

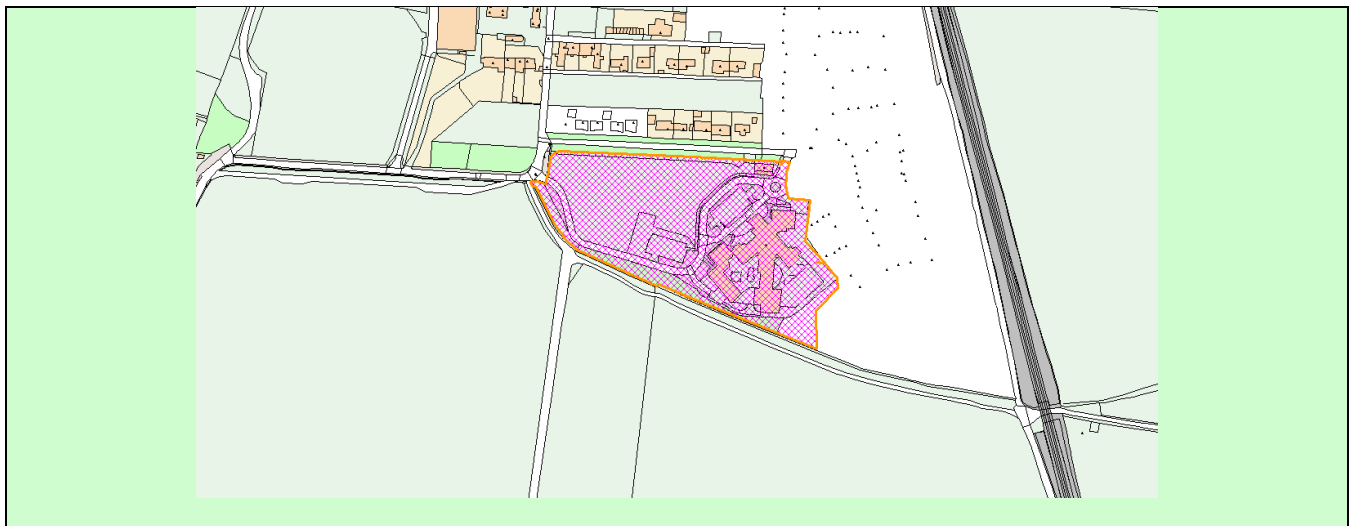


Northumberland County Council

Castle Morpeth Local Area Committee 15th May 2023

Application No:	22/04586/VARYCO		
Proposal:	Variation of Condition 2 (Approved Plans) in order to reduce the scope of the scheme by omitting the extension and one yard and be amending the layout of another yard on approved application 22/01227/FUL		
Site Address	Kyloe House, Netherton Park, Stannington, Morpeth Northumberland NE61 6EF		
Applicant:	Mr Christopher Chapman Kyloe House Secure Children's Home Netherton Park, Stannington, Morpeth, NE61 6DE	Agent:	Mr Tim Beech 13 Lostock Avenue, Poynton, Stockport, SK12 1DR
Ward	Ponteland East And Stannington	Parish	Stannington
Valid Date:	6 January 2023	Expiry Date:	19 May 2023
Case Officer Details:	Name: Miss Stephanie Milne Job Title: Senior Planning Officer Tel No: 07966203682 Email: Stephanie.Milne@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

1.1 The applicant is Northumberland County Council and therefore the application was referred to the director of planning and the chairs of the local area council committee. The chair referral response confirmed that the application shall be determined at local area council committee.

2. Description of the Proposals

2.1 This application seeks a variation to the previously approved plans by omitting the previously approved extension and yard and amending the layout of the other previously approved yard.

2.2 The application site is Kyloe House which is an existing NCC building located within Stannington. The site is located outside of the settlement boundary for Stannington and is recognised as being located within the open countryside and Green Belt.

2.4 The application site is located within open countryside and designated Green Belt.

3. Planning History

Reference Number: C/96/CC/96

Description: Details of landscape works submitted pursuant to condition no. 3 of planning permission 95/CC/32 in respect of construction of new secure unit

Status: PER

Reference Number: C/95/CC/32

Description: Construction of 12 bed secure unit

Status: PER

Reference Number: C/04/00026/CCD

Description: Construction of extension to provide additional administration facilities

Status: WDN

Reference Number: C/04/00231/CCD

Description: Construction of extension to provide additional administration facilities

Status: PER

Reference Number: C/08/00019/CCD

Description: Extension of existing external CCTV system including additional cameras and columns

Status: PER

Reference Number: C/10/00216/CCD

Description: Single storey extension

Status: PER

Reference Number: C/10/00238/CCD

Description: Proposed 52 metre squared secure vehicle drop off area

Status: PER

Reference Number: 11/03295/CCD

Description: Erection of an additional 8M Camera tower to south of Kylloe House.
Status: PER

Reference Number: 12/00956/CCD

Description: Installation of solar photo voltaic panels on the school roof
Status: PER

Reference Number: 15/02776/FUL

Description: Extension to existing unit to provide a Step-Down unit and Vocational training facility
Status: PER

Reference Number: 17/00329/VARYCO

Description: Variation of condition 2 (plans) of approved planning application 15/02776/FUL
Status: PER

