Councillors advised that they supported the proposal to issue a Breach of Condition Notice as residents had purchased their properties in good faith on the basis that all necessary amenities would be provided. Current enforcement action being taken in relation to the works had not resulted in the necessary works being carried out in a timely manner. It was confirmed that following the issuing of a Breach of Condition Notice the developer would need to complete the work or receive a heavy fine and possible court proceedings. Officers would need to ascertain which conditions had been breached and liaise with Legal to ensure that the wording for the Notice was correct.

A vote was taken on the proposal to issue a Breach of Condition Notice to the developer and it was unanimously:

RESOLVED that a Breach of Condition Notice be issued to the developer.

(c) Receive any updates on petitions for which a report was previously considered – There were no updates.

29 THE TOBY HENDERSON TRUST

Lynda Richardson and Sheila Davies were in attendance to provide a presentation on the background and the work of The Toby Henderson Trust (TTHT), a charity which supported autistic children, young people and their families and carers, which was now based in Bedlington. TTHT was set up over 20 years ago by Lesley Henderson the CEO after fund raising to attend the Son Rise programme in America in order to support her son Toby as there were no services available here. Following her return the fund raising continued and she was able to bring the Son Rise programme back here and she set up the Trust in her son's name to help deliver the programme to Toby and other children and their families.

TTHT provided holistic support to families pre-diagnosis; throughout the diagnostic process and post diagnosis. Services were offered virtually and face to face with family support sessions which were tailored for each family; a family support group via zoom; a rolling programme of targeted webinars for a whole range of topics; a quarterly newsletter advising of what was happening within the trust and any events along with updates being provided on social media. Regular check-ins with families was done by email and telephone. Previously there had been some psychotherapy provided through grant funding but unfortunately this had ceased as there was no funding at the current time.

Whilst the majority of services were funded by charity, TTHT had now been commissioned to provide a post diagnostic support service within Northumberland. This was currently only for under 18 year olds, however the hope was that it would be commissioned for adults in the future. The charity also

provided further support for children with autism outside of school time through MATES (Meet At Toby's and Engage Socially) which were sessions for Mini MATES for ages 6-9; MATES Juniors for ages 10-12; MATES Seniors for ages 13+; and a pilot project was now being run called Miss MATES for girls only, however funding for this was to cease in November and ways to keep this running through charitable donations was being explored. The Autism Sibling Support Group, Sibling Superstars provided support for siblings aged 6+ and was heavily subscribed. This allowed children to undertake activities or have days out which were not disrupted or had to be cut short by the needs of their autistic siblings and for them to understand that there were other families just like theirs and they were not alone.

A scheme which allowed sensory toys to be borrowed was also in operation giving children the opportunity of trying toys to see what they liked to play with rather than parents and carers buying expensive toys which were not suitable. The charity had also opened Toby's Magical Garden which was available for a family to hire giving a safe space for children to play.

It was clarified that there were no limitations on the geographical area which the charity covered as a lot of the work was now done online, which had been a positive change since covid. There was also now a TTHT hub in South Shields. If parents or carers were prepared to travel to join the group sessions then they were welcomed and if there was a high demand for a session in a particular area then it might be possible for this to be set up.

The Chair and Members of the Committee thanked the TTHT for their fantastic presentation on the work undertaken by the Charity which had been of great interest and very enlightening.

30 **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.

31 **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.

32 **23/01593/FUL Proposed Single Storey Extension Burnside, Grange Avenue, Stamfordham, Northumberland, NE18 0PG**

H Dunleavy, Planning Technician provided an introduction to the report with the aid of a power point presentation. She advised that a further objection had been

received from the neighbouring property Sunny Brae reiterating the points made in their original objection and included the following:-

- The development would clearly have a significant adverse impact on the amenity of their property resulting in; overshadowing, unacceptable loss of daylight/sunlight, privacy, outlook and loss of line of sight.
- It would be visually obstructive and have an overbearing impact.
- The overshadowing and loss of daylight would have a direct impact on how their kitchen was used with additional kitchen lighting being required increasing bills and their carbon footprint.
- Their property would not be visible from the road and emergency services could have difficulty in finding it in an emergency.
- This would be the biggest front extension in Grange Avenue and was out of proportion with the surrounding buildings.
- The extension windows would affect their privacy and if windows opened outwards would create a health and safety issue on the path.
- The building of the proposed extension would interfere with their only access to their property and was completely unacceptable.
- Street lighting around their front door area would effectively be completely blocked out.
- Sunny Brae would be boxed in, without light, creating a blind spot and areas that would feel unsafe and the lack of street lighting could lead to slips, trips and falls.

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

- The existing hedge would be removed and the proposed extension would extend beyond this.
- It would be a similar extension to that at Sunny Brae only it was slightly larger and would have a hipped roof.
- There were a number of properties in Grange Avenue with extensions, however this would be larger than any of the others.

Councillor Wearmouth proposed acceptance of the recommendation to approve the application as outlined in the report and this was seconded by Councillor Sanderson.

Members acknowledged that the design of the estate made it difficult to make alterations to the properties however there were similar extensions in the street. The street itself was very narrow and Sunny Brae was at the end of the road. Some concern was expressed that the proposed development would block the light for Sunny Brae, cause access problems during the development and make navigating down the narrow path difficult. A vote was taken on the proposal to approve the application in line with the recommendation in the report as follows: FOR 5; AGAINST 2; ABSTAIN 1.

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

33 **APPEALS UPDATE**

Officers advised that as the number of planning applications being received had increased there had been a corresponding increase in the number of appeals being lodged. It was however clarified that appeal decisions in the most part supported the decisions of the Local Planning Authority.

RESOLVED that the information be noted.

Councillor Sanderson left the meeting at this point.

34 **PUBLIC QUESTION TIME**

AM Soulsby, Climate Champion for Morpeth was in attendance and asked the following questions:

1. As part of the Climate Emergency declared in 2019 and the Council's subsequent Climate Change Action Plan 2021-2023 there was a strong recommendation for all staff to undertake carbon literacy training. How many staff had undertaken the training?
2. Also as part of the Action Plan it was stated that all Councillors would undertake the carbon literacy training and a declaration would be made for each on the website to say that this had been undertaken, to date there are only two Councillors who have declared this. How many Councillors had undertaken the training?

Councillor Wearmouth advised that regular workshops and sessions were undertaken with the Council and its Members very much bought into achieving net zero by 2030. The Action Plan was being refreshed in order to ensure that it stayed relevant and it had received cross party support.

A written response would be provided in respect of the numbers of staff and Councillors who had undertaken the training.

35 **LOCAL AREA COUNCIL WORK PROGRAMME**

The Committee was reminded of the need for the separation of the Local Area Committees from Planning Committees which had been agreed by Council as part of the recommendations from the LAC Review and the requirement to hold meetings in other parts of the LAC area. There was a budget of £500 for each LAC which was to be used to help publicise the meetings in order to attract more public engagement.

Members were advised that the Chair and Vice-Chair Planning were to meet with the Senior Democratic Services Officer immediately following this meeting to discuss this in more detail and Members would be advised of the dates and venues in due course.

RESOLVED that the work programme be noted.

36 **DATE OF NEXT MEETING**

The meeting of the next Local Area Planning Committee was planning only and was scheduled for 4.00 pm on Monday 9 October 2023.

CHAIR.....

DATE.....

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Northumberland County Council

CASTLE MORPETH LOCAL AREA PLANNING COMMITTEE

9 OCTOBER 2023

DETERMINATION OF PLANNING APPLICATIONS

Report of the Director of Housing & Planning (Chief Planning Officer)

Cabinet Member: Councillor C Horncastle

Purpose of report

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

Recommendations

The Local Area Planning 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 Castle Morpeth 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 Planning 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 Planning 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
 Director of Housing & Planning (Chief Planning Officer)
 01670 622542
 Rob.Murfin@northumberland.gov.uk

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

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

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.



