

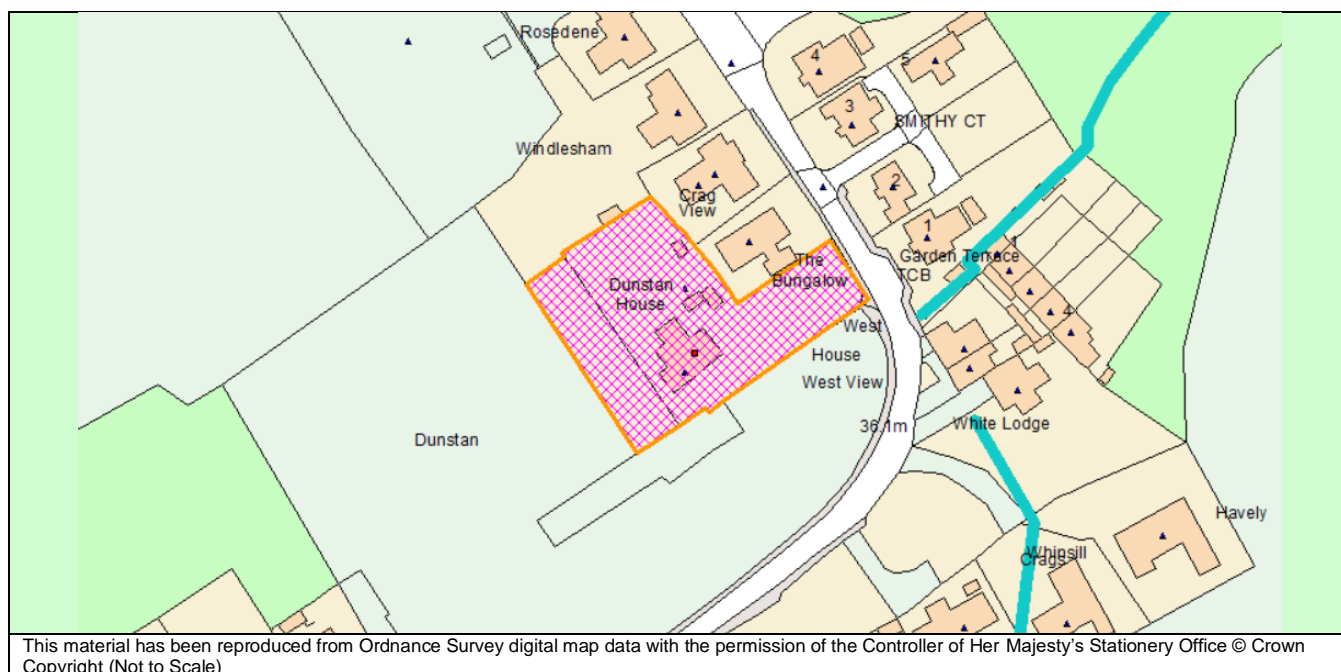


# Northumberland County Council

## North Northumberland Local Area Council Planning Committee 20<sup>th</sup> April 2023

<b>Application No:</b>	21/02775/FUL		
<b>Proposal:</b>	Erection of 2no holiday lets (Sui Generis) and associated landscaping (as amended).		
<b>Site Address</b>	Dunstan House , C74 Dunstan Village Main Road, Dunstan, NE66 3SY		
<b>Applicant:</b>	Janet Stansfield Dunstan House, Dunstan Village, Alnwick, Northumberland NE66 3SY	<b>Agent:</b>	Mr Stuart Palmer 12 Clayton Street, Newcastle Upon Tyne, NE1 5PU
<b>Ward</b>	Longhoughton	<b>Parish</b>	Craster
<b>Valid Date:</b>	26 July 2021	<b>Expiry Date:</b>	29 July 2022
<b>Case Officer Details:</b>	Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to a S106 Unilateral Undertaking to secure a financial contribution to the Council's Coastal Mitigation Service.



### 1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to concerns raised regarding the impact of the proposals upon designated heritage assets and neighbouring amenity.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

1.3 The ward Councillor (Cllr Pattison) has requested that a committee site visit be carried out in advance of the committee meeting.

