



# Northumberland

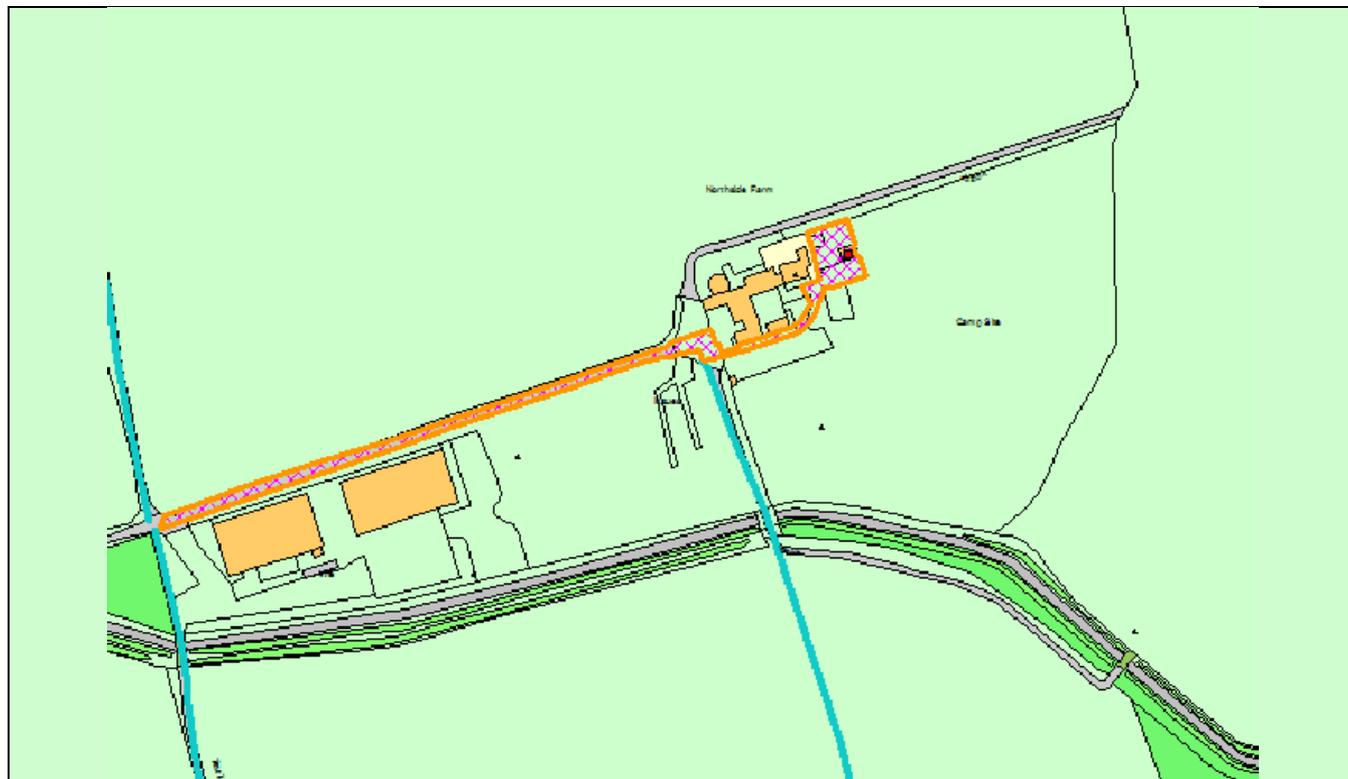
## County Council

### Tynedale Local Area Council Planning Committee

### 10 August 2021

<b>Application No:</b>	21/00826/FUL		
<b>Proposal:</b>	Proposed development of rural worker's dwelling		
<b>Site Address</b>	Land to south and east of North Side Farm, Harlow Hill, Northumberland		
<b>Applicant:</b>	Mr & Mrs Lockey, North Side Farm, Oatens Bank, Horsley, NE15 0LZ	<b>Agent:</b>	Miss Hannah Wafer, George F White, 4-6 Market Street, Alnwick, NE66 1TL
<b>Ward</b>	Bywell	<b>Parish</b>	Horsley
<b>Valid Date:</b>	7 May 2021	<b>Expiry Date:</b>	13 August 2021
<b>Case Officer Details:</b>	Name: Mr Neil Armstrong Job Title: Principal Planning Officer Tel No: 01670 622697 Email: <a href="mailto:neil.armstrong@northumberland.gov.uk">neil.armstrong@northumberland.gov.uk</a>		

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



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## **1. Introduction**

1.1 Under the Virtual Delegation Scheme, the application has been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee due to the representations received to the proposals. It was agreed that the application raises issue of strategic, wider community or significant County Council interest, and so should be considered by the Committee.

## **2. Description of the Proposals**

2.1 Full planning permission is sought for the construction of a detached, two-storey rural worker's dwelling at Northside Farm, Harlow Hill, Horsley. The holding extends to 27 hectares (68 acres). The wider site is used for the operation of a wedding venue in the converted former farm buildings, and in addition there are 10 camping pods and 4 timber holiday cottages, which are rented out for holiday accommodation and in connection with the wedding venue use. The applicants have also recently brought livestock onto the site, with a total of 21 hectares (51 acres) used as part of the livestock enterprise. The application states that the farm currently supports two Shorthorn beef cattle herds and 125 sheep. The new dwelling is proposed for the owners of the overall business at Northside Farm and their family.

2.2 The site is accessed from the U8197 and is located between the B6318 to the north and the A69 to the south, south-east of Harlow Hill and north of Horsley. The site is located in the open countryside and the Green Belt and is also within the Hadrian's Wall World Heritage Site Buffer Zone.

2.3 The applicant's planning statement sets out that due to what they state is the absence of a fit-for-purpose dwelling at the farm, the applicants currently live in Allendale (25 miles from the application site). It is stated that the applicants have explored options for living closer to the farm, although comment that house prices in the area surrounding Horsley are considerably more expensive than those in Allendale.

