



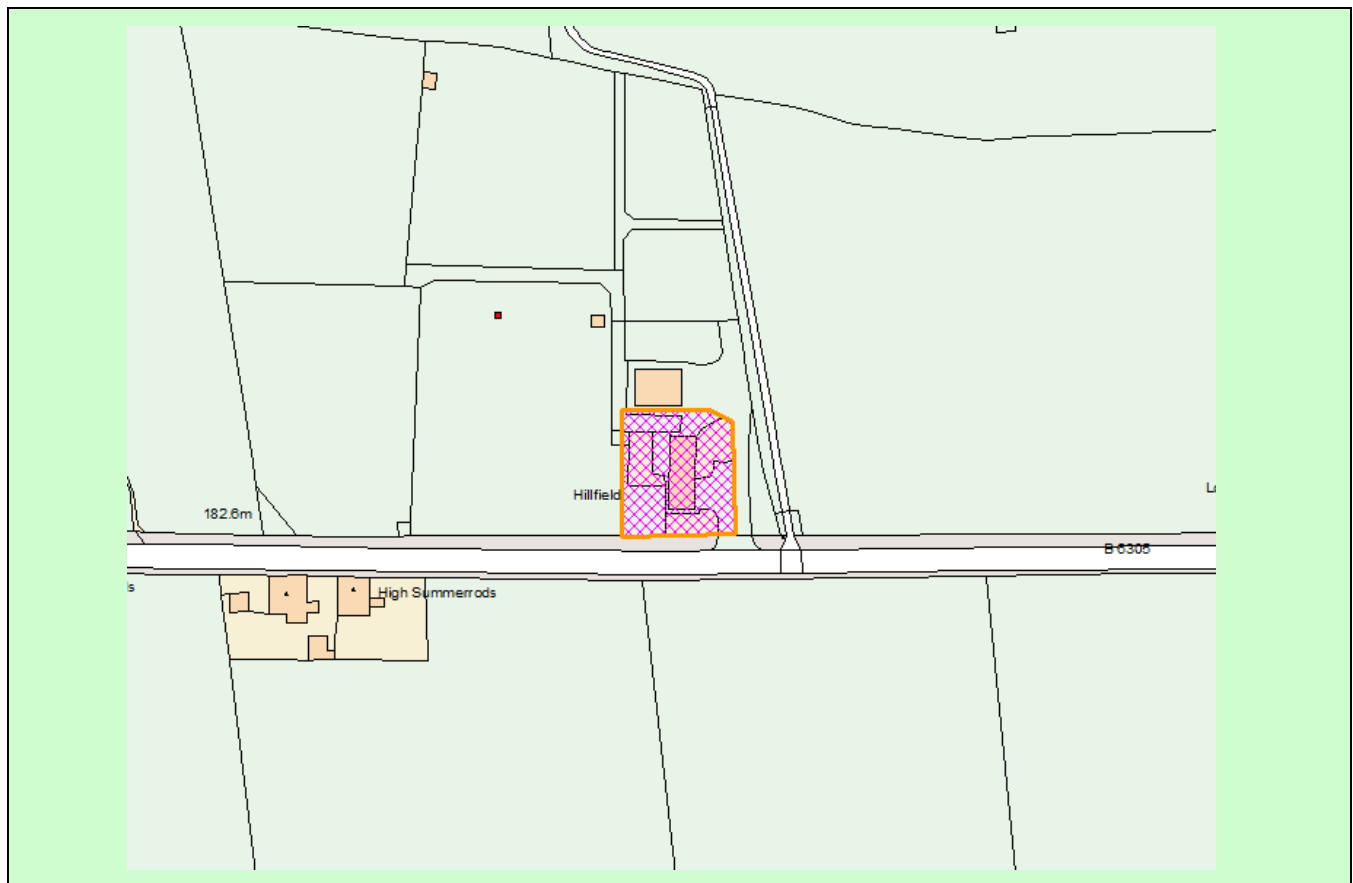
# Northumberland County Council

## Tynedale Local Area Council Planning Committee

14 November 2023

<b>Application No:</b>	23/03362/FUL		
<b>Proposal:</b>	Retention and change of use from agricultural workers chalet to holiday chalet.		
<b>Site Address</b>	Hillfield, Allendale Road, Hexham, Northumberland, NE46 2NJ		
<b>Applicant:</b>	Mr & Mrs Paul Shrimpton Hillfield, Allendale Road, Hexham, Northumberland NE46 2NJ	<b>Agent:</b>	Mr Bryan Youlden Squirrel Barn, Green Haworth, Accrington, BB5 3SL
<b>Ward</b>	Hexham West	<b>Parish</b>	Hexham
<b>Valid Date:</b>	8 September 2023	<b>Expiry Date:</b>	3 November 2023
<b>Case Officer Details:</b>	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 07966332006 Email: Rachel.Campbell02@northumberland.gov.uk		