Northumberland County Council

Castle Morpeth Local Area Planning Committee, 9th October 2023

Application No:	23/02203/FUL		
Proposal:	Demolition of existing building and replacement with a single dwelling including proposed garage and bin store		
Site Address	Land South-West of Gubeon Farm, Morpeth, Northumberland		
Applicant:	Taylor C / O Agent, George F White, Alnwick, Alnwick Northumberland NE66 1TL	Agent:	Mr Craig Ross 4-6 Market Street, Alnwick, NE66 1TL
Ward	Longhorsley	Parish	Mitford
Valid Date:	27 June 2023	Expiry Date:	10 th October 2023
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Senior Planning Officer Email: Ryan.Soulsby@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



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1. Introduction

- 1.1 Following the receipt of comments from Mitford Parish Council supporting the scheme, the file was referred to the director of planning and the chairs of the Local Area Planning Committee. It was confirmed within their response that the application should be determined at Local Area Planning Committee by members.

2. Description of the Proposals

- 2.1 Planning permission is sought for the demolition of an existing agricultural barn and the construction of a residential dwelling and detached garage on land south-west of Gubeon Farm, Morpeth.
- 2.2 The proposed dwelling would be single storey, separated into three elements with a central outdoor courtyard area. The eastern and western wings would both incorporate two bedrooms with en-suites whilst the central aspect will incorporate a lounge, dining and kitchen area with a utility room and WC. The detached garage and bin store would be located to the south-east of the proposed property.
- 2.3 The proposal would measure 32.3 metres in width, including the central courtyard, with a maximum length of 14.45 metres. A pitched roof would be incorporated upon all three elements with the roof upon the central building measuring the highest from ground level at 7.78 metres. Materials used in the construction of the dwellinghouse would consist of natural stone, timber cladding, zinc cladding, terracotta roof tiles, zinc raised seam roofing and slate grey fenestration and weather goods.
- 2.4 Access would be achieved via the existing access to the site off the B6523 public highway whilst parking provision would be accommodated via the creation of a hardstanding area and detached garage. The detached garage would measure 6.7m x 6.7m, incorporating a pitched roof that measures 5.1 metres to the ridge.
- 2.5 Outdoor amenity space would be located to the rear of the buildings with existing trees along the shared boundaries to be retained. Additional soft landscaping appears to be proposed throughout the site.
- 2.6 The application site is located within open countryside and designated Green Belt land.
- 2.7 Planning permission was granted for the conversion of the existing single storey agricultural barn in October 2021 under application reference no. 21/03022/AGTRES. These works have not been implemented. The applicant wishes to demolish this structure as part of the application proposals.

3. Planning History

Reference Number: 21/03022/AGTRES

Description: Prior Notification: Change of use from agricultural barn to dwelling house.

Status: Prior approval granted

Reference Number: 22/00817/FUL

Description: Conversion, alteration and extension of agricultural building to residential use

Status: Withdrawn

Reference Number: 22/04690/FUL

Description: Demolition of existing building and replacement with a single dwelling

Status: Withdrawn

4. Consultee Responses

Mitford Parish Council	Mitford Parish Council have considered this application and consider it to be a well-designed building, appropriate to its setting. It would make good use of an otherwise derelict site and the Council are happy to support the application.
Morpeth Town Council	Morpeth Town Council has no comment to this application subject to the information available at this time.
Highways	Fundamental concern (Object): Concerns so significant that no reasonable action is likely to address the concern. The proposed development is located within a location which does not support the use of sustainable connections, as stated within TRA 1 of the Northumberland Local Plan. The proposed scheme for a residential unit in this location would be solely reliant on private car travel, and unsupportive of multimodal transport options.
Lead Local Flood Authority (LLFA)	No comment.
Public Protection	No objection subject to recommended conditions.
County Ecologist	No objection subject to recommended conditions.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	3
Number of General Comments	0

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

3no support comments were received from neighbouring residents. The proposal is considered to:

- Be of high-quality design and appearance;
- Improve the visual amenity of the site which is currently 'run-down';
- The work will complete the overall development at Gubeon Farm;

- The site is close to Morpeth and sustainably located;
- Would create jobs during the construction phase;
- Site is previously developed and screened by existing trees.

Material planning considerations shall be assessed within the below appraisal.

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=RW8XQLQSIEN00>

6. Planning Policy

6.1 Development Plan Policy

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

Policy STP 1 - Spatial strategy (strategic policy)
 Policy STP 2 - Presumption in favour of sustainable development (strategic policy)
 Policy STP 3 - Sustainable development (strategic policy)
 Policy STP 4 - Climate change mitigation and adaption (strategic policy)
 Policy STP 5 - Health and wellbeing (strategic policy)
 Policy STP 7 – Strategic approach to the Green Belt (strategic policy)
 Policy STP 8 – Development in the Green Belt (strategic policy)
 Policy HOU 2 - Provision of new residential development (strategic policy)
 Policy HOU 3 – Housing requirements for neighbourhood areas (strategic policy)
 Policy HOU 5 - Housing types and mix
 Policy HOU 8 – Isolated residential development in the open countryside
 Policy HOU 9 - Residential development management
 Policy QOP 1 - Design principles (strategic policy)
 Policy QOP 2 - Good design and amenity
 Policy QOP 4 - Landscaping and trees
 Policy QOP 6 - Delivering well designed places
 Policy TRA 1 - Promoting sustainable connections (strategic policy)
 Policy TRA 2 - The effects of development on the transport network
 Policy TRA 4 - Parking provision in new development
 Policy ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (strategic policy)
 Policy ENV 2 - Biodiversity and geodiversity
 Policy WAT 3 - Flooding
 Policy WAT 4 - Sustainable drainage systems
 Policy POL 1 - Unstable and contaminated land
 Policy POL 2 - Pollution and air, soil and water quality

6.2 National Planning Policy

National Planning Policy Framework (2023) (NPPF)
 National Planning Practice Guidance (2022) (NPPG)

6.3 Neighbourhood Planning Policy

Morpeth Neighbourhood Plan 2011 – 2031 (Made May 2016) (MNP)

Policy Sus1 – Sustainable development principles

Policy Des1 – Design principles
Policy Set1 – Settlement boundaries
Policy Tra2 – Traffic congestion
Policy Tra3 – Transport requirements for new developments
Policy Inf1 – Flooding and sustainable drainage

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises of the Northumberland Local Plan (NLP) and the Morpeth Neighbourhood Plan (MNP). The National Planning Policy Framework (NPPF) (2023) and Planning Practice Guidance (PPG) are material considerations in determining this application.

- Principle of development (open countryside and Green Belt);
- Design and visual character;
- Residential amenity;
- Highway safety;
- Ecological impacts;
- Land contamination, stability and ground gas;
- Drainage and flooding.

Principle of development

(open countryside)

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. The application site is located out with the defined settlement boundary for Morpeth, as defined by the Morpeth Neighbourhood Plan, and is therefore recognised as being located within open countryside land.

7.3 Policy STP 1, part g) states “*Development in the open countryside will be supported if it can be demonstrated that it:*

- Supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13; or*
- Supports the development and diversification of agricultural and other land-based rural businesses in accordance with Policy ECN 14; or*
- Supports sustainable rural tourism and leisure developments in accordance with Policy ECN 15; or*
- Provides for residential development in accordance with Policies HOU 7 or HOU 8; or*
- Supports the retention, provision or improvement of accessible local services and community facilities which cannot be provided in settlements, in accordance with Policy INF 2; or*
- Provides for essential transport, utilities and energy infrastructure in accordance with other policies in the Local Plan; or*
- Relates to the extraction and processing of minerals, in accordance with other policies in the Local Plan”.*

As the proposal is for residential development, the decision maker is therefore directed to policies HOU 7 and HOU 8 of the NLP.

