

**NORTHUMBERLAND COUNTY COUNCIL**

**TYNEDALE LOCAL AREA PLANNING COMMITTEE**

At a meeting of the **Tynedale Local Area Planning Committee** held at Hexham House, Hexham on Tuesday, 14 November 2023 at 4.00 p.m.

**PRESENT**

Councillor SH Fairless-Aitken  
(Planning Vice-Chair, in the Chair)

**MEMBERS**

A Dale  
T Cessford  
I Hutchinson  
D Kennedy

N Morphet  
A Sharp  
G Stewart

**OFFICERS**

K Blyth  
R Campbell  
T Crowe  
N Turnbull

Planning Area Manager (West)  
Senior Planning Officer  
Solicitor  
Democratic Services Officer

**ALSO PRESENT**

3 members of the public and 1 press.

**8. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Horncastle, Riddle, Oliver, Scott and Waddell.

**9. 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.

Ch.'s Initials.....

**10. 23/03362/FUL**  
**Retention and change of use from agricultural workers chalet to holiday chalet**  
**Hillfield, Allendale Road, Hexham, Northumberland, NE46 2NJ**

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 reported that four additional representations of support had been received bringing the total to 28. These had been circulated to members electronically the previous day.

Paul Shrimpton, the applicant, spoke in support of the application. He highlighted the following:-

- They had lived in Lowgate since 1996 with the alpacas providing their livelihood for the last 6 years.
- In 2014 they had obtained pre-planning advice to move to a 5-acre site in the same village. They were given formal approval for a temporary agricultural dwelling house after proving the viability of the business and complying with advice regarding the type, colour and position of the structure.
- With confidence in the business, they had invested £200,000 to construct and equip the cabin but had understood that the permission was temporary and would need to be removed if the business had not flourished.
- Documents received from the planners in 2014/15 contributed to their belief that the log cabin had a long-term future.
- They moved into the cabin in May 2018 and applied in 2021 for a permanent residence with the intention of keeping the log cabin. Having proved the viability of the business, the application for the permanent dwelling was approved two years later only when the log cabin had been removed from the plans.
- Since 2021 the cost of building had increased whilst their capital funding for the build had significantly reduced, both impacted by Covid, the cost-of-living crisis, Ukraine and Gaza. They now required income from diversification into holiday accommodation to support a self-build loan to bridge the gap.
- Officers and themselves had differing views regarding the complexity of the situation. There was only a single objection which was not from one of the statutory consultees. An earlier identical application had been supported by Hexham Town Council earlier in the year, but the most recent application had not been included on a meeting agenda.
- The officer accepted that the development could be screened further to reduce the impact on the open countryside and Green Belt further. If the cabin was removed, the barn and new house would be more exposed. Examples of similar properties in the vicinity had been demonstrated in response to comments from the officer regarding the type of construction.

- The planning system allowed for exceptions and approval of projects which demonstrated 'very special circumstances'. There was no definition of these and was a matter of judgement. The officer's report had given minimal weight to the submissions of support and unique position.
- There were 28 comments of support, more than one third from neighbours in favour of the application reflecting the benefits and that the cabin was a feature of the landscape.
- Their alpaca business made a significant contribution to the local economy. A new self-catering luxury holiday home in walking distance of Hexham would increase this.
- They did not intend to make themselves homeless, contrary to the officer's belief, and would accept any conditions which ensured that the change of use only took effect once the new house was built.
- They had been encouraged by the Director of Planning to go to appeal. However, they had been keen that the committee considered their very special circumstances.
- If unsuccessful, the extant approval gave potential for Hillfield to be sold with planning for the house but no guarantee of the other benefits. Reference was made to statements by a councillor on another Local Area Planning Committee when an application in Stamfordham had been rejected.
- It was in their own interests to protect the open countryside in which their business thrived. The committee were asked to consider the impact that demolition of a ready-made tourism asset would have on the environment and the prospects it would have offered to the local economy. These were supported in the local and Hexham Neighbourhood plans.
- Voting to permit the application would facilitate diversification of their livelihood with very little impact on the open countryside. It would also support sustainability, the local economy, charities and beneficiaries, local tourism and the businesses that relied on tourism. They considered that these were very special circumstances.

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

- An identical application had been refused earlier in the year under delegated powers under the Council's scheme of delegation. The applicant had been informed that they had a right of appeal to the Planning Inspectorate but had chosen not to do so.
- Policies under the previous Tynedale Local Plan had allowed the grant of planning permission for the temporary rural workers dwelling for a period of three years to enable the applicant to establish the rural business on site with a view to then seeking permission for a permanent dwelling. Normally temporary dwellings were not of such high quality or design. Often caravans were utilised which would then be removed when permanent permission was obtained.
- Time had been allowed for the business to become established and enable an assessment of whether a functional and financial need was present that meant a new agricultural workers dwelling could be constructed in the open countryside.