## **2. Description of the Proposals**

2.1 The application seeks planning permission for the construction of 2no holiday lets (proposed to be let as serviced accommodation) and associated landscaping (as amended) on land at Dunstan House, Dunstan, as set out in the submitted plans and application documents. The properties were originally proposed to be clad in standing seam metal, however, following discussions with the applicant the facing materials have been amended to ensure they are more in keeping with the surrounding properties and as such it is now proposed to clad the buildings in a mix of timber and render.

2.2 The application site comprises domestic garden land to the north of Dunstan House, a large detached dwelling in generous grounds to the north and west of the main road through the village of Dunstan. The site is bound to the north and east by other residential dwellings, to the south by Dunstan House with an area of pasture and the road beyond and to the west by open countryside.

2.3 Constraints include,

- AONB Coast
- Coastal Mitigation
- Heritage Coast
- SSSI IRZ

## **3. Planning History**

**Reference Number:** A/75/A/341

**Description:** Alterations and extension to dwellinghouse

**Status:** PER

**Reference Number:** A/83/A/62

**Description:** Extension

**Status:** PER

**Reference Number:** A/86/A/059

**Description:** Residential development.

**Status:** REF

**Reference Number:** 20/00243/OUT

**Description:** Outline application (Some Matters Reserved) for erection of three dwelling houses with private gardens and parking. Shared access is to be provided via an existing access and driveway which is to be moved northward to improve visual lines

**Status:** WDN

**Reference Number:** A/2008/0314

**Description:** Extension to rear of dwelling to create bedroom/living room with conservatory

**Status:** PER

**Reference Number:** A/2002/0032

**Description:** Extension

**Status:** PER

**Reference Number:** A/2008/0314

**Description:** Extension to rear of dwelling to create bedroom/living room with conservatory

**Status:** PER

#### 4. Consultee Responses

Archaeology	No response
Built Heritage and Design	<p>Built Heritage and Design have considered the submitted proposal with regards to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and NPPF policies on non-designated heritage asset and design.</p> <p>We consider the proposals meet the statutory requirement to preserve the setting of the identified Grade II* and Grade II listed buildings. However, we do not support the proposed development on this site as this fails to be sympathetic to local character and appearance as required by paragraph 130 of the NPPF.</p>
Built Heritage and Design (2)	<p>The amended plans show a more varied material palette, with timber clad elevations, some white render and a single ply membrane roof finish. While the choice of timber and render is more sympathetic to local character, the amendments do not go far enough to address our concerns. The use of local stone, natural slate or pantiles and restrained use of cladding would be more appropriate.</p> <p>Concerns also remain regarding intensive back land development in an historic village. Overall, the buildings would not make a positive contribution to local character and would not integrate with the surrounding built environment and therefore does not accord with the strategic design policies in Policy QOP 1.</p>
County Ecologist	No objection subject to conditions and contribution to Coastal Mitigation Service
Craster Parish Council	Craster Parish Council wishes to object to this application. As a result of its size and use of standing seam metal cladding, it would have a serious negative impact on the character of the area, particularly by increasing urbanisation. In finding harm to the distinctive landscape of the area, the Parish Council further

	<p>submits that there would be some degree of harm to the special qualities of the AONB. The site is within the setting of the nearby Listed buildings. Further there would be an adverse impact on highway safety and residential amenity. The use of the proposed development for serviced holiday accommodation would be contrary to the new Neighbourhood Plan and emerging Local Plan.</p>
Craster Parish Council (2)	<p>Further to our submissions dated 6th August 2021 and 3rd November 2021 in relation to this application, the Parish Council has now had the opportunity to consider the further revised plans for this scheme and has agreed to maintain its objection.</p>
Craster Parish Council (3)	<p>Further to our previous submissions on this application, the Parish Council has now had the opportunity to consider the further revised plans for this scheme and has agreed to maintain its objection.</p> <p>The purpose of this further submission by the Parish Council is twofold. Firstly, to update our previous responses in line with the policies of the now adopted Northumberland Local Plan and secondly to urge the Council to now move to refuse this application without delay.</p>
Highways	<p>Further information required in respect of access, parking, cycle storage, refuse storage and demo/construction method statements</p>
Highways (2)	<p>Further to HDM's response dated 7th September, the applicant was asked to provide further information. The applicant has confirmed that the existing dwelling has 5 bedrooms, therefore, the plans submitted giving details of car parking are acceptable. The applicant has provided a revised block plan of the proposed access however, the plans do not show widening of the access to accommodate 2 vehicles at the access point and do not show 2 vehicles passing at the site access. A revised block plan showing this is required. Further information is also required in respect of visibility splays and swept path analysis for a large HGV.</p>
Highways (3)	<p>Further to HDM's response dated 18th October 2021 the applicant has provided further information. However the following remains outstanding:</p> <ul style="list-style-type: none"> <li>○ A plan showing correctly drawn and dimensioned visibility splays of 2.4x 43 metres, included within the red line application boundary.</li> <li>○ Dimensioned parking (5 x 2.5m - wider where adjacent obstruction) and manoeuvring areas (6m long), avoiding use of annotated smaller cars on plan (which gives false impression of more space than there is to manoeuvre).</li> <li>○ Provision of a drop kerb on the adjacent and opposite side of the road, adjacent to the site access, to enable safe crossing of</li> </ul>