2.4 The planning statement makes reference to an existing dwelling on the holding, which is described as being derelict and in the process of being converted for additional office space due to the growing work force. Having regard to plans submitted with recent applications (18/04028/FUL and 19/00954/HPA) that sought to extend and alter this dwelling, it is noted that this is a three-bedroom property. It should be noted that there does not appear to be any consent that has been obtained in order to change the use of this to office space.

2.5 The application follows the withdrawal of a similar proposal for a dwelling submitted under reference 19/04535/FUL. Officers had raised concerns in relation to the lack of justification of an essential need for a new dwelling in this open countryside and Green Belt location, and the current application has sought to provide further information and justification to support the proposals.

## **3. Planning History**

**Reference Number:** T/20040800

**Description:** Hedgerow removal notice - Retrospective - Removal of 150 metres of hedging

**Status:** Refused

**Reference Number:** T/20100358

**Description:** Construction of agricultural storage building and new vehicular and pedestrian access

**Status:** Permitted

**Reference Number:** T/20100821

**Description:** Change of use of existing building to provide services building incorporating showers/WC and kitchen and change of use of part of existing grass field for location of six wigwams including new tree/hedge planting

**Status:** Permitted

**Reference Number:** CM/20110114

**Description:** Advertisement consent for one non-illuminated double sided directional roadside sign

**Status:** Permitted

**Reference Number:** T/20110119

**Description:** Construction of agricultural storage building.

**Status:** Permitted

**Reference Number:** 11/01937/COU

**Description:** Retrospective: Change of use of existing building to provide kitchen and dining area for visitor accommodation

**Status:** Permitted

**Reference Number:** 12/01817/FUL

**Description:** Part conversion and extension of existing farm buildings to accommodate a small office and cafe including kitchen, outdoor area and amenities

**Status:** Permitted

**Reference Number:** 13/00205/FUL

**Description:** Proposed expansion of existing wigwam campsite by adding 4no additional wigwams

**Status:** Permitted

**Reference Number:** 16/02987/COU

**Description:** Proposed change of use of the barn development to hold weddings - to use barn as a wedding venue and events space, and change of use of farm house to wedding accommodation.

**Status:** Permitted

**Reference Number:** 16/00110/LIC

**Description:** Application for a premises licence

**Status:** No objection

**Reference Number:** 17/00006/LIC

**Description:** Application for a premises license.

**Status:** No objection

**Reference Number:** 17/00012/LIC

**Description:** Application for a premises license

**Status:** No objection

**Reference Number:** 18/01389/FUL

**Description:** Proposal for four additional camping cabins

**Status:** Permitted

**Reference Number:** 18/04028/FUL

**Description:** Extension to dwelling.

**Status:** Refused and dismissed on appeal

**Reference Number:** 19/00905/DISCON

**Description:** Discharge of Conditions 5 (Detailed Landscaping Scheme), 6 (Lighting) and 7 (Cycle Parking) on approved planning application 18/01389/FUL

**Status:** Permitted

**Reference Number:** 19/00954/HPA

**Description:** Householder prior notification application for a proposed rear extension with depth of eight measured from the base of the rear wall of the original dwelling.

**Status:** Prior approval not required

**Reference Number:** 19/04535/FUL

**Description:** Proposed erection of a manager's house (restricted occupancy)

**Status:** Withdrawn

#### **4. Consultee Responses**

Horsley Parish Council	No response received.
Highways	No objection subject to conditions.
Countryside/Rights of Way	No objection subject to conditions.
Historic England	No objection.
County Archaeologist	No objection.
Northumbrian Water Ltd	No response received.
County Ecologist	No objection subject to condition.
Public Protection	No objection subject to conditions.

#### **5. Public Responses**

##### Neighbour Notification

Number of Neighbours Notified	25
Number of Objections	1
Number of Support	13
Number of General Comments	0

##### Notices

Site Notice - Public Right of Way: 18 May 2021

Summary of Responses:

A total of 14 representations have been received with 13 in support and 1 objection. The representations in support have been received from contributors, employees and other local businesses across the County and wider area that comment as follows:

- the enterprise is a well-established multi-purpose venue comprising farm, wedding/events and holiday accommodation and a dwelling is required to run the business more effectively
- dwelling is required to provide support, security and management of the business
- the dwelling would be appropriate in this location and in keeping with the area
- the business supports other local businesses and provides local employment
- there is justification and an essential need for a new dwelling for the applicants and family.

The objection comment refers to the following

- query the justification put forward on the essential need for a new dwelling in relation to agricultural operations
- there is an existing farm cottage on the site

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QPECDCQSMEA00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Tynedale Local Development Core Strategy (adopted October 2007)

GD1 General development principles  
GD2 Prioritising sites for development  
GD3 Green Belt  
BE1 Principles for the built environment  
H1 Principles for housing  
H2 Housing provision and management of supply  
H3 The location of new housing  
H4 Housing on greenfield land  
EDT1 Economic development and tourism

Tynedale Local Plan (Adopted April 2000)

GD2 Design criteria  
GD4 Range of transport provision for all development

GD6 Car parking standards outside the built up areas  
H18 Housing for rural businesses  
H32 Residential design criteria  
NE7 New buildings in the Green Belt  
NE8 New dwellings in the Green Belt  
NE17 Development in the setting of Hadrian's Wall World Heritage Site  
BE26 Hadrian's Wall World Heritage Site  
BE28 Archaeological assessment  
BE29 Development and preservation  
LR11 Outdoor sports facilities for new residential development  
LR15 Play areas in new residential development (standards and design criteria)  
LR19 Safeguard existing and promotion of new public rights of way  
TP27 Development affecting Public Rights of Way  
CS23 Development on contaminated land  
CS27 Sewerage