- There was no prescribed definition of ‘very special circumstances’ to allow an exception of development in the Green Belt. Officers were of the view that the case made by the applicant did not constitute ‘very special circumstances’ or that it outweighed the harm from development in the Green Belt, in accordance with paragraphs 147 and 148 of the National Planning Policy Framework (NPPF). Members were entitled to make a different judgement on whether the benefits of the development outweighed the potential harm to the Green Belt but this must be robustly justified.
- Policy ECN 16 of the Northumberland Local Plan set out exceptions for tourism developments in Green Belt Locations. However, the permanent siting of a timber chalet building on the farm steading for tourism purposes was not one of the specified exceptions identified within Policy ECN 16 or the NPPF.
- A meeting had been held between the applicant and the Director of Planning to discuss options following refusal of the earlier identical application including alterations to the approved permanent building to make it more affordable to construct but the applicant chose not to pursue those or an appeal. Robust reasons would be required to make an alternative decision.
- An extension for the temporary rural workers dwelling had been granted in February 2023 for 18 months when permission had been granted for the permanent rural workers dwelling. The temporary permission expires in August 2024. Work had not yet started on the permanent dwelling despite permission having been granted many months previously. It was unlikely that a further extension would be supported for the temporary chalet.
- An independent consultant had assessed whether the business required a worker to live on site. It was established that there was an essential need and a tied agricultural condition had been included within the permission for the permanent rural workers dwelling.
- The applicant currently resided in the temporary chalet.
- A better-quality design had been secured for the permanent dwelling which was set further back on the site, located behind the barn and would be less intrusive than the temporary chalet which was closer to Allendale Road.
- Whilst the property was in an accessible location in walking distance of the town of Hexham, the land was in the Green Belt and outside the settlement boundary of Hexham town as identified by the NLP. It did not abut existing buildings with farmland in between the site and the town. Whilst the site was close; in policy terms it was outside the town boundary and located in the Green Belt.
- Permanent planning permission had been granted for the barn at the time of the temporary building.
- Officers were unable to comment why Hexham Town Council had not considered the second application, it was outside their control. The earlier application had been supported by Hexham Town Council.
- Consideration of issues relating to utilities would come under the jurisdiction of Building Control, not planning.

- The applicant believed holiday accommodation would contribute to the local economy but would need to prove that the need was not met elsewhere. A similar application nearby had also recently been refused.
- Applications of this nature were unique and would not normally be permitted in the Green Belt. Numerous applications were received for development in the Green Belt and all applications were considered on their own merits. Members were entitled to arrive at their own conclusion but would be required to give robust reasons to justify if permission should be granted.
- The earlier application had been dealt with under delegated powers in accordance with the scheme of delegation as a request for it to be considered by committee had been made outside the required 21-day period from the application being validated and the Director of Planning and Housing, together with the Chair and Vice Chair of Planning had agreed it could be delegated for a decision.
- Policies within the Northumberland Local Plan, Hexham Neighbourhood Plan and NPPF did not generally support new build tourism development within the Green Belt.

Councillor Hutchinson proposed that the officer's recommendation that the application be refused permission. This was seconded by Councillor Dale.

Whilst members sympathised with the applicant who was striving to make a living, most were of the opinion that the committee needed to make consistent decisions. Temporary permission had been granted which had been extended. It had been the applicant's choice not to appeal to the Planning Inspectorate.

A member with a different view considered that the buildings was tucked away and not highly prominent next to the main road. There was a delicate balance between the policies and the economic benefits.

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

**FOR: 7; AGAINST: 1; ABSTENTION: 0.**

**RESOLVED** that the application be **REFUSED** permission for the reasons outlined in the report.

## 11. PLANNING APPEALS UPDATE

The report provided information on the progress of planning appeals.

A member queried whether there was a reporting process for any planning applications which had been subject to judicial review. The Planning Area Manager (West) did not believe there was a current reporting mechanism, possibly due to sensitive legal issues, but would raise the matter with the Head of Planning and Director of Planning.

In answer to a question regarding non-determination, she stated that these appeals arose due to decisions not being made by the required 8-week or 13-week period dependent on the type of application. This could be due to several reasons including officer workloads, awaiting responses from statutory consultees or additional information from an applicant who might appeal when they received an unfavourable decision.

**RESOLVED** that the information be noted.

**12. DATE OF NEXT MEETING**

The next Tynedale Local Area Planning Committee meeting would be held on Tuesday 12 December 2023.

It was noted that a separate meeting of the Tynedale Local Area Committee was to be held on Tuesday 21 November 2023 at the Fuse Media Centre, Prudhoe following the Local Area Council review.

**CHAIR** \_\_\_\_\_

**DATE** \_\_\_\_\_