



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: 3 November 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA PLANNING COMMITTEE** to be held in **CEREMONY ROOM - HEXHAM HOUSE** on **TUESDAY, 14 NOVEMBER 2023** at **4.00 PM**.

Yours faithfully

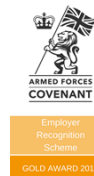
Dr Helen Paterson
Chief Executive

To Tynedale Local Area Planning Committee members as follows:-

T Cessford (Chair), H Waddell (Vice-Chair), S Fairless-Aitken (Vice-Chair (Planning)), A Dale, C Horncastle, JI Hutchinson, D Kennedy, N Morphet, N Oliver, J Riddle, A Scott, A Sharp and G Stewart



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. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 1
- 8)

Minutes of the meeting of the Tynedale Local Area Planning Committee, held on 10 October 2023, as circulated, to be confirmed as a true record, and signed by the Chair.

3. 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.

4. DETERMINATION OF PLANNING APPLICATIONS

(Pages 9
- 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 no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

5. 23/03362/FUL

(Pages
15 - 30)

Retention and change of use from agricultural workers chalet to holiday chalet.

Hillfield, Allendale Road, Hexham, Northumberland, NE46 2NJ

6. PLANNING APPEALS UPDATE

(Pages
31 - 46)

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

7. DATE OF NEXT MEETING

The next meeting will be held on 12 December 2023.

8. 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

TYNEDALE LOCAL AREA COMMITTEE

At a meeting of the **Tynedale Local Area Council** held at County Hall, Morpeth on Tuesday, 10 October 2023 at 4.00 p.m.

PRESENT

Councillor SH Fairless-Aitken
(Planning Vice-Chair, in the Chair)

MEMBERS

A Dale
T Cessford
C Horncastle
D Kennedy
N Morphet

J Riddle
A Scott
A Sharp
G Stewart
HR Waddell

OFFICERS

K Blyth
A Deary-Francis
D Hadden
S Milne
N Turnbull

Principal Planning Officer
Ecologist
Solicitor
Senior Planning Officer
Democratic Services Officer

ALSO PRESENT

30 members of the public and 1 press.

1. PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS

The Chair advised members of the procedure which would be followed at the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hutchinson and Oliver.

3. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Dale declared a personal and non-prejudicial interest in agenda item no 5 planning application 23/01947/FUL as she knew many of the

Ch.'s Initials.....

residents present. She had checked with the Monitoring Officer that she did not have an interest to declare following a £2,000 contribution from her members small scheme allowance towards resurfacing of the tennis courts.

Councillor Kennedy declared a personal and non-prejudicial interest in agenda item no 5 planning application 23/01947/FUL as he had played at the tennis courts.

4. DETERMINATION OF PLANNING APPLICATIONS

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

RESOLVED that the information be noted.

5. 23/01947/FUL Resubmission - Tweener fence lighting with mesh screening installed to north and south court fence Tennis Court North of The Conifers Millfield Road Riding Mill Northumberland NE44 6DL

There were no questions arising from the site visit videos which had been circulated prior to the meeting.

The Senior Planning Officer introduced the application with the aid of a powerpoint presentation and reported that further information had recently been submitted by the applicant to support the application. However due to the timing of the submission, planning officers had been unable to formally consult with consultees or the public. As such they had been unable to consider the additional information as part of the application. The applicant had been informed. Speakers were requested to be aware of the sensitivity of the protected species and their habitats and that no reference be made to the specific details of their location.

Linden Stephenson explained that she was in attendance to represent 145 people who had objected to the floodlights. She was not against the tennis club, having been a member for over 25 years. She made reference to the following main points:-

- The views of residents on the proposals had been repeated in recent years with the Parish Council also asking the tennis club to reconsider them.
- Only 15 households in Riding Mill had sent letters of support. 97 households had objected.

- There had been concerns regarding the badgers in 2018 when the floodlights had first been mentioned as the tennis courts were located in a wildlife corridor. A rich habitat was provided by the woodland, the Marchburn and grassland.
- The potential impact on wildlife was significant as per the report by the Council's Ecologist. The wildlife must be protected, particularly those coming out at dusk.
- There had also been concerns regarding the impact on the village and resident's amenity as there was no designated parking.
- An ecological crisis had been addressed by the local neighbourhood plan and the Council's Cabinet with an objective to maintain and enhance a thriving natural environment, which residents could enjoy and where wildlife could survive, now and in the future. The aim was to protect habitats, halt species decline, reduce light pollution, protect dark skies and reduce carbon footprint. This was what the community wanted and what the council had said they were determined to protect. The amenity land where the courts were situated was one of those areas. It was designated in the local Neighbourhood Plan as 'local green space'. It was dark, quiet and tranquil at night.
- A concern regarding tennis at night in the winter was that wildlife and residents were sensitive to light, noise and human activity. Instructions shouted by coaches would be amplified in the courts which were in a natural dene. Tennis noise would be exacerbated when the village started closing down.
- The entrance to the club was near a blind bend. Increased evening traffic and parking on the poorly lit, narrow, unadopted road was a safety concern.
- The effects of all of the above concerns were incremental and added to the demise of the area.
- Access to the courts was off Millfield Road which had 3 streetlights which produced between 3-4.5 Lux. The manufacturer's brochure stated that 300 Lux was needed to light a single court. An agent had stated that to floodlight double court it would be necessary to double up the light strips and use brighter bulbs.
- A single court in Sutton Coldfield had been visited where 'Tweeners' lights had been installed. They were extremely bright.
- Stainton Lighting Consultants had been engaged to prepare a specialised lighting report. Light spillage would be 70 metres upwards with the sky glow being visible from most of the village especially, as many streets were elevated. This would affect the character and rural nature of the village.
- Light spill from double courts in Cambridge could be seen from nearly 1 kilometre away.
- The metres of panelling proposed as a light screen would detract from the beauty of the site and restrict the effectiveness of the Marchburn floodplain at this point. Stainton Lighting Consultants had confirmed that the light would travel upwards over the panels which would be extremely close to the Marchburn. Any light would negatively affect all wildlife especially insects using the river.

- There was no need for floodlights which were not required by the Lawn Tennis Association.
- Only 12 residents of the village regularly played tennis with a similar number travelling from elsewhere. Recent junior coaching had attracted only 3 children.
- Over the last 6 winters, members had used floodlit courts at Corbridge. Those courts were underused with ample parking and no residential parking. They queried why they could not be shared.
- There was a massive imbalance between the gain for so few and the loss for so many in the application. The courts were in the wrong place and the application for floodlights should be turned down.