## 6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG) (2018, as updated)

## 6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy  
STP 2 Presumption in favour of sustainable development  
STP 3 Principles of sustainable development  
STP 7 Strategic approach to the Green Belt  
STP 8 Development in the Green Belt  
ECN 12 A strategy for rural economic growth  
ECN 14 Farm/rural diversification  
ECN 15 Tourism and visitor development  
ECN 16 Green Belt and tourism and visitor economy  
HOU 2 Provision of new residential development  
HOU 8 Residential development in the open countryside  
HOU 9 Residential development management  
QOP 1 Design principles  
QOP 2 Good design and amenity  
TRA 4 Parking provision in new development  
ENV 2 Biodiversity and geodiversity  
ENV 7 Historic environment and heritage assets  
ENV 8 Frontiers of the Roman Empire- Hadrian's Wall World Heritage Site  
WAT 2 Water supply and sewerage  
POL 1 Unstable and contaminated land  
INF 5 Open space and facilities for sport and recreation  
INF 6 Planning obligations

## **7. Appraisal**

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development

plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Tynedale Core Strategy (TCS) and the saved policies of the Tynedale Local Plan (TLP) as identified above. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: 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 Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

7.4 Following assessment of the proposals and responses received following consultation, the main issues that are considered to be relevant in the determination of the application as follows:

- principle of development
  - Green Belt
  - open countryside and essential need for rural worker's dwelling
- siting, design and impact on the landscape
- residential amenity
- access and parking
- heritage assets
- public right of way
- ecology
- drainage and sewerage
- contamination
- planning obligations

### **Principle of development**

7.5 The site is an existing wedding venue and tourism site within the open countryside. Policy EDT1 of the TCS aims to support a buoyant and diverse local economy, whilst recognising the importance of tourism in the area. Paragraph 84 of the NPPF discusses the sustainable growth and expansion of all types of business in rural areas, including sustainable rural tourism and leisure developments which respect the character of the countryside. Policy ECN 15 of the emerging NLP seeks to promote and develop Northumberland as a destination for tourists and visitors, including for weddings. Supporters of the scheme have highlighted the benefits of the site to tourism. Notwithstanding the benefits of the overall site to tourism, the current application is for a new build dwelling to be occupied by the owners of the enterprise

and has to be assessed in terms of the principle of a new house in the open countryside and Green Belt as discussed below.

## Green Belt

7.6 The proposal would result in development within the Green Belt. Policy NE7 of the TLP sets out circumstances when new development in the Green Belt may be permitted, and the proposal would not fall within any of these. Policy NE8 of the TLP relates specifically to new dwellings and states there will be a presumption against the construction of new dwellings in the Green Belt.

7.7 The most up-to-date Green Belt policy that should be afforded significant weight is set out within the NPPF. Paragraph 137 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”*.

7.8 Paragraph 147 states that *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*. Paragraph 148 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”*.

7.9 Paragraph 149 of the NPPF states that *“a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”*. Exceptions to this are then identified, including buildings for agriculture and forestry. However, the construction of a new dwelling, albeit connected to the existing business operations, would not meet the exceptions to inappropriate development. Therefore, the provision of a new dwelling in this location within the Green Belt is regarded as inappropriate and should not be approved unless very special circumstances exist.

7.10 In principle, very special circumstances could be said to exist if an essential need for a rural worker to live at the site has been demonstrated. Having regard to paragraph 148 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.

7.11 Whilst little weight can be applied to it at this time, Policy STP 8 of the emerging NLP reflects the NPPF and states:

### *1. In assessing development proposals within the Green Belt:*

- a. Development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported except in very special circumstances where other considerations clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal;*
- b. Development which is not inappropriate in the Green Belt, as defined in national planning policy, will be supported;*
- c. Development which improves access to the countryside; provides opportunities for outdoor sport and recreation; enhances landscapes and biodiversity; or improves*

*damaged and derelict land will be encouraged and supported, provided it does not conflict with national policy in relation to Green Belt.*

7.12 The applicant's Planning Statement suggests that 'very special circumstances' exist to outweigh the harm to the Green Belt based on an essential need for a new dwelling, which will be explored further in the following sections.

#### Open Countryside and Essential Need for Rural Worker's Dwelling

7.13 The site lies within an isolated location in the open countryside and therefore the principle of development for the construction of new dwellings in such a location would not normally be supported having regard to Policies GD1, H1 and H3 of the TCS. Policy GD1 states that development in the open countryside will be limited to the re-use of existing buildings, whilst Policies H1 and H3 direct new housing to more sustainable locations within main towns, local centres and smaller villages.

7.14 Policy H18 of the TLP relates to the construction of new dwellings in the countryside and states that:

*A dwelling may be permitted in the countryside in special circumstances where the applicant can clearly demonstrate that it is essential for one or more people engaged in a viable agricultural or other compatible and sustainable rural business to live at or very close to the site of their work. Permission will only be granted for such development subject to:*

- (a) the applicant being able to demonstrate that the requirement for such housing could not be met from existing accommodation in the area, or buildings suitable for conversion; and*
- (b) the imposition of conditions and/or the seeking of a planning obligation to ensure that occupancy is restricted; and*
- (c) no adverse effect on the environment; and*
- (d) the site being well related to any existing built development in the countryside; and*
- (e) the proposal being of a scale and design which is sympathetic with its surroundings and appropriate to its purpose; and*
- (f) the proposal forming part of a financially viable existing rural business holding.*

7.15 More up to date policy in respect of rural housing is provided within the NPPF, with paragraph 79 stating that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 80 goes on to state that: "*Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it:*

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

7.17 Paragraph 010 of the 'Housing needs of different groups' section of the Government's Planning Practice Guidance (PPG) states that considerations that it may be relevant to take into account when applying paragraph 80a of the NPPF, as copied above, could include:

- *evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
- *the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- *whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- *whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- *in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.*

*Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.*

7.16 Turning to the emerging NLP, although little weight can be given to this at this stage, Policy STP 1 reflects the NPPF in terms of development in the countryside and states:

