



Northumberland

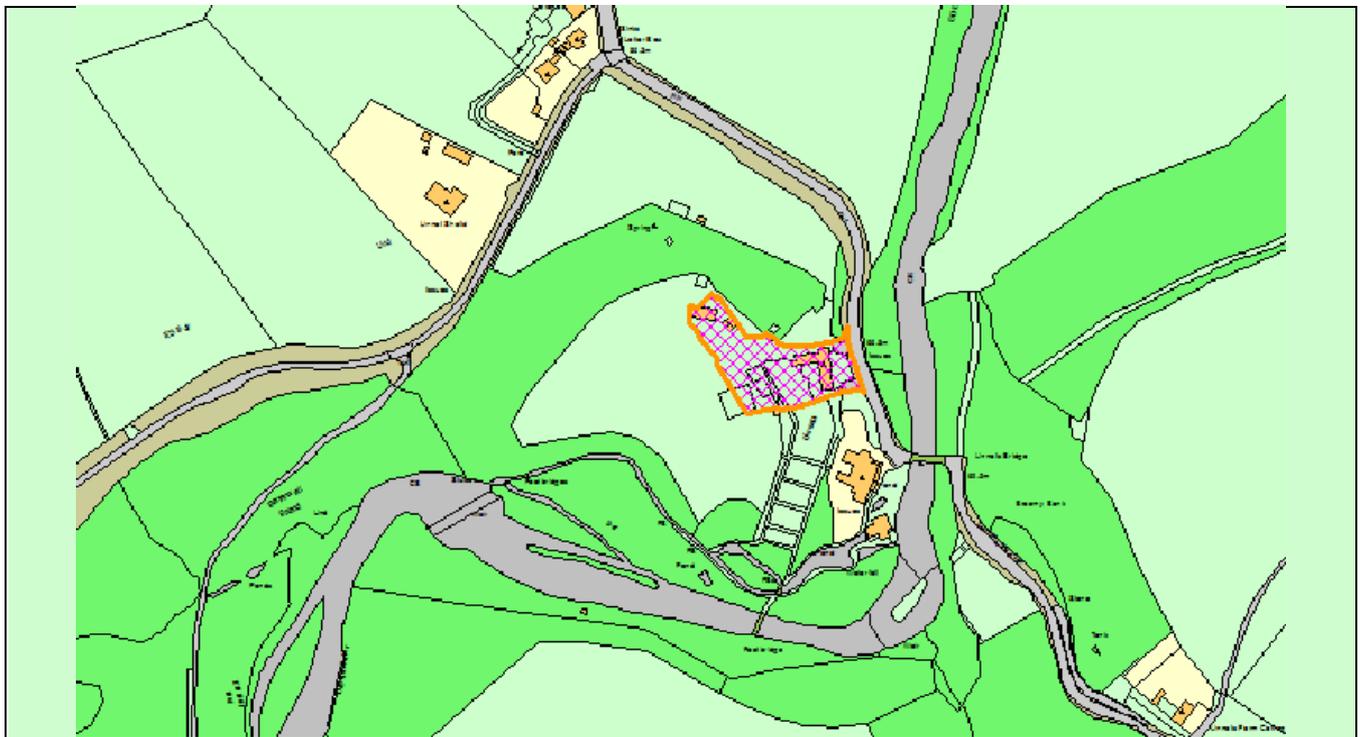
County Council

TYNEDALE LOCAL AREA COUNCIL PLANNING COMMITTEE

Tuesday, 15th June 2021

Application No:	20/02180/FUL		
Proposal:	Conversion, extension and alteration of existing coach house buildings to create a new wedding venue with associated demolition of existing outbuildings, new access, parking and landscaping (as amended)		
Site Address	Linnels Coach House, Fellside, Hexham, Northumberland, NE46 1TS		
Applicant:	Mr Mark Winter, Linnels, Hexham, NE46 1TS	Agent:	Mrs Tessa Fletcher, ELG Planning, Gateway House, 55 Coniscliffe Road, Darlington, DL3 7EH
Ward	South Tynedale	Parish	Hexhamshire
Valid Date:	23 December 2020	Expiry Date:	14 May 2021
Case Officer Details:	Name: Mr Neil Armstrong Job Title: Principal Planning Officer Tel No: 01670 622697 Email: neil.armstrong@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



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1. Introduction

1.1 Under the Virtual Delegation Scheme, the application has previously been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee due to the nature of the proposals within the Green Belt and open countryside, as well as objections that have been received. It was agreed that the application raises strategic and wider community issues and so should be considered by the Committee.

2. Description of the Proposals

2.1 Full planning permission is sought for the conversion, extension and alteration of existing coach house buildings at the Linnels Coach House to create a new wedding venue with the associated demolition of existing outbuildings, new access, parking and landscaping.

2.2 The application site is located in the open countryside and Green Belt around 2km to the south-east of Hexham, and forms part of the wider Linnels Estate. The site comprises the existing coach house building, which has been used more recently as holiday accommodation and storage. This is located to the north of the existing dwelling in the applicant's ownership at The Linnels and the Grade II* listed Old Mill. The Grade II listed Linnels Bridge, which is also a Scheduled Ancient Monument (SAM), is located to the east of The Linnels. The Linnels Coach House and the Linnels House, which dates from 1893, whilst not listed, are considered to be non-designated heritage assets due to their historic and architectural significance and their association with the adjacent listed buildings.

2.3 The site and immediately surrounding area falls within the Devil's Water Woods Site of Nature Conservation Importance (SNCI). The Lamshields Bank Ancient and Semi-Natural Woodland is located to the north and west of the site. A small part of the site is located within and close to Flood Zones 2 and 3.

2.4 The proposal involves the conversion, alteration and extension of the existing coach house building as well as associated access and new parking provision. The existing northern access would be altered and used to serve the new venue and a proposed new car park. The coach house features stabling, storage and garaging areas to the ground floor areas of the L-shaped building, with a four-bedroom holiday cottage occupying a small part of the ground floor and all of the first floor of the two-storey eastern section.

2.5 The submitted plans indicate that a total of 14 car parking spaces constructed using grasscrete would be provided within the site for use in connection with the venue, along with areas for goods drop off, bridal parking/coach drop off and car waiting/passing point. An area outside of the application site to the south within the curtilage of the adjacent dwelling in the applicant's ownership is indicated as being an overflow area for staff parking.

2.6 Based on the submitted plans and supporting information the ground and first floor areas of the existing building amount to around 226m² with the existing footprint being 179m². The footprint of the proposed extension (following reductions during the course of the application) would measure 136m², with the floor area equating to an additional 121m². The change of use of the existing ground floor areas of the building would

feature lounge and bar areas, kitchen, staff area and WCs alongside the main function room within the new extension. The proposals would look to cater for weddings and events for up to 110 guests. The holiday accommodation would be retained within the remainder of the building.

2.7 The new extension would have an eaves height of 2.6 metres and a ridge height of 4.6 metres, which have also been reduced during the course of the application. The new building would be constructed with timber cladding to the external walls and featuring areas of larger glazing, with a slate roof covering incorporating rooflights. Other amendments submitted by the applicant include revisions to the layout and location of the proposed car parking, which has been relocated to the west of the coach house and new extension.

