

NORTHUMBERLAND COUNTY COUNCIL

TYNEDALE LOCAL AREA COMMITTEE

At a meeting of the **Tynedale Local Area Committee** held at County Hall, Morpeth on Tuesday, 13 June 2023 at 4.00 p.m.

PRESENT

Councillor T Cessford
(Chair, in the Chair for agenda items 1-4, 9)

Councillor SH Fairless-Aitken
(Planning Vice-Chair, in the Chair for agenda items 5-8)

MEMBERS

A Dale
C Horncastle
I Hutchinson
D Kennedy (1 - 6)
N Morphet
N Oliver

J Riddle
A Scott
A Sharp
G Stewart
HR Waddell

OFFICERS

N Armstrong
D Hadden
C Harvey
E Sinnamon
N Turnbull

Principal Planning Officer
Solicitor
Senior Planning Officer
Head of Planning
Democratic Services Officer

ALSO PRESENT

6 members of the public and 1 press.

1. MEMBERSHIP AND TERMS OF REFERENCE

The Membership and Terms of Reference, as agreed by Council at the meeting on 17 May 2023, had been circulated for information.

The Chair reported that Councillor Waddell was now a member of the Independent Group.

Councillor Kennedy informed the Committee that he had written to Democratic Services to nominate Councillor Waddell as Vice-Chair of the Tynedale Local

Ch.'s Initials.....

Area Committee, instead of himself. This would be followed up after the meeting.

RESOLVED that the Tynedale Local Area Committee's membership and terms of reference, as agreed by Council on 17 May 2023, be noted.

2. PROCEDURE TO BE FOLLOWED AT PLANNING MEETINGS

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

3. MINUTES

RESOLVED that the minutes of the meeting of the Tynedale Local Area Council, held on 9 May 2023, as circulated, be confirmed as a true record and signed by the Chair.

4. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Dale declared a personal and non-prejudicial interest in agenda item no 7 planning application 23/00727/FUL as she visited the premises for meals.

5. DETERMINATION OF PLANNING APPLICATIONS

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

RESOLVED that the information be noted.

6. 23/00727/FUL

Retrospective: Amended scheme for retention of existing structure for ancillary pub space, community space and car port within car park Feathers Inn, Hedley, Stocksfield, Northumberland, NE43 7SW

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

The Principal Planning Officer introduced the application with the aid of a powerpoint presentation and reported the following:

- Two further representations in support have been received since the report had been prepared. These raised similar issues to those already summarised in the report in terms of the roof material being acceptable, the structure not detracting from the area and that it supported the business and community.
- The applicant had also provided some further supporting information earlier that day that demonstrated the benefits of the structure to the ongoing viability of the business.

Cllr Arne Wolters, Vice-Chairman of Hedley Parish Council, spoke in support of the application. He made reference to the following main points:-

- The Feathers Inn was a key business in the parish and county; attracting tourism, employing local people and supporting local business. The inn has a reputation for its food, having won several prestigious accolades and listed in the Michelin guide for many years. Like many pubs it was fighting for survival. The structure under discussion was essential as it supported the sustainability of the business. In the opinion of the Parish Council this outweighed any perceived harm. The Parish Council was keen to support the business.
- There was strong support from residents. The parish of Hedley comprised 50 households in the village and 30 more in the surrounding area. This suggested that the harm from the structure or roofing material was minimal.
- He represented the local community and made reference to the 108 comments in support of the application on the planning portal. There were no comments against. Also, no concerns had been raised with the Parish Council.
- The visual impact from the highway was minimal as illustrated in some of the pictures enclosed with the application. The corrugated material that was visible when approaching the structure was in keeping with the rural and agricultural surroundings that were a core part of the character of the village.
- The shelter and inn were essential to the local community as it was the only amenity and at the heart of rural village life. The Feathers Inn had provided unwavering support, hosting all parish council and village meetings. The structure provided important shelter during many events organised by the parish council. It was an asset to the community.
- The community in Hedley alone could not sustain the pub and therefore the inn relied on tourism to be sustainable.
- In summary, the Feathers Inn was an important business providing vital local employment, supporting local businesses and bringing tourism to Northumberland. There was strong support from the local community which suggested no harm from the structure, which was an important asset to the community.
- The Parish Council hoped that the committee would support the application.