- 7.4 Policy HOU 7 of the NLP relates to exception sites for affordable housing. No indication has been given within the application documents that the dwelling would be for affordable housing, either as a discounted market value property or affordable rent, therefore, the provisions of this policy do not apply.
- 7.5 Policy HOU 8 of the NLP details *“The development of isolated homes in the open countryside will only be supported where:*
- a. There is an essential and clearly established need for a full-time rural worker necessary to meet the operational needs of a rural business to live permanently at or near their place of work in the countryside, and where it can be demonstrated that:*
 - i. The business is financially sound and viable with a clear prospect of remaining so, the activity and landholding units concerned having been established for at least three years and been profitable for at least one of those last three years; and*
 - ii. The functional need could not be fulfilled by any existing dwelling on the landholding unit or any other existing accommodation in the immediate area, which is suitable (including by means of refurbishment or appropriate extension) and potentially available for occupation by the workers concerned; or*
 - b. It represents the optimal viable use of a heritage asset, or represents appropriate enabling development to secure the future of a heritage asset(s); or*
 - c. It re-uses redundant or disused buildings and enhances its immediate setting; or*
 - d. It involves the appropriate sub-division of an existing residential dwelling; or*
 - e. The design is of exceptional quality, in that it is truly outstanding or innovative, reflecting the highest standards of architecture, and would help to raise the standards of design in rural areas, and it would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.*
- 7.6 The application form states that the proposed dwelling is for market housing and is therefore not being constructed on the basis of essential need for a rural worker to reside at the site. Provision a) of policy STP 8 therefore does not apply. Neither does provision b) due to the application building not being recognised as a heritage asset. Provision c) seeks for developments to re-use redundant or disused buildings whilst enhancing the setting of the area. Whilst the LPA recognise an extant prior approval consent exists for the single storey agricultural barn to residential use, this barn is to be demolished as part of these application proposals therefore, there will be no re-use as stipulated by the policy. The application therefore fails on this ground too.
- 7.7 Provision d) is not relevant as the proposal does not include the sub-division of an existing residential dwelling whilst provision e) does not apply as the proposals are not of exceptional quality and have not demonstrated the highest standards of architecture or sustainability. This is a significantly high

bar for developments to meet and they are required to go through design reviews to ensure exceptional design can be achieved.

- 7.8 The application proposals therefore represent an unjustified and unacceptable form of residential development in the open countryside, failing to accord with the provisions of policies STP 1 and HOU 8 of the NLP, policy Set1 of the MNP and the NPPF.

(Green Belt)

- 7.9 The application site is located within designated Green Belt land as defined by the NLP Policies Map. Policy STP 8 of the NLP states that *“Development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal”*. The decision maker is therefore directed to paragraph 149 of the NPPF.

- 7.10 Paragraph 149 of the NPPF notes *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”*.*

- 7.11 The proposal does not accord with any of the above exceptions and can therefore be considered to be inappropriate development within the Green Belt. Whilst the supporting planning statement details that the proposal may accord with provision d), the extant consent for residential use upon the existing building has not been implemented therefore, the scheme is not replacing a building of the same use. Furthermore, the footprint and volume of the replacement dwelling significantly exceeds that of the previously approved residential conversion and would be recognised as being materially larger.

- 7.12 The applicant contends that the development may also accord with the exceptions of provision g) however, the proposal would not constitute limited infilling nor would it be utilising previously developed land (PDL) due to the existing structure being used for agricultural purposes. As noted above, the footprint of the proposed dwelling significantly exceeds the existing agricultural barn and extends into undeveloped grassed land which also cannot be considered PDL.
- 7.13 No very special circumstances have been demonstrated as part of the application submission that would outweigh the level of harm caused to the Green Belt by the inappropriate development. Whilst the LPA can give weight to the fallback position of the conversion of the existing agricultural barn, minimal weight is given as this structure is proposed to be demolished as part of the proposals. Conversion of the structure to residential use would result in significantly less impact upon the Green Belt when compared with the proposed scheme.
- 7.14 The applicant also presents the view that removal of the existing undesirable building and replacement with a modern dwelling would constitute a very special circumstance however, the LPA do not consider the existing structure to be significantly harmful to the visual character of the area or Green Belt and removal of this structure could be achieved without the need to construct a significantly larger set of buildings across the wider site.
- 7.15 The proposal therefore represents an inappropriate form of development within the Green Belt with no very special circumstances identified to overcome the harm. The proposals therefore conflict with policies STP 7 and STP 8 of the NLP and the NPPF.

Design and visual character

- 7.16 Policy HOU 9 of the NLP states that residential development will be supported where they *"contribute to a sense of place"* and *"are constructed to a high quality of design"*. Policy QOP 1 is also relevant within this assessment and states that development proposals should *"make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography"*.
- 7.17 Policy Des1 of the MNP states that development proposals should respect or enhance the character of the site and its surroundings whilst also safeguarding, respecting and enhancing the natural environment.
- 7.18 The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development with paragraph 130 noting developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.19 As part of the application assessment, a site visit was undertaken by the planning officer to assess the application site and surrounding area. The application site is accessed off the B6524 public highway with screening achieved via existing trees and hedging located upon the southern boundary of the site. Glimpse views of the built form can be achieved from the adjacent

highway, where the existing farmhouse and existing dwellings can be seen. The equestrian development further north is screened by the residential properties although partial views can be achieved when travelling north-east along the B6524.

- 7.20 The proposed design of the dwellinghouse, whilst modern, reflects the rural character of the application site and the wider area. The use of materials such as natural stone and timber cladding are prevalent within rural areas and within the wider Gubeon Farm site whilst the pitched roof profiles across the development ensure a degree of symmetry throughout. Fenestration has been appropriately sited upon all elevations whilst appropriate levels of outdoor amenity space are incorporated within the curtilage of the site.
- 7.21 The scale, massing and form of the buildings, whilst undoubtedly larger than the existing agricultural stone barn do not result in an overbearing impact upon the site on design grounds whilst the retention of existing trees and hedging, as well as the inclusion of further soft landscaping, is welcomed to provide screening of the proposals from adjacent public viewpoints. The LPA therefore consider that the development accords with policy HOU 9 of the NLP, policy Des1 of the MNP and the NPPF in relation to good design.

Residential amenity

- 7.22 Policy QOP 2 of the NLP states that *"development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area"*. Policy Des1, part H) of the MNP mirrors these provisions stating developments should ensure they do *"not cause an unacceptable adverse impact the amenities of occupiers of existing or proposed nearby properties"*.
- 7.23 Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *"create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users"*.
- 7.24 Due to the isolated nature of the Gubeon Farm site, residential use can be accommodated within this area without adversely impacting upon amenity. Existing residential use is located to the north-east of the application site however, appropriate separation distances have been retained between the proposed dwelling and these properties to ensure no privacy or overlooking concerns would arise. Due to the orientation of the plot compared to existing properties, there would also be no direct facing fenestration.
- 7.25 To protect the privacy of future occupiers, the LPA would expect fenestration serving en-suite areas to be obscurely glazed however, this could be secured via planning condition. Any future residents would benefit from significant levels of outdoor amenity space for everyday activities with a pleasant outlook achieved from the large areas of fenestration incorporated upon the south facing elevation. The LPA consider the proposals accord with policy QOP 2 of the NLP, policy Des1 of the MNP and the NPPF in relation to residential amenity.

Highway safety

- 7.26 Policy TRA 1 of the NLP seeks to *“Promote a spatial distribution which creates accessible development, reduces the need to travel by car, and maximises the use of sustainable modes of transport”*. This policy mirrors the aim of policy STP 3, part j) which requires developments to *“Be accessible by, or be able to be made accessible by public transport, walking or cycling where feasible, thereby reducing the need to travel for both people and goods, and the dependence on travel by private car”*.
- 7.27 Policy TRA 2 of the NLP states that developments will be expected *“provide effective and safe access and egress to the existing transport network”* and *“include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or highway safety”*. Policy TRA 4 is also relevant within this assessment and states that *“an appropriate amount of off-street vehicle parking to serve new development shall be made available in safe, accessible and convenient locations”*.
- 7.28 Paragraph 111 of the NPPF states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
- 7.29 Consultation was undertaken with highways development management (HDM) who objected to the application proposals, recognising conflict between the scheme and policy TRA 1 of the NLP. The development site is located within a rural section of the county which lacks connectivity for pedestrians/cyclists/public transport and is located approximately 3.5km away from the closest shop and school. This distance is clearly outside of acceptable walking/cycling parameters. Future occupiers would be completely reliant on a private car to gain access to everyday amenities which conflicts with sustainable development principles set out at both local and national planning policy level. Whilst HDM recognise an extant consent exists for the conversion of an existing agricultural barn to residential use, this was permitted under the prior approval route where the sustainability of an area is not a consideration for approval.
- 7.30 The proposed scheme demonstrates appropriate levels of car parking provision and acceptable access to the site to allow for safe ingress and egress. Whilst no EV charging points have been detailed, such information can be secured via planning condition.
- 7.31 The proposal therefore conflicts with the provisions of policies TRA 1 and STP 3 of the NLP and the NPPF on transport and sustainability grounds.