*g. Development in the open countryside will be supported if it can be demonstrated that it:*

- i. Supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13; or*
- ii. Supports the development and diversification of agricultural and other land-based rural businesses in accordance with Policy ECN 14; or*
- iii. Supports sustainable rural tourism and leisure developments in accordance with Policy ECN 15; or*
- iv. Provides for residential development in accordance with Policies HOU 7 or HOU 8; or*
- v. Supports the retention, provision or improvement of accessible local services and community facilities which cannot be provided in settlements, in accordance with Policy INF 2; 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.*

7.17 Again at this stage little weight can be applied to it, but Policy HOU 8 of the NLP refers specifically to residential development in the countryside and in relation to new dwellings for rural workers states:

*1. The development of isolated homes in the open countryside will only be supported where:*

*a. There is an essential and clearly established need for a full-time rural worker necessary to meet the operational needs of a rural business to live permanently at or near their place of work in the countryside, and where it can be demonstrated that:*

*i. The business is financially sound and viable with a clear prospect of remaining so, the activity and landholding units concerned having been established for at least three years and been profitable for at least one of those last three years; and*

*ii. The functional need could not be fulfilled by any existing dwelling on the landholding unit or any other existing accommodation in the immediate area, which is suitable (including by means of refurbishment or appropriate extension) and potentially available for occupation by the workers concerned; or*

*b. It represents the optimal viable use of a heritage asset, or represents appropriate enabling development to secure the future of a heritage asset(s); or*

*c. It re-uses redundant or disused buildings and enhances its immediate setting; or*

*d. It involves the appropriate sub-division of an existing residential dwelling; or*

*e. The design is of exceptional quality, in that it is truly outstanding or innovative, reflecting the highest standards of architecture, and would help to raise the standards of design in rural areas, and it would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

7.17 The applicant's agent and planning consultants (George F White) have submitted a Planning Statement and an 'Appraisal of the Requirement for a Farm Worker's Dwelling', which set out the background to the business operations and look to justify the essential need for a rural worker's dwelling and thus the very special circumstances for a new dwelling in this location. The Local Planning Authority (LPA) has commissioned AG & P Jackson (Chartered Surveyors & Land Agents) to review the submitted information and assess the proposal for a dwelling as set out in this application, which has included a visit to the site and meeting with the applicants

#### *Existing Situation*

7.18 Having regard to the information provided with the applicant's appraisal and the AG & P Jackson report, the applicant's own a total of 27 hectares that make up the holding at Northside Farm. The holding includes the stone-built farm buildings, including a two-storey stone cottage, at Northside Farm. It is understood that the property was formerly part of Harlow Hill Farm, which was a rented farm from the Duke of Northumberland. In 2010 the Lockey family surrendered their tenancy of Harlow Hill Farm and purchased Northside Farm. The applicants have this year rented around 16 hectares near Bellingham as seasonal grazing for their sheep flock.

7.19 At the present time the livestock that are kept on these land holdings comprise 16 Galloway heifers that have recently been purchased and will be put to the White Shorthorn Bull next year, calving for the first time in the spring of 2023. The intention is to rear the offspring from these cattle to about 20 months of age for beef for use in the catering of the wedding enterprise. The proposal is to expand this enterprise so there are up to 20 cows calving through the year with the offspring being reared for beef. In addition, 160 gimmer lambs were purchased in January 2021 with first lambing expected in the spring of 2022.

7.20 The land holdings have previously been used as arable land. There is an area of around 7 hectares of permanent pasture. 13 hectares of previous arable land have now been reseeded to grassland and are to be mown for conservation for winter feed for the livestock. 5 hectares have been sown with a seed mixture to provide a habitat and feed for wild birds as part of the Countryside Stewardship Scheme. The remaining land consists of the farmyard and hard standings.

7.21 The applicant's appraisal sets out that due to the economic climate, the former mixed pig and arable farm diversified in 2010 and there are now three main elements to the farm business: the wedding venue, glamping pods and holiday cottages. The wedding venue holds around 40 weddings per year, although it is suggested that this is increasing due to its popularity, with a ceremony capacity of 150 guests and reception capacity of 250 guests. The camping pods can accommodate up to 50 guests and the 4 timber holiday cottages accommodate a total of 8 guests. It is stated that the farm attracts between 6,000 - 8,000 visitors a year from around the world.

7.22 The applicants propose to erect a general-purpose agricultural building to the southern boundary of the holding and to the south-east of the camping pods. The LPA received notification of this new building to be constructed under permitted development rights under application 20/03734/AGRGO, however it has not yet been constructed.

7.23 As referred to earlier the site also has a two-storey stone-built cottage, which had been occupied by a tenant. The cottage was refused planning permission (ref:18/04028/FUL) for extensions, which was subsequently dismissed at appeal. However, a notification for prior approval for a proposed larger home extension was submitted under application 19/00954/HPA, which determined that the work could be undertaken through permitted development rights and that prior approval was not required. In order to benefit from those permitted development rights, the works were required to be undertaken by the 30 May 2019, however this has not occurred. This building has been converted to office space, a meeting room and storage although the applicant's agents have been made aware that no planning permission has been obtained for such a change of use.

### *Employment*

7.24 The wedding venue enterprise is operated by the applicants on a full-time basis. This was begun in 2016 and now has around 40 weddings per year, mostly held between April and November. When the lodges and camping pods are not required for weddings, they are let out to visitors to the area. The business employs a full-time events manager and up to 12 part-time locally based staff for hospitality, cleaning and maintenance. Catering is provided by external caterers and there can be up to 8 of their staff on site during events.

7.25 There are no staff living on the site and Mr and Mrs Lockey live in Allendale, some 25 miles away. The owners have stated that they are now finding it difficult to run the wedding venue by not living on the site and have concerns over security when there is no one on site outside normal working hours. The applicants wish to invest in the site but do not feel able to do this without living there.