Nicola Allan, a Chartered Town Planner, spoke on behalf of the applicant in support of the application. She highlighted the following:-

- This was an emotive issue for residents in the village.
- Reference needed to be had to the content of representations and not just the quantity. A point repeated at length might be irrelevant; only material planning considerations should be taken into account.
- The Northumberland Local Plan (NLP) should be applied as well as the Broomhaugh and Riding Neighbourhood Plan which had been successful at a referendum held on 5 October 2023.
- The officers report stated that:
 - The principle of development was acceptable (Policy STP1 of the NLP).
 - There would not be a significant impact of the character and appearance of the surrounding area (Policy QOP2).
 - There had been no objection from Highways Development Management as the proposal was in compliance with Policies TRA2 and TRA4.
 - The Lead Local Flood Authority (LLFA) had raised no concerns as the proposals complied with Policy WAT3.
- Riding Mill tennis club was a modest local tennis club with limited resources.
- It was accepted that there were protected species in the woodland and therefore no survey had been undertaken of the wider area which was ideal for foraging and a commuting habitat for bats.
- The area around the tennis club was dark with the only light from houses and streetlights.
- The committee needed to have regard to the conservation of protected species.
- The applicant had relied on an Ecological Impact Assessment.
- Information from residents provided to the County Ecologist had not been seen by the tennis club.
- Cameras installed by the tennis club showed residents digging in the woods and putting out food. The cameras showed no activity on the grassland at the club.
- The lighting report which had been submitted to the Local Planning Authority (LPA) as part of the previous application showed light spill in the woodland (5 lux at 21 metres). The tennis club did not intend to pursue a scheme which spilled light into the woodland. The new application

included screens and planting to mitigate light spill. Recent modelling demonstrated that very limited light spill (1 lux) to the corners of the tennis court. This was equivalent to deep twilight. Taking into account seasonal and infrequent use with a cut off at 9.00pm, the impact on the woodland was considered to be negligible.

- An Ecological Impact Assessment undertaken in May 2023 by accredited ecologists stated that nearest locations to the tennis courts, used by protected species, were used infrequently. The assessment concluded that foraging and water resources would be maintained as well as dark corridors. The worst impact, based on no screening, would be of minor significance.
- No trees at the site had potential for roosting bats although there were some in the wider area which was an ideal foraging and commuting habitat. The impact would also be limited between Mid-November and mid-March as bats would be hibernating. The conservation status of the wider population would be preserved.
- Comparison should be made to Policy ENV2. It was suggested that the proposed scheme would minimise the impact on protected species and species of principal importance with relevant mitigation in terms of screens and planting. They concluded there would be no harm let alone significant harm.
- Reference was made to the referendum held the previous week on the Broomhaugh and Riding Neighbourhood Plan which should now be given full weight in decision making, particularly Objective 2, Natural environment and Objective 5 Health and Wellbeing. These policies did not say no change.
- It was suggested that this was the optimum scheme which balanced the positive impact of enabling increased sport in the village with an environment that would still be favourable to protected species. There would be a low, infrequent impact on darks skies.
- The applicant had confirmed that a reference to figures quoted by the objector were incorrect.

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

- Clarification was provided regarding one of the power point slides which identified the tennis court area and demonstrated street lighting in nearby residential areas.
- Information regarding the number of members at the tennis courts had not been required for the planning application assessment.
- The Applicant's Ecologist had visited the site twice as stated in the EclA. A site visit in June 2020 and a survey had been carried out on 5 September 2022. The applicant had not supplied specific species surveys or a nocturnal survey for badgers or bats. Evidence from residents who had captured sightings of protected species within their gardens had been plotted on a map which had been sent to the applicant. This information was not in the public domain.
- The information in paragraph 7.14 remained relevant. Due to the timing of a recent submission from the applicant officers had been unable to

formally reconsult with consultees or the public. The committee would therefore need to determine the application on the information contained within the agenda papers.

- Officers did not have information at the meeting on the planning permissions granted for lighting at other nearby tennis courts at Hexham or Corbridge. The planning application for the Queen Elizabeth High School had been considered by committee and had included floodlighting with appropriate conditions on timings.
- The Council's ecologist informed the meeting that lighting and ecological assessments were carried out to accepted guidelines and codes of practice. Lighting Assessments should follow the guidance provided by the Institute of Lighting Engineers and that had not been followed for this application.
- Lighting is measured in lux. Approximate measurements could be taken via free mobile apps and also with professional meters. No measurements had been taken at the application site, so no information was available to set the baseline to compare it with the potential impact of the proposed lighting at the tennis courts. The photos showed that the area was very dark. The drawings of the proposed lighting were not clear if the vertical plan had been measured. The lighting could also reflect back off the tennis court surface.
- Trail camera footage had been provided by residents within the last three years which was date and time stamped. These recordings were accepted by the Northumberland Badger Group and the Environmental Records Information Centre North East. The Council's Ecologist did not believe that any of the badger records were more than 10 years old.
- The lighting assessment submitted as part of the previous application was not in the format that would be expected and was therefore flawed. There was no baseline assessment and therefore it was difficult to quantify the potential harm from the proposed lighting or mitigate for the harm.
- There were two grounds for refusal; insufficient information to demonstrate the ecological impact and residential amenity.
- The applicant had been informed that the information received during the previous week had been received too late to formally reconsult with consultees or the public and therefore could not be considered as part of this application. The applicant had been given the opportunity to withdraw the application from the agenda.
- Tweener, the manufacturer of the proposed LED lighting on a strip which pointed slightly down and could be seen on the elevations provided by the applicant as a black dotted marks along the top of the mesh screening. The information provided largely comprised of assertions or comparisons to traditional floodlighting and not to no lighting / against the current baseline at the application site.
- Mitigation for the lighting could include a colourwash or cowls around the lighting.
- The majority of research on the impact of artificial lighting had been undertaken on mammals and bats. Badgers were not seen if there was a bright moon in the sky. Bat surveys could also not be carried out if there was a bright moon. It was believed that artificial light would deter badgers from travelling at dusk to the locations where they fed and it was noted

that this species does not fully hibernate. It could also impact on bats mating in the autumn and reproducing in spring. They would also be sensitive to noise which may negatively impact the length of the feeding period.

- Whilst the tennis courts had been used for many decades; their use diminished in the autumn with only natural light available. The interaction and level of activity between tennis players with the protected species had been limited in winter months.
- There were no time restrictions on the use of the tennis courts at the present moment but after dark tennis could only be played with a head torch.
- If the application was agreed, conditions could be included to restrict the time period that the lighting could be used, but not the use of the tennis courts.
- Badgers and bats were nocturnal species and were seen more in the twilight hours of summer. At that point the users of the tennis courts would have stopped playing. If the courts were lit, and the level of lighting impacted on the surrounding areas and amount of darkness, the nocturnal species would not come out or use the wildlife corridor between sleeping and foraging habitats.
- It was possible for external lighting to co-exist with dark skies but it was necessary for the relevant lighting impact assessments to be carried out.

Councillor Cessford proposed that the officer's recommendation that the application be refused permission. This was seconded by Councillor Stewart.

Several members of the committee expressed their concern regarding the missing information and late submission by the applicant which they had been unable to take into account. It would be necessary for the Ecological Impact Assessment and Lighting Assessment to be updated and amended to allow a thorough assessment of the impact of the proposed scheme.