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



## 1. Introduction

1.1 The application falls to be determined by the local area planning committee as a local Member has requested such within 21 days of the application being registered, in accordance with the current scheme of delegation.

## 2. Description of the Proposals

2.1 Planning permission is sought for the permanent retention and change of use of a chalet previously given temporary consent as a rural workers dwelling. The proposed use of the chalet would be for holiday accommodation purposes on land at Hillfield, Allendale Road, near Hexham.

2.2 In October 2015, planning permission was granted under application reference: 15/01278/FUL for the construction of a temporary rural workers dwelling and one permanent agricultural building on land at Hillfield in order for the applicant to establish the rural business on the site with a view to then obtaining planning permission for a permanent dwelling. The permission for the temporary rural workers dwelling was for a period of three years only, starting from the date of commencement of its construction. This temporary permission was implemented in February 2018 and lapsed three years later, in February 2021 but the building was not removed from the site as required by the temporary consent.

2.3 In December 2022, planning permission was granted under application reference: 21/00256/FUL for the construction of a permanent rural workers dwelling on land at Hillfield. Subsequently in February 2023, the applicant applied for and was granted planning permission under application reference: 21/02553/FUL for the retention of the temporary rural workers dwelling, which was granted for a period of 18 months to allow the applicant to continue living in the temporary rural workers dwelling, whilst the permanent rural workers dwelling is under construction. Once the temporary permission has expired it is required that the temporary rural workers dwelling, which takes the form of a timber chalet building, would be removed from the site and the land would be reinstated.

2.4 In June 2023, planning permission was refused under application reference: 23/01319/COU for an identical application as that currently under consideration. There were two reasons for refusal, which are set below:

- 1. The proposed development represents inappropriate development in the Green Belt and open countryside. The proposed development would have a materially greater impact on the openness of the Green Belt in this location. Very special circumstances have not been demonstrated to outweigh the harm to the Green Belt and any other harm, caused by the development. As such the application is contrary to Policies STP 1, STP 7, STP 8, ECN 15, ECN 16 of the Northumberland Local Plan, Policies HNP 1 and HNP 23 of the Hexham Neighbourhood Plan and the principles of the National Planning Policy Framework.*
- 2. By virtue of its prominent location and design, the proposed development would have a resultant harmful visual impact upon the rural character and appearance of the site and the surrounding landscape and would result in an incongruous*

*form of development. The proposal would therefore be contrary to Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the Northumberland Local Plan, and the principles of the National Planning Policy Framework.*

- 2.5 This current planning application contains supporting information states that the proposals would allow the applicant to support, develop, expand and diversify the existing alpaca business/farm and the tourist related activities it offers.
- 2.6 The existing chalet building measures 20 metres in length, 6.8 metres in depth and measures 4.7 metres to the ridge of the roof (at its highest point from ground level). The chalet building is constructed of timber. The chalet building comprises of four bedrooms (one of which is en-suite), kitchen/family room, living/dining room, utility, and shower room and two areas of external decking: one to the east (front) and one to the west (rear).
- 2.7 The application site is located at Hillfield, within the open countryside and within the Green Belt, to the west of, and outside of, the settlement of Hexham. The application site is within an Area of High Landscape Value, is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI) and is within a 500-metre buffer of an Ancient Woodland.

### 3. Planning History

**Reference Number:** 15/01278/FUL

**Description:** Construction of 1no. temporary agricultural dwelling house and 1no. agricultural building

**Status:** Permitted

**Reference Number:** 15/03819/DISCON

**Description:** Discharge of conditions 6 and 8 from planning application 15/01278/FUL

**Status:** Permitted

**Reference Number:** 15/04335/NONMAT

**Description:** Non-material amendment (repositioning of agricultural building) on approved planning application 15/01278/FUL

**Status:** Permitted

**Reference Number:** 17/04542/DISCON

**Description:** Discharge of condition 6 (exterior walls of chalet and roof) on approved planning application 15/01278/FUL.