*The functional need*

7.26 As highlighted earlier, the relevant test in determining whether a new dwelling should be permitted in this isolated open countryside location is whether there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. A functional need is would look to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

7.27 The applicant's planning statement looks to demonstrate that the needs of the business are sufficient to warrant a permanent on-site presence. It is also suggested that the personal circumstances of the applicants also contribute to the effective operation and delivery of the existing businesses. The statement sets out that there is an existing business need in relation to the following:

- *Managing up to 270 guests and staff onsite at any one time;*
- *Managing overnight guests - numbers can exceed 100 people on weekends and during holiday periods;*
- *Managing guests during unsociable hours;*
- *Maintaining the health, safety and hygiene standards associated with being a fully licensed hospitality venue;*
- *Fire monitoring;*
- *Day-to-day management of all aspects of the farm business;*
- *Managing Countryside Stewardship and Basic Payment Scheme requirements*
- *Management of deliveries which include large quantities of food, drink, linen, maintenance parts, farm equipment, wedding accessories;*
- *Farm security from rural crime (robberies and poaching are becoming an increasing issue); Grassland management, and associated issues;*
- *Continual update of farm books (farm business accounts and bill paying);*
- *Animal health and welfare;*
- *Animal security;*
- *Day-to-day livestock management;*
- *Holding and dead stock security;*
- *Returning escaped stock;*
- *Preparation and transport of finished stock to abattoir and butchery;*
- *Preparation of butchered beef produce onsite;*
- *Health and safety monitoring;*
- *Continual update of farm books (livestock movements, medical records)*

7.28 The applicant's also state that the existing personal need includes a 60-mile round trip from home to farm; on-site is required as opposed to nearby where housing choice is limited and expensive; and travel time to schools for the applicants' children.

7.29 Consideration of an existing functional need is reinforced by the NPPG referred to earlier in respect of "Rural Housing – How can the need for isolated homes in the countryside for essential rural works be assessed?". This highlights that a

consideration to take into account could include “*evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products)*”.

7.30 The report prepared by AG & P Jackson highlights that at the present time the functional need generated by the livestock that have recently been introduced to the land will be relatively small as they are of an age that do not require a great deal of attention, although by next spring the sheep will be lambing and there will be a high functional need for that enterprise over the lambing period. The 16 Galloway heifers will calve in the spring of 2023 for the first time and become suckler cows, so at that point the functional need will increase on that enterprise. It is stated that it will take time for livestock numbers to be built up and therefore increase the functional need of the livestock enterprise, but it is acknowledged that this is an improved situation, and therefore a material change, from the previous application when the livestock enterprise was only a proposal.

7.31 Consideration has been given as to whether the wedding and accommodation enterprises give rise to a functional need for a worker to live on site. This has also been considered by officers in the context of the PPG set out in paragraph 7.29 in terms of the need for a rural worker to be on site to ensure the effective operation of an agricultural or similar land-based rural enterprise and the need to be on site 24 hours a day.

7.32 The AG & P Jackson report acknowledges that it may be necessary to have a worker on site to deal with issues that may occur outside of normal working hours. This could include the arrival and departure of guests; delivery of supplies; attention to unexpected breakdown of accommodation equipment and facilities; and general security outside of normal working hours. However, it is noted that these elements of the business appear to have been operating satisfactorily without a permanent on-site presence. This was also noted by the Inspector when dismissing the appeal for extensions to the farmhouse (18/04028/FUL) who considered that although he could appreciate the benefits of the applicants living on the site, he gave this limited weight as the “*business appears to operate satisfactorily without a permanent on site presence*”.

7.33 The AG & P Jackson report concludes on this aspect that whilst it may not be essential, it is desirable to have a worker living on site for the wedding and accommodation enterprises, and that will be strengthened if the livestock enterprises increase livestock numbers. Whilst it may well be desirable for a worker to be living on site, the policy considerations in Policy H18 of the TLP and paragraph 80 of the NPPF refer to the essential need. In this case it is not felt that the wedding and accommodation elements require a permanent on-site presence to ensure the effective operation of the businesses, therefore it is not felt that there is an essential need for a worker to be permanently on site.

#### *Labour requirements*

7.34 The numbers of employees running the wedding enterprise and accommodation have been listed above. Letters of support have highlighted that the enterprise

employs local people and supports local businesses. However, there is no essential need for any of the existing employees to live on the site to carry out the existing functions.

7.35 The AG & P Jackson report calculates the labour requirement of the land holdings that make up Northside Farm of around 0.5 of a full-time worker based on the existing livestock numbers and cropping practices. The labour requirement will increase as livestock types and numbers are increased. However, it is noted that due to the limited area farmed, and livestock carrying capacity, there will not be a requirement for a full-time worker based on the farming enterprises alone.

7.36 The other enterprises at the site generate a need for other full and part-time employees, therefore on the whole there is a labour requirement in excess of one full-time worker. However, as referred to above it is not felt that there is an essential need for workers associated with these elements to live on the site to ensure the effective operation of the business.

#### *Financial viability*

7.37 The NPPG states that in assessing the provision of housing for rural workers, the viability of the enterprise for the foreseeable future is relevant. Whilst the NPPF requires an essential need to be demonstrated for a new rural worker's dwelling, it does not specifically require a financial test, although the advice in the PPG requires consideration of the degree to which there is confidence that the enterprise will remain viable for the foreseeable future.

7.38 The enterprise at North Side farm has been established since 2010 and investment in the buildings, improving the facilities and adding glamping pods and timber lodges has taken place. The assessment by AG & P Jackson advises that the existing business has been established at Northside Farm since 2010 and has expanded its provision of services as a wedding venue since then, with the first wedding in 2016. There is evidence on site of substantial investment in the conversion of the traditional farm buildings and the holiday accommodation, however the livestock enterprises are activities that have only recently been established.