	<p>the highway for pedestrians, ensuring the necessary inter-visibility between pedestrians and approaching vehicles on the carriageway is available where crossing.</p> <ul style="list-style-type: none"> <li>○ A revised block plan showing swept path analysis of a large HGV vehicle servicing the site for deliveries.</li> <li>○ Revised details of refuse collection area adjacent to site access (not on highway land).</li> <li>○ A Demolition (where applicable) and Construction Method Statement, if a pre-commencement condition is not acceptable (otherwise will be conditioned).</li> </ul> <p>A block plan drawn to the correct scale shown on the plan is required to progress this application further.</p>
Highways (4)	<p>The following information will be required to inform a response within a statutory reconsultation period:</p> <ul style="list-style-type: none"> <li>○ A revised block plan showing the swept path analysis of a large family car and HGV drawn to scale with the scale annotated on the drawing.</li> <li>○ A revised site block plan with the correct scale and of the access demonstrating a visibility splay of 2.4 x 28 metres Northbound and 26 metres Southbound can be achieved.</li> <li>○ Construction Method Statement, if pre-commencement condition not acceptable.</li> </ul>
Highways (5)	<p>Following HDM's previous comment on the above application, HDM have been reconsulted, with the applicant providing further information with swept path, highways details etc. The applicant has submitted a revised plan to show the swept path, visibility splays etc.</p> <p>On measuring the plan 2097_SP_HGV_11 R1, it is noted that given dimensions on the plan does reflect the numbers that have been annotated on the plan with the given scale ratio of 1:150. Although the plan shows that vehicle tracking has been done for an 11.6 m long refuse vehicles, when measuring the plan, the vehicle does not measure 11.6m, similarly for the given visibility splays, parking spaces etc, they do not measure to the required scale.</p> <p>Therefore, HDM will require a revised plan showing the correct scale to reflect the measurements as required as such that the previous outstanding matters are still valid, and these are required to be satisfactorily addressed before we can progress further.</p>
Highways (6)	<p>The applicant has submitted revised plans to show the visibility splays, swept paths etc. However, on measuring the plans (2097_SP-SP_04 Rev R3, 2097_SP-VSP_02 Rev 02) at the given scale 1:200, the submitted drawing does not indicate the measurements as annotated on the plans.</p> <p>Therefore, HDM will require a revised plan showing the correct scale to reflect the measurements as required, with no conflict or overhang on areas where vehicles may enter into conflict, as such that the previous outstanding matters are still valid, and</p>

	these are required to be satisfactorily addressed before we can progress further.
Highways (7)	Following HDM's previous comment on the application, the applicant has provided a revised swept path, however the splays are shown incorrectly. HDM have concerns if the required splays are actually deliverable. A revised plan will be required clearly showing the required visibility splays, the applicant is reminded that any visibility splays crossing the third-party land is not acceptable.
Highways (8)	Following HDM's previous comment on the above application the applicant has submitted revised visibility splays showing the northbound splay to be 28m and the southbound splay to be 26m. It is HDM's view that additional traffic generated from the proposal utilising the existing altered access will not warrant any road safety issues at this location that would warrant an objection. Therefore, HDM have no objection to the proposal subject to conditions and informatives.
Northumberland Coast AONB	The AONB Partnership requests additional information in the form of visual impact assessment for the proposed houses in order to allow assessment of whether the two storey houses proposed will detract from the landscape setting of Dunstan.
Northumberland Coast AONB (2)	Whilst the proposed houses won't be readily visible from key view points, the AONB Partnership remains concerned over the use proposed for the new houses as new build holiday lets are not supported by the Craster Neighbourhood Plan or emerging NLP. The AONB Partnership is not supportive of the use of new market dwellings for holiday accommodation in this location.
Northumberland Coast AONB (3)	No further comment.
Natural England	No objection subject to appropriate mitigation
Public Protection	The Environmental Protection Team have no objection to this application and would recommend the attached conditions are imposed in order to protect public health and prevent loss of amenity.
NCC Archaeology	Condition required to secure a written scheme of investigation and watching brief as the site is of archaeological interest.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	11
Number of Objections	25
Number of Support	5
Number of General Comments	1

