

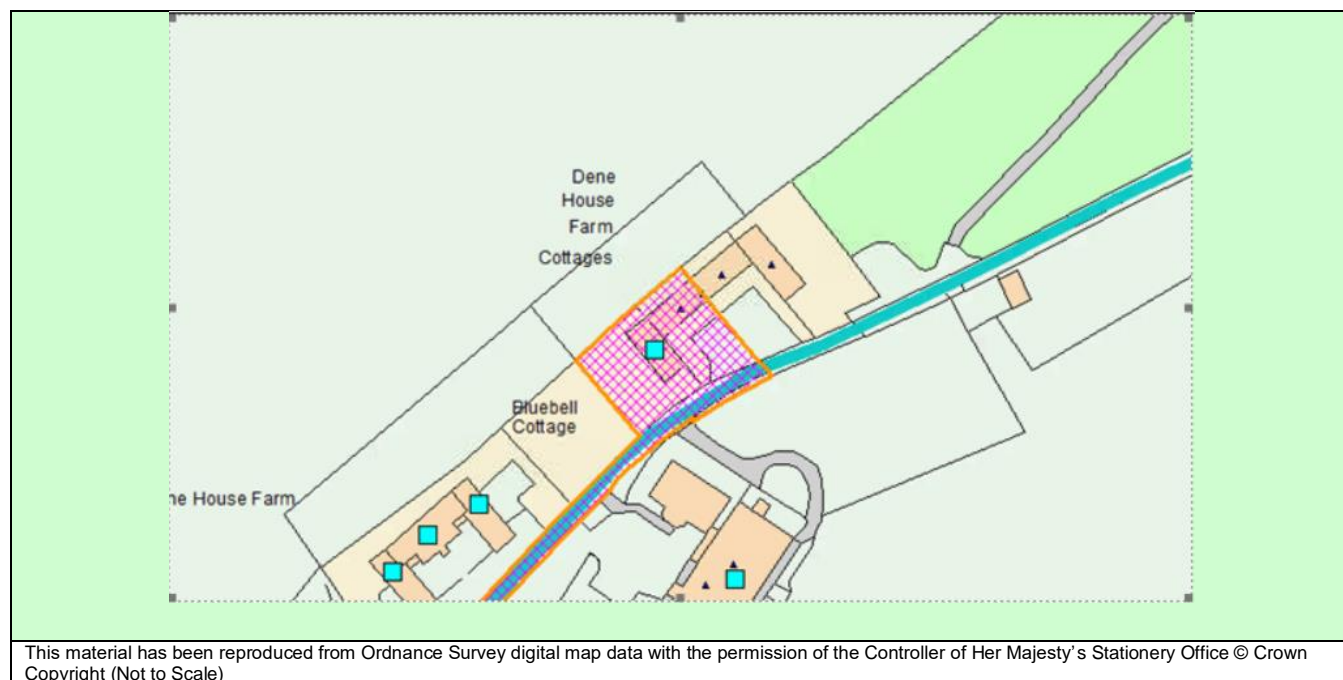


# Northumberland County Council

## North Northumberland Local Area Council, 20 April 2023

<b>Application No:</b>	22/04155/FUL		
<b>Proposal:</b>	Construction of Annex Accommodation to Blue Bell Cottage		
<b>Site Address</b>	Bluebell Cottage, Dene House Farm Cottages, Longframlington, Morpeth Northumberland NE65 8EE		
<b>Applicant:</b>	Gallagher C/O Agent, George F White, 4 - 6 Market Street, Alnwick NE661TL Northumberland	<b>Agent:</b>	Mr Craig Ross 4-6 Market Street, Alnwick, NE66 1TL
<b>Ward</b>	Shilbottle	<b>Parish</b>	Longframlington
<b>Valid Date:</b>	22 November 2022	<b>Expiry Date:</b>	31 January 2023
<b>Case Officer Details:</b>	Name: Katie Lois Job Title: Planning Technician Tel No: 07870366099 Email: Katie.Lois@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



## 1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to an objection received by Longframlington Parish Council. This is at odds with the officer recommendation that this application be permitted.

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 the proposal does raise issues of strategic, wider community or significant County Council Interest.

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

2.1 The application seeks planning permission for the construction of an annex in the garden of Bluebell Cottage, part of the Dene House Farm Cottages in Longframlington.

2.2 The proposed annex would be located within the curtilage of Bluebell Cottage, in the existing side garden which sits to the south west of the cottage. The application site is adjacent to residential dwellings and opposite Dene House Farm complex which houses health and leisure facilities. The annex would be a single story rectangular shaped building and would consist of a front parking area with access onto the road. The proposal has been designed to reflect the design and height of the existing cottages and will use materials to compliment the buildings in the surrounding area.