**Status:** Permitted

**Reference Number:** 18/01519/DISCON

**Description:** Discharge of conditions 4 (new vehicular access to the site) and 5 (parking and manoeuvring shall be consolidated, surfaced and drained) on approved planning application 15/01278/FUL (amended description).

**Status:** Permitted

**Reference Number:** 21/00256/FUL

**Description:** Construction of dwelling for agricultural worker

**Status:** Permitted

**Reference Number:** 21/02553/FUL

**Description:** Application to retain timber chalet building for a temporary period and for this to be used as a temporary agricultural workers dwelling (amended description)

**Status:** Permitted

**Reference Number:** 23/01319/COU

**Description:** Retention and change of use from agricultural worker's chalet to holiday chalet

**Status:** Refused

#### 4. Consultee Responses

Forestry Commission	No response received.
Hexham Town Council	No response received.
Highways	No objection subject to conditions and informatives.
County Ecologist	No comment to make on this application.
Public Protection	No comment to make on this application.
Architectural Liaison Officer - Police	No response received.
Tourism, Leisure & Culture	No response received.

#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	1
Number of Support	24
Number of General Comments	0

##### Notices

General site notice - displayed 5th October 2023

No Press Notice Required.

##### Summary of Responses:

Twenty-four representations of support have been received in relation to this application and are summarised below:

- Fully support the application.
- Local businesses in the area rely heavily on tourists visiting the area and staying in self-catering accommodation and hotels.
- There is demand for holiday accommodation, including of this type, in this area.

- The proposal would improve the holiday accommodation on offer in this area.
- The proposal would create local jobs (cleaning services etc.).
- The alpaca business is a fantastic asset to the local community.
- The existing business supports the local economy and provides cultural and wellbeing benefits to the community and visitors.
- The applicants do a lot for charity, and if the business were to increase its profits through the holiday home, the applicants would likely increase their charity work which would benefit the whole Tyne Valley community.
- The proposed holiday accommodation is of an appropriate design which is sympathetic to the surrounding countryside.
- The proposed holiday accommodation does not obstruct any views in the countryside.
- The refusal of this application could lead to the loss of the existing, well-established alpaca business and a local family.
- The proposed holiday accommodation would be of a high standard, with the applicants having previously run a well-respected B&B nearby.
- The removal of the chalet building would be a waste and unsustainable; environmentally and economically.
- Using this chalet building as a holiday let would enable the alpaca business to continue to grow and to support all of its great work.
- The agricultural industry needs to be able to diversify in challenging times.
- The proposed holiday accommodation would contribute to the applicant's business and would be an asset for tourism in this area.
- The benefits from the proposal and from the business would outweigh the Green Belt concerns.
- The proposals would not impact on the openness of the Green Belt.
- Very special circumstances exist, and the application should be approved.
- The proposals would meet the aims of the Northumberland Local Plan and the Hexham Neighbourhood Plan.
- The proposals would support the local economy.
- The retention of the chalet building would be a catalyst for the expansion of the alpaca herd, which would result in greater employment and wealth for the local economy.
- Hosting prospective buyers (nationally and internationally) of alpacas on the farm would be beneficial to the existing business as potential buyers often take several days of visits before a deal is agreed and/or they have travelled long distances.
- Other alpaca breeders from across the country who travel for agricultural shows would likely stay in the proposed holiday accommodation.
- The proposal would enhance the existing community facility/tourist attraction provided at Hillfield.
- Approving this application would allow this local business to survive and develop and diversify.
- The proposal should be supported to allow others to gain valuable work experience.

One representation of objection has been received in relation to this application and is summarised below:

- Whilst the applicant clearly has an established rural business, they accepted the conditions set out in the temporary planning permission for

the chalet building, which ultimately seeks to protect the Green Belt in the long term.

- Concerns regarding impact on the Green Belt.
- The applicants have permission to build a new permanent dwelling and also want to retain the temporary cabin permanently as a holiday let to fund the build. Therefore, there would be two permanent buildings at the site, and this is not the purpose of planning regulation.
- The application states that the business is thriving but will have to close if this application is not allowed. There is little logic to this statement as they have a dwelling which they currently live in.

