



Northumberland County Council

DELEGATED REPORT

Application No:	19/04526/FUL		
Proposal:	Erection of garden room to side elevation of ancillary living accommodation.		
Site Address	Stoneybeck, Longbyre, Greenhead, Brampton Northumberland CA8 7HN		
Applicant/ Agent	Mr Adrian Reay Azure Business Centre, High Street, Newburn, Newcastle Upon Tyne NE15 8LN		
Ward	Haydon And Hadrian	Parish	Thirlwall
Valid Date	21 November 2019	Expiry Date	31 January 2020
Case Officer Details	Name: Miss Charlie Hall Job Title: Planning Technician Tel No: 01670 624525 Email: Charlie.Hall@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission

1. Introduction

1.1. This application can be determined under delegated powers.

2. Description of the Proposals

- 2.1. Planning permission is sought for a single storey side extension to the ancillary living accommodation at Stoneybeck, Longbyre.
- 2.2. The ancillary living space was granted planning permission in 2018 (18/00987/FUL) for the conversion of the existing garage/store into ancillary living accommodation. This application proposes to extend and create a garden room to the side of this accommodation to provide additional floorspace.
- 2.3. The ancillary living accommodation is located within the residential curtilage of an existing dwelling and is constructed from natural stone and has a slate roof. The proposal would project by a maximum of 3.5m from the side elevation and would be 4.61m in width. The extension would be 2.41m to the eaves and would have a hipped roof with the maximum height of 3.5m. The proposed extension would not be any wider than the existing building.

2.4. The application site is located within the small village of Lingbrye and is within an Area of High Landscape Value. The application site is also within a buffer zone for Hadrian's Wall World Heritage Site.

3. Planning History

Reference Number: 18/00987/FUL

Description: Conversion of existing garage/store into ancillary living accommodation with new bay window and proposed porch (amended description)

Status: PER

Reference Number: T/20090531

Description: Alterations and extension to existing garage

Status: PER

Reference Number: T/84/E/615

Description: Change of use and conversion of two dwellings to one dwelling.

Status: PER

4. Planning Policy

4.1. Development Plan Policy

Tynedale LDF Core Strategy (2007)

BE1 Principles for the Built Environment
GD1 The General Location of Development
GD5 Minimising Flood Risk

Tynedale District Local Plan (2000)

GD2 Design Criteria for Development, including Extensions and Alterations
H33 Residential Extensions
H34 Extensions to Dwellings to Provide Accommodation for Additional People
NE17 Development in the Setting of Hadrian's Wall World Heritage Site

4.2. National Planning Policy

National Planning Policy Framework (2019)
National Planning Policy Guidance (2018, as updated)

4.3. Emerging Planning Policy

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

HOU 9 Residential development management
QOP 1 Design principles

5. Consultee Responses

Thirlwall Parish Council	Object due to parking concerns and the proposal being built on parish land.
Strategic Estates	No response received.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	5
Number of Objections	5
Number of Support	0
Number of General Comments	0

Notices

No Site Notice Required.
No Press Notice Required.

Summary of Responses:

There have been 5 letters of objection submitted for this proposal. The issues raised within the objections are as follows;

- Building work has already commenced on site
- The building work that is taking place is on Parish Land
- The original house has already had significant extensions and this will extend it further
- Issues relating to parking and cars currently blocking the roads due to limited on street parking
- No site notice in the area

7. Appraisal

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

- Principle of the Development
- Design and Visual Impact
- Impact on Residential Amenity
- Impact on The World Heritage Site
- Impact on Flooding
- Other Matters

Principle of the Development

7.2. Policy GD1 of the Tynedale LDF Core Strategy relates to the principles for the general location of development. The policy states only small scale development is acceptable in smaller villages unless otherwise allowed under alternative policies in the development plan. The policy follows on to state that “in all cases the scale and nature of development should respect the character of the town or village concerned”. The proposal would constitute small scale development within the small village of Longbyre. The principle of the development is acceptable and would therefore accord with Policy GD1 of the Tynedale LDF Core Strategy.

Design and Visual Impact

7.3. The proposed extension would use traditional stone and slate to match the existing building. The proposal includes double doors to the east elevation which would open out into the existing rear garden. There is 1no. window proposed to the north elevation and 3no. windows proposed to the rear elevation. The proposed windows and doors would have timber frames and would match the existing building. The materials proposed are in keeping with the site and the wider area.