Ecological impacts

- 7.32 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. These provisions are mirrored within paragraph 174, part d) of the NPPF.

- 7.33 Consultation was undertaken with local authority's ecologist who, following the submission of an updated ecological appraisal and bat survey, raised no objection to the application proposals subject to recommended conditions. It is possible that bats will be encountered during demolition of the existing agricultural building therefore the submission of an acceptable method statement will need to be provided and adhered to at all times. An appropriately worded condition can secure the submission of this information prior to any ground or structure clearance on site.
- 7.34 To demonstrate biodiversity net gain on site, the ecological appraisal suggests the implementation of landscape planting, native species-rich mixtures of hedge boundaries, the provision of bat and bird boxes as well as bat and bird roosting opportunities within the proposed structures. The local authority's ecologist concurs with these recommendations and again, this can be secured via planning condition. Precise details of the biodiversity net gain on site should be submitted prior to any ground or structure clearance.

Land contamination, stability and ground gas

- 7.35 Policy POL 1 of the NLP outlines that *'development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts'*.
- 7.36 Policy POL 2 of the NLP is also relevant within this assessment and states that *'Development proposals in locations where they would cause, or be put at unacceptable risk of harm from, or be adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances will not be supported'*. Both of these provisions are mirrored within the NPPF.
- 7.37 The application site is located within an area subject to former coal mining activity therefore comments from the local authority's Environmental Protection team require the provision of ground gas protection within the development to protect the amenity of future occupiers. In relation to land contamination, the phase 1 environmental report submitted with the application is sufficient to suggest that risks from contaminated land on the development are negligible however, a watching brief condition should be applied in the event of a positive recommendation upon the file.
- 7.38 Subject to conditions recommended by the local authority's Environmental Protection team, the LPA are satisfied that the proposed development accords with policies POL 1 and POL 2 of the NLP and the NPPF in relation to land contamination and stability.

Drainage and flooding

- 7.39 Policy WAT 4 of the NLP states that sustainable drainage systems (SuDS) will be a requirement for any development in order to separate, minimise and control surface water run-off.

- 7.40 The application form states that surface water will be disposed of by a sustainable drainage system whilst foul sewage will be disposed of through the installation of a new package treatment plant to the south-east of the proposed dwelling. The LPA have no objection to these arrangements. Consultation was undertaken with the Lead Local Flood Authority (LLFA) team who raised no objection to the application on flood risk grounds.

Equality Duty

- 7.41 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

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

Human Rights Act Implications

- 7.43 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.
- 7.44 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.
- 7.45 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. Recommendation

That this application be REFUSED permission subject to the following:

Conditions/Reason

- 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.

Date of Report: 8th September 2023

Background Papers: Planning application file(s) 23/02203/FUL

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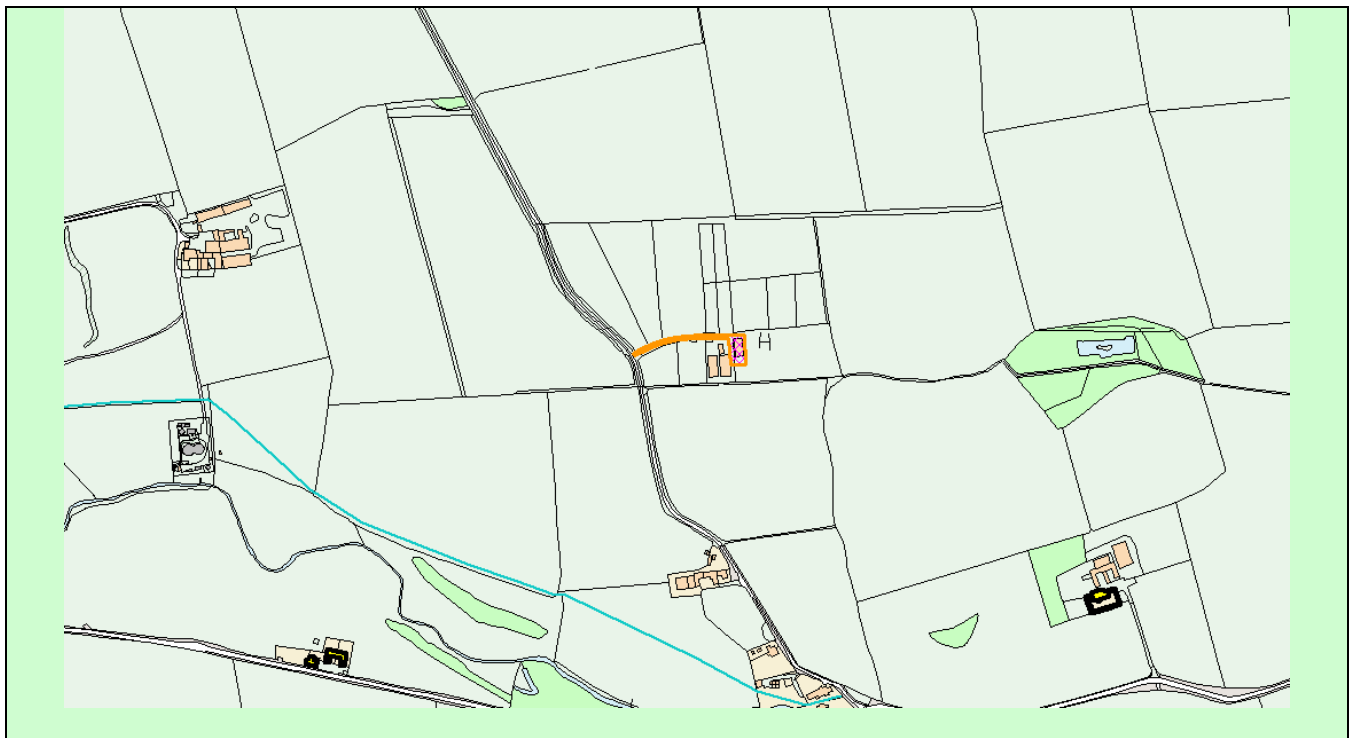


Northumberland
County Council

Castle Morpeth Local Area Planning Committee
9th October 2023

Application No:	23/02839/FUL		
Proposal:	Proposed rural workers dwelling, consisting of retention and extension to dwelling located on site		
Site Address	Land At East Of La Luna Farm, Mill Lane, Heugh, Northumberland		
Applicant:	Ms D Wilkinson La Luna Farm, Mill Lane, Heugh, Newcastle Upon Tyne, Northumberland NE18 0PS	Agent:	Miss Hannah Wafer Dean Street Arch, 22 Dean Street, Newcastle, NE1 1PG
Ward	Ponteland West	Parish	Stamfordham
Valid Date:	4 August 2023	Expiry Date:	10 October 2023
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Senior Planning Officer Email: Ryan.Soulsby@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

- 1.1 Following the receipt of an objection from Stamfordham Parish Council and objections from residents, the file was referred to the director of planning and the chairs of the Local Area Planning Committee. It was confirmed within their response that the application should be determined at Local Area Planning Committee by members.