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=S0M9LQQSKFQ00>

## **6. Planning Policy**

### **6.1 Development Plan Policy**

*Northumberland Local Plan (2022)*

Policy STP 1 – Spatial Strategy (Strategic Policy)  
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)  
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)  
Policy STP 4 – Climate Change Mitigation and Adaptation (Strategic Policy)  
Policy STP 7 – Strategic Approach to the Green Belt (Strategic Policy)  
Policy STP 8 – Development in the Green Belt (Strategic Policy)  
Policy ECN 1 – Planning Strategy for the Economy (Strategic Policy)  
Policy ECN 12 – A Strategy for Rural Economic Growth (Strategic Policy)  
Policy ECN 13 – Meeting Rural Employment Needs (Strategic Policy)  
Policy ECN 14 – Farm/Rural Diversification  
Policy ECN 15 – Tourism and Visitor Development  
Policy ECN 16 – Green Belt and Tourism and Visitor Economy  
Policy QOP 1 – Design Principles (Strategic Policy)  
Policy QOP 2 – Good Design and Amenity  
Policy QOP 4 – Landscaping and Trees  
Policy QOP 5 – Sustainable Design and Construction  
Policy QOP 6 – Delivering Well-Designed Places  
Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)  
Policy TRA 2 – The Effects of Development on the Transport Network  
Policy TRA 4 – Parking Provision in New Development  
Policy ENV 1 – Approaches to Assessing the Impact of Development on the Natural, Historic, and Built Environment (Strategic Policy)  
Policy ENV 2 – Biodiversity and Geodiversity  
Policy ENV 3 – Landscape  
Policy ENV 4 – Tranquillity, Dark Skies, and a Sense of Rurality  
Policy WAT 2 – Water Supply and Sewerage  
Policy POL 1 – Unstable and Contaminated Land

### **6.2 National Planning Policy**

*National Planning Policy Framework (NPPF) (2023)*  
*National Planning Practice Guidance (NPPG) (2021)*  
*National Design Guide (2021)*

### 6.3 Neighbourhood Planning Policy

*Hexham Neighbourhood Plan (2021)*

Policy HNP 1 – Sustainable Development  
Policy HNP 2 – High Quality Sustainable Design  
Policy HNP 17 – Hedgerows, Trees and Verges in Hexham  
Policy HNP 23 – Hotel and Tourism Accommodation

## **7. Appraisal**

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan and the Hexham Neighbourhood Plan. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are material considerations in determining this application.

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

- Principle of the development and Green Belt.
- Design and landscape impact.
- Amenity.
- Highway safety.
- Ecological impacts.
- Drainage and sewerage.

### *Principle of the Development and Green Belt*

7.3 The application site is located within the open countryside to the west of Hexham. As a starting point, Part 1(g) of Policy STP 1 of the Northumberland Local Plan is supportive of development in the open countryside where it can be demonstrated that it meets one of several criteria. The following criteria, set out under Part 1(g) of Policy STP 1, are applicable to this application:

- i) Supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13;*
- ii) Supports the development and diversification of agricultural and other land-based rural businesses in accordance with Policy ECN 14;*
- iii) Supports sustainable rural tourism and leisure developments in accordance with Policy ECN 15.*

7.4 Part 1(i) of Policy STP 1 of the Northumberland Local Plan follows on to state that “*development in the open countryside should be sensitive to its surroundings, not*

*have an unacceptable impact upon the local road network and use previously developed land where opportunities exist”.*

- 7.5 Policy ECN 1 of the Northumberland Local Plan sets out the spatial strategy for economic development and regeneration and is generally supportive of development proposals that support both existing and new businesses, that support rural enterprise and that support and promote tourism and the visitor economy.
- 7.6 Policy ECN 12 of the Northumberland Local Plan encourages the growth of the rural economy through, within constraints, facilitating the formation, growth, and upscaling of businesses in rural locations. The proposed development, comprising of the permanent retention and change of use of the temporary rural workers dwelling for holiday accommodation purposes on land at an existing farm, would constitute diversification of the existing agricultural business and would accord with the general principles of Policies ECN 1 and ECN 12 of the Northumberland Local Plan.
- 7.7 Policy ECN 13 of the Northumberland Local Plan, which relates to meeting rural employment needs, recognises the role of rural locations in providing employment opportunities, to meet the needs of those living in such areas. Part 1 of Policy ECN 13 is supportive of development in the countryside that generates employment opportunities, proportionate to the rural location, where all three of the following listed criteria apply:
- (a) Existing buildings are reused or, where this is not possible, extensions or new buildings that contribute positively to local landscape character and, where applicable local building traditions;*
  - (b) The proposal is related closely as possible to the existing settlement pattern, existing services and accessible places;*
  - (c) It will not have an adverse impact on the operational aspects of local farming or forestry.*