### Notices

Site Notice - Affecting Listed Building, 9th February 2023

Summary of Responses:

Representations have been received from 31no contributors including 25no objections and 5no in support. The issues raised by the objectors are summarised as follows;

- Overlooking and loss of privacy
- Use of proposed properties as holiday rentals and not primary occupancy
- Restrictive covenant prohibiting future development of site
- Highway safety
- Design
- Impact on character of settlement
- Potential damage to tree roots
- Lack of housing need
- Lack of public benefit
- Impact on ecology
- Impact on AONB and Dark Skies

Supporting comments are summarised as follows;

- Proposed improvements to biodiversity of the site,
- Proposed properties will be largely shielded from views into the site,
- High quality construction with eco-friendly materials
- Benefit to local economy

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=QVYU9ZQSHRF00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan (2022)

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)

STP 5 - Health and wellbeing (Strategic Policy)

ECN 15 - Tourism and visitor development

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 3 - Public realm design principles

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

QOP 6 - Delivering well-designed places

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

ICT 2 - New developments

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

ENV 2 - Biodiversity and geodiversity

ENV 5 - Northumberland Coast Area of Outstanding Natural Beauty

ENV 7 - Historic environment and heritage assets

WAT 2 - Water supply and sewerage

WAT 3 - Flooding

WAT 4 - Sustainable Drainage Systems

POL 1 - Unstable and contaminated land

POL 2 - Pollution and air, soil and water quality

INF 6 - Planning obligations

## 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

## 6.3 Neighbourhood Planning Policy

Craster Neighbourhood Plan (2021)

Policy 1 - Principal residence housing

## 6.4 Other Documents/Strategies

PPF - Planning Policy Framework (2021)

NDG - National Design Guide (2019)



NMDC - National Model Design Code (2021)

Planning (Listed Building and Conservation Areas) Act 1990

Historic Environment Good Practice Advice in Planning 3: The Setting of Heritage Assets (2017)

Northumberland Coast AONB Management Plan (2020-2024)

Northumberland Coast AONB Design Guide for the Built Environment

## **7. Appraisal**

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan (NLP) (2022) and the Craster Neighbourhood Plan (2022). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 219 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.3 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

Principle of Development,  
Design,  
Amenity,  
Highways,  
Heritage,  
Ecology,  
Coastal Mitigation,  
AONB,  
Climate Change,  
Broadband Connections, and  
Other Matters.

### Principle

7.4 Policy STP 1 of the NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth and which conserves and enhances the County's unique environmental assets. The policy sets out a settlement hierarchy which identifies Dunstan as a "Small Village" which will support a proportionate level of development.

7.5 Policy ECN 15 states that in rural locations outside the settlement boundaries and/or built-up areas of main towns, service centres or service villages, the development of new build, permanent buildings for holiday accommodation of any sort should be small scale and form part of a recognised village or hamlet.

7.6 Paragraph 83 of the NPPF supports the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

7.7 Policy 1 of the Craster Neighbourhood Plan states that new housing, excluding replacement dwellings, will only be supported where occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a principal residence. New second homes will not be supported. This is noted however the proposal is not for new market housing and a condition is recommended below to ensure that further planning permission would be required to change the use of the properties from Sui Generis to residential.

7.8 The design of the proposed buildings is considered further below, however the proposal to erect 2no houses for short term serviced holiday accommodation within a recognised settlement and close to the main holiday route along the coast is acceptable in this context.

### Design

7.9 Policy QOP 1 of the NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness.

7.10 Policy HOU 9 of the NLP seeks to support residential developments where they contribute to a sense of place, provide functional space and facilities for refuse and recycling storage as appropriate for the development and are constructed to a high quality of design.