Some members discussed whether the application should be deferred but it was noted that the applicant had been given the opportunity to withdraw the application.

Upon being put to the vote, the motion was unanimously agreed.

RESOLVED that the application be **REFUSED** permission for the reasons outlined in the officer report.

5. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

6. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 14 November 2023.

CHAIR _____

DATE _____



Northumberland County Council

TYNEDALE LOCAL AREA PLANNING COMMITTEE

DATE: 14 NOVEMBER 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 Tynedale Local Area Planning Committee to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Tynedale 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.

Author and Contact Details

Report author: Rob Murfin
Director of Housing & Planning
Rob.Murfin@northumberland.gov.uk

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the Tynedale 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 Strategic 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 the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions must be:

- a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
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 constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

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BACKGROUND PAPERS

These are listed at the end of the individual application reports.

Implications

Policy	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for money	None unless stated
Legal	None unless stated
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
Risk Assessment	None
Crime & Disorder	As set out in the individual reports
Customer Consideration	None
Carbon reduction	Each application will have an impact on the local environment, and it has been assessed accordingly
Wards	All

PROCEDURE AT PLANNING COMMITTEE

A. Chairman welcomes members and those members of the public watching on the livestream

Welcome to also include reference:

- (i) Fact that the meeting can be viewed on a live stream through You Tube Northumberland TV and a recording will be available after the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking
- (iii) To switch all mobile phones off.
- (iv) Reminder that if a member leaves the Chamber whilst an application is being considered then they may take no 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 Management: -

Application

<u>Chair</u>	Introduces application Site Visit Video (previously circulated)-invite members questions
<u>Planning Officer</u>	Updates – Changes to recommendations – present report
<u>Public Speaking</u>	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)

Planning Officer confirms and reads out wording of resolution

Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all the consideration of the application)

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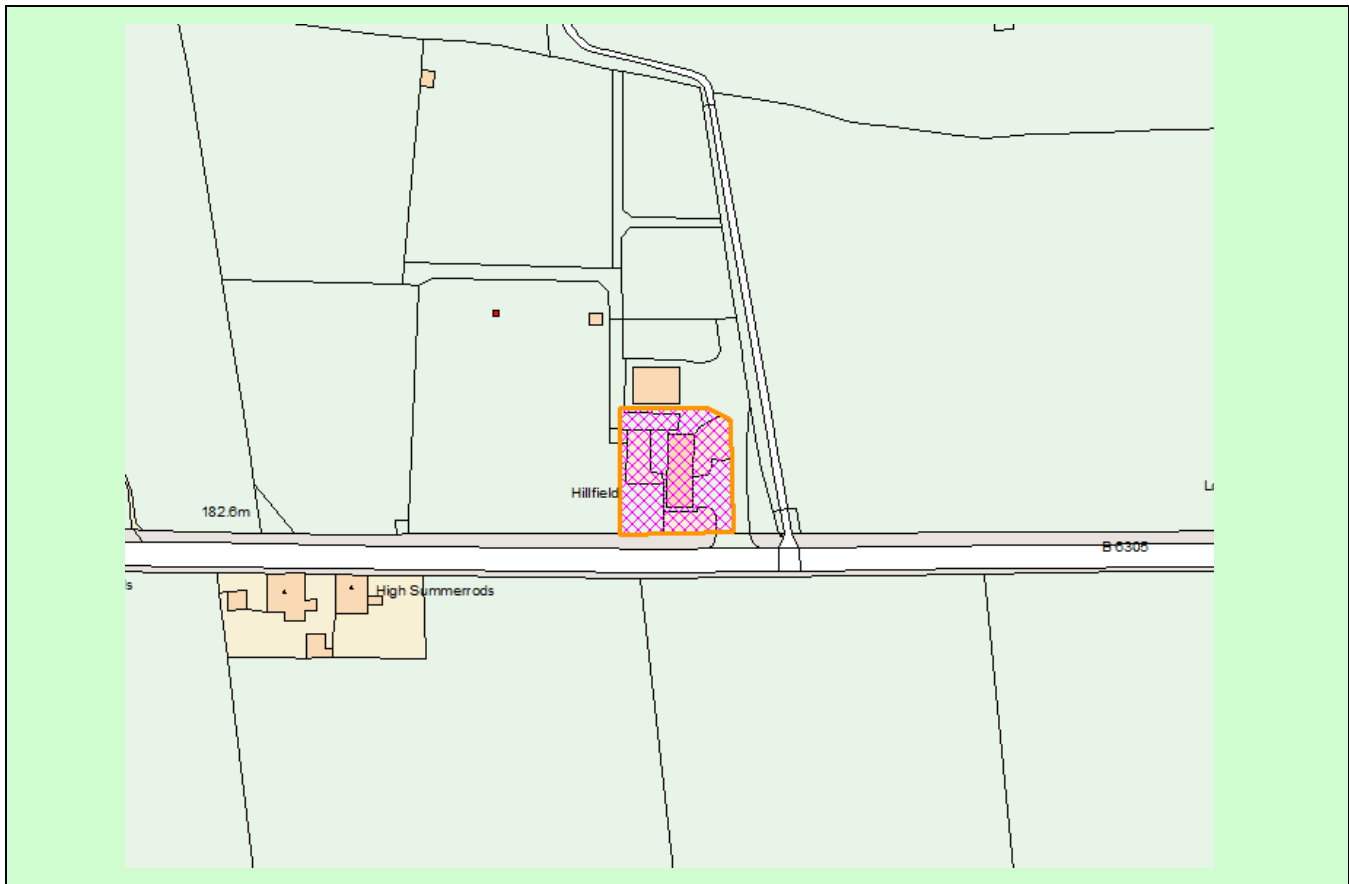
Northumberland
County Council

Tynedale Local Area Council Planning Committee

14 November 2023

Application No:	23/03362/FUL		
Proposal:	Retention and change of use from agricultural workers chalet to holiday chalet.		
Site Address	Hillfield, Allendale Road, Hexham, Northumberland, NE46 2NJ		
Applicant:	Mr & Mrs Paul Shrimpton Hillfield, Allendale Road, Hexham, Northumberland NE46 2NJ	Agent:	Mr Bryan Youlden Squirrel Barn, Green Haworth, Accrington, BB5 3SL
Ward	Hexham West	Parish	Hexham
Valid Date:	8 September 2023	Expiry Date:	3 November 2023
Case Officer Details:	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 07966332006 Email: Rachel.Campbell02@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 The application falls to be determined by the local area planning committee as a local Member has requested such within 21 days of the application being registered, in accordance with the current scheme of delegation.

2. Description of the Proposals

2.1 Planning permission is sought for the permanent retention and change of use of a chalet previously given temporary consent as a rural workers dwelling. The proposed use of the chalet would be for holiday accommodation purposes on land at Hillfield, Allendale Road, near Hexham.