3. Planning History

None

4. Consultee Responses

Hexhamshire And District Parish Council	Concern was shown by all members of Hexhamshire Parish Council regarding the amount of parking available for this development. The Parish support the development for the wedding venue but would still like to know that more parking is created.
County Ecologist	No objection subject to conditions.
Highways	No objection subject to conditions.
Public Protection	No objection subject to conditions.
County Archaeologist	No objection and no further archaeological work required.
Historic England	No comments.
Building Conservation	Acknowledge the reduction in size and scale of the proposed wedding barn and consequent reduction in impact upon the important non-designated and designated heritage assets. However, concerns are still raised in terms of harm arising from the proposals.
Environment Agency	No objection subject to condition.
Lead Local Flood Authority (LLFA)	No objection.
Northumberland Wildlife Trust	No response received.
Northumbrian Water Ltd	No comments.
Forestry Commission	No objection or support – provides comments and guidance in respect of potential impacts on Ancient Woodland.
Natural England	No objection.

Tourism, Leisure & Culture	<p>We support investment in the sector of measures that strengthen the diversity, depth and breadth of the county's tourism offer that contribute additional facilities and accommodation which will in turn facilitate additional visits and related spending within the county.</p> <p>We have no objection to this application subject to the application satisfying all statutory planning conditions.</p>
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5. Public Responses

Neighbour Notification

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

Notices

Site Notice - Affecting Listed Building: 13 January 2021

Press Notice - Hexham Courant: 21 January 2021

Summary of Responses:

Eight objections have been received from residents within the local area, as well as the Woodland Trust, in response to publicity on the proposals that raise concerns in respect of the following:

- impacts on residential properties through increased noise from the use of the buildings as well as associated noise from external use and traffic
- lack of information on proposed hours of operation, frequency of events and numbers of people attending
- increased traffic and restricted access over Linnels bridge and potential obstruction or damage
- insufficient parking to serve the development
- effects on the character of the area and rural setting through introducing the proposed new use
- potential detrimental impact to the adjacent Ancient Woodland.

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.doactiveTab=summary&keyVal=QDEXUMQSHG400>

6. Planning Policy

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance (NPPG) (2018, as updated)

6.1 Development Plan Policy

Tynedale Core Strategy (2007)

GD1 Location of development
GD2 Prioritising sites for development
GD3 Green Belt
GD4 Transport and accessibility
GD5 Flood risk
NE1 Natural environment
BE1 Built environment
EDT1 Economic development and tourism
EDT2 Employment land provision
EDT3 Employment development in the countryside
CS1 Principles for community services and facilities
EN1 Principles for energy
EN3 Energy conservation and production

Tynedale District Local Plan (2000, Policies saved 2007)

GD2 Design criteria for new development
GD3 Provision of suitable access for people with impaired mobility
GD4 Range of transport provision
GD6 Car parking standards outside of the built up areas
NE7 New buildings in the Green Belt
NE14 Use of existing buildings in the Green Belt
NE18 Protection of agricultural land
NE21 Sites of Nature Conservation Importance
NE27 Protected Species
NE33 Protection of trees, woodlands and hedgerows
NE34 Tree felling
NE37 Landscaping in developments
BE22 Setting of listed buildings
BE27 Archaeology
BE28 Archaeological assessment
BE29 Development and preservation
ED11 Small scale opportunities from new sites, redevelopment or conversions
TP5 Traffic management and impaired mobility
CS19 Location of development either causing or adjacent to pollution sources
CS22 Location of noise generating uses
CS27 Sewerage

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) and proposed minor modifications, submitted on 29 May 2019

STP 1 Spatial strategy
STP 2 Presumption in favour of sustainable development
STP 3 Principles of sustainable development
STP 4 Climate change mitigation and adaptation
STP 5 Health and wellbeing
STP 7 Strategic approach to the Green Belt

STP 8 Development in the Green Belt
ECN 1 Planning strategy for the economy
ECN 12 A strategy for rural economic growth
ECN 13 Meeting rural employment needs
ECN 14 Farm / rural diversification
ECN 15 Tourism and visitor development
ECN 16 Green Belt and tourism and visitor economy
QOP 1 Design principles
QOP 2 Good design and amenity
QOP 4 Landscaping and trees
QOP 5 Sustainable design and construction
QOP 6 Delivering well-designed places
TRA 1 Promoting sustainable connections
TRA 2 The effects of development on the road network
TRA 4 Parking provision in new development
TRA 5 Rail transport and safeguarding facilities
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment
ENV 2 Biodiversity and geodiversity
ENV 3 Landscape
ENV 4 Tranquillity, dark skies and a sense of rurality
ENV 7 Historic environment and heritage assets
WAT 2 Water supply and sewerage
WAT 3 Flooding
WAT 4 Sustainable drainage systems
POL 2 Pollution and air, soil and water quality
INF 1 Delivering development related infrastructure
INF 2 Community services and facilities

6.4 Other Documents/Strategies

The Setting of Heritage Assets (Historic England – December 2017)
National Design Guide (2019)

7. Appraisal

7.1 In assessing the acceptability of any proposal regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that the starting point for determining applications remains with the development plan, which in this case contains policies from the Tynedale Local Plan (TLP) and Tynedale Core Strategy (TCS) as identified above.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Council submitted the Northumberland Local Plan (NLP) to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019 for examination. The Plan has been subject to examination and further consultation on main modifications will be required in due course.

7.3 Having regard to the assessment of the site, its constraints and the application proposals, as well as the responses received during the consultation period, the main issues for consideration as part of this enquiry are considered to include:

- Principle of development
 - location
 - Green Belt
- Design, visual impact and effects on character and heritage assets
- Residential amenity
- Highway safety
- Ecology
- Flood risk/drainage

Principle of Development

Location

7.4 Paragraph 8 of the NPPF states that “*achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)*”. These comprise economic, social and environmental objectives.

7.5 The site is located within the open countryside and Policy GD1 of the TCS limits development in such locations to the re-use of existing buildings, unless specifically covered by other development plan policies.

7.6 As set out within the TCS, the Council aims to support a buoyant and diverse local economy. The rural economy continues to change and there is a need to support the diversification of the local economy. Sustainable tourism based on the high quality environment, historic features and cultural heritage of the area is particularly important. Policy EDT1 of the TCS sets out principles for economic development and tourism, which are:

- (a) Support a buoyant and diverse local economy, which recognises the importance of tourism to the District.*
- (b) Ensure sufficient land is available to meet the employment requirements of the District.*
- (c) Protect existing and allocated employment land for its intended purpose.*
- (d) Protect and enhance existing tourist facilities and infrastructure, whilst also allowing new tourist development where appropriate in order to increase the range, quality and type of facilities available to tourists.*

7.7 Policy BE11 of the TLP refers to change of use and conversion to employment uses and holiday accommodation etc., and sets out criteria that all proposals for change of use and conversion of buildings in the countryside will need to fulfill. These include the following that are most relevant to the design and form of the proposals:

- (a) the building is of a permanent and substantial construction and its form, bulk and general design is in keeping with its surroundings or, where the building currently detracts from the rural character, its impact is acceptably improved by the proposal; and*

- (b) the building is structurally sound and capable of conversion without major or complete reconstruction or extensions; and*
- (d) the conversion respects the form, character, architectural features, design and setting of the building; and*
- (e) the conversion does not adversely affect the character or appearance of the countryside; and*
- (f) access and other necessary services are provided without adverse impact on the character or appearance of the area or other occupiers of land and buildings;*

7.8 Policy ED11 of the TLP permits the development of small-scale employment generating enterprises, subject to criteria, within or adjacent to existing settlements, however, this site is located within the open countryside.