7.11 Paragraph 126 of the NPPF attaches great importance to the design of the built environment and states that 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.

7.12 The National Design Guide and National Model Design Code also provide guidance on design for those involved in the planning and built environment disciplines and illustrates how well-designed places that are beautiful, enduring and successful can be achieved. This forms part of the Planning Practice Guidance and should be read alongside other guidance on the design process and tools.

7.13 High quality design supports the creation of good places and has a positive impact on health, wellbeing, and happiness. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe, and pleasant, easy to move around, welcoming, adaptable, and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located.
- demonstrate an understanding of the historical development of the site.
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape.
- provide appropriate densities depending on their existing characteristics; and,
- incorporate and use features worthy of retention, including natural features, buildings, and views.

7.14 The proposed properties would have a barn like appearance and have been designed to appear subservient to the existing property. Whilst it was originally proposed to clad the buildings in standing seam zinc, concerns raised with the applicant have resulted in a change to more traditional materials and it is now proposed to clad the buildings in a mix of timber and render. The application documents state that the design has been heavily influenced by the Northumberland Coast AONB Design Guide. The simple plan form of the buildings is intended to reflect the typical terraced houses of rural Northumberland, or the agricultural barns that can be found throughout the county. The properties would be set perpendicular to each other in an attempt to avoid a typical suburban layout, with a communal garden and parking to the front aspect of each. The properties are designed using Passivhaus design principles with each having a bespoke contemporary design.

7.15 Concerns raised regarding the contemporary nature of the design within the setting of a traditional rural village are noted, however, whilst the immediate character and appearance around the site is of smaller dwellings and outbuildings within the village are generally of sandstone or whinstone construction with slate or pantiled roofs, there are examples of contemporary approaches to development within the area.

7.16 Highways matters are discussed below, however, it is noted that the works required to make the proposals acceptable from a highways perspective would have an impact upon the character of the immediate street scene. The need to widen the existing access and remove elements of the front boundary treatment to facilitate visibility splays would alter the visual aesthetic of this part of the village by introducing more suburban character to it. Overall, however the proposals would be marked out as a modern addition which would be visually attractive and incorporate high quality materials and detailing in accordance with Policy QOP 1 of the NLP.

### Amenity

7.17 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.18 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.19 Due to the site location and proposed layout of the development, there would not be any substantive impacts on residential amenity resulting from the proposals in terms of loss of light, outlook, overbearing, privacy or noise. Separation distances of approximately 17 metres (side elevation of Unit 1 to rear of Crag View) and approximately 20 metres at an oblique angle (rear of Unit 1 to rear of Windlesham) and up to 30 metres (front of Unit 2 to rear of The Bungalow) are considered to be acceptable and sufficient amenity space is provided within the development for the

use of future occupiers. As such the proposal is considered to be in accordance with Policy QOP 2 of the NLP and the NPPF in this respect.

## Highways

7.20 Policy TRA 1 of the NLP promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network. Policy TRA 4 sets out requirements for parking provision in new development.

7.21 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.22 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.23 The Local Highway Authority responded to initial consultation requesting additional information. Following several rounds of reconsultation the HDM officer has accepted that there would be no significant impact upon the highway and as such no objections are raised subject to conditions and informatives. Therefore, the proposals are acceptable in highway policy terms. However, whilst the scheme may be acceptable in highways terms, it is noted that the works required to achieve this, including changes to the existing access and removal of the whinstone garden wall in order to achieve the necessary visibility splays, would have an impact upon the character of the street scene, introducing a noticeably more suburban element as noted above.

## Heritage Matters

7.24 The application site is within the grounds of a detached mid 20th century dwelling, Dunstan House, within the village of Dunstan. The village is recognised as a 'shrunken village' which once comprised rows of houses around a village green. Although the medieval houses have since disappeared the former village green is still in evidence to the south of the application site. The modern village grew up to the west of this before expanding to the north towards Dunstan Hall and Proctor's Stead.

## *Built Heritage*

7.25 Heritage assets in the immediate area include,

- Dunstan Hall (II\*)
- Attached garden wall to east of Dunstan Hall (II)
- Outbuildings by wall to north east of Dunstan Hall (II)
- Outbuilding to north of Dunstan Hall (II)

7.26 The legislative framework has regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to pay special attention to the desirability of preserving the listed buildings, their settings and features of special architectural or historic interest.

