



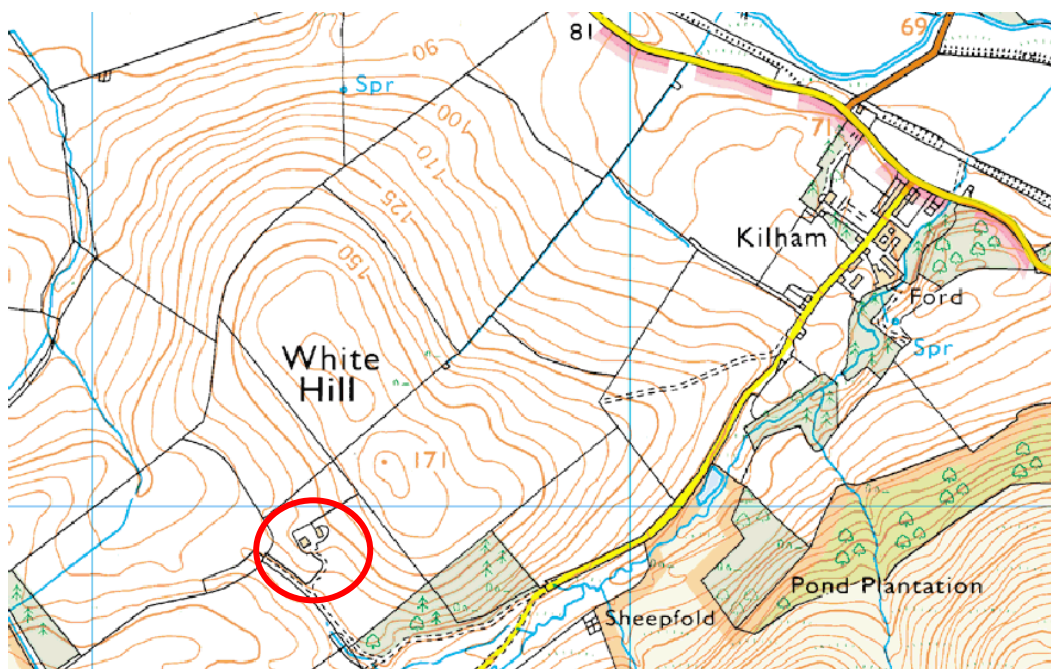
DELEGATED DECISION REPORT

Application Reference Number	17NP0049
Description / Site Address	Change of use of agricultural land to residential curtilage and construction of a garage/store building at Whinstay, Kilham Longknowe, Mindrum, Northumberland, TD12 4QS
Expiry date of publicity / consultations	6 June 2017
Last date for decision	4 July 2017

Details of Proposal

Planning permission is sought for the change of use of land and construction of garage/store building at the property known as Whinstay, Kilham.

Whinstay is located within the open countryside approximately 1.2km south west of Kilham, some 3.4km north west of Westnewton.