2.2 In October 2015, planning permission was granted under application reference: 15/01278/FUL for the construction of a temporary rural workers dwelling and one permanent agricultural building on land at Hillfield in order for the applicant to establish the rural business on the site with a view to then obtaining planning permission for a permanent dwelling. The permission for the temporary rural workers dwelling was for a period of three years only, starting from the date of commencement of its construction. This temporary permission was implemented in February 2018 and lapsed three years later, in February 2021 but the building was not removed from the site as required by the temporary consent.

2.3 In December 2022, planning permission was granted under application reference: 21/00256/FUL for the construction of a permanent rural workers dwelling on land at Hillfield. Subsequently in February 2023, the applicant applied for and was granted planning permission under application reference: 21/02553/FUL for the retention of the temporary rural workers dwelling, which was granted for a period of 18 months to allow the applicant to continue living in the temporary rural workers dwelling, whilst the permanent rural workers dwelling is under construction. Once the temporary permission has expired it is required that the temporary rural workers dwelling, which takes the form of a timber chalet building, would be removed from the site and the land would be reinstated.

2.4 In June 2023, planning permission was refused under application reference: 23/01319/COU for an identical application as that currently under consideration. There were two reasons for refusal, which are set below:

- 1. The proposed development represents inappropriate development in the Green Belt and open countryside. The proposed development would have a materially greater impact on the openness of the Green Belt in this location. Very special circumstances have not been demonstrated to outweigh the harm to the Green Belt and any other harm, caused by the development. As such the application is contrary to Policies STP 1, STP 7, STP 8, ECN 15, ECN 16 of the Northumberland Local Plan, Policies HNP 1 and HNP 23 of the Hexham Neighbourhood Plan and the principles of the National Planning Policy Framework.*
- 2. By virtue of its prominent location and design, the proposed development would have a resultant harmful visual impact upon the rural character and appearance of the site and the surrounding landscape and would result in an incongruous*

form of development. The proposal would therefore be contrary to Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the Northumberland Local Plan, and the principles of the National Planning Policy Framework.

- 2.5 This current planning application contains supporting information states that the proposals would allow the applicant to support, develop, expand and diversify the existing alpaca business/farm and the tourist related activities it offers.
- 2.6 The existing chalet building measures 20 metres in length, 6.8 metres in depth and measures 4.7 metres to the ridge of the roof (at its highest point from ground level). The chalet building is constructed of timber. The chalet building comprises of four bedrooms (one of which is en-suite), kitchen/family room, living/dining room, utility, and shower room and two areas of external decking: one to the east (front) and one to the west (rear).
- 2.7 The application site is located at Hillfield, within the open countryside and within the Green Belt, to the west of, and outside of, the settlement of Hexham. The application site is within an Area of High Landscape Value, is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI) and is within a 500-metre buffer of an Ancient Woodland.

3. Planning History

Reference Number: 15/01278/FUL

Description: Construction of 1no. temporary agricultural dwelling house and 1no. agricultural building

Status: Permitted

Reference Number: 15/03819/DISCON

Description: Discharge of conditions 6 and 8 from planning application 15/01278/FUL

Status: Permitted

Reference Number: 15/04335/NONMAT

Description: Non-material amendment (repositioning of agricultural building) on approved planning application 15/01278/FUL

Status: Permitted

Reference Number: 17/04542/DISCON

Description: Discharge of condition 6 (exterior walls of chalet and roof) on approved planning application 15/01278/FUL.

Status: Permitted

Reference Number: 18/01519/DISCON

Description: Discharge of conditions 4 (new vehicular access to the site) and 5 (parking and manoeuvring shall be consolidated, surfaced and drained) on approved planning application 15/01278/FUL (amended description).

Status: Permitted

Reference Number: 21/00256/FUL

Description: Construction of dwelling for agricultural worker

Status: Permitted

Reference Number: 21/02553/FUL

Description: Application to retain timber chalet building for a temporary period and for this to be used as a temporary agricultural workers dwelling (amended description)

Status: Permitted

Reference Number: 23/01319/COU

Description: Retention and change of use from agricultural worker's chalet to holiday chalet

Status: Refused

4. Consultee Responses

Forestry Commission	No response received.
Hexham Town Council	No response received.
Highways	No objection subject to conditions and informatives.
County Ecologist	No comment to make on this application.
Public Protection	No comment to make on this application.
Architectural Liaison Officer - Police	No response received.
Tourism, Leisure & Culture	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	1
Number of Support	24
Number of General Comments	0

Notices

General site notice - displayed 5th October 2023

No Press Notice Required.

Summary of Responses:

Twenty-four representations of support have been received in relation to this application and are summarised below:

- Fully support the application.
- Local businesses in the area rely heavily on tourists visiting the area and staying in self-catering accommodation and hotels.
- There is demand for holiday accommodation, including of this type, in this area.

- The proposal would improve the holiday accommodation on offer in this area.
- The proposal would create local jobs (cleaning services etc.).
- The alpaca business is a fantastic asset to the local community.
- The existing business supports the local economy and provides cultural and wellbeing benefits to the community and visitors.
- The applicants do a lot for charity, and if the business were to increase its profits through the holiday home, the applicants would likely increase their charity work which would benefit the whole Tyne Valley community.
- The proposed holiday accommodation is of an appropriate design which is sympathetic to the surrounding countryside.
- The proposed holiday accommodation does not obstruct any views in the countryside.
- The refusal of this application could lead to the loss of the existing, well-established alpaca business and a local family.
- The proposed holiday accommodation would be of a high standard, with the applicants having previously run a well-respected B&B nearby.
- The removal of the chalet building would be a waste and unsustainable; environmentally and economically.
- Using this chalet building as a holiday let would enable the alpaca business to continue to grow and to support all of its great work.
- The agricultural industry needs to be able to diversify in challenging times.
- The proposed holiday accommodation would contribute to the applicant's business and would be an asset for tourism in this area.
- The benefits from the proposal and from the business would outweigh the Green Belt concerns.
- The proposals would not impact on the openness of the Green Belt.
- Very special circumstances exist, and the application should be approved.
- The proposals would meet the aims of the Northumberland Local Plan and the Hexham Neighbourhood Plan.
- The proposals would support the local economy.
- The retention of the chalet building would be a catalyst for the expansion of the alpaca herd, which would result in greater employment and wealth for the local economy.
- Hosting prospective buyers (nationally and internationally) of alpacas on the farm would be beneficial to the existing business as potential buyers often take several days of visits before a deal is agreed and/or they have travelled long distances.
- Other alpaca breeders from across the country who travel for agricultural shows would likely stay in the proposed holiday accommodation.
- The proposal would enhance the existing community facility/tourist attraction provided at Hillfield.
- Approving this application would allow this local business to survive and develop and diversify.
- The proposal should be supported to allow others to gain valuable work experience.

One representation of objection has been received in relation to this application and is summarised below:

- Whilst the applicant clearly has an established rural business, they accepted the conditions set out in the temporary planning permission for

the chalet building, which ultimately seeks to protect the Green Belt in the long term.