7.39 Accounts have not been provided with the current application, although information has been provided by the applicants in respect of the turnover of the wedding business and that the business continues to expand and invest on the holding. AG & P Jackson have considered the likely returns from the livestock enterprise and conclude that due to the limited area of land available and the numbers of cattle proposed, this enterprise is not going to provide sufficient income to support a full-time worker. However, it is noted this will contribute to the income of the wedding enterprise by providing a source of locally grown food for the catering element of the business. It is also acknowledged that the business as an entire unit, will remain viable for the foreseeable future.

#### *Suitability and availability of existing dwellings on the holding*

7.40 It is usually only really necessary for specialist workers to live on or immediately adjacent to rural holdings. This is to be available at most times in case animals or processes require essential care at short notice and to deal quickly with emergencies that would otherwise cause serious loss of crops or products. In this case this could

apply to potential loss of livestock, particularly in relation to the care of the cattle and sheep on the holding.

7.41 This is reflected in the PPG advice that makes specific reference to providing evidence of a need “*to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products)*”. Although it may be desirable for someone to be on site outside of normal working hours in relation to the other elements of the business, this is not felt to be an essential requirement to ensure the effective operation of the overall business in this instance.

7.42 As referred to earlier there is an existing dwelling as part of the land holding, which has recently been converted without consent to office and meeting space in connection with the wider business. It is clear that the applicants have considered this as an option and felt it was potentially suitable given the applications that were submitted to extend and alter this. Application 18/04028/FUL was refused and dismissed on appeal due to the proposed scale of the extensions that would result in inappropriate development in the Green Belt and its design that would be harmful to the character of the property. However, the applicants have demonstrated that a scheme could potentially be undertaken under permitted development for a four-bedroom property, although the statement suggests that this did not provide a suitable type of accommodation.

7.43 In further correspondence with the applicants’ agent on this aspect it is suggested that due to the 2016 consent for the wedding venue use (16/02987/COU), this prevents the farmhouse being used other than in association with the business, whilst it is stated that this was deemed to be uninhabitable and therefore it is not available. Officers note that supporting information provided by the applicants for that application to address concerns raised by Public Protection over noise stated that the intention was for the family to live in the farmhouse to make it easier to run the businesses. The 2016 consent imposed condition 3, which states:

*The wedding accommodation (Class D2 use) hereby approved shall not be brought into use unless the dwelling known as North Side Farmhouse is either vacant or occupied by members of staff who are directly employed by the wedding and function venue. If at any time the dwelling is occupied by persons not directly employed by the business or related to the applicant then use of the premises as a wedding and function venue shall cease.*

*Reason: To ensure the protection of the amenities of nearby residents in respect of noise and disturbance.*

7.44 This condition does not prevent occupation by the applicants and family or other worker(s). In addition, this did not prevent consideration being given to the 2018 and 2019 applications for extensions and alterations to the dwelling, and it is felt that this can be refurbished and brought up to the necessary standard. On this basis officers do not consider that it is reasonable to say that it is not available for any residential use for a rural worker. Also, given that there does not appear to be any consent for a change of use from residential use to office as undertaken, officers have not given any weight to the view that this is not available due to being converted to office space. It is

therefore considered that the farmhouse cannot be fully discounted as being suitable and available for residential use for a rural worker that may be required to live on site.

7.45 Northside Farm is in the open countryside and the proposal would result in a new dwelling in an isolated location, however it is not felt to be in an entirely remote location. The site is only some 8 miles from the western edge of Newcastle, with Horsley (1 mile), Ovingham (2 miles), Wylam (2 miles) and Prudhoe (2.2 miles) a short distance to the south, with other villages in the vicinity.

7.46 The enterprise has now been established for some ten years and supporters state that the applicants are key members of the local community, and the children attend local schools. The location of the site means that there are a range of options for housing in the area, not only limiting it to living on the site or living at a distance of some 25 miles away. The current enterprise is also partly seasonal, and so it is possible that over the winter months there may not need to be a presence on the site on a daily basis. Officers therefore consider that there is limited information and evidence of consideration being given to any alternative accommodation in the local area that may be able to satisfy the desire to be closer to the site and operations.

#### *Other matters: security*

7.47 Matters of security are often cited in the need to live permanently on a site and issues of security have been put forward by the applicant as part of the overall justification for a new dwelling in this application. Planning appeals (for example ref: APP/P2935/W/16/3158790) consider issues of security in assessing the need for a dwelling for a rural worker, but although mindful of the problem, it is acknowledged that this does not provide justification for allowing a new dwelling in this instance.

#### Summary of principle of development

7.48 The overall enterprise at Northside Farm is a well-established, financially viable business that has operated successfully to date with no one living on the site. It is acknowledged that there is a material change from the application that was previously considered and withdrawn by the applicant, with some livestock having been recently introduced to the farm.

7.49 The dwelling on the site has recently been converted to office and storage accommodation for the wider business, although officers give no weight to the loss of this given that there has been no application to change the use of the property, and this cannot be fully discounted as a suitable alternative. Limited consideration has been given to any alternative properties in the surrounding area that may be suitable and available.

7.50 In relation to the farming operations, it is noted that the livestock enterprises have only recently been introduced (i.e. January this year). The livestock numbers are currently relatively low, particularly the cattle numbers. Therefore, the functional need is currently limited, and the farming enterprises are not generating enough work to require a full-time worker and therefore not generating enough income to support a full-time worker. It is considered that the applicants may find it difficult to meet the requirements for a worker to be on site in relation to the agricultural enterprise as the land holdings at Northside are not considered to be large enough to support enough livestock. However, when the other enterprises are added in, it is acknowledged that

the entire business requires more than a full-time worker and generates sufficient income.

7.51 Whilst that may be the case, the relevant policy test is whether there is an essential need for a rural worker to live at or near their place of work. Having assessed the proposals with submitted justification and having regard to the review of the application by AG & P Jackson, it is not currently essential for a full-time worker to be resident on the site based solely on the agricultural enterprises. Taking into account the need to support rural enterprises it could possibly be said to be 'desirable' as that worker, in addition to dealing with the limited functional need of the farming enterprises, could deal with any out of normal working hours issues that may arise on the other enterprises.