7.27 Policy ENV 1 of the NLP pertains to the natural, historic and built environment and introduces the concept that great weight should be given to the conservation of designated heritage assets and that harm can be caused by development that affects the setting and significance of heritage assets.

7.28 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.29 This is echoed by Policy ENV 7 of the NLP which states that 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 and ensure that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance.

7.30 The NPPF (para 199) sets out the degrees of harm that can be caused by development affecting the setting and significance of heritage assets. These are 'total loss', 'substantial harm', or 'less than substantial harm' and the need to balance any harm against the benefits of the development is stated.

7.31 The Council's Built Heritage and Design Officer has provided comments noting that a key heritage consideration is whether the proposals will preserve the setting of the identified designated heritage assets as required by statute. Dunstan Hall and the associated grade II listed buildings are set within a wooded enclosure. While the screening impact of the trees will reduce during the winter months, views from the Hall's main elevation to the development site would be at an angle such that the key line of sight from the building would be largely unaffected. Therefore, the setting of the important listed building, as well as key views into and from the Hall would be preserved.

7.32 Although the setting of the listed buildings would be preserved, the officer considers that the proposal would not be sympathetic to local character and appearance and would therefore be contrary to Paragraph 130 of the NPPF and Policy QOP 1 of the NLP. As noted above however, it is officer opinion that the contemporary nature of the design within the setting of a traditional rural village would mark the proposals out as a modern addition, which would be visually attractive and incorporate high quality materials and detailing in accordance with Policy QOP 1 of the NLP.

### *Archaeology*

7.33 As noted above the application site is located within close proximity to the former medieval village and therefore the proposals retain potential to impact upon buried archaeological remains. The County Archaeologist has responded to consultation recommending a condition to secure a written scheme of investigation and watching brief to ensure that any archaeological remains are appropriately recorded.

### Ecology

7.32 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.33 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.34 The County Ecologist has responded to consultation raising no objections, subject to conditions securing mitigation and ecological enhancement measure. On this basis the proposals are acceptable in accordance with Policy ENV 2 or the NPPF in this respect.

### Coastal Mitigation

7.35 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.

7.36 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service (paid on occupation of the first unit) which will be used to fund coastal wardens who will provide the necessary mitigation.

7.37 The contribution per unit in this location would be £615. However, this is reduced for holiday lets to reflect their average occupancy rate which is currently 56.2%, and so the contribution in this case will be £345 per unit. This can be secured by way of Unilateral Undertaking or by S106 agreement in cases where other planning obligations are also required.

## AONB

7.38 The application site lies within the Northumberland Coast AONB and due consideration must be given to the impacts of the proposed development upon this designated area.

7.39 Policy ENV 5 of the emerging NLP seeks to ensure that the special qualities of the AONB will be conserved and enhanced, having regard to the current AONB Management Plan and locally specific design guidance.

7.40 Paragraph 176 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

7.41 The AONB Partnership responded to consultation raising concerns about the visual impact of the proposals. Following a site meeting the officer considers that with the current level of vegetation screening, this visual impact is not of a magnitude that the AONB Partnership would raise concerns on grounds of visual impact of the special quality of landscape. Whilst no concerns are raised about the visual impact of the proposals as perceived in the wider landscape, concerns are raised that the impact of the works required to the access layout (as noted above) will be detrimental to the settlement of Dunstan.

## Climate Change

7.42 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.

7.43 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.44 Policy QOP 5 relates to sustainable design and construction and states that 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.

7.45 The 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 any granting of permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

## Broadband connections

7.46 Policy ICT 2 of the NLP requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The policy states that where no broadband provision is included, developers will be required to demonstrate, including through consultation with broadband providers, that connections are not deliverable, and/or viable.

7.47 Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

7.48 The current application does not state whether full-fibre broadband connections are proposed, however given the lodges are in situ it would be onerous to impose a condition requesting details of this at this stage.

### Other Matters

7.49 The concerns of the Parish Council and neighbours regarding design, amenity, sustainability, access, highway safety and impact upon landscape and heritage assets are noted and have been addressed in the preceding paragraphs.

7.50 Concerns raised regarding the alignment of the proposals with the Local and Neighbourhood Plans are addressed as follows.