- Concerns regarding impact on the Green Belt.
- The applicants have permission to build a new permanent dwelling and also want to retain the temporary cabin permanently as a holiday let to fund the build. Therefore, there would be two permanent buildings at the site, and this is not the purpose of planning regulation.
- The application states that the business is thriving but will have to close if this application is not allowed. There is little logic to this statement as they have a dwelling which they currently live in.

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=S0M9LQQSKFQ00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

Policy STP 1 – Spatial Strategy (Strategic Policy)
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)
Policy STP 4 – Climate Change Mitigation and Adaptation (Strategic Policy)
Policy STP 7 – Strategic Approach to the Green Belt (Strategic Policy)
Policy STP 8 – Development in the Green Belt (Strategic Policy)
Policy ECN 1 – Planning Strategy for the Economy (Strategic Policy)
Policy ECN 12 – A Strategy for Rural Economic Growth (Strategic Policy)
Policy ECN 13 – Meeting Rural Employment Needs (Strategic Policy)
Policy ECN 14 – Farm/Rural Diversification
Policy ECN 15 – Tourism and Visitor Development
Policy ECN 16 – Green Belt and Tourism and Visitor Economy
Policy QOP 1 – Design Principles (Strategic Policy)
Policy QOP 2 – Good Design and Amenity
Policy QOP 4 – Landscaping and Trees
Policy QOP 5 – Sustainable Design and Construction
Policy 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 ENV 3 – Landscape
Policy ENV 4 – Tranquillity, Dark Skies, and a Sense of Rurality
Policy WAT 2 – Water Supply and Sewerage
Policy POL 1 – Unstable and Contaminated Land

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2023)
National Planning Practice Guidance (NPPG) (2021)
National Design Guide (2021)

6.3 Neighbourhood Planning Policy

Hexham Neighbourhood Plan (2021)

Policy HNP 1 – Sustainable Development
Policy HNP 2 – High Quality Sustainable Design
Policy HNP 17 – Hedgerows, Trees and Verges in Hexham
Policy HNP 23 – Hotel and Tourism Accommodation

7. Appraisal

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

7.2 The main issues for consideration in the determination of this application are:

- Principle of the development and Green Belt.
- Design and landscape impact.
- Amenity.
- Highway safety.
- Ecological impacts.
- Drainage and sewerage.

Principle of the Development and Green Belt

7.3 The application site is located within the open countryside to the west of Hexham. As a starting point, Part 1(g) of Policy STP 1 of the Northumberland Local Plan is supportive of development in the open countryside where it can be demonstrated that it meets one of several criteria. The following criteria, set out under Part 1(g) of Policy STP 1, are applicable to this application:

- i) Supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13;*
- ii) Supports the development and diversification of agricultural and other land-based rural businesses in accordance with Policy ECN 14;*
- iii) Supports sustainable rural tourism and leisure developments in accordance with Policy ECN 15.*

7.4 Part 1(i) of Policy STP 1 of the Northumberland Local Plan follows on to state that “development in the open countryside should be sensitive to its surroundings, not

have an unacceptable impact upon the local road network and use previously developed land where opportunities exist”.

- 7.5 Policy ECN 1 of the Northumberland Local Plan sets out the spatial strategy for economic development and regeneration and is generally supportive of development proposals that support both existing and new businesses, that support rural enterprise and that support and promote tourism and the visitor economy.
- 7.6 Policy ECN 12 of the Northumberland Local Plan encourages the growth of the rural economy through, within constraints, facilitating the formation, growth, and upscaling of businesses in rural locations. The proposed development, comprising of the permanent retention and change of use of the temporary rural workers dwelling for holiday accommodation purposes on land at an existing farm, would constitute diversification of the existing agricultural business and would accord with the general principles of Policies ECN 1 and ECN 12 of the Northumberland Local Plan.
- 7.7 Policy ECN 13 of the Northumberland Local Plan, which relates to meeting rural employment needs, recognises the role of rural locations in providing employment opportunities, to meet the needs of those living in such areas. Part 1 of Policy ECN 13 is supportive of development in the countryside that generates employment opportunities, proportionate to the rural location, where all three of the following listed criteria apply:
- (a) Existing buildings are reused or, where this is not possible, extensions or new buildings that contribute positively to local landscape character and, where applicable local building traditions;*
 - (b) The proposal is related closely as possible to the existing settlement pattern, existing services and accessible places;*
 - (c) It will not have an adverse impact on the operational aspects of local farming or forestry.*

Part 2 of Policy ECN 13 follows on to state that within the parameters of the above criteria, particular support will be given to proportionate well-related development, necessary for the continued operation in situ of an existing rural business.

- 7.8 It is officer opinion that none of the above criteria set out in Part 1 of Policy ECN 13 are met in this particular instance. Whilst it is recognised that the application proposes to re-use the existing timber chalet building at Hillfield, this is a temporary building which is required to be removed from site by August 2024. The proposal will therefore be assessed in principle as a new building due to its proposed permanent retention. It is also considered that the timber chalet building does not contribute positively to the local landscape character; however, this will be discussed in more detail in the following design and landscape impact section of this report. The proposed development cannot be considered to relate closely to an existing settlement pattern, and it is considered that the proposed development could potentially have an adverse impact on the operational aspects of the applicant's alpaca farm as it would involve the change of use of the applicant's property, which is currently a temporary rural worker's dwelling and under planning application references: 15/01278/FUL, 21/00256/FUL and 21/02553/FUL it was established that there is an essential need for a worker to live at the site. It is noted that the submitted Planning and Design Statement

indicates that the financial income from the proposed development is required in order to build the permanent rural workers dwelling, due to increased building costs and changing economic circumstances. The submitted Planning and Design Statement also indicates that the applicant intends to live in the timber chalet building until the permanent rural workers dwelling is constructed and can be occupied. Only then would the applicant change the use of the timber chalet building to holiday accommodation. However, these two statements within the submitted Planning and Design Statement appear to be contradictory and it is recognised that once planning permission is granted for the permanent retention and change of use of the timber chalet building, the change of use can occur at any time up to three years from the date of the permission. The proposed change of use could potentially mean that there would not be a rural worker's dwelling at Hillfield for the applicant to reside in, as at the time of the case officer's site visit, planning permission 21/00256/FUL for the permanent rural worker's dwelling had not been implemented.

7.9 As none of the criteria are met within Part 1 of Policy ECN 13; it is considered that the proposed development would not accord with Policy ECN 13 of the Northumberland Local Plan.

7.10 Policy ECN 14 of the Northumberland Local Plan relates to rural diversification. Part 1 of Policy ECN 14 supports rural diversification proposals if the proposed use is one of the following:

- (a) Directly related to agricultural, horticultural or forestry operations, or other activities, which by their nature would require a rural location; and/or*
- (b) For leisure, recreation or tourism activities that require open land in a countryside location; and/or*
- (c) A business or employment generating use that complies with Policy ECN 13.*

Part 2 of Policy ECN 14 follows on to state that the scale, nature, and detailed location of proposals for rural diversification should not prejudice the long (or short-term) operational needs of the host farm or other rural operations.