2. Description of the Proposals

- 2.1 Planning permission is sought for the siting of a permanent rural workers dwelling, consisting of the retention and extension to an existing dwelling located at La Luna Farm, Mill Lane, Heugh.
- 2.2 A temporary planning permission was granted for the provision of a rural workers dwelling on site in November 2020 under appeal ref no. APP/P2935/W/20/3247129 (LPA ref no. 19/04829/FUL). The temporary consent was granted for a period of 3 years from the date of decision meaning the consent is due to expire in November 2023.
- 2.3 The existing dwelling located at the application site measures 17.5 metres in length by 6.7 metres in width, incorporating a lean to roof which measures 3.8 metres to the highest point. The proposals would incorporate a 5 metre extension upon the rear elevation ensuring a depth of 11.7 metres with the length remaining as 17.5 metres. A 2.1m x 1.1m porch is also proposed to the front elevation.
- 2.4 The existing cedar cladding upon the dwelling would be retained with stone cladding incorporated upon part of the existing elevations and the proposed addition. A fibre cement board roof would be incorporated upon the flat roof extension.
- 2.5 The wider site currently consists of two barns with internal stables, a timber framed structure and an outdoor horse menage area. An extant consent exists upon the site for a horse walker. The principal business activity at La Luna Farm is associated with equine enterprises.
- 2.6 The application site is located within open countryside land and designated Green Belt.

3. Planning History

Reference Number: 19/00509/FUL

Description: Proposed siting of a temporary dwelling house / chalet

Status: Withdrawn

Reference Number: 19/01301/ROAD

Description: Prior notification for access road to agricultural barns

Status: Prior approval not required

Reference Number: 19/04178/FUL

Description: Proposed siting of 1no. chalet and part change of use of 1no. barn.

Status: Withdrawn

Reference Number: 19/04829/FUL

Description: Resubmission: Proposed siting of 1no. chalet and part change of use of 1no. barn.

Status: Non determination

Reference Number: 20/01784/FUL

Description: Part Change of Use of 1No Barn and Retrospective Planning Permission for Septic Tank

Status: Refused

Reference Number: 21/02140/NONMAT

Description: Non-material amendment (Repositioning of Windows) on approved application 19/04829/FUL

Status: Permitted

Reference Number: 22/02904/FUL

Description: Installation of concrete hardstandings and pathways to accommodate a horse walker

Status: Permitted

Reference Number: 18/03553/AGRGO

Description: Prior notification for a new agricultural buildings to provide covered area for livestock and storage for hay and machinery.

Status: Withdrawn

Reference Number: 18/04271/FUL

Description: Proposed construction of 2no. barns

Status: Permitted

Reference Number: 21/00154/FUL

Description: Proposed menage and retrospective planning permission for septic tank

Status: Permitted

Reference Number: 22/02904/FUL

Description: Installation of concrete hardstandings and pathways to accommodate a horse walker

Status: Permitted

Appeals

Reference Number: 20/00027/NONDET

Description: Resubmission: Proposed siting of 1no. chalet and part change of use of 1no. barn.

Status: Allowed

4. Consultee Responses

Stamfordham Parish Council

Stamfordham Parish Council wish to object to the planning application.

We understand the building was temporary in order to ensure that the decision to permit construction was matched by the financial viability of the business in requiring worker accommodation. The cumulative impact should be taken into account, particularly in respect of its location in the greenbelt.

We cannot see how it is possible to argue that essential worker accommodation needs to be larger than a three bedroom house. The existing structure meets the needs of the purpose for which the house exists. Thus extension, in the greenbelt, is not necessary under the criteria set out in the statement. As a single story single pitch building stone cladding is inappropriate. This does not make the building any more in keeping with local design. New buildings should not try to look like old ones (with the possible exception of in the conservation area).

The term biodiversity net gain is inappropriately used. This refers to specific planning legislation, the application has been submitted before the legislation takes effect and is not being submitted using the BNG principles.

The existing site is visible from a public road and pedestrian right of way. The acreage of the holding is not to increase therefore limiting any livestock numbers to be sustained and cared for, either equine or other, in line with the agricultural tie on the land. Additional living space would, therefore, appear non essential to accommodate the required number of essential workers.

The current chalet provides perfectly adequate accommodation incorporating 3 bedrooms. Taking into consideration the amount of land already developed decreases the acreage necessary per head of livestock and fodder production therefore inhibiting the ability of business growth. Paragraph 6.3 (ii) specifies: "the functional need cannot be fulfilled by any existing dwelling on the landholding unit or any other existing accommodation in the immediate area which is suitable (including by means of refurbishment or appropriate extension), and potentially available for occupation by the workers concerned."

We don't perceive a significant requirement to develop the existing accommodation, it is specifically provided for the purpose of a worker on site to manage the needs of the livestock, the livestock number or purpose is not indicated as being changed (no more workers required, no additional responsibilities implied), therefore the needs of the worker's

	accommodation are unchanged, therefore there should be no need for it to be developed or residential restrictions lifted.
Highways	No objection.
County Ecologist	No objection subject to recommended condition.
Lead Local Flood Authority (LLFA)	No comment.
Public Protection	No objection.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	5
Number of Objections	11
Number of Support	0
Number of General Comments	1

Notices

General site notice, 18th August 2023

No Press Notice Required.

Summary of Responses:

11 no objections were received against the application from neighbouring residents and members of the public. Concerns were raised regarding:

- Harmful impacts to openness of the Green Belt;
- Lack of essential need;
- Damage and number of vehicles travelling upon private track;
- Biodiversity and wildlife harm;
- Piecemeal development of the wider site;
- Poor design;
- No requirement for existing building to be extended.

One representation was received from a member of the public regarding impacts upon hedgerows throughout the site and general harm to the openness of the landscape.

Material planning considerations shall be assessed within the below appraisal.

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=RYIHTOQJSJHY00>

6. Planning Policy

6.1 Development Plan Policy

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

Policy STP 1 - Spatial strategy (strategic policy)

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

Policy STP 3 - Sustainable development (strategic policy)
 Policy STP 4 - Climate change mitigation and adaption (strategic policy)
 Policy STP 5 - Health and wellbeing (strategic policy)
 Policy STP 7 – Strategic approach to Green Belt (strategic policy)
 Policy STP 8 – Development in the Green Belt (strategic policy)
 Policy HOU 2 - Provision of new residential development (strategic policy)
 Policy HOU 8 – Isolated residential development in the open countryside
 Policy HOU 9 - Residential development management
 Policy QOP 1 - Design principles (strategic policy)
 Policy QOP 2 - Good design and amenity
 Policy QOP 4 - Landscaping and trees
 Policy QOP 6 - Delivering well designed places
 Policy TRA 1 - Promoting sustainable connections (strategic policy)
 Policy TRA 2 - The effects of development on the transport network
 Policy TRA 4 - Parking provision in new development
 Policy ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (strategic policy)
 Policy ENV 2 - Biodiversity and geodiversity
 Policy WAT 3 - Flooding
 Policy WAT 4 - Sustainable drainage systems
 Policy POL 1 - Unstable and contaminated land
 Policy POL 2 - Pollution and air, soil and water quality

6.2 National Planning Policy

National Planning Policy Framework (2023) (NPPF)
 National Planning Practice Guidance (2022) (NPPG)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises of the Northumberland Local Plan (NLP). The National Planning Policy Framework (NPPF) (2023) and Planning Practice Guidance (NPPG) are material considerations in determining this application.

- Principle of development (open countryside and Green Belt);
- Design and visual character;
- Residential amenity;
- Highway safety;
- Ecological impacts;
- Ground stability and land contamination;
- Drainage.

Principle of development

(open countryside)

7.2 Policy STP 1 of the NLP seeks for sustainable forms of development to be located within main towns, service centres and service villages throughout Northumberland. The application site is not located within any of these

designated areas and is therefore recognised as open countryside land. Policy STP 1, part g) does allow some forms of development in the open countryside providing accordance with other relevant policies within the Plan can be demonstrated.