Reference Number: 18/00706/FUL

Description: Creation of new car park with 29 parking spaces to serve a newly constructed stepdown/vocational unit.
Status: PER

Reference Number: 19/01693/VARYCO

Description: Variation of Condition 2 pursuant to planning permission 17/00329/VARYCO in order to amend the design
Status: PER

Reference Number: 19/04481/FUL

Description: Erection of 1.8 metre high powder coated mid green Palladin style open mesh fence to perimeter of site. Required to deter people walking on to the grounds of the secure unit.
Status: PER

Reference Number: 19/05035/FUL

Description: Demolition of existing former sports pavilion and erection of single storey workshop incorporating incoming mains service connections, emergency generator, bin store and external working area as supplemented by additional information and drawings received 27/02/20
Status: PER

Reference Number: CM/95/D/230/A

Description: ERECTION OF NEW 12 BED SECURE UNIT A DETAILS OF IMPROVEMENT TO ACCESS ROAD
Status: PER

Reference Number: CM/77/D/626

Description: ERECTION OF SECURE UNIT FOR FIVE CHILDREN
Status: PER

Reference Number: 22/00665/DISCON

Description: Discharge of conditions : 15 (construction method statement) pursuant to planning approval 20/02069/REM
Status: PER

Reference Number: 22/00992/CCD

Description: Erection of polycarbonate screens to top of existing secure walls

Status: PER

Reference Number: 22/01227/FUL

Description: Construction of single storey extension and perimeter walls to courtyards

Status: PER

Reference Number: 22/02584/CLPROP

Description: Certificate of Lawful Development - Propose to erect a motorised sliding gate to the driveway, adjustments to existing fence and drive with intercom.

Status: PER

Reference Number: CM/04/D/932 NCC

Description: Extension to provide additional administration facilities

Status: NOOBJ

Reference Number: CM/04/D/092/NCC

Description: Proposed extension to existing secure unit to provide additional admin facilities.

Status: NOOBJ

4. Consultee Responses

Stannington Parish Council	No response received.
----------------------------	-----------------------

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

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=RMMVD6QSLSC00>

0

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 5 - Health and wellbeing (Strategic Policy)

STP 7 - Strategic approach to the Green Belt (Strategic Policy)

STP 8 - Development in the GreenBelt (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

Stannington NP Policy 10: Design and character

6.4 Other Documents/Strategies

7. Appraisal

7.1 The previously approved application (22/01227/FUL) sought permission for an extension which would have a projection of 7.8 metres and a width of 6.3 metres and boundary treatments to create two secure yards. This application seeks to remove the proposed extension and one yard and extend the perimeter walls of the other approved yard.

7.2 Policy STP 1 of the NLP, read in conjunction with the Policies Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. The application site is located outside of the defined settlement boundary for Stannington and is therefore recognised as being located within open countryside. Despite this, the works would be limited to the existing site curtilage and would remove the previously approved extension and one yard. The proposed amendment to the boundary wall serving the other yard would provide a secure yard area and improve existing boundary treatment arrangements. The principle of development in the open countryside is therefore acceptable.

7.3 Policy STP 7 of the NLP, read in conjunction with the Proposals Map, identifies green belt boundaries throughout the county of Northumberland. The application site is washed over by green belt therefore, policy STP 8 of the NLP is relevant within this assessment.

7.4 Policy STP 8 of the NLP directs the decision maker to the NPPF when determining if a development would be recognised as inappropriate within the green belt. Paragraph 149 of the NPPF sets out exceptions to inappropriate development in the Green Belt. Criterion (c) of paragraph 149 includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Paragraph 150 outlines further works that would be considered acceptable providing they do not impact upon openness. Whilst the provision of boundary treatments isn't explicitly listed within the exceptions, the LPA accept the provision of necessary boundary treatments within the Green Belt. The boundary treatment would be within the built envelope of the site, and would be necessary to secure the site. The limited scale of the works ensure they would not cause harm to the physical or visual openness of the Green Belt nor conflict with the purposes of the Green Belt as set out within paragraph 138 of the NPPF. The principle of development in the Green Belt is therefore acceptable.

Visual Amenity

7.5 The proposed amendment to the boundary treatment would be located to the north eastern side of the existing building within the existing built form of the site. The wall would match the height of the adjoining walls on site. The wall would not appear excessive in relation to the existing building. The materials proposed are to match those existing and as such it is considered that the proposal would not result in visual harm to the surrounding area.

Impact on neighbouring amenity

7.6 With regards to neighbouring amenity, there are no residential properties located within close proximity to the proposed amendments, which will be screened from view by the existing built form on the site. As such there would be no further harm to the amenities of neighbouring occupiers by way of impact to outlook, loss of light or overdevelopment. The proposals would therefore comply with the requirements of the Northumberland Local Plan and the NPPF. No representations/objections have been received against the application from neighbouring residents following the consultation process.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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 local policies 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 acceptable. The proposal is therefore recommended for approval.

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:

Proposed Floor Plans Drawing No: 1014-521D Received 06 January 2023

Proposed Elevations Drawing No: 1014-524A Received 06 January 2023

Site Block Plan Drawing No: 1014-522A Received 06 January 2023

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of QOP2.

Date of Report: 25.04.2023

Background Papers: Planning application file(s) 22/04586/VARYCO