7.11 It is officer opinion that the proposed development would meet criterion b) as generally this type of tourism development is better suited to rural locations than a more built-up location, such as within or on the edge of a settlement and requires open land in order to be an attractive place to stay for visitors/tourists. However, the proposed development would fail to accord with Part 2 of Policy ECN 14, as the tourism development could potentially replace the existing temporary rural worker's dwelling, which is where the applicant currently resides, before the permanent rural workers dwelling is constructed and as a result of this current proposal there would potentially then be no dwelling at Hillfield for the applicant to reside in despite an established, essential need for a worker to live at the site, as aforementioned above in Paragraph 7.8. Therefore, the proposed development would not accord with Policy ECN 14 of the Northumberland Local Plan.

7.12 Part 2(d) of Policy ECN 15 of the Northumberland Local Plan, which relates to tourism and visitor development, states that in open countryside locations, visitor accommodation should, wherever possible, be limited to the re-use of existing buildings, or to chalets and caravans in accordance with Part 2(f).

- 7.13 Part 2(f) of Policy ECN 15 is supportive of new or extensions to existing sites for camping, caravans and/or chalets in accessible locations outside of the two AONBs and the World Heritage Site and its buffer zone, provided the development is adequately screened, taking into account short and long range views, by existing topography or vegetation or new good quality landscaping compatible with the surrounding landscape. It is acknowledged that this tourism related policy (ECN 15) does not refer to Green Belt locations.
- 7.14 The application site also falls within the Green Belt; therefore, the application must be assessed against Green Belt policies. In the Green Belt, under both national and local planning policies, inappropriate development is, by definition, harmful to the Green Belt and local planning authorities should regard the construction of new buildings as being inappropriate. Paragraph 147 of the NPPF indicates that such development should not be approved except in very special circumstances. Paragraph 148 of the NPPF states that when considering any application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraphs 149 and 150 of the NPPF follow on to provide for exceptions to established Green Belt policy, however none of these exceptions relate to the permanent siting of a timber chalet building for tourism purposes, such as is proposed in this application.
- 7.15 Policy STP 8 of the Northumberland Local Plan, which relates to development in the Green Belt, states that *“development which is not inappropriate in the Green Belt, as defined in national planning policy, will be supported”* and *“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”*. Policy STP 8 closely aligns with the principles of the NPPF in relation to development in the Green Belt.
- 7.16 Policy ECN 16 of the Northumberland Local Plan, which relates specifically to the Green Belt and the tourism and visitor economy, is also relevant in the assessment of this application. Policy ECN 16 sets out exceptions for tourism developments in Green Belt locations. The permanent siting of a timber chalet building on the farm steading for tourism purposes is also none of the exceptions identified within Policy ECN 16 of the Northumberland Local Plan.
- 7.17 With regard to the Hexham Neighbourhood Plan, Policy HNP 1, which relates to sustainable development, states that *“within the Green Belt development proposals will be determined in accordance with national Green Belt policy”*. Policy HNP 23 of the Hexham Neighbourhood Plan, which relates specifically to hotel and tourism accommodation, states *“provision of new tourist facilities and improvement of existing tourist facilities and services in the town that will contribute further to developing the tourism offer, including encouraging longer stays, will be supported. Provision of visitor accommodation within the Green Belt inset area of Hexham for visitors will also be supported”*.
- 7.18 As aforementioned, the tourism-related policy (ECN 15) within the Northumberland Local Plan does not refer to Green Belt locations. Whilst Policy ECN 16 of the Northumberland Local Plan specifically refers to tourism

development in Green Belt locations, the proposed timber chalet building within this application, is not considered to constitute one of the identified exceptions within this policy. It is also acknowledged that tourism development, such as that proposed within this application, is excluded from Green Belt policies within the NPPF. Therefore, new-build tourism development is not supported in Green Belt locations under both national and local planning policies. The proposed timber chalet building, which currently benefits from a temporary permission, is sited within part of a larger agricultural field which is considered to be a greenfield site and as discussed above, it is considered that the proposal would not fall under any of the Green Belt exceptions set out within the NPPF.

7.19 For reasons set out above, the application ultimately involves the construction of a new building and as such would be an inappropriate form of development within the Green Belt having regard to Paragraph 149 of the NPPF, Policies STP 7 and STP 8 of the Northumberland Local Plan and Policies HNP 1 and HNP 23 of the Hexham Neighbourhood Plan.

7.20 The submitted Planning and Design Statement presents the argument that very special circumstances exist which outweigh the identified harm to the Green Belt. The submitted Planning and Design Statement indicates that there are significant benefits to the proposals such as allowing the development, diversification and expansion of the applicant's business, the contribution towards increasing the range of visitor accommodation and activities available in the area and the contribution towards the local, rural economy. The submitted Planning and Design Statement also indicates that due to the changing economic climate in recent years, resulting in increased building costs, high mortgage and borrowing rates etc., it would not be possible to build the permanent rural workers dwelling the applicant has permission for without the additional financial income that would be provided by the proposed holiday let and that without this diversification the may have to close the business. It is noted that when the permission was granted for the permanent new dwelling just 10 months ago, the information assessed as part of that application showed that the business was viable and could support the construction of a new dwelling without the income from the retention of the chalet for holiday accommodation.

7.21 Whilst it is recognised that there are benefits arising from the proposal, as set out in the above paragraph, these are considered to be relatively modest and do not outweigh the harm identified to the Green Belt by reason of inappropriateness.

Design and Landscape Impact

7.22 Policy QOP 1 of the Northumberland Local Plan sets out design principles which must underpin the design of any new proposed development in Northumberland. The design principles seek to ensure that development contributes positively to the people, places and natural environment that define Northumberland. The design principles of Policy QOP 1 seek to ensure development proposals makes a positive contribution to local character and distinctiveness and contributes to a positive relationship between built and natural features, including landform and topography and to ensure development proposals respect and enhance the natural, developed, and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting.