7.3 Policy HOU 8 of the NLP outlines that *“the development of isolated homes in the open countryside will only be supported where:*

a. There is an essential and clearly established need for a full-time rural worker necessary to meet the operational needs of a rural business to live permanently at or near their place of work in the countryside, and where it can be demonstrated that:

i. The business is financially sound and viable with a clear prospect of remaining so, the activity and landholding units concerned having been established for at least three years and been profitable for at least one of those last three years; and

ii. The functional need could not be fulfilled by any existing dwelling on the landholding unit or any other existing accommodation in the immediate area, which is suitable (including by means of refurbishment or appropriate extension) and potentially available for occupation by the workers concerned;”

7.4 Paragraph 80 of the NPPF states *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside”

7.5 In order to determine the acceptability of a dwelling for a rural worker within an isolated location, four aspects are to be considered by the LPA which are 1) to assess if there is a functional need for a worker/s to be resident on the holding, 2) to assess how many workers are needed to operate the holding and of those workers, how many need to be resident on the holding 3) to assess if the business is financially sound and has a clear prospect of remaining so and 4) to assess the suitability and availability of existing dwellings to house those workers that need to be resident on the holding. As part of this application assessment, the LPA instructed Mr Alan Jackson, an independent consultant, to review existing activities at the site. A report was prepared by Mr Jackson and submitted to the LPA for review.

The existing situation

7.6 The applicant occupies the following areas of land which are currently used as an equine business:

- Approximately 17.2ha (42.49 acres) of land, farm buildings and a temporary dwelling at La Luna Farm, Heugh.
- Support payments are claimed from DEFRA through the Basic Farm Payment and Stewardship Schemes.

Livestock

7.7 The following livestock are currently kept on these land holdings:

- 2 stallions;
- 6 brood mares. These horses will normally give birth each year. At the time of Alan Jackson's visit (August 2023), 3 of these mares had young colts with them;
- 3 young mares kept for future breeding;
- 1 female yearling, 2 male yearlings and 1 two year old colt;
- Small numbers of sheeps, pigs and hens;
- The horses kept on these land holdings are Hanoverian sports horses bred primarily for dressage purposes. As such, they are valuable animals and can command high sale values.

Cropping

7.8 The land is all in grass with several paddocks providing grazing for the horses. Approximately half the land holdings are mown for hay for feeding to the horses with any surplus being sold. Aftermath grazing of the hay fields is let out to neighbouring farmers.

Equine Buildings and facilities

7.9 At La Luna Farm there are 2 portal steel framed general purpose farm buildings. One of these buildings houses 9 purpose made stables with brick built and metal divisions. The other building has 3 purpose made stables currently in use with the residual area used for storing hay, shavings for bedding and for storing equipment. A further 3 stables are incorporated within a timber field shelter. The sand surfaced outdoor arena is located to the west of these structures.

7.10 The only horses kept on the holdings are those in the ownership of the applicant. No livery or training of horses belonging to others is undertaken.

Aspect one – Functional need

7.11 A functional need on a farm or equine property is the need for a worker to be on hand to deal with instances that need to be dealt with reasonably quickly, particularly those instances that occur outside of normal working hours. An example of high functional need is animals giving birth. Of the 18 horses currently kept on these land holdings a relatively small number (currently around 6) will give birth each year. Some of these births will occur outside of normal working hours and may require a worker/s to be present. Although this is a small number of births, the value of the offspring is significant, estimated to be around £8,000 to £15,000 each when sold after weaning, so it is vital to the profitability of the horse breeding enterprise that births are adequately monitored to avoid losses.

7.12 There is a need to regularly check the horses on the holding particularly those housed in stables which will be throughout the winter months and part of the day during summer months. Horses can suffer from a number of

ailments/problems, including colic, which require timely intervention and treatment. All the animals on the land holdings will require regular health checks and some may need treatment, possibly outside of normal working hours.

- 7.13 Due to the value of the horses kept, security has to be a serious consideration and the presence of a worker on site outside of normal working hours will have benefits in relation to the security of the livestock on the holding. The independent assessment therefore concludes that there is clearly an established existing functional need on these land holdings with the intensity of the need being in relation to periods when animals are giving birth and throughout the year for the remainder of the livestock.

Aspect two – Full time worker

- 7.14 The labour requirements for the land holdings at La Luna Farm have been calculated in accordance with labour requirement figures provided by Agro Business Consultants in their Equine Business Guide (8th Edition November 2022). The labour requirement for La Luna Farm has been calculated in excess of 1 full time worker which is currently met by the applicant with help from her daughter and the use of contractors/neighbours for field work.

Aspect three – Financial viability

- 7.15 The existing business has been established at La Luna Farm for approximately 3 years. Financial viability can be defined as offering a competent person the prospect of a sufficient livelihood. Previously, Alan Jackson and the LPA have required that a net farm income after all expenses such as feed, fertiliser and property maintenance, be at least equivalent to an average agricultural workers minimum wage. However, in October 2013 The Agricultural Wages Board was disbanded and therefore minimum wages are no longer set for the industry. As an alternative source of evidence, figures are produced giving the current gross earnings of agricultural workers at around £25,000 per annum. [Source – Annual Survey of Hours and Earnings (ASHE) published online by the Office for National Statistics November 2022].
- 7.16 The NPPF requires an essential need to be demonstrated but does not specifically require a financial test. A previous judicial review between Northumberland County Council and Embleton Parish Council considered this aspect with the decision stating that the NPPF is less onerous than the former PPS7 and a financial test is no longer relevant. Nevertheless, the LPA must give regard to the financial position to establish if it is a sustainable business that will likely continue in the future.
- 7.17 As part of the application submission, financial accounts were provided for the last 3 years. These show a small loss of £2,264 in the 2020 year. In the 2021 year a profit of £18,167 was generated. In the 2022 year the profit was £47,698. The average profit over those 3 years was therefore £21,200 per year. There is clear evidence of investment in the 2 new general purpose farm buildings and in the fitting out of these buildings for stabling horses. An exercise/menage area has been provided and plans have recently been approved for a horse walker on site.

- 7.18 Although the horse breeding enterprise is in its early stages, there is evidence that it is now making a reasonable profit, that investment in buildings and facilities has been implemented and further investment is planned. It is therefore likely that this business will remain viable for the foreseeable future.

Aspect four – Suitability and availability of existing dwellings on the holding

- 7.19 Today it is only necessary for specialist workers to live on or immediately adjacent to rural holdings. This is to be available at most times, in case animals or processes require essential care at short notice and to deal quickly with emergencies that could otherwise cause serious loss of crop or products, or in this case losses of livestock, particularly in relation to the care of horses on the holding. As previously recognised, in the interests of wellbeing of livestock, the efficient running of the holding and for overall security at the land holdings, it is essential that 1 full time work, actively involved in the management of this equine unit, should be resident on La Luna Farm.
- 7.20 At present, the existing dwelling on site can accommodate this worker however, this was granted under a temporary consent until November 2023. The provision of an extension to this existing structure can also increase the suitability of the dwelling by providing appropriate levels of internal floor space however, further consideration would need to be given to any impacts to the Green Belt as well as design and visual character.

Conclusion

- 7.21 At the present time, there is clearly an established existing functional need in relation to the landholdings that are based on La Luna Farm. The labour requirements have been calculated at excess of 1 full time worker whilst there is confidence that the business will remain financially viable for the foreseeable future. It is essential for 1 full time worker actively involved in the management of the unit to be resident on this holding to meet the existing functional need.
- 7.22 The principle of development within the open countryside is therefore recognised as acceptable in accordance with policies STP 1 and HOU 8 of the NLP and the NPPF.

(Green Belt)

- 7.23 The application site is located within designated Green Belt land as defined by the NLP Policies Map. Policy STP 8 of the NLP states that *“Development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal”*. These provisions are mirrored within paragraph 147 of the NPPF.
- 7.24 Paragraph 149 of the NPPF notes *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- a) buildings for agriculture and forestry;*

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”.