Part 2 of Policy ECN 13 follows on to state that within the parameters of the above criteria, particular support will be given to proportionate well-related development, necessary for the continued operation in situ of an existing rural business.

- 7.8 It is officer opinion that none of the above criteria set out in Part 1 of Policy ECN 13 are met in this particular instance. Whilst it is recognised that the application proposes to re-use the existing timber chalet building at Hillfield, this is a temporary building which is required to be removed from site by August 2024. The proposal will therefore be assessed in principle as a new building due to its proposed permanent retention. It is also considered that the timber chalet building does not contribute positively to the local landscape character; however, this will be discussed in more detail in the following design and landscape impact section of this report. The proposed development cannot be considered to relate closely to an existing settlement pattern, and it is considered that the proposed development could potentially have an adverse impact on the operational aspects of the applicant's alpaca farm as it would involve the change of use of the applicant's property, which is currently a temporary rural worker's dwelling and under planning application references: 15/01278/FUL, 21/00256/FUL and 21/02553/FUL it was established that there is an essential need for a worker to live at the site. It is noted that the submitted Planning and Design Statement



indicates that the financial income from the proposed development is required in order to build the permanent rural workers dwelling, due to increased building costs and changing economic circumstances. The submitted Planning and Design Statement also indicates that the applicant intends to live in the timber chalet building until the permanent rural workers dwelling is constructed and can be occupied. Only then would the applicant change the use of the timber chalet building to holiday accommodation. However, these two statements within the submitted Planning and Design Statement appear to be contradictory and it is recognised that once planning permission is granted for the permanent retention and change of use of the timber chalet building, the change of use can occur at any time up to three years from the date of the permission. The proposed change of use could potentially mean that there would not be a rural worker's dwelling at Hillfield for the applicant to reside in, as at the time of the case officer's site visit, planning permission 21/00256/FUL for the permanent rural worker's dwelling had not been implemented.

7.9 As none of the criteria are met within Part 1 of Policy ECN 13; it is considered that the proposed development would not accord with Policy ECN 13 of the Northumberland Local Plan.

7.10 Policy ECN 14 of the Northumberland Local Plan relates to rural diversification. Part 1 of Policy ECN 14 supports rural diversification proposals if the proposed use is one of the following:

- (a) Directly related to agricultural, horticultural or forestry operations, or other activities, which by their nature would require a rural location; and/or*
- (b) For leisure, recreation or tourism activities that require open land in a countryside location; and/or*
- (c) A business or employment generating use that complies with Policy ECN 13.*

Part 2 of Policy ECN 14 follows on to state that the scale, nature, and detailed location of proposals for rural diversification should not prejudice the long (or short-term) operational needs of the host farm or other rural operations.

7.11 It is officer opinion that the proposed development would meet criterion b) as generally this type of tourism development is better suited to rural locations than a more built-up location, such as within or on the edge of a settlement and requires open land in order to be an attractive place to stay for visitors/tourists. However, the proposed development would fail to accord with Part 2 of Policy ECN 14, as the tourism development could potentially replace the existing temporary rural worker's dwelling, which is where the applicant currently resides, before the permanent rural workers dwelling is constructed and as a result of this current proposal there would potentially then be no dwelling at Hillfield for the applicant to reside in despite an established, essential need for a worker to live at the site, as aforementioned above in Paragraph 7.8. Therefore, the proposed development would not accord with Policy ECN 14 of the Northumberland Local Plan.

7.12 Part 2(d) of Policy ECN 15 of the Northumberland Local Plan, which relates to tourism and visitor development, states that in open countryside locations, visitor accommodation should, wherever possible, be limited to the re-use of existing buildings, or to chalets and caravans in accordance with Part 2(f).