## **3. Planning History**

**Reference Number:** A/89/A/225

**Description:** 4 holiday bungalows for disabled

**Status:** PER

**Reference Number:** A/98/A/439

**Description:** Removal of Condition 5 from 89/A/225

**Status:** PER

**Reference Number:** 14/00407/DISCON

**Description:** Application for the discharge of planning obligation on planning permission 98/A/439 (removal of condition 5 of 89/A/225 - 4 holiday bungalows for disabled) in order to permit permanent residential occupation (as amended by letter dated 1 July 2014)

**Status:** DPO

**Reference Number:** A/89/A/225

**Description:** 4 holiday bungalows for disabled

**Status:** PER

**Reference Number:** 22/02819/FUL

**Description:** Single detached bungalow (restricted occupancy over 55 years old)

**Status:** WDN

**Reference Number:** A/98/A/439

**Description:** Removal of Condition 5 from 89/A/225

**Status:** PER

## **4. Consultee Responses**

Longframlington Parish Council	Longframlington Parish council Object to this application. The Parish council maintains its objections to any new build on this site. The site is located outside the village boundary and over 1Km from the main village services. The location is classified as countryside, and adding to the existing development, would serve to urbanise the area. This would not satisfy the Longframlington Neighbourhood Plan (LNP) policies for location and design. The site is served by a narrow singletrack road which can be difficult to traverse in poor weather conditions, particularly ice and snow, thereby isolating residents even further from the village services and the severe weather support that is planned for the village. Housing for older residents would better suited within the village boundary. Whilst the LNP and the Northumberland Local Plan (NLP) make provision for rural exception sites that meet local needs, on the periphery of the village, the Parish Council considers that this application does not fulfil this criteria.
Countryside/ Rights Of Way	I have no objection to the proposed development on the condition that Public Footpath No. 13 is protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
Highways	The location of the development is unsustainable in terms of lack of footpath, cycleways, and lack of a public transport service. However, as the development proposed is an Annexe to the main dwelling, sustainability issues need not apply, and conditions have been provided should the LPA be minded approving the application.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	15
Number of General Comments	0

### Notices

Site notice - Public Right of Way, 2nd December 2022

Press Advert - Northumberland Gazette, 1st December 2022

### Summary of Responses:

15 comments were received in support of the application.

Will allow elderly couple to live with family

Applicants will benefit from 24 hour on call system, health and leisure facilities at Dene House Farm

Support for ongoing health issues  
Well supported and has no impact on local road networks  
Supportive community  
Close to village  
In keeping with existing buildings

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan 2016 - 2036

HOU 9 - Residential development management  
QOP 1 - Design principles (Strategic Policy)  
QOP 2 - Good design and amenity  
TRA 1 - Promoting sustainable connections (Strategic Policy)  
TRA 2 - The effects of development on the transport network  
TRA 4 - Parking provision in new development

### 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

### 6.3 Neighbourhood Planning Policy

Longframlington Neighbourhood Development Plan 2021 – 2036

LNP1 – Housing Development  
LNP7 – High Quality and Sustainable Design

## **7. Appraisal**

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

- Principle of the development
- Design and visual amenity
- Impact on amenity
- Impact on highway safety

### Principle of the Development

7.2 The application proposes development that is domestic in nature within the residential curtilage of an existing dwellinghouse. The principle of development is therefore acceptable and in accordance with Policy HOU 9 of the Northumberland Local Plan and the NPPF.

### Design and visual amenity

7.3 Policy QOP 1 sets out general design principles against which development will be assessed. These include that proposals should make a positive contribution to local character and distinctiveness; create or contribute to a strong sense of place

and integrate the built form with the site and wider local area and be visually attractive and incorporate high quality materials.

7.4 Policy QOP 2 of the NLP states that development will be required to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in the local area.

7.5 Policy HOU 9 states that 'Householder proposals for the extension and/or external adaptation of existing dwellings will only be supported where the enhancement:

- a. Is well-related and subordinate in size and massing to the existing dwelling, and in combination with the existing dwelling forms a visually indivisible single dwelling as a whole;
- b. Does not have a significant adverse impact on the amenity of adjoining properties in terms of structural proximity and unacceptable loss of daylight/sunlight, privacy and visual outlook;
- c. Respects, complements and does not have an unacceptable adverse impact on the style and character of the existing dwelling and its setting in terms of its design and use of materials, or on the character of the surrounding area; and
- d. Retains reasonable garden/yard space and satisfactory off-road parking space for the dwelling.'