Helen Greer, the applicant spoke in support of their application. She highlighted the following:-

- Upon realising the business case was relevant in the determination of the application, details had been provided to the planning officer. The Inspector had not seen this evidence and had dismissed the appeal solely on design grounds.
- The polycarbonate roof provided significant benefits to business, employment and community what significant harm to the character of the area.
 - The structure provided a 50% increase in covers.
 - The jobs of 6 members of staff relied directly on the structure.
 - The structure generated £75,000 turnover which was a substantial part of the turnover for the business without which it would not be sustainable.
 - They would lose an extra £12,000 without the structure.
- If the business was closed, the harm would be wide ranging and impact on other local businesses as the previous month they had spent:
 - £3,000 on meat from Haydon Bridge.
 - £400 dairy from Slaley.
 - £2,000 on fish from North Shields.
 - £1,000 on ale from Allendale.
 - This totalled £70,000 for these businesses each year.
- They employed 18 staff from Stocksfield and Prudhoe providing £200,000 in salaries.
- They had recently won 2 North East Tourism awards with the pub winning the most awards in the North East. They were considered a best example for attracting tourism.
- In accordance with paragraph 126 of the NPPF, they believed they had created a high-quality sustainable structure using locally sourced timber from sustainable woodland. The addition of a section of green roof would improve biodiversity as a climatic response to previous comments.
- With regard to the suggested harm from the current roof material and paragraph 130 of the NPPF:
 - The material had been chosen because it was attractive, light, warm, transparent, unobtrusive and a high-quality contemporary response to surrounding farm buildings.
 - Suggesting that it could only be slate ignored many of the surrounding agricultural buildings that formed the backdrop of the village.
 - The structure and material represented a high-quality response to the rural location and agricultural history. If this aspect of the village character was dismissed, part of the culture which remained at the heart of the community and embraced by residents was also dismissed.
- Slate would not work as it was cost prohibitive at £6,000. The structure would not function with a slate roof as guests chose to sit under the structure as it was light warm and attractive over the shade cast by canvas, when a temporary tent was used. They therefore knew that a shady structure would not bring the business the same benefits.
- The benefits to the business, tourism and employment outweighed any possible harm from the polycarbonate roof.
- Business had never looked so bleak. Whilst sales were back to pre-Covid levels, inflation was eating into their profits and their finances would not

- work without the structure. Utility costs had increased by 177%. There was no price cap for businesses, and this had drained their resources.
- Most basic ingredients had gone up at least 50% with potatoes having gone up 170%. They were paying staff 25% more than pre-Covid levels in order to retain them. Running a pub was never easy but there was a limit on how much additional strain they could take.
 - Banks did not give overdrafts and they would have no option to close if they ran out of money. They couldn't sell the pub as no-one wanted them and banks would not give a mortgage. Most Northumbrian villages of a similar size could not sustain a pub. Many village pubs were in decline. Once shut, they didn't re-open with the amenity being lost to local people and tourists.
 - The structure was necessary for the business to survive in the future.
 - Residents in the village chose the structure for their important life events as the pub was tiny inside. The outdoor space hosted village events which would otherwise not happen. It was the only community asset in the village.