- 7.13 Part 2(f) of Policy ECN 15 is supportive of new or extensions to existing sites for camping, caravans and/or chalets in accessible locations outside of the two AONBs and the World Heritage Site and its buffer zone, provided the development is adequately screened, taking into account short and long range views, by existing topography or vegetation or new good quality landscaping compatible with the surrounding landscape. It is acknowledged that this tourism related policy (ECN 15) does not refer to Green Belt locations.
- 7.14 The application site also falls within the Green Belt; therefore, the application must be assessed against Green Belt policies. In the Green Belt, under both national and local planning policies, inappropriate development is, by definition, harmful to the Green Belt and local planning authorities should regard the construction of new buildings as being inappropriate. Paragraph 147 of the NPPF indicates that such development should not be approved except in very special circumstances. Paragraph 148 of the NPPF states that when considering any application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraphs 149 and 150 of the NPPF follow on to provide for exceptions to established Green Belt policy, however none of these exceptions relate to the permanent siting of a timber chalet building for tourism purposes, such as is proposed in this application.
- 7.15 Policy STP 8 of the Northumberland Local Plan, which relates to development in the Green Belt, states that *“development which is not inappropriate in the Green Belt, as defined in national planning policy, will be supported”* and *“development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal”*. Policy STP 8 closely aligns with the principles of the NPPF in relation to development in the Green Belt.
- 7.16 Policy ECN 16 of the Northumberland Local Plan, which relates specifically to the Green Belt and the tourism and visitor economy, is also relevant in the assessment of this application. Policy ECN 16 sets out exceptions for tourism developments in Green Belt locations. The permanent siting of a timber chalet building on the farm steading for tourism purposes is also none of the exceptions identified within Policy ECN 16 of the Northumberland Local Plan.
- 7.17 With regard to the Hexham Neighbourhood Plan, Policy HNP 1, which relates to sustainable development, states that *“within the Green Belt development proposals will be determined in accordance with national Green Belt policy”*. Policy HNP 23 of the Hexham Neighbourhood Plan, which relates specifically to hotel and tourism accommodation, states *“provision of new tourist facilities and improvement of existing tourist facilities and services in the town that will contribute further to developing the tourism offer, including encouraging longer stays, will be supported. Provision of visitor accommodation within the Green Belt inset area of Hexham for visitors will also be supported”*.
- 7.18 As aforementioned, the tourism-related policy (ECN 15) within the Northumberland Local Plan does not refer to Green Belt locations. Whilst Policy ECN 16 of the Northumberland Local Plan specifically refers to tourism

development in Green Belt locations, the proposed timber chalet building within this application, is not considered to constitute one of the identified exceptions within this policy. It is also acknowledged that tourism development, such as that proposed within this application, is excluded from Green Belt policies within the NPPF. Therefore, new-build tourism development is not supported in Green Belt locations under both national and local planning policies. The proposed timber chalet building, which currently benefits from a temporary permission, is sited within part of a larger agricultural field which is considered to be a greenfield site and as discussed above, it is considered that the proposal would not fall under any of the Green Belt exceptions set out within the NPPF.

7.19 For reasons set out above, the application ultimately involves the construction of a new building and as such would be an inappropriate form of development within the Green Belt having regard to Paragraph 149 of the NPPF, Policies STP 7 and STP 8 of the Northumberland Local Plan and Policies HNP 1 and HNP 23 of the Hexham Neighbourhood Plan.

7.20 The submitted Planning and Design Statement presents the argument that very special circumstances exist which outweigh the identified harm to the Green Belt. The submitted Planning and Design Statement indicates that there are significant benefits to the proposals such as allowing the development, diversification and expansion of the applicant's business, the contribution towards increasing the range of visitor accommodation and activities available in the area and the contribution towards the local, rural economy. The submitted Planning and Design Statement also indicates that due to the changing economic climate in recent years, resulting in increased building costs, high mortgage and borrowing rates etc., it would not be possible to build the permanent rural workers dwelling the applicant has permission for without the additional financial income that would be provided by the proposed holiday let and that without this diversification the may have to close the business. It is noted that when the permission was granted for the permanent new dwelling just 10 months ago, the information assessed as part of that application showed that the business was viable and could support the construction of a new dwelling without the income from the retention of the chalet for holiday accommodation.