7.6 After initial concerns were raised by officers regarding the size of the annex building, amended plans were submitted which reduced the overall size and scale of the building. The amended annex would be more subservient to the existing dwelling and is considered to be of appropriate design which would not have a significant adverse impact on the character or visual amenity of the existing dwellinghouse or the surrounding area.

7.7 Longframlington Parish Council have objected to this application, in part, on design grounds as they are of the view that the proposal does not satisfy Policy LNP7 of the Longframlington Neighbourhood Plan. Policy LNP7 states development should incorporate high quality and sustainable design that improves local character and distinctiveness. It is considered that the proposed development is in accordance with this policy as it will respect the local character and distinctiveness of the surrounding area in terms of height, massing, layout and materials of the building. The proposed annex will be a one-bedroom, single storey building and will replicate the eave and ridge height of the Dene Farm Cottages. It will also use materials to compliment those used in the adjacent cottages and surrounding buildings. It would be of an appropriate size and scale and subservient to the existing dwelling.

7.8 Therefore, the proposed development is considered acceptable in terms of design in accordance with Policies QOP 1, QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.

#### Impact on amenity

7.9 The application documents state that the building would provide one-bedroomed annex accommodation for an elderly relative of the residents of Bluebell Cottage who has health and medical needs. The living space is sought to allow supported living close to immediate family allowing daily support and 24-hour access to the emergency on call services, and health and leisure facilities of the complex.

7.10 It is considered that the annex is sufficiently sited away from the host property and the building would be within the same planning unit. There are no other immediate adjacent residential dwellings to the north and west of the site. Dene House Farm complex sits opposite the proposal site but is separated by a road. In addition, there are no windows on the closest elevation of Dene House Farm. The proposals are considered acceptable in terms of residential amenity and would be in accordance with Policy LNP7 of the Longframlington Neighbourhood Plan, Policies QOP 1, QOP 2 and HOU 9 of the Northumberland Local Plan and the NPPF.

#### Impact on highway safety

7.11 Policies TRA 2, TRA 4 and HOU 9 of the Northumberland Local Plan seek to ensure that development does not have a negative impact upon the highway network and ensure appropriate parking provision within a development site. Paragraph 111 of the NPPF is also a material consideration and states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.12 The proposed development will include the provision of one parking space and access onto the road. There is existing parking provision to the front of the Dene House Farm Cottages and the surrounding Dene House Farm complex has parking provision for 30 vehicles. This would adhere to the requirements of Appendix E of the Northumberland Local Plan.

7.13 Within their objection, Longframlington Parish Council have expressed their view that this application contravenes the location policies of the Longframlington Neighbourhood Plan due to it being classified as countryside, that its access is by a narrow singletrack road, away from village services and that development for rural exception sites should only be allowed where it meets local needs.

7.14 The proposed development has been sited in this location to so that the applicant can receive health and medical assistance from relatives and to be in close proximity to the onsite health and leisure facilities that Dene House Farm provides.

7.15 The Council's highways development team were consulted on this application and returned comment that the location is unsustainable but as the development is an annex to the main dwelling the sustainability issues do not apply. The Highways team recommended conditions for the use of the building to remain ancillary accommodation to the main dwelling and requiring the submission of car and cycle parking details. Informatives have also been recommended in relation to the impacts during the construction phase. Subject to the recommended highways conditions, it is considered the proposal would be acceptable in this respect and would accord with the above local and national policies.

#### Equality Duty

7.16 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

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

### Human Rights Act Implications

7.18 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.

7.19 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.

7.20 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 main planning considerations in determining this application have been set out and considered above, stating accordance with the relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the NLP and the NPPF on the matters of relevance in this case.

8.2 The proposal has addressed the main considerations and would accord with relevant policy and is considered to be acceptable

## **9. Recommendation**

9.1 That this application be GRANTED permission subject to the following:

### Conditions/Reason

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

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans and documents. The approved plans and documents for this development are:-

Elevations & Layout Plan Rev A, EL01 Rev A  
Proposed Site Plan Rev A, PSP-01 Rev A  
Location Plan

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

03. The building hereby approved shall be solely used for the purposes ancillary to the domestic enjoyment of the host dwelling and shall at no time be severed and occupied as a separate, independent dwelling unit without the prior granting of planning permission from the local planning authority.

Reason: In the interests of residential amenity and in accordance with the NPPF.

04. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, 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 saved Policies TRA4 of the Local Plan.

05. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development/ each dwelling is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and saved Policies TRA1 of the Local Plan.

## **Informatives**

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the



Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

2. A Public Right of Way passes close to or through the site. No action should be taken to disturb the surface, obstruct the path or in any way prevent or deter public use without the necessary legal diversion or closure Order having been made, confirmed and an alternative route provided.
3. 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.
4. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

**Background Papers:** Planning application file(s) 22/04155/FUL