7.9 The above policies are considered to be broadly in accordance with the more up to date policy context set out within the NPPF, which seeks to support sustainable development and proposals that would support the local rural economy. Paragraph 83 sets out that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of businesses in rural areas, both through the conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

7.10 Paragraph 84 goes on to state that “*planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist*”.

7.11 Although more limited weight can be given to it at this stage, it is considered appropriate to refer to the relevant policies of the emerging NLP pertaining to the proposal. In terms of the overall principle and location of development, Policy STP1 states that development in the open countryside will only be supported if it can be demonstrated that it:

- i. Is directly related to the needs of agriculture, forestry, other land based industries, and rural businesses, or the sustainable diversification of such activities; or*
- ii. Supports the sustainable growth and expansion of an existing business; or*
- iii. Supports a newly forming business; or*
- iv. Supports or adds to the range of sustainable visitor attractions and facilities appropriate to the character of the area; or*
- v. Reuses redundant or disused buildings and leads to an enhancement of to the immediate setting; or*

- vi. Provides for essential transport, utilities and energy infrastructure in accordance with other policies in the Local Plan; or*
- vii. Relates to the extraction and processing of minerals, in accordance with other policies in the Local Plan; or*
- viii. Is a house, the architecture of which is innovative and of the highest standard, it significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area.*

7.12 Policies STP 2 and STP 3 refer to the presumption in favour of sustainable development and set out sustainability principles that will need to be satisfied.

7.13 Policy ECN 1 sets out the planning strategy for the economy and states that development proposals will support rural enterprise and support and promote tourism and the visitor economy. Policy ECN 12 relates to a strategy for rural economic growth, and encourages the growth of the rural economy through, within constraints, facilitating the formation, growth and up-scaling of businesses in rural locations; and safeguarding the rural environment, rural communities and traditional rural businesses upon which the rural economy depends.

7.14 The policy approach must seek to balance the development of visitor facilities throughout Northumberland with the protection of the unique qualities of the County's natural and built environment, which are responsible for attracting many of the tourists in the first place. Development that involves new building must be prioritised in locations that are accessible, have complementary land uses for tourists, can accommodate additional growth without causing significant environmental harm and have strong potential to attract visitors.

7.15 Policy ECN 13 states that the role of rural locations in providing employment opportunities, to meet the needs of those living in such areas is recognised. Therefore, in the countryside, development that will generate employment opportunities, proportionate to the rural location, will be supported where criteria, including the following, 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 as closely as possible to the existing settlement pattern, existing services and accessible places.*

7.16 Policy ECN 15 relates specifically to new tourism and visitor development across the County, including wedding venues. It outlines that "*Northumberland will be promoted and developed as a destination for tourists and visitors, while recognising the need to sustain and conserve the environment and local communities. As far as possible, planning decisions will facilitate the potential for Northumberland to be a destination for:*

- a. heritage and cultural visits;*
- b. cycling and walking holidays;*
- c. landscape and nature based tourism;*
- d. themed events, activity holidays;*
- e. dark sky visits;*
- f. weddings;*
- g. out of season offer; and*

h. food and drink.

2. This will be achieved through the development of new visitor attractions and facilities, accommodation and the expansion of existing tourism businesses, applying principles including the following:

c. In rural locations outside the settlement boundaries and/or built-up areas of main towns, service centres or service villages, the development of new build, permanent buildings for holiday accommodation of any sort should be small scale and form part of a recognised village or hamlet;

d. In the open countryside, visitor accommodation should, wherever possible, be limited to the reuse of buildings that are structurally sound, or to chalets and caravans in accordance with part (e) below. New permanent buildings for visitor accommodation will only be supported where they would:

i. demonstrably improve and diversify the County's tourist offer and/or clearly provide necessary accommodation along an established tourist route; and
ii. be located as close as is practicable to existing development.

g. Tourism related developments that enhance the environment or bring neglected or underused heritage assets back into appropriate economic use will be strongly supported;

h. In open countryside areas outside the two AONBs and the World Heritage Site and its buffer zone, new tourist development requiring larger buildings, totalling more than 500 square metres gross floorspace, in an open land setting, will be assessed on the potential economic gain weighed against any possible harmful impacts and other plan policies. Comprehensive master planning should accompany such proposals.

7.17 In light of the above there is policy support for the reuse of the existing building given the countryside location, although the overall proposal is not wholly in compliance with Policy BE11 of the TLP given the extent of the extension and new build. As a whole, including the proposed new build element, associated car park and infrastructure, the proposal would result in the creation of a relatively large new enterprise and form of development for this location in the countryside.

7.18 However, it is noted that the extension and floor area of the Coach House as a whole would be less than 500 square metres, which is the threshold for small-scale development having regard to the TCS. The following sections of this report will consider other environmental impacts of the proposals in more detail that are likely to result from the scheme and will need to be addressed.

7.19 In light of the above, and as the development plan and NPPF look to achieve more sustainable forms of development in more suitable and accessible locations there are some concerns that this would not result in a sustainable form of development in the open countryside. The application is not accompanied by any robust assessment or evidence that may assist in demonstrating and justifying a need for such a development in this less sustainable location. However, having regard to the NPPF's support for a prosperous rural economy, the proposed reuse of existing buildings, as well as existing and emerging development plan policies, the principle of such a proposal could be acceptable. It should be noted though that this is very much dependent upon being able to achieve a sustainable form of development overall in

terms of the overarching economic, social and environmental objectives, as required by the NPPF.

Green Belt

7.20 The proposal would result in development within the Green Belt. Policy NE7 of the TLP sets out the circumstances when the construction of new buildings in the Green Belt may be permitted, which include:

- (a) agriculture and forestry; or*
- (b) essential facilities for outdoor sport and outdoor recreation; or*
- (c) essential facilities for cemeteries; or*
- (d) essential facilities for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it; or*
- (e) limited infilling in, or redevelopment of those major existing developed sites identified on the Proposals Map, subject to Policy NE10 or NE11 or NE12 or NE13 being satisfied; or*
- (f) limited infilling within the boundaries shown on the Proposals Map in existing villages listed in Policy NE5 and in accordance with Policy H10; or*
- (g) limited affordable housing for local community needs within existing settlements subject to Policy H23 being satisfied, or*
- (h) proposals for the limited extension, alteration or replacement of existing dwellings, subject to policies in Built Environment and Housing chapters being satisfied.*

7.21 Policy NE14 of the TLP permits proposals for the change of use, conversion or extension of existing buildings in the Green Belt where all of the following criteria are met:

- (a) the buildings are of permanent and substantial construction; and*
- (b) the proposed use and any associated use of land are in keeping with their surroundings and the proposed development does not have a materially greater impact than the existing on the openness of the Green Belt or on the purposes of including land in it.*

7.22 The most up-to-date Green Belt policy guidance is set out within the NPPF. Paragraph 133 states *“the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*. The five purposes that the Green Belt serves are set out at paragraph 134, which are:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

7.23 Paragraph 143 states that *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*. Paragraph 144 goes on to state that *“when considering any planning 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”.