7.21 Whilst it is recognised that there are benefits arising from the proposal, as set out in the above paragraph, these are considered to be relatively modest and do not outweigh the harm identified to the Green Belt by reason of inappropriateness.

### *Design and Landscape Impact*

7.22 Policy QOP 1 of the Northumberland Local Plan sets out design principles which must underpin the design of any new proposed development in Northumberland. The design principles seek to ensure that development contributes positively to the people, places and natural environment that define Northumberland. The design principles of Policy QOP 1 seek to ensure development proposals makes a positive contribution to local character and distinctiveness and contributes to a positive relationship between built and natural features, including landform and topography and to ensure development proposals respect and enhance the natural, developed, and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting.

- 7.23 Policy QOP 2 of the Northumberland Local Plan seeks to ensure that new development has a positive impact on amenity. Policy QOP 2 advises that the physical presence and design of the development should preserve the character of the area.
- 7.24 Policy HNP 2 of the Hexham Neighbourhood Plan, which relates to high quality sustainable design, advises that all new development should respond positively to local character through attention to matters such as landscaping.
- 7.25 Policy QOP 4 of the Northumberland Local Plan seeks to ensure that high quality exterior environments are achieved through an appropriate approach to the existing characteristics of a site, well-designed landscaping and the protection and enhancement of trees and other green and blue infrastructure. Part 1 of Policy QOP 4 states *“where relevant, new development will be expected to incorporate well-designed landscaping and respond appropriately to any existing landscape features”*.
- 7.26 Policy ENV 3 of the Northumberland Local Plan relates to landscape. This policy states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.
- 7.27 Paragraph 126 of the NPPF states *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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”*. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 7.28 The timber chalet building, which currently benefits from a temporary permission and is used as a rural worker’s dwelling, is proposed under this current application to be retained on a permanent basis but as a holiday let. The timber chalet building occupies a prominent, elevation position to the north of, and directly adjacent to, Allendale Road (B6305), which connects the main town of Hexham to the villages of Allendale and Allenheads. Due to the topography of the land in this area, the timber chalet building is located on higher land than the adjacent main road and therefore is highly visible when travelling out of Hexham along this road. It is acknowledged that at either side of the access, vegetation has been planted; however, it is not fully established and hence why the building is highly visible from Allendale Road. It is recognised that additional planting along the southern and eastern boundaries is proposed as part of this application which would soften it within wider views but would not completely screen it.
- 7.29 Due to its current temporary nature, the functional design and materials of the timber chalet building were previously considered to be appropriate and generally in keeping with the wider site and landscape under the previous applications for temporary permission (refs: 21/02553/FUL and 15/01278/FUL). These two temporary consents were granted permission on the basis that the time period of the proposed development would be limited and given that the timber chalet building was to be used as a rural worker’s dwelling, for which there was an established, essential need at Hillfield. A temporary consent is generally granted for a short period of time to ensure that the short-term impacts of the proposed

development on the Green Belt and open countryside can be easily reversed. It is currently expected that once the current temporary permission (ref: 21/02553/FUL) expires, that the building would be removed, and the land would be reinstated. The proposals under this current application seek to retain the timber chalet building on a permanent basis and as a holiday let. This would result in the proposal having a long-term adverse impact on the rural character of the open countryside and the openness of the Green Belt, particularly given its prominent location and its degree of permanence.

7.30 By virtue of its location and design, the proposed retention of the timber chalet building would result in a harmful impact upon the visual amenity and character of the area, including the openness of the Green Belt. The building is not felt to relate well to the character of the site and the surrounding landscape and would result in an incongruous form of development. The proposed development would therefore be contrary to Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan and the principles of the NPPF.

### Amenity

7.31 The application proposes to permanently retain and change the use of the temporary rural worker's dwelling at Hillfield for holiday accommodation purposes. As part of the application, the open land surrounding the timber chalet building (land within the red line boundary on the proposed plans) is proposed to be incorporated within the curtilage of the holiday let unit, amounting to a change of use of the land. The unit would have a garden area, car parking area and external decking areas and this would provide a large curtilage for the holiday let. The proposal would have good standards of amenity space.