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

- A previous application and appeal to the Planning Inspectorate were refused due to the use of the polycarbonate material on the roof that adversely affects the character and appearance of the area. The current application proposed to introduce a strip of green roof. Officers were not of the view that the harm from the development would be outweighed by the benefits of the application.
- The use of alternative materials had been queried including natural slate.
- Highways Development Management (HDM) had concluded that the proposed structure had not had an impact on the highway network and had not objected.
- Slate would have been more in keeping with materials used on surrounding buildings. A new application incorporating openings in the roof to maintain light under the structure would need to be considered under a separate planning application.
- An additional wooden structure with a canvas roof on the southern part of the car park area did not form part of this application. HDM had not suggested a condition that the car park be kept clear and used for parking.
- There was no evidence to suggest whether the structure could or could not support a slate roof and may not have been explored by the applicant. They had explained why they preferred to retain the transparent roof.
- Contemporary designs had been used elsewhere on other buildings incorporating green or sedum roofs to soften the impact although an example could not be given of a public house where this had been utilised.
- The Inspector had made reference to there being other corrugated roof materials on nearby buildings, these were localised and not in as prominent a position.
- Late evidence had been submitted earlier that day regarding the financial position of the inn and support to other businesses. It was confirmed that this was a material planning consideration. Members needed to determine

what weight to give to that information along with the significant number of comments in support and whether it outweighed the harm from the material used on the roof.

- Whilst some financial evidence had been provided to the Planning Inspector, the information received before the meeting more obviously demonstrated the benefits of the structure to the ongoing viability of the business. Previously there had been reference to its use during the pandemic and associated restrictions. The applicant's statement regarding proposed use was clearer regarding use for car parking but also community and pub use. No concerns had been raised in respect of highway safety as parking was available elsewhere.
- Whilst there may have been reference to a petition in support of the structure on social media, this had not been submitted to the Council. Petitions were dealt with in accordance with the Petitions Protocol and incorporated with the officer's planning report. Ideally, members of the public were encouraged to submit their comments via the planning portal so an overview of their views could be obtained. Over 100 comments had been made in support of the application which gave a view of the significant support in the village.
- A summary of responses was set out in paragraph 5 of the officer's report.
- Relevant planning policies were identified in paragraph 6 of the report and included consideration of ECN 13 Meeting Rural Employment Needs, ECN 15 Tourism and Visitor Development and ECN 16 Green Belt and Tourism and Visitor Economy and how these were balanced against the Planning Inspector's decision and late information submitted by the applicant and the impact of the structure on their financial position. Members could take a different view on what weight they gave each aspect.
- Temporary consent could be granted for a period of time, e.g. two years or if the premises ceased to trade as a public house and conditions applied to require that the structure be removed. A further application would be required after this time if the roof material needed to be changed.
- Use of alternative materials had been queried with the applicant and their agent. The Planning Inspector had expressed a preference for slate. Other contemporary designs elsewhere had incorporated materials such as steel sheets or zinc which had weathered to a grey colour. The applicant had stated their preference for the transparent polycarbonate roof as it allowed light to come through which they wanted to keep, they had stated that slate was also cost prohibitive for them.
- Officers had applied significant weight to the Planning Inspector's decision due to the impact on the character of the areas and description of the roof material being inappropriate. The latest planning application incorporated a strip of green roof. Members would need to consider whether this addition and financial information and benefits to the community outweighed the harm from use of the roof material and give these more weight than officers.
- It was now accepted that the structure would not result in inappropriate development in the Green Belt. The structure was not a listed building.

Councillor Kennedy proposed that the application be granted, contrary to the officer's recommendation that the application be refused, as the benefits of

the premises as a community asset, the long-term viability of the business and support for the local economy and employment outweighed the harm to the character and appearance of the area. This was seconded by Councillor Fairless-Aitken.

Several members expressed their support for the planning application which was vital to employment and the economy in a rural area. They felt that the additional strip of green roof and supporting financial information made it materially different to the previous application which had been dismissed by the Planning Inspector. It was the only community asset in the village. The planning application had received significant support with no objections, particularly from neighbours directly opposite the premises.

Other members sympathised with the difficult circumstances faced by the applicant but did not think the roof material was appropriate or that a case had been made to make a decision different to the Planning Inspector's.

Councillor Oliver expressed his support for a temporary permission and did not think it appropriate that the roof material be given permanent permission. He suggested that permission be granted with a condition that the structure be removed if the premises ceased to trade as a public house. He provided clarification that the permission was not to be granted for a particular period of time.