7.24 Paragraph 145 of the NPPF states that “a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt” and exceptions to this are identified, which includes:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) 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;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.**

7.25 Paragraph 146 of the NPPF also sets out there are certain other forms of development that would not be inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including engineering operations and “the re-use of buildings provided that the buildings are of permanent and substantial construction”.

7.26 The NPPF does not define the term ‘openness’, however, it is commonly taken by the courts to mean an absence of built development. Likewise, there is no statutory mechanism to test the impact on the openness of the Green Belt. Planning Practice Guidance (PPG) states that assessing the impact of a proposal on the openness of the Green Belt requires a judgment based on the circumstances of the case. This sets out that the courts have identified a number of matters that may need to be taken into account in making this assessment, which include, but are not limited to:

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.*

7.27 In terms of the emerging NLP, Policies STP 7 and STP 8 reflect the national policy advice above, where inappropriate development, in accordance with national policy, will not be supported unless there are very special circumstances, whilst appropriate development will be supported. Policy ECN 16 relates to Green Belt and

the visitor economy. This sets out that *"the potential of the Green Belt areas to contribute towards strategic economic and tourism aims will be maximised, while ensuring that there would be no greater impact on the Green Belt and the purposes of including land in it, and where possible a lesser impact than the current situation"*. This may be achieved by measures such as *"allowing employment generating or tourism development to occupy previously developed land (but not where temporary buildings have been sited) so long as the new buildings do not impact the openness of the Green Belt more than the buildings or structures that were previously on the site"*.

7.28 The proposals include a new building in the form of an extension in order to create the overall function space, which will need to be considered in the context of whether it amounts to a disproportionate addition over and above the scale of the original building (NPPF paragraph 145 c)). Furthermore, consideration needs to be given to the overall change of use through the re-use of the building as well as other associated works, such as the new car parking, and how these relate to preserving the openness of the Green Belt and any conflicts with the purposes of including land within it (NPPF Paragraph 146 b) and d)).

Extension

7.29 The proposed extension is required as part of the proposals in order to provide space to accommodate wedding ceremonies as well as the subsequent function space for such events.

7.30 The test at paragraph 145 c) of the NPPF as to whether the extension of the buildings would be an exception to inappropriate development in the GB relates to *"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"*.

7.31 The information provided with the application states that the existing coach house and attached buildings amount to around 229m² gross internal area and 971 cubic metres in volume. As originally proposed the new extension would result in an additional 168m² in floor area and 828 cubic metres in volume. That would have resulted in a 73% increase in floor area and an 85% increase in volume of the original buildings. This was considered to represent a disproportionate addition over and above the size of the original building, and as such would be inappropriate development in the Green Belt.

7.32 The application suggests that in considering the scale of the new extension to the buildings, regard should be had to the demolition of other buildings on the site. Whilst this is acknowledged by officers, the removal of stand-alone buildings some distance from the coach house cannot be used in determining whether there would be disproportionate additions over and above the size of the original buildings as a result of the proposals.

7.33 Following the submission of revised plans, the proposed extension has been calculated as having a floor area of 121m² and a volume of 485 cubic metres. This would result in a 53% increase in floor area and a 51% increase in volume over the original building.

7.34 There is no prescribed policy or guidance within the NPPF, or either adopted or emerging development plan policies, determining at what scale an extension will result in a disproportionate addition. During discussions on this application officers have

advised that any increase would require a judgement based on the nature of the site and the individual circumstances of the application proposals.

7.35 In this instance, although the extension has been reduced in scale and massing, it would still be a relatively large addition having regard to the form of the original buildings and the increased width and span of the new building in comparison to this. The position to the rear of the coach house is noted, which would lessen its visual impact overall to a degree. However, when assessed as an addition to the coach house in terms of its footprint, volume and overall scale, the proposed extension is felt to result in a disproportionate addition over and above the size of the original building in this instance in the context of paragraph 145 c) of the NPPF. The proposal would therefore be inappropriate development in the Green Belt.

Change of use, car parking and associated works

7.36 Regarding the change of use and conversion works, paragraph 146 sets out forms of development that would not be inappropriate development in the Green Belt including b) engineering operations and d) the re-use of buildings provided that the buildings are of permanent and substantial construction, and provided these works preserve its openness and do not conflict with the purposes of including land within it. Whether or not such development is inappropriate in the Green Belt is a matter of planning judgement.

7.37 It is acknowledged that the existing buildings are of permanent and substantial construction, and the re-use of the buildings could be an exception to inappropriate development, provided these works preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

7.38 Officers consider that a comparison of the proposed new use to the previous use is an important material consideration in making a judgement as to whether the proposals would be inappropriate development. It is acknowledged that the Coach House has been used as a holiday let, although there does not appear to be any planning history to this effect. The application states that this use has typically been occupied for around 26 weeks of the year, and this may increase to 44 weeks of the year should the current scheme be permitted. The application also states that it is anticipated that the new venue would typically be in use throughout the year, at weekends, hosting approximately 55 functions (some weekends holding two functions). Occasionally this would involve opening from 7am to allow set up prior to an event, with most functions operating until midnight.

7.39 On this basis, the proposed change of use and development of the site will cause a significant intensification of what are essentially urban activities (i.e. vehicles arriving and departing, music, people gathering etc.) and encroachment into the countryside, over and above the current use of the site. The proposal would result in a greater intensification of vehicular movements, activity and use on the site than the holiday let use that has operated alongside the adjacent residential use given the intended guests per event. The cumulative impact of repeated use could have a significant adverse impact on the tranquility of the countryside and attractive rural character in this particular area and, in terms of the purposes of the Green Belt, would fail to prevent urban sprawl. Therefore, the proposal would conflict with the fundamental aim of Green Belt policy (paragraph 134) and purposes a) and c) set out in paragraph 135.

7.40 Engineering operations are not defined by national policy but are generally considered to involve works which change the physical nature of the land, therefore, the proposed car park would involve engineering operations, despite the proposed use of a grasscrete finish that seeks to minimise impacts from this element. The provision of car parking facilities is a fundamental part of the proposal and its impact on openness also needs to be considered. It is acknowledged that the proposed car park is unlikely to be visible to any significant degree from public vantage points given the topography of the land and the existing and proposed trees, whilst parked cars etc. would not be a permanent feature, and in this way, their impact on openness would be more limited.

7.41 However, the impact of cars parked at the site would be exacerbated by the vehicular and other activity associated with the use discussed above. Consequently, the proposal would not meet the tests of paragraph 146 in that it would not preserve openness for the reasons outlined. As such, considering the use as a whole, it is officer opinion that the proposals constitute inappropriate development in the Green Belt.