- 7.23 Policy QOP 2 of the Northumberland Local Plan seeks to ensure that new development has a positive impact on amenity. Policy QOP 2 advises that the physical presence and design of the development should preserve the character of the area.
- 7.24 Policy HNP 2 of the Hexham Neighbourhood Plan, which relates to high quality sustainable design, advises that all new development should respond positively to local character through attention to matters such as landscaping.
- 7.25 Policy QOP 4 of the Northumberland Local Plan seeks to ensure that high quality exterior environments are achieved through an appropriate approach to the existing characteristics of a site, well-designed landscaping and the protection and enhancement of trees and other green and blue infrastructure. Part 1 of Policy QOP 4 states *“where relevant, new development will be expected to incorporate well-designed landscaping and respond appropriately to any existing landscape features”*.
- 7.26 Policy ENV 3 of the Northumberland Local Plan relates to landscape. This policy states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.
- 7.27 Paragraph 126 of the NPPF states *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.28 The timber chalet building, which currently benefits from a temporary permission and is used as a rural worker’s dwelling, is proposed under this current application to be retained on a permanent basis but as a holiday let. The timber chalet building occupies a prominent, elevation position to the north of, and directly adjacent to, Allendale Road (B6305), which connects the main town of Hexham to the villages of Allendale and Allenheads. Due to the topography of the land in this area, the timber chalet building is located on higher land than the adjacent main road and therefore is highly visible when travelling out of Hexham along this road. It is acknowledged that at either side of the access, vegetation has been planted; however, it is not fully established and hence why the building is highly visible from Allendale Road. It is recognised that additional planting along the southern and eastern boundaries is proposed as part of this application which would soften it within wider views but would not completely screen it.
- 7.29 Due to its current temporary nature, the functional design and materials of the timber chalet building were previously considered to be appropriate and generally in keeping with the wider site and landscape under the previous applications for temporary permission (refs: 21/02553/FUL and 15/01278/FUL). These two temporary consents were granted permission on the basis that the time period of the proposed development would be limited and given that the timber chalet building was to be used as a rural worker’s dwelling, for which there was an established, essential need at Hillfield. A temporary consent is generally granted for a short period of time to ensure that the short-term impacts of the proposed

development on the Green Belt and open countryside can be easily reversed. It is currently expected that once the current temporary permission (ref: 21/02553/FUL) expires, that the building would be removed, and the land would be reinstated. The proposals under this current application seek to retain the timber chalet building on a permanent basis and as a holiday let. This would result in the proposal having a long-term adverse impact on the rural character of the open countryside and the openness of the Green Belt, particularly given its prominent location and its degree of permanence.

7.30 By virtue of its location and design, the proposed retention of the timber chalet building would result in a harmful impact upon the visual amenity and character of the area, including the openness of the Green Belt. The building is not felt to relate well to the character of the site and the surrounding landscape and would result in an incongruous form of development. The proposed development would therefore be contrary to Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan and the principles of the NPPF.

Amenity

7.31 The application proposes to permanently retain and change the use of the temporary rural worker's dwelling at Hillfield for holiday accommodation purposes. As part of the application, the open land surrounding the timber chalet building (land within the red line boundary on the proposed plans) is proposed to be incorporated within the curtilage of the holiday let unit, amounting to a change of use of the land. The unit would have a garden area, car parking area and external decking areas and this would provide a large curtilage for the holiday let. The proposal would have good standards of amenity space.

7.32 The timber chalet building which is proposed under this current application to be retained on a permanent basis but as a holiday let, is located adjacent to the access onto Allendale Road (B6305 road). Directly to the north of the timber chalet building is an existing, permanent agricultural building. Directly to the east and west of the timber chalet building is open countryside. Directly to the south of the timber chalet building is Allendale Road (B6305 road) with open countryside beyond. Planning application reference: 21/00256/FUL was permitted in December 2022 for the construction of a permanent rural worker's dwelling at Hillfield and on land to the north of the timber chalet building and the existing agricultural building. Whilst the planning permission for the permanent dwelling has not yet been implemented, it is an extant planning permission; therefore, the impact of the proposals upon the residential amenity of the residents of this potential future dwelling must be appropriately assessed.

7.33 The separation distance between the proposed holiday let and the potential future dwelling is approximately 32 metres. It is acknowledged that the proposed holiday let would utilise the same existing access from the public highway as the potential future dwelling at Hillfield. It is considered that a combination of the separation distance, the pattern of the proposed openings and the siting of existing buildings on the farm steading means the proposed development would not have a significant impact on the privacy of the future visitors of the proposed holiday let and the future residents of the potential future dwelling. The application is considered to be acceptable in respect of the impact of the development on the amenity of local residents and future visitors in accordance with Policies HOU 9

and QOP 2 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan and the principles of the NPPF.

Highway Safety

7.34 The Council's Highway Development Management (HDM) team has been consulted on this application and raises no objection subject to conditions and informatives. The recommended conditions relate to implementation of the car parking area, details of cycle parking and refuse storage. Subject to compliance with these conditions, the application is considered to be acceptable in this respect in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan, and the principles of the NPPF.

Ecological Impacts

7.35 The Council's Ecology team has been consulted on this application and do not wish to comment on this application. The application is considered to be acceptable in this respect in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan, Policies HNP 2 and HNP 17 of the Hexham Neighbourhood Plan and the principles of the NPPF.

Drainage and Sewerage

7.36 The application form indicates that surface water would be disposed of by mains sewer and that foul sewage would be disposed of by mains sewer and thus the timber chalet building would continue to connect to the existing public sewerage system. The application is considered to be acceptable in this respect in accordance with Policy WAT 2 of the Northumberland Local Plan and the principles of the NPPF.

Other Matters

7.37 It is recognised that twenty-four representations of support have been received in relation to this application which are summarised in Section 5 of this report. These representations of support highlight the set out what they consider to be the benefits of the proposal and of the existing business. However, as set out within the above "principle of the development and Green Belt" section of this appraisal, whilst it is recognised that there are benefits arising from the proposal, these are considered to be relatively modest and do not outweigh the harm identified to the Green Belt by reason of inappropriateness.

Equality Duty

7.38 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

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

Human Rights Act Implications

7.40 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.

7.41 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.

7.42 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 National and local planning policies have been taken into consideration when assessing this application. The principle of the development within this open countryside and Green Belt location is unacceptable and would be contrary to Policies STP 1, STP 7 and STP 8 of the Northumberland Local Plan and the principles of the NPPF. The proposed development would also have a harmful impact upon the rural character of the site and the surrounding landscape. There are no material changes to the application from that which was refused earlier this year. Therefore, it is recommended that the application be refused for the reasons set out below.

9. Recommendation

That this application be REFUSED permission subject to the following:

Conditions/Reason

1. The proposed development represents inappropriate development in the Green Belt and open countryside. The proposed development would have a materially

impact on the openness of the Green Belt in this location. Very special circumstances have not been demonstrated to outweigh the harm to the Green Belt and any other harm, caused by the development. As such the application is contrary to Policies STP1, STP7, STP 8, ECN 15, 16 of the Northumberland Local Plan, Policies HNP 1 and HNP 23 of the Hexham Neighbourhood Plan and the principles of the National Planning Policy Framework.

2. By virtue of its prominent location and design, the proposed development would have a resultant harmful visual impact upon the rural character and appearance of the site and the surrounding landscape and would result in an incongruous form of development. The proposal would therefore be contrary to Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan, and the principles of the National Planning Policy Framework.