- Conflict with Policy STP1(1d) - Whilst it may be true to state that holiday accommodation does not (directly) support essential services required by permanent residents such as health and education, the policy does not specify that it must. Tourism is a fundamental part of the overall economy in Northumberland, particularly so on the coast and whilst recognising there is a balance to be struck, the proposal for 2no units of serviced accommodation in this location would help to support the social and economic vitality of rural areas by feeding into the tourist/leisure sector in the wider area.
- Conflict with Policy STP1(1eiii) - As noted above the proposal would represent a modern intervention into the village but this is not considered to be detrimental to the wider character or appearance of the village.
- Conflict with Policy HOU10 and Craster NP Policy 1 - Policies HOU 10 and CNP1 seek to restrict first and future occupation of new market dwellings to ensure that they are occupied only as a 'principal residence'. The proposal at hand is not for new market dwellings, it is specifically for new serviced holiday accommodation. It is proposed that conditions be attached to ensure that they are only used for this purpose and should proposals be brought forward in future for them to change to residential dwellings further planning permission would be required, at which point (depending on the policy context at the time) conditions or legal agreements could be sought to secure primary occupancy as required.
- Policy ECN15 - Dunstan village is made of a variety of house types and sizes and comprises approximately 55 properties. Whilst the proposals may be taller than the adjacent bungalows, footplates of approximately 90sqm and



100sqm do not make them particularly large and an additional 2no properties in a village of 55 is considered to be proportionate.

- Policy TRA 2 - As noted above the proposals have been assessed for their impact upon highway safety and accessibility by the Local Highway Authority and following amendments to the proposals no objections are raised subject to conditions.
- Policy ENV5 - Impact on AONB. The AONB Partnership responded to consultation, as noted above. They were satisfied that the proposals would not have a negative impact upon the special qualities of the landscape for which the AONB is designated.
- Policy ENV 7 - Impact on heritage assets. The Council's Built Heritage & Design Officer has raised no objections, stating (as above) that the setting of the important listed building, as well as key views into and from the Hall would be preserved.

7.51 The presence of a covenant on the land is noted, however, this is not a material planning consideration.

#### Equality Duty

7.52 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

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

#### Human Rights Act Implications

7.54 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.

7.55 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.

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

## **8. Conclusion**

8.1 The application has been considered against local development plan policies and the relevant sections of the NPPF. The proposal includes the efficient use of land in order to provide high quality rental accommodation for the tourist industry. Tourism in Northumberland has developed into a year round activity and the proposals would tap into this growing market by establishing new serviced holiday accommodation of a type which is not commonly available in the area.

8.2 The concerns raised in respect of design, amenity and highway safety are noted and have been addressed as appropriate through the assessment of the application.

8.3 The proposal has addressed the main considerations, accords with relevant planning policies and legislation and is considered to be acceptable on balance.

## **9. Recommendation**

9.1 That this application be GRANTED permission subject to the following conditions and a S106 Unilateral Undertaking securing:

A financial contribution of £690 towards the Council's Coastal Mitigation Service.

### 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. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans.

1. Drawing No 2097\_SL\_1 - Location Plan
2. Drawing No 2097\_SP\_01R7 - Proposed Site Plan
3. Drawing No 2097\_ELE\_H1\_01 Rev 2 - Proposed House 1 Elevations
4. Drawing No 2097\_GA\_H1\_01 Rev 2 - Proposed House 1 Floor Plans
5. Drawing No 2097\_GA\_H1\_02 - Proposed House 1 Roof Plan
6. Drawing No 2097\_ELE\_H2\_01 Rev 2 - Proposed House 2 Elevations

7. Drawing No 2097\_GA\_H2\_01 Rev 2 - Proposed House 2 Floor Plans
8. Drawing No 2097\_GA\_H2\_02 - Proposed House 2 Roof Plan

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

03. Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of development a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following.

a) Description and evaluation of features to be managed.

Landscape planting is to be designed to enhance structural diversity and will include plants bearing flowers, nectar and fruits which are attractive to invertebrates, thereby helping to maintain food resources for wildlife in general.