7.42 As inappropriate development in the Green Belt, the proposal should not be approved unless there are very special circumstances. As per paragraph 144 of the NPPF, *“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”*. Other harm that may arise could include impacts on the character and appearance of the site and wider area, impacts on heritage assets, the ecological value of the site and surrounding environment, residential amenity and highway safety etc. These will be considered in the following sections and the conclusion will set out an assessment of the overall planning balance and very special circumstances.

Very Special Circumstances

7.43 Whilst the applicant considers that the development proposals constitute appropriate development in the Green Belt, an addendum Planning Statement has been submitted that suggests ‘very special circumstances’ exist that would outweigh any perceived harm to the Green Belt. The application states that, in line with Policy EDT1 of the TCS and part 6 of the NPPF, the proposals would support the local rural economy through the creation of jobs for local people, during both the construction phase and when the venue is operational, and by bringing people to the area, who will stay in local hotels, eat in local restaurants etc.

7.44 The application states that documents have been prepared by the applicant in support of the proposals, which demonstrates the positive impact to the rural economy. This includes one titled ‘The Linnels, Wedding & Events – Place making, Sense of Place and Tourism December 2020’. This was commissioned by the applicant *“to carry out a brief assessment of the potential contribution that the proposed wedding venue could have upon Place Making, Sense of Place and Tourism assessment of the feasibility of adapting existing buildings on the Linnels site into a Weddings and Events facility”*. It concludes that *“the proposed scheme would fully unlock the considerable economic, social and cultural potential of the site”* with the following benefits identified:

- Economic - Jobs: 22 direct year round jobs; local spend Annual guest spend of over £1.3 million in the local economy; year round demand supporting the local tourism cluster - visitor experiences, visitor accommodation, event suppliers, taxis, wedding gifts and so on.

- Social - Brides and their guests would be able to enjoy a very special event which provided a sense of continuity and a key moment of personal history within the site's very special historic and natural environment. The creation of a wedding venue within this unique historic setting will add enormously to the contribution the historic buildings and structures are able to make to creating a sense of place and in turn developing social capital. Without the site being used as a wedding venue the site's assets would be able to make only a minimal contribution to sense of place.
- Cultural - Breathe new life into the redundant garages and stables with the repair and maintenance of a redundant undesignated heritage asset and the long term preservation of the external fabric and many of the internal features of the stables and coach house; contribute significantly to the extent to which the overall site's historic assets are known, valued and cherished; and provide the economic resources to fund the ongoing maintenance of the overall site and its important assets for the benefit of current and future generations.

7.45 The planning statement suggests that it is thought that during the construction phase, the development will create 10 no. jobs in the construction industry, and when the venue is fully operational there will be:

- 1 full time Operations Manager;
- 3 part time Wedding Co-ordinators;
- 1 full time Head Chef;
- 2 part time Commis Chefs;
- 1 full time Gardener;
- 2 part time Gardeners;
- 1 part time bookkeeper;
- 2 part time cleaners;
- Casual event staff (2 bar staff, 5 waiters, 1 kitchen porter – equivalent of 43 hours per event)

7.46 Furthermore, it is stated that the proposed extensions to the Coach House are vital to the viability of the proposals, as each additional square metre of floorspace increases the capacity of the venue by one person and each additional wedding guest is worth approximately £100 to the venue, in terms of function charges and bar spend. This estimate does not take into account the additional spending that will take place in the local area, as it is stated that guests are likely to stay over in local hotels and guest houses, take local taxis and spend in local shops and restaurants. The applicant also states that there will be an economic benefit to local suppliers and vendors including florists, photographers, caterers, wine merchants and entertainment companies. In addition, it is suggested that the proposals will also generate an income to enable the applicant to maintain and enhance the heritage assets at the site.

Summary

7.47 Having regard to the above, whilst there is support for sustainable rural economic development, it is clear that there are concerns in respect of the principle of any new development on the site having regard to its location within the open countryside and therefore a less sustainable and accessible location, as well as the significant policy constraint of the Green Belt. In this instance, it is acknowledged that the new development is intended to provide a new venture rather than the expansion of an

existing rural business, and there is local and national planning policy support for sustainable rural economic growth and tourism / visitor facilities that are sympathetic to their location and of an appropriate scale.

7.48 There is also policy support in principle for the fact that the development could refurbish a non-designated heritage asset, although further consideration will be given to these effects, as well as in relation to effects on the character of the site and surrounding area.

7.49 Furthermore, as set out earlier, the NPPF requires substantial weight to be given to any harm to the Green Belt, and states that *“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”*. By virtue of being inappropriate development, the proposals are, by definition, harmful to the Green Belt. It is considered that there would be harm to the openness of the Green Belt as a result of the development, and there would be conflict with the purposes of its designation, specifically checking unrestricted sprawl and safeguarding the countryside from encroachment.

7.50 In assessing the proposals consideration has been given to whether these identified benefits are both material to the case and are actually a consideration that would weigh in favour of the development. Some factors in favour of a development in the Green Belt might relate to whether the development is essential, requires a unique location and/or the consequences of the scheme not going ahead would mean that the economy or the community would be significantly disadvantaged. Once factors in favour of the development have been identified, it is down to the planning balancing exercise to assign weight and decide whether or not the considerations in favour of the development clearly outweigh the harm of the development.

7.51 Having regard to the supporting information submitted by the applicant it is noted that there may well be some benefits to the rural and wider economy as a result of the proposals. However, it is officer opinion that any potential benefits put forward would not in themselves, or cumulatively, amount to the very special circumstances necessary to outweigh the identified harm to the Green Belt in this case and in this location.

7.52 Whether the stated benefits would outweigh any other harm identified as arising from the proposal will be considered in the sections below and returned to at the end of the report in the assessment of the overall planning balance.

Design, Visual Impact and Effects on Character and Heritage Assets

7.53 In addition to the above identified development plan policies, Policy GD2 of the TLP seeks to ensure that design should be appropriate to the character of the site and its surroundings, existing buildings and their setting, in terms of the scale, proportions, massing, positioning of buildings, use of materials, structures and landscaped and hard surfaced areas.

7.54 Policy BE1 of the TCS sets out principles for the built environment including criteria such as conserving and enhancing the built environment and having regard to heritage assets, and ensuring development is of a high-quality design that will maintain and enhance the distinctive local character of the countryside. Policy NE1 of the TCS sets out principles for the natural environment that include the requirement to

protect and enhance the character and quality of the landscape; manage the relationship between development and the natural environment in order to minimise risk of environmental damage and avoid the urbanisation of the countryside; and enable and encourage people to experience, enjoy and understand the natural environment.

7.55 Policy BE22 of the TLP relates specifically to the setting of listed buildings. This sets out that proposals that would adversely affect the essential character or setting of a Listed Building will not be permitted. Proposals for development within the setting of a Listed Building will only be appropriate where the following criteria are met:

(a) the detailed design is in keeping with the Listed Building in terms of scale, height, massing and alignment; and

(b) the works proposed make use of traditional or sympathetic building materials and techniques which are in keeping with those found on the Listed Building.

7.56 Policies BE25, BE27, BE28 and BE29 of the TLP are also relevant in relation to potential archaeological impacts and assessment.