Councillor Kennedy did not agree to amend his proposal. The amendment to the motion put forward by Councillor Oliver was not seconded and therefore failed.

Upon Councillor Kennedy's proposal being put to the vote the results were as follows: -

FOR: 8; AGAINST: 5; ABSTENTION: 0.

RESOLVED that the application be **GRANTED** permission for the reasons stated above with the wording of conditions to be delegated to the Head of Planning in consultation with the Chair and subject to a condition that the green roof should be installed within 3 months of the date of the permission.

Councillor Kennedy left the meeting.

- 7. 19/00068/VARYCO**
Variation of Condition 2 (Approved Plans) pursuant to planning permission 16/01241/VARYCO in order to alter Plots 1, 2 and 3 (amended description 05/05/2023).
Land North of White House, The Green, Acomb, Northumberland NE46 4PJ

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

The Senior Planning Officer introduced the application with the aid of a powerpoint presentation and circulated the following updates. Members were allowed time to read them.

Update 1:

The 2nd bullet point at the end of Section 5 of the officer report stated that “amended plans have been received showing Plots 2 and 3 would remain single storey dwellings, with no first floor accommodation.”

This statement was in error, as the received plans show the retention of bedrooms and bathrooms at first floor level at Plots 2 and 3. The proposal had been considered by Officers in light of those plans when writing the report, and it was still considered by Officers that the proposed first floor accommodation would not lead to an adverse impact on the amenity of neighbouring residents. Officers also considered that sufficient car parking has been provided within the site for these proposed bedrooms.

Following this update, there was no change to the conclusion of the assessment by Officers, and Officers still recommended approval.

Update 2:

The Reasons given for Conditions 2, 3, 4 and 5 be updated to state the following:

“Reason: In the interest of the satisfactory appearance of the development, and in the interest of the character and appearance of the Acomb Conservation Area, in accordance with Policies HOU9, QOP1, QOP2, ENV1, ENV7 and ENV9 of the Northumberland Local Plan, Policies 6, 8, 9 and 10 of the Acomb Neighbourhood Plan, and the National Planning Policy Framework.”

Update 3:

Condition 1 lists the submitted drawings. Following publication of the officer report, Officers have noted that there were errors on those drawings when compared to the as-built development, as those drawings are dated from 2021. Following the publication of the officer report amended drawings had been received showing amended rooflights for Plots 2 and 3, and therefore Condition 1 should be amended to read as follows:

1) The development hereby permitted shall be retained in complete accordance with the approved plans. The approved plans for this development are:

20-01-04 – Floor and Roof Plans and Proposed (Plot 1)
20-01-05 Revision A – Elevations as Proposed (Plot 1)
20-01-10 Revision A – Site Location Plan
20-01-11 Revision A – Site Block Plan as Proposed

20-01-12 Revision A – Floor Plans as built as Proposed (Plot 2)
20-01-13 Revision B – Elevations as Proposed (Plot 2)
20-01-14 – Floor Plans as built as Proposed (Plot 3)
20-01-15 Revision A – Elevations as Proposed (Plot 3)
20-01-16 Revision A – Garage as built (Plot 3)
20-01-17 Revision E – Landscaping as Proposed
20-01 HAY01 – Hayshed Doors

18011-8 – Window Detail
18011-9 – Bi-fold Doors Detail
18011-10 – Roller Shutter Door Detail

Updated Hayshed Repair Works Method Statement – Dated 09.03.2023, by
Darryl Bingham Architectural Services

A009-111 Revision A - The Hay barn – Proposed building - received
23.10.2014

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

Members should note that the amended drawings showed a reduction in
rooflights on the eastern elevation of Plot 2, therefore the amendments lead to
a betterment when compared to the original drawings listed in Condition 1 on
the officer report.

Following the update, there was no change to the conclusion of the
assessment by Officers, and Officers continued to recommend approval.