Date of Report: 25.10.2023

Background Papers: Planning application file(s) 23/03362/FUL



Northumberland County Council

Appeal Update Report

Date: November 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?
20/00230/FUL	<p>Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended) - land south of 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>Committee Decision – Officer Recommendation: Approve</p>	No – claim refused
22/03128/FUL	<p>Proposed construction of 3 bedroom dormer bungalow – land south east of 4 Studley Drive, Swarland</p> <p>Main issues: loss of landscaping and detrimental impact on the character and appearance of the area; and subdivision of the plot would have a harmful impact on the character and appearance of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Yes – claim allowed
23/01214/VARYCO	<p>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</p> <p>Main issues: the proposed removal would not promote sustainable connectivity between the wider development and existing infrastructure.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	Yes – claim allowed
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, Stannington</p> <p>Main issues: proposal would permanently urbanise an</p>	No

	<p>open site to the detriment of the rural, dispersed, open character of the site and its surroundings.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
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Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
22/02870/FUL	<p>Construction of 8no. bungalows with associated access, parking and landscaping – land north of Hartford Court, East West Link Road, Cramlington</p> <p>Main issues: loss of open space; design, density, siting and layout does not respect the character of the area or contribute to a strong sense of place; impacts on residential amenity; fails to demonstrate how surface water and flood risk will be mitigated on site; fails to demonstrate that safe access and egress for vehicular, cyclist and pedestrian traffic can be achieved; fails to promote the use of sustainable travel within the development; and absence of completed planning obligation securing a contribution to the Council's Coastal Mitigation Scheme or other suitable mitigation to address effects on the Northumbria Coast SPA and Northumberland Shore SSSI.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
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</p>	No – claim refused

	<p>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>Delegated Decision - Officer Recommendation: Refuse</p>	
22/03609/AGTRES	<p>Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington</p> <p>Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No – claim refused
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>Delegated Decision - Officer Recommendation: Refuse</p>	No

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 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>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</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>
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</p>	<p>21 March 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	use of sustainable travel; fails to demonstrate that safe access can be achieved; and fails to demonstrate potential impacts on protected species and how these can be mitigated.	
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>
23/00732/FUL	<p>Retrospective - Proposed full timber decking outdoor seating area with timber frame outbuilding / shed for outdoor store and service area – The Schooner Hotel, 8 Northumberland Street, Alnmouth</p> <p>Main issues: harm to heritage asset and no public benefits have been demonstrated to outweigh the identified harm.</p>	<p>15 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/04676/LBC	<p>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</p> <p>Main issues: less than substantial harm to the character and significance of the listed</p>	<p>27 June 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	building that has not been justified.	
23/01138/ADE	<p>Advertisement consent for 1no. totem sign – Lidl, Hexham Gate Retail Park, Hexham</p> <p>Main issues: harm to the visual amenity of the site and wider area, including the setting of designated heritage assets and the townscape.</p>	<p>5 July 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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, Thorngrafton, 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>
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</p>	<p>18 August 2023</p> <p>Delegated Decision - Officer</p>

	conserve and enhance the Norham Conservation Area and results in harm to the Conservation Area that is not outweighed by public benefits.	Recommendation: Refuse
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 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.</p>	<p>30 August 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01093/FUL	<p>Proposed single storey rear extension, extend above roof above and rear dormer addition – Pethfoot Lodge, Cragside</p> <p>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.</p>	<p>5 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/02030/FUL	Proposed erection of holiday dwelling with associated access and residential garden –	15 September 2023

	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.	Appeal against non-determination
23/01801/FUL	Proposed two storey front extension and roof alterations – Close House, Whalton Main issues: scale, massing and design would result in disproportionate and unsympathetic additions that would adversely affect the existing dwelling, the character of the Conservation Area and the setting of listed buildings; and insufficient information to assess the ecological impact of the proposals.	19 September 2023 Appeal against non-determination
23/00673/FUL	Retrospective: construction of single storey garden room and steps to rear – Newton Post Office, Newton, Stocksfield Main issues: harm to the character and appearance of the dwelling, site and the Newton Conservation Area.	19 September 2023 Delegated Decision - Officer Recommendation: Refuse
22/04617/FUL	The erection of 3no. cyclist accommodation units, associated extension to West House Farm Cottage, installation of solar panels, and associated landscaping and infrastructure – West House Farm Cottage, Shilvington Main issues: poorly accessible and unsustainable location in the open countryside; and inappropriate development in the Green Belt with no very special circumstances to outweigh the harm.	20 September 2023 Delegated Decision - Officer Recommendation: Refuse
23/01729/FUL	Extension to garage forming gym and office above – Khalsa Manor, Tranwell Woods Main issues: inappropriate development in the Green Belt and no very special circumstances to outweigh the harm.	21 September 2023 Delegated Decision - Officer Recommendation: Refuse
23/01478/FUL	Construction of second story rear extension, single storey rear extension with glass roof, proposed dormer extension to rear and dormer window to front – 10 Front Street, Newbiggin-by-the-Sea Main issues: scale, design and positioning would result in an incongruous addition and detract from the character of the	21 September 2023 Delegated Decision - Officer Recommendation: Refuse

	Conservation Area; and adverse impact on residential amenity due to loss of sunlight and visual outlook.	
23/01363/CLPROP	<p>Certificate of Lawful Development for proposed extension to the rear of existing residential property – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: the proposed extension would not be permitted development.</p>	<p>2 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03065/LBC	<p>Listed Building Consent for replacement windows – Garden House Cottage, Chollerford</p> <p>Main issues: proposal fails to preserve the special interest of the listed building resulting in harm that has not been justified.</p>	<p>3 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01232/FUL	<p>Outline Application - all matters reserved for a new dwelling in garden of existing dwelling (Self-Build) - West Grange Bungalow, Scots Gap, Morpeth</p> <p>Main issues: unacceptable and unjustified form of housing development in the open countryside and will not support sustainable modes of transportation.</p>	<p>9 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01847/FUL	<p>Demolish existing rear conservatory and proposed rear two storey extension – 50 The Demesne, North Seaton</p> <p>Main issues: siting, scale and design would result in a disproportionate addition to the dwelling and be incongruous to the character of the dwelling and surrounding area; and harmful impact on residential amenity with regard to outlook, loss of light, privacy and overbearing impact.</p>	<p>10 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01881/FUL	<p>Proposed rear single storey extension with roof terrace – 29 Front Street, Newbiggin-by-the-Sea</p> <p>Main issues: scale, design, materials and positioning would detract from the character of the Conservation Area and the visual amenity of the property and surrounding area; and adverse impact on residential amenity due to loss of privacy.</p>	<p>16 October 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
23/01444/FUL	<p>Change of use: agricultural land to residential car parking facilities associated with residential dwellings – land north of Shaws House Cottages, Newton (Bywell)</p> <p>Main issues: inappropriate development in the Green Belt and no very special</p>	<p>19 October 2023</p> <p>Appeal against non-determination</p>

	circumstances to outweigh the harm.	
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Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	No

Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	No

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
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
20/00504/ENDEVT	Installation of hardstanding for access and 6no. pitches, installation of electricity and water points, installation of a septic tank and erection of building – land north-east of Fieldholme, Embleton	16 October 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; 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.</p>	<p>Hearing – 12-13 September 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
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	Reserved matters application for appearance, landscaping, layout and scale	Hearing – 30

	<p>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>August 2023</p> <p>Committee Decision - Officer Recommendation: Approve</p>
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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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