7.57 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.58 Section 16 of the NPPF, and in particular paragraphs 189 – 202, also set out the framework for considering applications affecting the historic environment. Paragraph 193 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.59 Paragraph 194 of the NPPF advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

7.60 Policy QOP 1 of the emerging NLP sets out design principles for new proposals, whilst Policy QOP 2 relates to good design and amenity. Policy QOP 3 sets out expectations in respect of public realm design principles, and whilst likely to be more limited on such a site, Policy QOP 4 relates to landscaping and trees. Policies QOP 5 (sustainable design and construction) and QOP 6 (delivering well designed places) should also be taken into account as part of the design of any proposals.

7.61 Policy ENV 7 of the emerging NLP with regard to the assessment of developments that may impact upon the historic environment and heritage assets. This includes consideration of impacts upon designated heritage assets (including the setting of listed buildings and SAM in this instance), as well as non-designated heritage assets and archaeological impacts.

7.62 Officers acknowledge the approach to the design in terms of attempting to make the extension more subservient to the existing building in respect of height and also its position set back from the highway. The scale of the extension has also been reduced following concerns raised over the original proposals. The design and use of materials seek a relatively contemporary approach, although look to reflect the traditional and rural character of the area.

7.63 Although reduced in scale, the proposed extension is still considered to be a relatively large addition to the existing coach house and will alter its original character and appearance, which is an attractive building amongst the group of properties in this attractive rural location. Although located to the rear of the building, which will mitigate the wider visual effects of the proposal to some degree, the proposed scale and design of the extension, is considered to be out of scale and character with the original form of the buildings and the wider character of the area, and would therefore result in harm.

7.64 The scheme as a whole would introduce a much more intensive form of development than the existing residential and holiday let development on the site. By virtue of its nature and scale, this would be out of character with the tranquil and rural setting of the site and surrounding area, which is a significant part of its current character. Introducing such a use and form of development onto the site would erode the quality and rural character and setting of the site and surrounding area, resulting in harm to the character of the area.

7.65 Building Conservation highlight that The Linnels is a large Victorian mansion which replaced an earlier inn and former miller's house on the site. The 19th century property was subject to subsequent alteration by 1920 which increased its footprint, particularly expanding to the rear, north-west elevation. The house does however still retain many Victorian and early 20th century architectural elements of interest. The coach house and stables are located in an 'L'-shaped building to the north of the Linnels house and based on map evidence were built at some point between 1895 and 1920. They were designed for the stabling of horses as well as later motor cars associated with the main house.

7.66 The design and layout of the stables, coach house and outbuildings and the survival of historic stabling means that these buildings still retain an understanding of their original function. Their position and design detailing are such that they are likely to have provided a visible contribution to views from the south, incorporating the listed structures of the mill and bridge. The Linnels and its associated stables and coach house have historic interest contributing to the evidence of early hydroelectric power for domestic properties, being one of the first houses in the world to benefit from electric light. The buildings also have architectural interest providing a good example of this period of a domestic property with associated stabling, coach house and outbuildings.

7.67 While subject to some later alteration, architectural detailing in the house and ancillary buildings and the presence of original stabling, troughs and associated flooring have been retained. The Linnels and its ancillary buildings and the area within which they are located also have an artistic interest. The historic bridge and mill were positioned for function rather than artistic reasons. However, the incorporation of the mill and its mill race within the landscaped grounds of the Linnels and the positioning and architectural detailing of the Linnels and its ancillary buildings in views from the south over the listed bridge make it more likely that these later buildings were designed and located for aesthetics well as functional reasons.

7.68 The original proposals involved the demolition of a small single-storey stone building with a stone slab roof which is located at the western end of the Coach House. This is now to be retained as part of the scheme and such retention is to be welcomed. The new build consists of a large modern barn type structure of timber with slate roof and large aluminium windows. The glazed link to the existing Coach House and the glazed canopy with zinc roof which was proposed in front of the existing coach house has also now been removed from the proposals.

7.69 The Linnels and the Linnels Stables and Coach House are considered to be non-designated heritage assets due to their architectural and historic importance associated with the Linnels Mill and forming a picturesque setting with this and with the listed and scheduled Linnels bridge. The application should therefore be assessed in accordance with the advice within paragraph 197 of the NPPF in this respect.

7.70 Building Conservation had commented that the original proposed materials of zinc roof, timber boarding and aluminium windows were unashamedly modern in stark contrast to the attractive stone and timber Coach House, although they note the reduction in scale, and welcome the change in roof materials from zinc to slate. However, they comment that the new building is still large and the submitted proposed panoramic views show that it is still visible from the scheduled Linnels Bridge. It is suggested that the modern glazed windows to the south and east elevations will be highly visible from the Linnels Bridge and the addition of sliding timber doors would assist with blocking out the light to these prominent elevations in the evening.

7.71 The conversion of the existing stable block now shows the retention of some of the stalls, which is to be welcomed. The Assistant County Archaeologist also comments on this aspect noting that the latest amendments have demonstrated how the historic stalling will be included in the proposed scheme. As a result, the proposed conversion should maintain an understanding of the previous use of these buildings and the retention of much of the historic fabric, combined with a basic record of the buildings in their current form as part of the amended Heritage Statement. As a result, they confirm there are no objections to the scheme from an archaeological perspective and no further archaeological work is required.

7.72 In conclusion, Building Conservation have advised that the harm to the setting of the non-designated and designated heritage assets would be caused by the change in views to and from this picturesque grouping and by the introduction of increased noise, traffic and light pollution to this otherwise tranquil rural landscape, which includes an element of ancient woodland. This harm would be exacerbated by the widening of the existing narrow rural access and by the inclusion of a car park, with associated lighting, on an existing greenfield site to the west of the proposed barn. Building Conservation consider the level of harm to the designated heritage assets of the Old Mill and Linnels Bridge to be substantial.

7.73 Paragraph 195 of the NPPF states that *“where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

a) the nature of the heritage asset prevents all reasonable uses of the site; and

- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use”.*

7.74 Even if the level of harm applied was found to be less than substantial, Paragraph 196 goes on to state that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.*

7.75 With regard to the assessment of harm affecting the non-designated heritage assets comprising Linnels House and the Coach House, paragraph 197 states that *“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.*

7.76 In considering the proposals against the above NPPF tests and the harm to the designated and non-designated heritage assets, officers have taken into account potential benefits of the scheme that have also been outlined as part of the ‘very special circumstances’ case for development in the Green Belt. Again, whilst there may be some benefits as a result of the scheme, it is not felt that the application has demonstrated that the level of harm is necessary to achieve substantial public benefits that outweigh the harm, whilst the proposals would not satisfy parts a) to d) of paragraph 195. In addition, in the event that the harm was deemed to be less than substantial, any stated benefits are not felt to outweigh the level of harm having regard to paragraph 196 of the NPPF.

7.77 There would be some economic benefits to the applicant as a private development, although it is also acknowledged that there may be some wider benefits in terms of ensuring longer-term use of the coach house buildings and contributing to the local economy through the development of a new rural enterprise. However, it is not felt that the scheme would result in sufficient public benefits that would justify or outweigh the harm arising from development as proposed within this specific location. The proposals would therefore be contrary to Policy BE1 of the TCS, Policies GD2 and BE22 of the TLP and the NPPF.