- Planting of native, species-rich mixtures of scrub and trees. Hedgerows and trees will be retained where possible. Any hedge or tree removal will be compensated for through planting of new hedgerows and trees with a 2:1 replacement ratio. Only native species will be planted.
- The construction of new ponds of optimal value for wildlife including appropriate marginal planting
- Gaps in the existing retained hedgerows will be planted with native species which do not already occur in the hedgerow to increase species-richness.
- Landscape planting to include plants bearing flowers, nectar and fruits which are attractive to invertebrates, thereby helping to maintain the food resource for bats and wildlife generally
- Landscape planting will include areas of dense shrubs to provide cover for hedgehogs and berry bearing species to provide a foraging resource.
- Creation of hedgehog hibernacula or habitat piles.
- Provision of 6 integrated bat roosting features in the new buildings on site (commercial integrated bat boxes suitable for the site design)
- Installation of six bird nest boxes - two each of; hole, open fronted and sparrow terrace box types. Specific box locations are to be chosen with the aid of the project ecologist and agreed with the council prior to installation.

b) Ecological trends and constraints on site that might influence management.

c) Aims and objectives of management.

d) Appropriate management options for achieving aims and objectives.

e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan shall be implemented in accordance with the approved details.

Reason: To conserve and enhance the natural environment in accordance with Policy ENV 2 of the NLP and the NPPF.

#### 04. Ecological Mitigation

The following mitigation shall be undertaken during construction and ongoing use of the development hereby permitted.

- Works will be undertaken in accordance with BS5837-2012 'Trees in relation to construction' and retained hedgerows and trees will be protected, including protection of roots.
- Works in the vicinities of invasive species (including variegated yellow archangel and Rhododendron) will be carried out to an invasive method statement.
- Light levels around newly installed roost locations and foraging/commuting areas will be low level, below 2m in height, and low lux (below 1 lux 5m from the light source). Warm-light LEDs with very low UV will be used, with cowls designed to accurately target which areas are lit.
- A pre-commencement check for nesting birds will be undertaken by a suitably experienced ornithologist if vegetation clearance is undertaken between March and August inclusive.
- Works will be undertaken to a precautionary hedgehog method statement including a hand search of suitable refugia prior to removal
- Close boarded fences will be avoided, or gaps 13cm x 13cm will be provided in fences between gardens and landscaped areas to allow hedgehogs to forage and commute across the site.
- Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Reason: to prevent harm or disturbance to trees, protected species and wildlife in accordance with Policy ENV 2 of the NLP and the NPPF.

#### 05. Construction Method Statement - PRE-COMMENCEMENT

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

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. 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 TRA2 of the Northumberland Local Plan.

06. Boundary treatment - Details to be submitted

The development shall not be occupied until details of the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

Reason: In the interests of visual amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

07. Means of vehicular access to be constructed

The development shall not be occupied until details of the works required within the existing access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

08. Surface water drainage

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

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

09. Details of Electric Vehicle Charging to be submitted

Prior to occupation details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

10. Implementation of car parking area

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 TRA4 of the Northumberland Local Plan.

11. Implementation of cycle parking

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 TRA1 of the Northumberland Local Plan.

12. Sustainable Construction

Notwithstanding the details submitted with the application, prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

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

13. Broadband Connections

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

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

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

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

14. Site/Finished Floor Levels

Notwithstanding the approved plans the new build elements of the development shall not commence until details of existing and proposed site and finished floor levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy QOP 2 of the Northumberland Local Plan and the NPPF.

15. Holiday Restriction

The accommodation subject to this permission shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, in accordance with the National Planning Policy Framework

16. Removal of Permitted Development Rights

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

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

17. Archaeological Watching Brief

A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and

Site Specific Requirements document (dated 29/03/23). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest.

### Informatives

#### 1. Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

#### 2. Statutory Nuisance

The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

#### 3. Construction - Hours of Delivery

During the periods of [advanced] / [enabling] / [main construction] works, there shall be no deliveries to the site or collections from the site by road unless agreed in writing with the Local Planning Authority outside the hours of:

Monday to Friday - 0800 to 1800  
Saturday 0800 to 1300

There shall be no deliveries or collections on a Sunday or Bank Holiday.

#### 4. Noisy Working Hours

During the construction period, there should be no noisy activity, i.e. noise from the construction activities which is audible at or beyond the site boundary, on Saturdays, Sundays or Bank Holidays or outside the hours:



Monday to Friday - 0800 to 1800

5. Alterations to vehicle crossing point (widening driveway) (S184)

Please note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: [northernareahighways@northumberland.gov.uk](mailto:northernareahighways@northumberland.gov.uk)

6. Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

7. Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

**Background Papers:** Planning application file(s) 21/02775/FUL