Update 4:

The officer recommendation should now read:

“That Planning Permission be **GRANTED** for the proposed development in
respect of the amended plans received 13th June 2023.”

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

- The original plans for Plot 1 had proposed painted timber double glazed windows and doors although white upvc bi-fold doors had been installed.
- Whilst the Built Heritage and Design Officer had expressed concerns regarding the use of upvc openings and rainwater goods, the planning officers did not feel that the changes were unacceptable to merit refusal.
- Whilst it was regrettable that it had been necessary for a retrospective application to be submitted to regularise the differences between the plans and the actual development, on balance the changes were not unacceptable.
- The site was located within a Conservation Area.

- The Enforcement Team were aware that the buildings on the site had not been built in accordance with the approval plans and had invited the planning applications for variation. A number of other planning applications had been considered within the last 6 months. If there were any further changes, these would be investigated although it was hoped that no further applications would be required.
- Current planning legislation allowed for retrospective applications and variations to applications. Although retrospective applications may not be the preferred process, members have the benefit of being able to see what had been built. The concerns of the Built Heritage and Design Officer regarding the poor-quality design in the Conservation Area had been considered, but on balance, given the location, which was set back from the main street, planning officers considered that what had been built was acceptable.
- The openings had been constructed with a mix of timber and upvc. Plot 1 had timber windows.
- There was no limit on the number of variations to planning applications which could be submitted for any aspect of the development. The planning department dealt with a significant number of variation applications due to design changes.
- The condition for the original application required that the development be built in accordance with the approved drawings which had referred to timber openings.
- If the application was refused, the applicant could appeal to the Planning Inspectorate; possible determination in support of the officer's recommendation was a factor that had been considered by officers.

Councillor Horncastle proposed acceptance of the of the officer's recommendation to approve the application with the officer's amendments circulated at the meeting and detailed above. This was seconded by Councillor Riddle.

Upon being put to the vote the results were as follows: -

FOR: 11; AGAINST: 1; ABSTENTION: 0.

RESOLVED that the application be **GRANTED** permission for the proposed development in respect of the amended plans received 13th June 2023 for the reasons outlined in the report and with the conditions as set out in the officers report as amended by the following amendments:

- Condition 1 be amended to read as follows:

1) The development hereby permitted shall be retained in complete accordance with the approved plans. The approved plans for this development are:

20-01-04 – Floor and Roof Plans and Proposed (Plot 1)
 20-01-05 Revision A – Elevations as Proposed (Plot 1)
 20-01-10 Revision A – Site Location Plan

20-01-11 Revision A – Site Block Plan as Proposed
20-01-12 Revision A – Floor Plans as built as Proposed (Plot 2)
20-01-13 Revision B – Elevations as Proposed (Plot 2)
20-01-14 – Floor Plans as built as Proposed (Plot 3)
20-01-15 Revision A – Elevations as Proposed (Plot 3)
20-01-16 Revision A – Garage as built (Plot 3)
20-01-17 Revision E – Landscaping as Proposed
20-01 HAY01 – Hayshed Doors

18011-8 – Window Detail
18011-9 – Bi-fold Doors Detail
18011-10 – Roller Shutter Door Detail

Updated Hayshed Repair Works Method Statement – Dated 09.03.2023, by
Darryl Bingham Architectural Services

A009-111 Revision A - The Hay barn – Proposed building - received
23.10.2014

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

- The reasons given for Conditions 2, 3, 4 and 5 to be updated to state
the following:

“Reason: In the interest of the satisfactory appearance of the development,
and in the interest of the character and appearance of the Acomb
Conservation Area, in accordance with Policies HOU9, QOP1, QOP2, ENV1,
ENV7 and ENV9 of the Northumberland Local Plan, Policies 6, 8, 9 and 10 of
the Acomb Neighbourhood Plan, and the National Planning Policy
Framework.”

8. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

RESOLVED that the information be noted.

9. DATE OF NEXT MEETING

The next meeting would be held on Tuesday 11 July 2023.

CHAIR _____

DATE _____