- 7.25 The proposal for a new residential dwelling therefore represents an inappropriate form of development in the Green Belt. The local planning authority recognise that an essential need has been demonstrated upon site which constitutes a very special circumstance however, the LPA must be satisfied that this VSC outweighs the harm caused by the siting of a permanent residential dwelling within this location.
- 7.26 As part of the application assessment, long range views of the site were taken into consideration as well as views from the adjacent private track located to the west of the site. Whilst this is used a walking route for residents and members of the public as noted within some of the objection comments, it is not formally recognised as a public right of way. Nevertheless, any impacts still need to be taken into consideration.
- 7.27 Glimpse views of the proposed dwelling can be achieved from the southerly point of Mill Lane with screening provided by existing soft landscaping and the larger farm structures located at La Luna Farm. When standing to the west of the application site, more clear views can be achieved, however, the topography of the land coupled with existing structures and development negates the harm caused to openness, specifically on visual grounds. Whilst the application proposals demonstrate an extension to the existing dwelling, this would be situated upon the east facing rear elevation which is not readily visible whilst the retention of the single storey nature prevents any significant physical impacts upon the openness of the Green Belt.
- 7.28 The LPA are therefore satisfied that the proposed development demonstrates very special circumstances within the Green Belt which outweighs the harm caused by the proposals. The development therefore accords with the provisions of policy STP 8 of the NLP and the NPPF.

Design and visual character

- 7.29 Policy HOU 9 of the NLP states that residential developments will be supported where they *“contribute to a sense of place”* and *“are constructed to a high quality of design”*. Policy QOP 1 outlines that developments should *“Make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography”*. Policy Des1 of the MNP outlines that *“development proposals will be supported where they make a positive contribution to their surroundings. Developments should ensure that the design and layout achieves a sense of place whilst respecting and enhancing the character of the site and its surroundings”*.
- 7.30 Paragraph 126 of the NPPF recognises good design as a key aspect of sustainable development. Paragraph 130 goes on to note that planning decisions should *“function well and add to the overall quality of the area”* whilst being *“visually attractive as a result of good architecture”*.
- 7.31 As previously noted, a site visit was undertaken by the planning officer to assess the application site and the surrounding area. The existing building is a single storey, cedar clad structure with a lean to roof and large sections of glazing. The application proposals seek to incorporate a single storey flat roofed extension to the dwelling as well as a modest porch to the building’s frontage. Stone cladding would be incorporated upon existing elements as well as the proposed addition.
- 7.32 The proposals promote good design that respects the rural character of the application site and the wider area. Whilst concerns have been raised regarding the external material palette of the proposed dwelling in comparison with existing properties within Heugh and specifically upon Mill Lane, the isolated nature of the application property ensures it is not viewed within the context of these existing properties and it is therefore not essential for the property to incorporate matching materials or design cues from these existing properties. Furthermore, it is recognised that the scale and massing of such dwellings are considerably larger than the application property and promoting a larger dwelling upon the application site would give rise to greater visual character impacts.
- 7.33 The LPA do consider it appropriate to include a condition upon the granting of a permission that requires the submission of material samples prior to the implementation of additional materials upon the existing dwelling to ensure the colour and detailing of the stone cladding is acceptable. Subject to this condition, the LPA are satisfied that the proposed development represents good design in accordance with policies HOU 9 and QOP 1 of the NLP and the NPPF.

Residential amenity

- 7.34 Policy QOP 2 of the NLP states that *“Development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area”*. Policy 130, part f) of the NPPF mirrors these provisions outlining that planning decisions should *“create places that*

are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.

- 7.35 The nearest residential dwellings to the application site are located approximately 240 metres south, therefore there would be no adverse impacts upon the amenity of neighbouring residents by way of overlooking, privacy or overbearing.
- 7.36 The submitted plans, including the extension to the existing temporary dwelling, indicate that future occupiers would benefit from appropriate levels of internal floor space that would provide 3 bedrooms as well as various living space. A floor space of approximately 205sqm is in keeping with the usual requirements for rural workers dwellings (between 150sqm and 250sqm). The LPA are therefore satisfied that the proposed development accords with policy QOP 2 as well as the NPPF in relation to residential amenity.

Highway safety

- 7.37 Policy TRA 2 of the NLP states that all developments affecting the transport network will be required to *“provide effective and safe access and egress to the existing transport network”* and *“include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity”*. Policy TRA 4 is also relevant within this assessment, outlining that *“an appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe, accessible and convenient locations prior to the development being brought into use”*.
- 7.38 Consultation was undertaken with highways development management who raised no objection to the application proposals. The existing car parking and access arrangements shall be retained, as will the existing refuse storage and collection. There is adequate space within the curtilage of the site to appropriately accommodate cycle parking therefore, a condition is not required for this aspect.

Ecological impacts

- 7.39 Policy ENV 2 of the NLP cites that *“development proposals affecting biodiversity and geodiversity....will....minimise their impact, avoiding significant harm through location and/or design”*. Part b) of this policy seeks for proposals to *“secure a net gain for biodiversity as calculated, to reflect latest Government policy and advice”*. These provisions are mirrored within policy 174 of the NPPF.
- 7.40 Consultation was undertaken with the local authority’s ecologist who raised no objection to the application proposals, subject to a recommended condition. The application site itself does not hold any ecological records with no trees or hedgerows currently located within the curtilage of this application site (although hedgerows are evident upon the shared boundaries or the wider La Luna Farm). The site is not within any SSSI impact risk zone and carries no statutory or non-statutory ecological designation.

- 7.41 Given the low ecological value of the site, no ecological surveys were required as part of this application submission. The supporting documents demonstrate that the applicant proposes to establish native planting within the curtilage of the application site which can be secured via an appropriately worded condition. This would demonstrate biodiversity net gain in accordance with the provisions of policy ENV 2 and the NPPF.

Ground stability and land contamination

- 7.42 Policy POL 1 of the NLP states 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”*. Policy POL 2 of the NLP is also relevant within this assessment, outlining that *“Development proposals in locations where they would cause, or be put at unacceptable risk of harm from, or be adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances will not be supported”*.
- 7.43 The application site is located within an area subject to historic coal mining activity however, it is not located within a high-risk area. Consultation was undertaken with the local authority’s environmental protection team who raised no objection to the application proposals with no conditions recommended in the event of a positive decision upon the file.

Drainage

- 7.44 The application form states that foul sewage will be disposed of via an existing package treatment plant, whilst surface water will be disposed of via soakaway. The LPA has no objection to these drainage arrangements which currently exist on site.

Equality Duty

- 7.45 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

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

Human Rights Act Implications

- 7.47 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.

7.48 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.

7.49 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 application has been appropriately assessed by the local planning authority, including independent examination from an external consultant, and it has been identified that an essential need exists on site for the provision of 1 rural worker. A permanent residential dwelling upon the application site can accommodate this essential need.

8.2 Matters in relation to Green Belt, design, amenity, highway safety, ecological impacts, land contamination and stability and drainage have been assessed in the above appraisal whilst weight has also been given to objections and representations received by members of the public.

8.3 The application is recommended for approval, subject to the below conditions.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans and documents. The approved plans and documents for this development are:-
- 1) Location plan drawing no. 10 A
 - 2) Proposed floor plan drawing no. LUNA-100-04
 - 3) Proposed roof plan drawing no. LUNA-100-04
 - 4) Proposed site plan
 - 5) FDA1 Plan drawing no. 10
 - 6) Proposed elevations LUNA-100-04

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

03. Notwithstanding any description of the materials in the application, prior to the implementation of any new external materials on site, precise details shall be submitted to, and approved in writing by, the Local Planning Authority. The use of new materials must not be undertaken until approval from the Local Planning Authority has been provided in writing. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

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

04. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly employed, or last employed, within the equine business located at La Luna Farm, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

Reason: The site is in the open countryside and the Green Belt where unrestricted residential development would be inappropriate, and permission has therefore only been granted on account of the demonstrated rural worker needs, in accordance with Policies STP 1, STP 8 and HOU 8 of the Northumberland Local Plan and the National Planning Policy Framework.

05. 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, additional porches, dormer windows or free-standing buildings or structures shall be added to or constructed within the curtilage of the dwelling house hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: To allow the local planning authority to appropriately assess the impact upon the openness of the Green Belt caused by any additional built form, in accordance with policy STP 8 of the Northumberland Local Plan and the National Planning Policy Framework.

06. The car parking area located to the north-west of the dwelling hereby approved shall be retained for the parking of vehicles for the lifetime of the development.

Reason: To ensure appropriate parking provision exists on site in accordance with policy TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.