7.4. The proposal would have a hipped slate roof. It is acknowledged that the steep pitch of the former garage roof makes it difficult to tie in any additional elements to the building. However, given the subordinate size and scale of the proposal it is considered that there would not be a significant visual impact on the site or wider area from this addition. It is noted that there have been previous extensions on the site however, this building has not been previously extended and it is considered an appropriate extension in terms of size and scale.

7.5. Overall given the proposal is of traditional design with traditional materials It is considered acceptable in terms of design. Therefore, it is in accordance with Policies GD2 and H33 of the Tynedale District Local Plan, Policy BE1 of the Tynedale LDF Core Strategy and the NPPF.

Impact on residential Amenity

7.6. The property, Stoneybeck, has five immediate neighbouring properties: 1 Holyrood Place, 2 Holyrood Place and Holyrood House to the north west; 4 Balmoral Cottages to the south east and 1 Low Castle Terrace to the north. The application site is enclosed by a stone wall and high timber fence which would partially screen the proposed development. Despite this boundary treatment, the proposed development would be partially visible to the property to the south east.

7.7. The separation distances between the proposed development and the existing property at 4 Balmoral Cottages is approximately 23 metres. These distance is considered to be acceptable in terms of overlooking and overshadowing. It is not considered that the current proposal would result in loss of residential amenity to any of the neighbouring properties. The proposal would therefore accord with PoliciesGD2 and H33 of the Tynedale District Local Plan.

Impact on The World Heritage Site

7.8. The application site is within a buffer zone for Hadrian's Wall World Heritage Site. Policy NE17 of the Tynedale District Local Plan relates to development within the setting of Hadrian's Wall World Heritage Site. This policy states "development which adversely affects the landscape setting of Hadrian's Wall World Heritage Site will not be permitted".

7.9. It is considered that development of this type and in this location would not impact on the setting of the Scheduled Monuments in the area or the universal value of the Hadrian's Wall World Heritage Site. Therefore, the proposed development would be considered to be acceptable in accordance with Policy NE17 of the Tynedale District Local Plan.

Impact on Flooding

7.10. The majority of the site lies within flood zone 1 however, the lower part of the garden lies within flood zone 2, as it is adjacent to an existing burn. The proposed development would lie within flood zone 1 and the proposed floor levels would be the same as the existing building. Therefore, it is considered that this proposal would not increase the risk of flooding to the site or wider area and would be in accordance with Policy GD5 of the Tynedale Core Strategy Policy.

Other Matters

7.11. There have been a number of objections to this proposal including one from Thirlwall Parish Council. The majority of the objections mention that works have started on site and these works are on Parish Land. The works that have commenced on site relating to this application have since stopped. There is a separate issue relating to a proposed retaining wall being built behind the converted garage. This wall is said to be on parish land but it does not form part of this application. The applicant has stated that the proposed development lies wholly within the curtilage of their dwelling, which marries up with previous planning applications. With regards to the proposal being built on Parish Land this would be a civil matter and is not a material planning consideration.

7.12. The objections also raise concerns regarding the increase in on street parking within the village. It is considered that this extension would not raise any parking or highways issues. The application for the conversion of the former

garage (18/00987/FUL) took into account parking issues and this is reflected in the approved plans and approved proposal.

- 7.13. No site notice was required for this householder application where the adjacent properties were consulted. In this case this included the Parish Council who own the adjacent land.

Equality Duty

- 7.14. wa) 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

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

Human Rights Act Implications

- 7.16. 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.
- 7.17. 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.
- 7.18. 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. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:

- Location Plan, Drawing no. 001, Received 5th February 2020
- Proposed Site Plan, Drawing no. 009, Received 5th February 2020
- Proposed Rear & Right Elevations, Drawing no. 007, Received 19th November 2019
- Proposed Front & Left Elevations, Drawing no. 006, Received 19th November 2019
- Proposed Floor Plans, Drawing no. 005, Received 19th November 2019

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

3. The facing materials and finishes to be used in the construction of the development shall be in accordance with the details contained within the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with Policies GD2, NE15 and H33 of the Tynedale Local Plan.

Date of Report: 5th February 2019

Authorised by:

Date:

Background Papers: Planning application file(s) 19/04526/FUL