7.32 The timber chalet building which is proposed under this current application to be retained on a permanent basis but as a holiday let, is located adjacent to the access onto Allendale Road (B6305 road). Directly to the north of the timber chalet building is an existing, permanent agricultural building. Directly to the east and west of the timber chalet building is open countryside. Directly to the south of the timber chalet building is Allendale Road (B6305 road) with open countryside beyond. Planning application reference: 21/00256/FUL was permitted in December 2022 for the construction of a permanent rural worker's dwelling at Hillfield and on land to the north of the timber chalet building and the existing agricultural building. Whilst the planning permission for the permanent dwelling has not yet been implemented, it is an extant planning permission; therefore, the impact of the proposals upon the residential amenity of the residents of this potential future dwelling must be appropriately assessed.

7.33 The separation distance between the proposed holiday let and the potential future dwelling is approximately 32 metres. It is acknowledged that the proposed holiday let would utilise the same existing access from the public highway as the potential future dwelling at Hillfield. It is considered that a combination of the separation distance, the pattern of the proposed openings and the siting of existing buildings on the farm steading means the proposed development would not have a significant impact on the privacy of the future visitors of the proposed holiday let and the future residents of the potential future dwelling. The application is considered to be acceptable in respect of the impact of the development on the amenity of local residents and future visitors in accordance with Policies HOU 9

and QOP 2 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan and the principles of the NPPF.

### Highway Safety

7.34 The Council's Highway Development Management (HDM) team has been consulted on this application and raises no objection subject to conditions and informatives. The recommended conditions relate to implementation of the car parking area, details of cycle parking and refuse storage. Subject to compliance with these conditions, the application is considered to be acceptable in this respect in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan, and the principles of the NPPF.

### Ecological Impacts

7.35 The Council's Ecology team has been consulted on this application and do not wish to comment on this application. The application is considered to be acceptable in this respect in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan, Policies HNP 2 and HNP 17 of the Hexham Neighbourhood Plan and the principles of the NPPF.

### Drainage and Sewerage

7.36 The application form indicates that surface water would be disposed of by mains sewer and that foul sewage would be disposed of by mains sewer and thus the timber chalet building would continue to connect to the existing public sewerage system. The application is considered to be acceptable in this respect in accordance with Policy WAT 2 of the Northumberland Local Plan and the principles of the NPPF.

### Other Matters

7.37 It is recognised that twenty-four representations of support have been received in relation to this application which are summarised in Section 5 of this report. These representations of support highlight the set out what they consider to be the benefits of the proposal and of the existing business. However, as set out within the above "principle of the development and Green Belt" section of this appraisal, whilst it is recognised that there are benefits arising from the proposal, these are considered to be relatively modest and do not outweigh the harm identified to the Green Belt by reason of inappropriateness.

### Equality Duty

7.38 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

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

### Human Rights Act Implications

7.40 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.

7.41 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.

7.42 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 National and local planning policies have been taken into consideration when assessing this application. The principle of the development within this open countryside and Green Belt location is unacceptable and would be contrary to Policies STP 1, STP 7 and STP 8 of the Northumberland Local Plan and the principles of the NPPF. The proposed development would also have a harmful impact upon the rural character of the site and the surrounding landscape. There are no material changes to the application from that which was refused earlier this year. Therefore, it is recommended that the application be refused for the reasons set out below.

## **9. Recommendation**

That this application be REFUSED permission subject to the following:

### Conditions/Reason

1. The proposed development represents inappropriate development in the Green Belt and open countryside. The proposed development would have a materially

impact on the openness of the Green Belt in this location. Very special circumstances have not been demonstrated to outweigh the harm to the Green Belt and any other harm, caused by the development. As such the application is contrary to Policies STP1, STP7, STP 8, ECN 15, 16 of the Northumberland Local Plan, Policies HNP 1 and HNP 23 of the Hexham Neighbourhood Plan and the principles of the National Planning Policy Framework.

2. By virtue of its prominent location and design, the proposed development would have a resultant harmful visual impact upon the rural character and appearance of the site and the surrounding landscape and would result in an incongruous form of development. The proposal would therefore be contrary to Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the Northumberland Local Plan, Policy HNP 2 of the Hexham Neighbourhood Plan, and the principles of the National Planning Policy Framework.

**Date of Report: 25.10.2023**

**Background Papers:** Planning application file(s) 23/03362/FUL