Residential Amenity

7.78 As well as looking to achieve a good quality of design in new development, Policy GD2 of the TLP states that when assessing development, consideration should be given to the impact of the development on a neighbouring use: there should be no adverse effects on adjacent land and buildings in terms of loss of light, noise or other disturbance, overbearing appearance or loss of privacy. Policy CS19 of the TLP states that strict control will be exercised over the location of new development which is likely to cause noise, smell or vibration problems or to add to air, land or water pollution. Policy CS22 relates to potential impacts of noise generating uses and states that in considering development proposals the noise levels likely to be generated shall be taken into account. Applications will only be permitted if they do not result in an

unacceptable increase in noise disturbance to noise sensitive locations, particularly residential areas.

7.79 The introduction of the development with proposed events would increase the levels of activity, noise and disturbance at the site and in the surrounding area, including the potential for amplified music. This is considered to be a particularly tranquil and attractive rural setting, and so the effects of introducing new development have a greater potential to impact the character of the area. As a result, there is also potential for the development to impact upon the amenity of residents within the vicinity of the site. There may also be impacts arising through increased use and disturbance from other elements including lighting and increased traffic.

7.80 It is acknowledged that, other than the applicant's property at The Linnels, there are no residential properties that immediately adjoin the site. However, properties are located within 200 metres of the site to the north-west at Linnel Shiel and Linnels Cottages and within 300 metres to the south and south-east at Linnels Farm. Objections have been received from residents in the locality that raise concerns in respect of the increased use and disturbance associated with the proposals and potential for adverse effects on the rural character of the area and living conditions as a result.

7.81 As referred to above officers consider that the introduction of the use in this tranquil rural location would result in harm to the character of the area. In terms of effects on residential amenity consultation has taken place with the Council's Public Health Protection team (PHP). The applicant has submitted noise and odour assessments that have been considered by PHP.

7.82 PHP advise that whilst the noise report contains part of a noise management plan, further information and clarity is required, although they advise that this can be secured by condition should permission be granted. PHP have raised no objection to the proposals although recommend conditions to mitigate the effects of the development on residential amenity in this location. These include setting a noise rating level that should not be exceeded for extraction ventilation as well as amplified music, with further details of a limiting device to control music noise to be submitted for approval. A condition is also recommended in relation to securing full details of the proposed odour treatment system to be installed for the new kitchen.

7.83 Whilst there are concerns in relation to introducing such a use in this rural location, having regard to the relationship of the site with other properties in the area, the comments of PHP and subject to conditions that would mitigate the potential effects of noise and odour to an acceptable level, it is not felt that there would be significant or adverse effects on the amenity of residents in the wider area. The proposal would be in accordance with Policies GD2, CS19 and CS22 of the TLP and the NPPF in this respect.

Highway Safety

7.84 The proposal has been assessed having regard to Policies GD4 and GD7 of the TLP, Policy GD4 of the TCS and the NPPF in relation to accessibility, parking and highway safety. Paragraph 108 of the NPPF looks to ensure that safe and suitable access to a site can be achieved by all users. Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.85 Highways Development Management (HDM) note that the proposals would generate additional traffic flows to and from the site but advise that the existing wider local road network can accommodate the proposals. There are no existing footways or street lighting along this section of highway, no immediate links to regular public transport services, and cyclists are able to utilise the existing highway carriageway. As the development site is to be located within a rural location, and whilst there are some sustainable transport options, they are in keeping with the surrounding area and are limited. Furthermore, HDM accept that most users of the facility will not travel by sustainable means of transport, other than perhaps through car share or the provision of a bus put on for guests to any event.

7.86 The proposed development site is located on a private road which leads to the B6306, in Linnels, which has a 60mph speed limit. HDM consider that there are no adverse implications for highway safety or traffic management as a result of the proposed development. As a result of the proposed development the applicant/developer will be required to make alterations to the existing site access to provide appropriate entry widths and radii to accommodate coaches and wedding vehicles, together with visibility splays in accordance with the speed of vehicles using this section of highway.

7.87 HDM have sought further information in relation to car and coach parking to ensure that sufficient provision is made available on site based on the scale of the proposals. HDM have undertaken a further review of the proposals and the general principles of the approach the applicant has set out with regard to how they propose to manage the traffic associated with the development to limit the impact the development will have on the highway network.

7.88 In their most recent comments HDM advise that that such types of development are unique, and it is difficult to determine the likely amount of parking spaces required as wedding parties can substantially vary in size. Too few parking spaces provided may encourage the parking of vehicles on the surrounding highway, whilst too much parking provision may have a detrimental impact on the surrounding environment and not be used.

7.89 Therefore, to ensure vehicles associated with the development do not over spill onto the adjacent highway, HDM state that if the LPA are minded to approve this application, in order to exercise an element of control on the impact the development will have on the highway, a condition is recommended requesting the submission of an Events Management Plan for approval. The Events Management Plan should set out how the applicant proposes to manage all traffic associated with events (including deliveries to the venue), timings of events, differing sizes of events and full details of the information that will be provided to the Bridal Parties, i.e. recommendations to how guests travel to the venue and the amount of parking available on site etc.

7.90 On the basis of the proposals as submitted and the additional information that has been provided, HDM raise no objection subject to the above condition, as well as those securing provision of the car parking, details of the access, a construction method statement and refuse storage. Having regard to this assessment, and subject to these conditions, it is not considered that the development would have any unacceptable impacts in relation to transport and highway safety.

Ecology

7.91 The site is located within and close to designated sites, including the Devil's Water Woods Site of Nature Conservation Importance and the Lamshields Bank Ancient and Semi-Natural Woodland. The development plan and NPPF highlight the importance of considering potential effects upon the biodiversity and geodiversity of an area. Policy NE27 of the TLP and Policy NE1 of the TCS are therefore relevant in this respect regarding potential effects on the natural environment, species and designated sites. Section 15 of the NPPF relates specifically to the conservation and enhancement of the natural environment, including impacts on habitats and biodiversity.

7.92 Government Standing Advice and the NPPF are clear that ancient woodland is an irreplaceable habitat, noting that *“Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”*.

7.93 Consultation has taken place with Natural England and the Council's Ecologists on the proposals. Natural England raise no objection to the proposals and consider that the development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

7.94 The Council's Ecologists have sought further information during the course of the application in relation to bat roosts and mitigation, as well as asking the applicant to ensure that potential effects on the ancient woodland and government standing advice requiring a 15 metre buffer from such woodland is fully considered. These are concerns that had also been raised in an objection from the Woodland Trust. The Ecologists had therefore sought to ensure that wider impacts of the proposals were addressed, including additional noise and disturbance from use of the building, and increased night-time use.

