



Northumberland

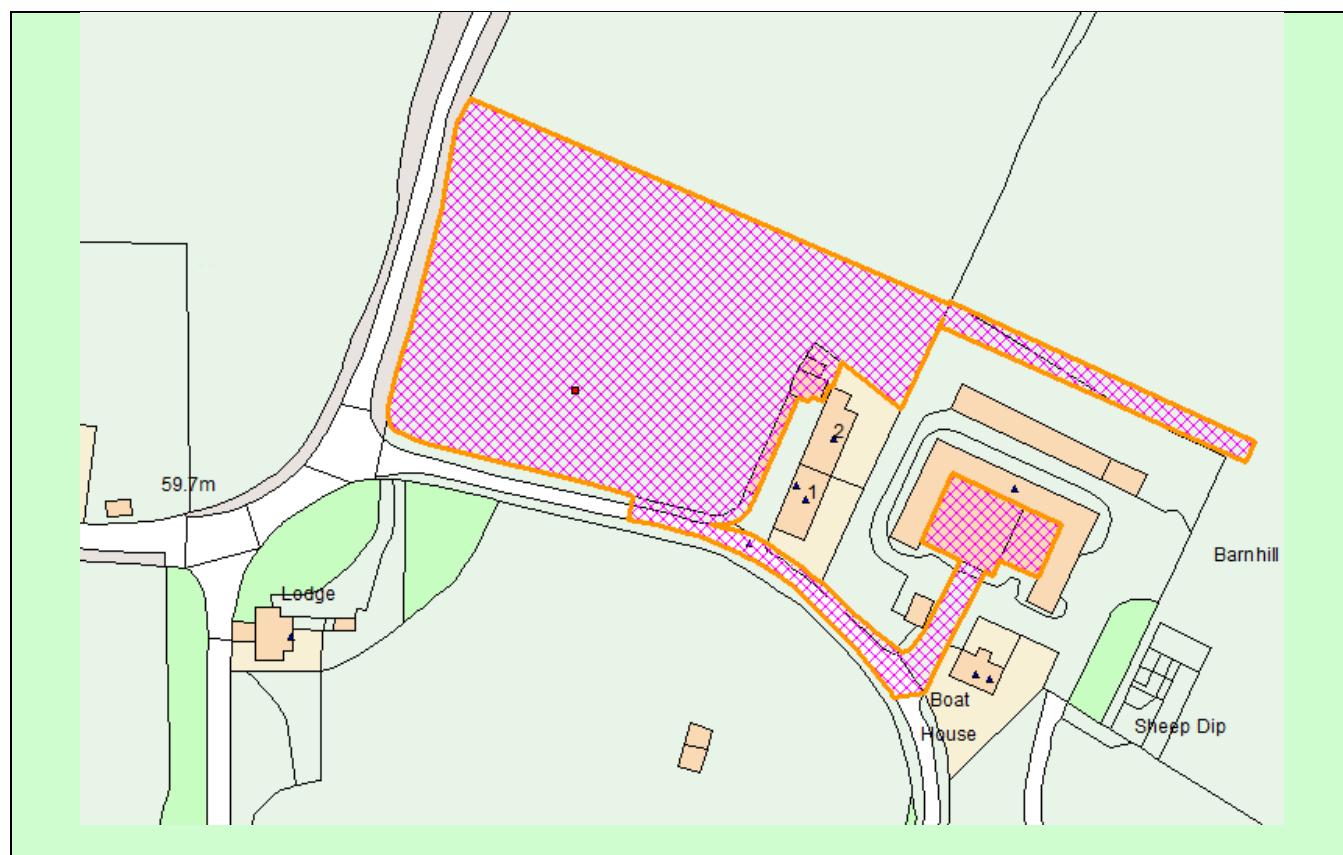
County Council

North Northumberland Local Area Council Planning Committee

24th November 2022

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

Recommendation: That this application be GRANTED permission



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1. Introduction

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

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

2. Description of the Proposals

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

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

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

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

3. Planning History

N/A

4. Consultee Responses

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

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

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

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

Neighbour Notification

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

Notices

Affecting Conservation, 1st March 2022

Northumberland Gazette 3rd March 2022

Summary of Responses:

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

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

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

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

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=R3HTWIQSL1800>

6. Planning Policy

6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)

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

STP 3 - Principles of sustainable development (Strategic Policy)

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

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

ECN 13 - Meeting rural employment needs (Strategic Policy)

ECN 14 - Farm/ rural diversification

ECN 15 - Tourism and visitor development

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

ICT 2 - New developments

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 4 - Parking provision in new development

TRA 2 - The effects of development on the transport network

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

ENV 2 - Biodiversity and geodiversity

ENV 3 - Landscape

ENV 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

WAT 3 - Flooding

WAT 4 - Sustainable Drainage Systems

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

N/A.

6.4 Other Documents/Strategies

Northumberland Landscape Character Assessment

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, and following its recent adoption by the council, the development plan comprises policies in the Northumberland Local Plan.

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

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

Principle of Development

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

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

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

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

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

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

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

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

Design, Scale and Visual Impact

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

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

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

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

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

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

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

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

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

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

Impact upon Residential Amenity

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

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

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

Impact on the Guyzance Conservation Area

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

7.22 The application site is located within the Guyzance Conservation Area and consequently Policies ENV 7 and ENV 9 of the NLP apply. Under Policy ENV 7 of the NLP, development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. Under Policy ENV 9 of the NLP decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance.

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

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

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

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

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

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

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

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

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

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

Archaeology

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

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

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

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

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

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

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

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

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

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

Ecology

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

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

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

Highways Access and Safety

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

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

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

Flooding and drainage

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

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

Noise/contamination

7.44 Policy POL 1 of the NLP sets out that development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts.

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

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

Broadband Connectivity

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

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

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

Other Matters

7.49 In response to the objections raising the following:

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

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

7.51 In response to the objections raising the following:

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

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

7.52 In response to the objections raising the following:

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

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

7.53 In response to the objections raising the following:

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

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

7.54 In response to the objections raising the following:

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

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

7.55 In response to the objections raising the following:

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

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

7.56 In response to the objections raising the following:

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

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

7.57 In response to the objections raising the following:

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

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

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

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

8. Conclusion

8.1 The principle of the development is acceptable.

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

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

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

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

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

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

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

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

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

04. The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime in accordance with Policy WAT 4 of the Northumberland Local Plan and the NPPF.

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

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

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

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

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

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

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

16. No development shall commence, including any works of demolition, until a written dust management plan has been submitted and approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the duration of the site works and shall include measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, dealing with complaints of dust and arrangements for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.

Reason: To ensure a commensurate level of protection against windblown dust and debris in accordance with Policies QOP 1, QOP 2 and POL 2 of the Northumberland Local Plan and the NPPF.

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