07. Prior to the commencement of the extension works hereby approved, a native planting plan (including long-term management), comprising of species native to Northumberland, must be submitted to and agreed in writing with the local planning authority. Following approval, the planting shall be implemented as approved within the first full planting season (November – March inclusive) and appropriately maintained for a minimum period of five years following implementation.

Reason: To enhance the biodiversity of the site in accordance policy ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

Date of Report: 19th September 2023

Background Papers: Planning application file(s) 23/02839/FUL

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Northumberland County Council

Appeal Update Report

Date: October 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?
22/01992/OUT	<p>Outline permission (all matters reserved) for erection of 1no. dwellinghouse with granny annex (C3 use class) - land north west and south east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/03217/FUL	<p>Erection of a forestry shelter and the location of a storage container (retrospective) - land east of Aydon Dipton Woods, Corbridge</p> <p>Main issues: development in the open countryside and inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
22/03876/FUL	<p>A storage shed and polytunnel to support existing woodland maintenance – land at south east of Pit Allotment Wood, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused.

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?
None		

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>
21/01833/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>
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>25 January 2023</p> <p>Delegated Decision - Officer Recommendation:</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>Refuse</p>
22/04634/FUL	<p>Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst</p> <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.</p>	<p>16 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01297/FUL	<p>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</p> <p>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.</p>	<p>21 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/02704/CLEXIS	<p>Certificate of Lawful Development – Existing use for the siting of a caravan for residential purposes – land north of east of South Linden House, Longhorsley</p> <p>Main issues: it is not possible to conclude that the building has been used for a continuous period of 4 years as a dwelling.</p>	<p>27 February 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03417/OUT	<p>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</p> <p>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</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	mitigated.	
22/01012/FUL	<p>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</p> <p>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.</p>	<p>17 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04060/FUL	<p>Erection 2no 2-storey 4 bed detached dwellings (validated 06/01/23, notice served) - land south west of 21 Front Street, East Bedlington</p> <p>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 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.</p>	<p>26 May 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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</p>	<p>7 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	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.	
22/03128/FUL	Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland 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.	13 June 2023 Delegated Decision - Officer Recommendation: Refuse
23/00732/FUL	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 Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.	15 June 2023 Delegated Decision - Officer Recommendation: Refuse
23/01214/VARYCO	Removal of condition 3 (Footpath 1 (HDM)) and 4 (Footpath 2 (HDM)) on approved application 21/04875/FUL - land north of Southcroft Stables, The Croft, Ulgham Main issues: the proposed removal would not promote sustainable connectivity between the wider development and existing infrastructure.	26 June 2023 Delegated Decision - Officer Recommendation: Refuse
22/04676/LBC	Listed Building Consent for alterations comprising inserting one window with shutter in South facing gable wall, and the replacement of existing window with fully glazed panel and shutter on West elevation (Amended Description) - The Cottage, Riding Home Farm, Acomb, Hexham Main issues: less than substantial harm to the character and significance of the listed building that has not been justified.	27 June 2023 Delegated Decision - Officer Recommendation: Refuse
23/01138/ADE	Advertisement consent for 1no. totem sign – Lidl, Hexham Gate Retail Park, Hexham Main issues: harm to the visual amenity of the site and wider area, including the setting of designated heritage assets and the townscape.	5 July 2023 Delegated Decision - Officer Recommendation: Refuse

22/04675/FUL	<p>Proposed 1.5 storey extension to the rear will provide a new staircase; two extensions onto the west gable will provide two storeys of additional living accommodation, plus a single storey link to the updated outbuilding to be clad in timber; the two storey and 1.5 storey extensions to have roof pitches; double garage with timber clad; the landscape and ground levels will be updated to provide access to the garage and accommodate the extensions - The Hott, Thorngraston, Hexham</p> <p>Main issues: design would not be in keeping with the traditional character and appearance of the dwelling, existing buildings and surrounding area and would be detrimental to visual amenity and fails to preserve the significance of non-designated heritage assets; and insufficient information to consider the archaeological impacts of the development.</p>	<p>17 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04104/FUL	<p>Change of use, conversion and alteration of the existing buildings to create 6 holiday let units, including landscaping and boundary treatments – 58-60 Middle Street, Spittal</p> <p>Main issues: lack of detail in respect of parking and ecology; and design has not been informed by a structural survey and results in harm to heritage assets.</p>	<p>18 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04526/FUL	<p>Erection of single dwelling with associated access and residential garden – land south-east of The Courtyard, Matfen</p> <p>Main issues: unsustainable and isolated location within the open countryside; insufficient information to fully consider the ecological impacts of the proposal; and insufficient information to fully consider the impact on existing trees.</p>	<p>16 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/00494/FUL	<p>Removal of conservatory to west elevation and construction of two storey side and rear extensions and raising of ridge height – 32 Linden Way, Darras Hall, Ponteland</p> <p>Main issues: inappropriate design with detrimental impact on the character and visual appearance of the existing dwelling and street scene.</p>	<p>17 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/00230/FUL	<p>Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended) - land south of</p>	<p>17 August 2023</p> <p>Committee Decision – Officer</p>

	<p>Broomhouse Lane, Station Road, Prudhoe</p> <p>Main issues: insufficient information to demonstrate that the development would deliver an appropriate mix of housing to meet local housing need; new access with associated disturbance and visual impacts would have a harmful impact on the character and visual amenity of the area and the amenity and living conditions of residents; and insufficient information in respect of energy efficiency measures.</p>	<p>Recommendation: Approve</p>
22/03923/FUL	<p>Proposed first floor extension to dwelling house (as amended 25.05.2023) - 14 Castle Street, Norham</p> <p>Main issues: the development fails to conserve and enhance the Norham Conservation Area and results in harm to the Conservation Area that is not outweighed by public benefits.</p>	<p>18 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04546/CLEXIS	<p>Certificate of existing lawful development for the siting of a twin unit caravan for ancillary residential use as an annexe within the existing residential curtilage – Old Field, Catton, Hexham</p> <p>Main issues: the caravan is not within the residential curtilage so would require planning permission and would have a significant degree of permanency constituting development – the caravan would not be lawful.</p>	<p>24 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04346/FUL	<p>Replace existing building (3no flats/14 no bed sit spaces) with 3no detached houses with 18 bed spaces to be used as holiday accommodation (as amended 20th April 2023) - On the Beach, Harbour Road, Beadnell</p> <p>Main issues: the proposed units would not enhance and reinforce the local distinctiveness of the conservation area and would not integrate with the surrounding built environment; and identified harm is less than substantial but it has not been demonstrated the public benefit outweighs the harm.</p>	<p>29 August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
22/04752/FUL	<p>Change of use and siting of 2no. chalets to be used as holiday accommodation – Rookwood House, Widdrington Village</p> <p>Main issues: development within the open countryside; harm to the setting of the adjacent Grade I listed church; incongruous</p>	<p>30 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	additions in the open countryside resulting in an urbanising effect of a rural environment; and a unilateral undertaking has not been completed to secure contributions to the coastal mitigation service.	
23/01093/FUL	Proposed single storey rear extension, extend above roof above and rear dormer addition – Pethfoot Lodge, Cragside Main issues: incongruous and inappropriate form of development that would be out of character with the existing property and have a harmful impact upon the character and appearance of the site and surrounding area.	5 September 2023 Delegated Decision - Officer Recommendation: Refuse
23/02030/FUL	Proposed erection of holiday dwelling with associated access and residential garden – land south east of The Courtyard, Matfen Main issues: development in the open countryside; and insufficient information to fully consider the ecological impacts of the proposal.	15 September 2023 Appeal against non-determination

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 - land to north of Kiln Cottage, Newton-on-the-Moor	13 June 2023

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
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 residential amenity; does not make sufficient provision for affordable housing on the site;</p>	<p>Hearing – 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	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 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01362/REM	<p>Reserved matters application for appearance, landscaping, layout and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022) - land west of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth</p> <p>Main issues: by virtue of the layout, scale and appearance, the design fails to preserve or make a positive contribution to local character and distinctiveness and the site's surroundings and does not demonstrate high quality sustainable design; and there is no effective and safe access and egress to the existing transport network.</p>	<p>Hearing – 30 August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</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

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