Ancient Woodland

7.95 Following the submission of additional information and consultation, the Ecologists comment that the access along the northern edge of the site adjacent to the ancient woodland is hardstanding (although with vegetation having grown over) and no additional incursion from the site into ancient woodland is proposed. It is not possible to maintain a 15 metre buffer to the ancient woodland from the development zone, but it is noted that the site is currently developed up to that boundary and that the woodland is not in optimum condition having been planted and/or colonised with non-native species. The proposals have been amended to move the car park away from the edge of the ancient woodland, and the applicant has indicated that no-dig construction techniques will form the basis of a tree protection plan within the buffer to ancient woodland, which can be secured by condition.

7.96 The applicant has also indicated a wish to manage the woodland, and this can be included in conditions. Lighting from the development will be controlled through a dark corridor to the woodland boundary and automatic blinds fitted to skylights in the new function room, which can also be secured by condition. Where ancient woodland is present non-native species in landscaping schemes can escape and impact native woodland flora, therefore, a native species only landscaping condition is

recommended. On this basis, the Ecologists have advised that, subject to appropriate conditions, the objection in relation to ancient woodland is withdrawn.

Bats

7.97 The site is considered to be of County Importance and of high conservation significance, with five species of bat roosts recorded. The majority of the roosts are within the coach house itself and in the upper floor/loft. The upper floor has been previously converted to a holiday let, and no works are proposed to this floor. Restrictions to works to this floor including ceilings and any additional use of the loft must be secured by condition. The applicant is advised that any works impacting bat roosts must be carried out under ecological supervision and under a Natural England European Protected Species Mitigation Licence.

7.98 Recent case law has shown that where a planning application is likely to have implications for European protected species, explicit consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended). The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended), contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species (EPS).

7.99 Notwithstanding the licensing regime, the LPA must also address its mind to these three tests when deciding whether to grant planning permission for a development which could harm an EPS. The "derogation tests" which must be applied for an activity which would harm a EPS are contained within the species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended) are as follows:

1. that the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
2. that there is no satisfactory alternative; and
3. that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

7.100 Regarding the first of these, the test of imperative reasons of overriding public interest seems to be considered to have been satisfied if a proposal meets an identified development need. This is a matter that needs to be considered as part of the determination of this application but is obviously a planning matter rather than an issue requiring ecological advice. In this instance, whilst there are concerns in respect of the principle of the overall form of development in Green Belt policy terms, as well as other harm that has been identified, the proposed conversion and reuse of the buildings that would rest in impacts on bats would largely be acceptable in principle.

7.101 The second test concerns whether the development need which the application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. There are two strands to this test;

- a) whether the development need could be met in a different way than through this particular application.

b) whether the development proposal itself could be re-configured or undertaken in such a way that it meets the same development need while having a lower impact on the population of protected species concerned.

7.102 This application is to bring the coach house into use as a wedding venue, albeit alongside other works rather than solely conversion works, and which is looking to secure a longer-term future for the building. Mitigation has been proposed for the buildings as part of the scheme that retains the roosts and secures their ongoing ecological functionality.

7.103 With regards to the third test, the conservation status of species will be taken as 'favourable' when:

- a. population dynamics data on the species concerned indicate that it is maintaining itself on a long term basis as a viable component of its natural habitats, and
- b. the natural range of the species is neither being reduced for the foreseeable future, and
- c. there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

7.104 In this instance the building currently supports identified bat roosts, and the requirement for an EPS Licence will prevent any direct harm, with the retention of roosts in the converted building maintaining roosting opportunities on site. Controls over lighting will maintain the ecological functionality of the site for bats. Therefore the third test for maintenance of favourable conservation status is met. The requirement for a EPSL and mitigation should be secured by planning condition.

7.105 Following the submission of additional information and mitigation, and on the basis of the comments of Natural England and the Council's Ecologists, the proposal is not considered to result in significant effects on species and designations that may be affected by the proposals, subject to necessary mitigation as identified by the Ecologists.

Drainage and Flood Risk

7.106 Policy GD5 of the TCS states that the potential implications for flood risk will be taken into account when meeting development needs. Policy CS27 of the TLP is also relevant in respect of matters of foul drainage and sewerage. The application site falls largely within Flood Zone 1, although a small part of the site to the east is located within and close to Flood Zones 2 and 3.

7.107 Consultation has taken place with Northumbrian Water, the Lead Local Flood Authority (LLFA) and the Environment Agency (EA) on the proposals in relation to matters of foul and surface water drainage, and assessment of flood risk.

7.108 No objections have been received from the above, subject to conditions that would require development to be undertaken in accordance with the submitted flood risk assessment and surface water management strategy, and that no buildings are located within Flood Zones 2 and 3. The applicant will also need to apply to the EA for a variation to their existing permit in respect of non-mains drainage, and ensure that the existing plant will have sufficient capacity to cope with additional flows. On this basis the proposals would be acceptable having regard to Policy GD5 of the TCS and the NPPF.

Other Matters

Equality Duty

7.109 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

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

Human Rights Act Implications

7.111 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.

7.112 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.

7.113 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 and the Planning Balance

8.1 The proposal is considered to be inappropriate development in the Green Belt for the reasons set out earlier in this report. Paragraph 144 of the NPPF states that *“when considering any planning 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”.

8.2 In addition to the harm to the Green Belt, officers consider that there is also other harm arising through the development of the site as a result of new development in the open countryside; adverse effects upon the character and appearance of the original building and the open and rural character of the site; and harm to designated and non-designated heritage assets.

8.3 Having regard to all of the considerations and assessment of the application it is officer opinion that the application does not demonstrate that there are very special circumstances that would outweigh the identified harm to the Green Belt. The scheme is not considered to result in benefits that would justify or outweigh the level of harm to the identified heritage assets. The site is not considered to be a suitable location for the introduction of such a development and would result in harm to the Green Belt, the open countryside and the character of the area, as well as heritage assets, contrary to the identified policies of the development plan and the NPPF.

9. Recommendation

That this application be REFUSED for the following reasons:

01. The site is located in the open countryside and the Green Belt. The overall proposals are considered to be inappropriate development within the Green Belt in the context of the National Planning Policy Framework and result in harm to the openness of the Green Belt and encroachment into the countryside. Very special circumstances necessary to outweigh the harm to the Green Belt by reason of inappropriateness, as well as other harm, have not been demonstrated. The application is therefore contrary to Policies NE7 and NE14 of the Tynedale Local Plan and the National Planning Policy Framework.

02. By virtue of its location, scale, design and the nature of the use, including associated parking and the intensification in use of the site, the development would introduce a form of development that would result in harm to the character and appearance of the original buildings, the rural character and setting of the site and surrounding area, and encroachment into the countryside. The development is therefore contrary to Policies GD1, NE1 and BE1 of the Tynedale Core Strategy, Policies GD2 and BE11 of the Tynedale Local Plan and the National Planning Policy Framework.

03. The proposals would result in harm to the non-designated heritage assets comprising Linnels Coach House and The Linnels, as well as substantial harm to the setting of the designated heritage assets of the Grade II listed Linnels Bridge and the Grade II* listed Old Mill. The identified harm is not considered to be necessary to achieve substantial public benefits and any harm is not outweighed by any other potential benefits. The proposals would therefore be contrary to Policy BE1 of the Tynedale Core Strategy, Policy BE22 of the Tynedale Local Plan and the National Planning Policy Framework.

Background Papers: Planning application file(s) 20/02180/FUL