7.52 In terms of the other parts of the overall business, it is necessary to establish whether it is essential, for the proper functioning of the enterprise, for one or more workers to be readily available at most times. Having regard to the nature of the other uses, whilst it may well be desirable to live on site in relation to the management of these elements, it is not felt that there is an essential need that would justify the construction of a new dwelling. Furthermore, it is noted that these elements of the business appear to have been operating satisfactorily without a permanent on-site presence.

7.53 Reference is made in the planning statement to personal circumstances, which have been given consideration. The NPPF and PPG make no specific provision for personal circumstances in relation to rural worker's dwellings. The cancelled Planning Policy Statement 7: Sustainable Development In Rural Area, advised that it is the needs of an enterprise that is important to the justification of an agricultural dwelling and not the personal preferences or circumstances of any of the individuals concerned. Therefore, whilst these are acknowledged, it is not felt that they would result in the justification of essential need for a new dwelling.

7.54 Therefore in light of all of the above, there is not considered to be a demonstrated essential need for a dwelling for a rural worker in this isolated location, and so the application does not meet the requirements of Policy H18 of the TLP and paragraph 80 of the NPPF. Consequently the 'very special circumstances' required to outweigh the harm to the Green Belt by reason of inappropriateness do not exist. The application would therefore conflict with Policies GD1, H1 and H3 of the TCS, Policies NE7, NE8 and H18 of the TLP and paragraphs 80 and 147-149 of the NPPF.

### **Siting, Design and Impact on the Landscape**

7.55 Policy H18 of the TLP may permit a dwelling in the open countryside in special circumstances, as discussed above, subject to a number of criteria including: the building would have no adverse effect on the environment; the site would be well related to any existing built development in the countryside; and the proposal would be of a scale and design which is sympathetic with the surroundings.

7.56 The dwelling would be located to the east of the existing buildings on the holding and would be well related to these buildings. The house would be constructed of stone, with stone detailing and a slate roof. The building would be relatively large, resulting in an internal floor area of around 242 sq. metres and having some five bedrooms and it would have an adequate amount of amenity space around the dwelling.

7.57 Whilst it has been cancelled since the publication of the NPPF, Planning Policy Statement 7 Annex A: Agricultural, Forestry and Other Occupational Dwellings provided advice in relation to assessing whether there is an essential need for a new dwelling. With regard to the size of a dwelling this set out that *"agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the longterm, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding"*.

7.58 Notwithstanding the fundamental policy conflict in terms of the principle of development and inappropriate development in the Green Belt, the layout, scale and design of the dwelling in itself would be acceptable in the context of its location adjacent to existing development and would not have a detrimental impact on the character and quality of the wider landscape. It would accord with TCS Policies BE1 and NE1 and TLP Policy GD2 and parts (c), (d) and (e) only of TLP Policy H18, plus emerging NLP Policies QOP1 and QOP2.

### **Impact on Residential Amenity**

7.59 Given the location of the site as part of the existing group of buildings and isolated from other dwellings, it is acknowledged that a dwelling could be built on the site that would not have a detrimental impact on the amenity of adjoining land and properties. The proposal would therefore accord with Policies GD2 and H32 of the TLP in this respect.

### **Access and Parking**

7.60 Access to the site would be taken from the routes that already serve the existing buildings and business and parking for the dwelling would be to the front of the property. Highways Development Management (HDM) have assessed the application and consider that there is adequate space within the site for both vehicular and cycle parking. Subject to conditions in relation to a construction method statement, car and cycle parking and refuse, HDM raise no objection to the application. It would therefore accord with Policy GD4 of the TCS, Policies GD4 and GD6 of the TLP and the NPPF.

### **Impact on Archaeology**

7.61 The site is located within the Hadrian's Wall World Heritage Site buffer zone being 350 metres south of the scheduled monument of Hadrian's Wall and vallum. It is also located c.80 metres south of a series of Iron Age/Romano-British enclosures and may be close to a Roman field system.

7.62 The County Archaeologist has assessed the application and given its location advises that it should be assessed for its potential indirect impact on the setting of the scheduled monuments of Hadrian's Wall and the universal value of the World Heritage Site, it should also be considered for its potential direct (physical) impact on potential below ground archaeological remains.

7.63 Their assessment has concluded that the development will not impact on the setting of the scheduled monuments in this area or the World Heritage Site. The development would not interrupt views along Hadrian's Wall or impact the

understanding of the World Heritage Site, with the dwelling being viewed in the context of existing buildings on the site. Furthermore, it is concluded that the proposed development should not impact on surviving significant archaeological remains, therefore no objections are raised to the application and no further archaeological work is required. The proposal would therefore be in accordance with Policies NE17 and BE26 of the TLP, Policy BE1 of the TCS and the NPPF.

### **Public Right of Way**

7.64 Parish of Horsley Public Footpath No. 5 passes adjacent to the west of the proposed site. The Countryside/Rights of Way team have been consulted on the application and has no objection subject to the footpath being protected throughout. In this respect the application would accord with Tynedale Local Plan Policies LR19 and TP27.

### **Ecological Impact**

7.65 The application has not included an ecological assessment but has provided a landscaping plan which would introduce some tree planting, native hedging and meadow grass seed to the site. The Council's Ecologists have assessed the application and raise no objection subject to securing appropriate landscaping, mitigation and enhancement measures through conditions. On this basis the proposal would accord with Policy NE1 of the TCS, Policies NE27 and NE37 of the TLP and the NPPF.

### **Drainage and Sewerage**

7.66 The application form states that the proposal would connect to the existing system, although no further details are offered. Northumbrian Water has been consulted although no response has been received, whilst no comments were offered on the previous application. In the event that permission was granted a condition could secure further details of drainage measures in order to accord with Policy GD5 of the TCS and Policy CS27 of the TLP.

### **Contaminated Land**

7.67 Policy CS23 of the TLP requires an appropriate assessment of the potential risk for development on land known to be contaminated or where there are reasonable grounds for believing that it occurs. This is consistent with the requirements of paragraphs 183 and 184 of the NPPF.

7.68 Following an initial objection from Public Health Protection (PHP) due to insufficient information regarding potential for contamination of the site, the applicant has recently provided a screening assessment to cover this aspect. Officers have consulted PHP on the additional information, who have since advised that the objection can be removed and matters of contaminated land and ground gas can be conditioned should permission be granted. The proposal would therefore be in accordance with Policy CS23 of the TLP and the NPPF in this respect.

### **Planning Obligations**

7.69 Policies LR11 and LR15 of the TLP require the provision of land for sport and play when considering proposals for residential development or redevelopment, the

amount of which is to be proportionate to the scale of the development. Policy GD6 of the TCS sets out that planning obligations will be sought where necessary to prescribe the nature of development; or secure compensation from the developer for loss or damage caused by the development; or mitigate the impact of a development.

7.70 Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

7.71 The Council's Open Space, Sport and Recreation Strategy, adopted March 2005, identifies shortfalls in the provision of sport and recreation facilities in Tynedale. The Council has therefore adopted a Supplementary Planning Document – New Housing: Planning obligations for sport and play facilities, in March 2006.

7.72 At present there is a deficiency in the amount of children's play provision and outdoor sports facilities in Tynedale. The former Tynedale Council adopted its policies on 7 March 2006, which seeks financial contributions for sport and play facilities, and provision of outdoor sport from all new housing development in line with Policies LR11 and LR15 of the TLP. The provision of sports and play provision arising from residential development is a fundamental aspect of such developments, and as such, failure to make adequate provision on this basis can provide a justification for the refusal of an application. As the proposal seeks to create a five-bedroomed dwelling, the contribution to play/informal space would be £2,776 and the contribution to sport would be £1,576, totalling £4,352.

7.73 The applicant has indicated that they would be willing to accept the requirement for this contribution, although given the main issues that have been identified in respect of development on the site, a Section 106 agreement has not been progressed for the application. However, this would need to be provided and secured by way of a Section 106 agreement for any development to progress on the site and to accord with Policy GD6 of the Tynedale LDF Core Strategy and Policies LR11 and LR15 of the Tynedale District Local Plan in this respect. The lack of a completed Section 106 agreement forms a reason for refusal at this stage, although it is acknowledged that this could be addressed if Members resolved to grant permission or at the appeal stage if refused and the applicants lodge an appeal, through completion of an agreement to secure the obligation.

## **Other Matters**

### **Equality Duty**

7.74 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**

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

#### Human Rights Act Implications

7.76 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.

7.77 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.

7.78 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

### **8. Conclusion**

8.1 Officers fully acknowledge that Northside Farm is a well-established, financially viable wedding business with holiday accommodation that contributes to the rural economy in the area, and which appears to have successfully operated to date with no one living on the site. Furthermore, it is accepted that there has been a material change in the farming enterprise since the previous application was being assessed, with livestock now being brought onto the land holding.

8.2 Following assessment of the application and the existing situation it is considered that there is a limited functional need in relation to the livestock enterprise, whilst there is not a requirement for a full-time worker based on the farming enterprise alone. The established wedding and holiday accommodation elements of the business contribute to an overall functional need. However, although it may be desirable to have a presence on site in relation to operation of these elements of the business, it is not deemed that there is an essential need for a rural worker to live on site, which is the requirement of the development plan and the NPPF.

8.3 The existing dwelling on the site has recently been converted to office, meeting and storage accommodation for the wedding business, although this does not appear to have the benefit of any planning permission, and so should not be given any weight

in terms of not being available on this basis. It is not felt that the application has demonstrated that there is no suitable and available alternative, either through the existing farmhouse or other accommodation in the local area.

8.4 On this basis the application has not demonstrated that there is an essential need for a new dwelling for a rural worker to live on the site in this isolated location, therefore the application does not meet the requirements of Policy H18 of the TLP and paragraph 80 of the NPPF. Consequently the 'very special circumstances' required to outweigh the harm to the Green Belt by reason of inappropriateness do not exist, contrary to Policies NE7 and NE8 of the TLP and the NPPF.

## **9. Recommendation**

That this application be REFUSED permission for the following reasons:

01. There is no demonstrated essential need for a new dwelling for a rural worker at Northside Farm, and so the application does not meet the requirements of Policy H18 of the Tynedale Local Plan and paragraph 80 of the National Planning Policy Framework. Consequently the 'very special circumstances' required to outweigh the harm to the Green Belt by reason of inappropriateness do not exist. The application would therefore conflict with Policies GD1, H1 and H3 of the Tynedale Core Strategy, Policies NE7, NE8 and H18 of the Tynedale Local Plan and the National Planning Policy Framework.

02. There is a deficiency in the amount of outdoor sports facilities across the former District of Tynedale. The applicant has not completed a Section 106 planning obligation for a contribution towards outdoor sports facilities arising from this development as required by the Council's Supplementary Planning Document 'New Housing: Planning Obligations for Sport and Play Facilities', and the proposal is therefore contrary to the provisions of Policy GD6 of the Tynedale LDF Core Strategy and Policy LR11 of the Tynedale District Local Plan.

03. There is a deficiency in the amount of children's play provision across the former District of Tynedale. The applicant has not completed a Section 106 planning obligation for a contribution towards children's play provision or open space facilities arising from this development as required by the Council's Supplementary Planning Document 'New Housing: Planning Obligations for Sport and Play Facilities', and the proposal is therefore contrary to the provisions of Policy GD6 of the Tynedale LDF Core Strategy and Policy LR15 of the Tynedale District Local Plan.

**Background Papers:** Planning application file(s) 21/00826/FUL