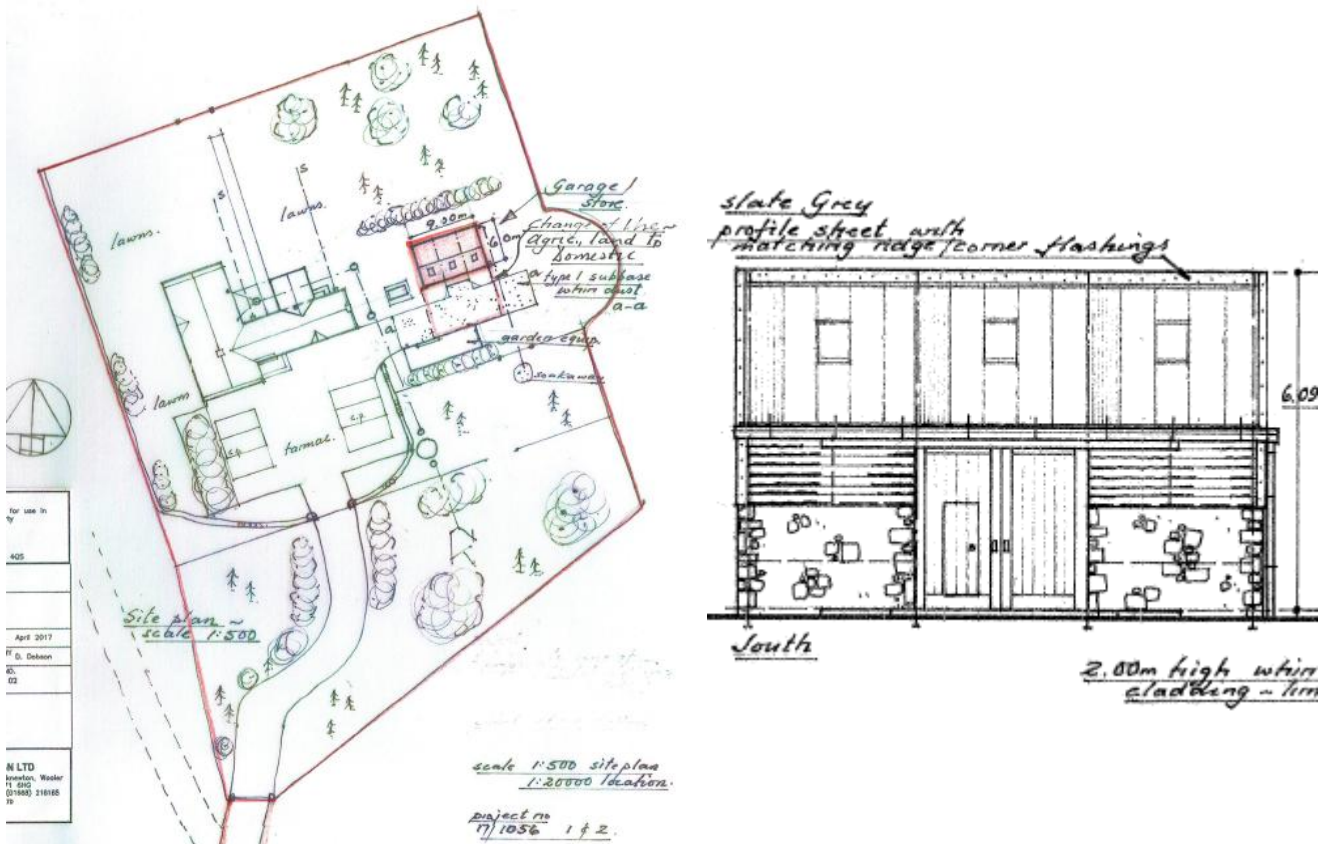
Location of application site

The proposed change of use relates to an area of land previously in agricultural use proposed to be incorporated into domestic use in association with the property. During a site visit undertaken by the Planning Officer on 16th May 2017 it was noted that this change of use has already occurred.

The proposed garage/store would be located on land east of the property in the approximate position of a former agricultural building which was destroyed by fire around 3 years ago. The proposed building would have a footprint of 9.5m x 6.3m, incorporating ridge and eaves heights of 6.1m and 3.2m respectively, and would be constructed from concrete panels clad with whinstone and timber boarding with a slate grey sheet roof. The building would incorporate double doors to the southern elevation, facing onto a proposed area of hardstanding which would form an extension to



the existing driveway. Based on observations made during a site visit on 16.05.2017 it is understood that the building is proposed to be used for a combination of domestic purposes and for use in association with the applicant's business.



Left: Proposed site plan

Right: Southern elevation of proposed building

Planning Policy & Guidance

National Policies

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (2015)

Local Policies

Northumberland National Park Authority Core Strategy and Development Policies Document (Core Strategy) (2009)

- Policy 1 *Delivering Sustainable Development*
- Policy 3 *General Development Principles*
- Policy 5 *General Location of New Development*
- Policy 14 *A Sustainable Local Economy*
- Policy 17 *Biodiversity and Geodiversity*
- Policy 18 *Cultural Heritage*
- Policy 19 *Tranquillity*
- Policy 20 *Landscape Quality and Character*



Policy 25 *Renewable Energy and Energy Efficiency*

Supplementary Planning Guidance

NNPA Building Design Guide Supplementary Planning Document (Design Guide SPD)
NNPA Landscape Supplementary Planning Document (Landscape SPD)

Relevant Planning History

- 89NP0033** Construction of a new farmhouse. *Conditional planning permission granted 22.09.1989*
- 91NP0014** Revised scheme for construction of a new farmhouse. *Conditional planning permission granted 16.04.1991*
- 98NP0059** Variation to condition no. 3 of planning permission 91/B/148 in respect of occupancy of new dwelling house. *Conditional planning permission granted 29.10.1998*
- 00NP0067** Variation to condition no. 3 of planning permission 91/B/148 in respect of occupancy of dwelling. *Conditional planning permission granted 21.02.2001(temporary waiver until 31.12.2003)*
- 03NP0051** Variation to planning permission 91/B/148 in respect of removal of occupancy condition of dwelling. *Conditional planning permission granted (occupancy condition removed) 29.09.2003*

Consultation/Representations

No consultations were undertaken as part of this application.

No representations received in response a notice displayed at the site on 16th May 2017

Assessment

The main issues to be taken into consideration in the assessment of this application are:

- The Principle of the Development;
- Design and amenity;
- Impact upon National Park special qualities;
- Highways and Rights of Way; and
- Renewable energy considerations

The Principle of the Development

The National Planning Policy Framework makes clear that a presumption in favour of sustainable development is at the heart of decision making. Policy 1 of the NNPA Core Strategy seeks to ensure that development proposals will conserve or enhance the special qualities of the National Park, demonstrating high quality construction and sustainable development. The effects of the proposed development on these special qualities are discussed in more detail later in this report.

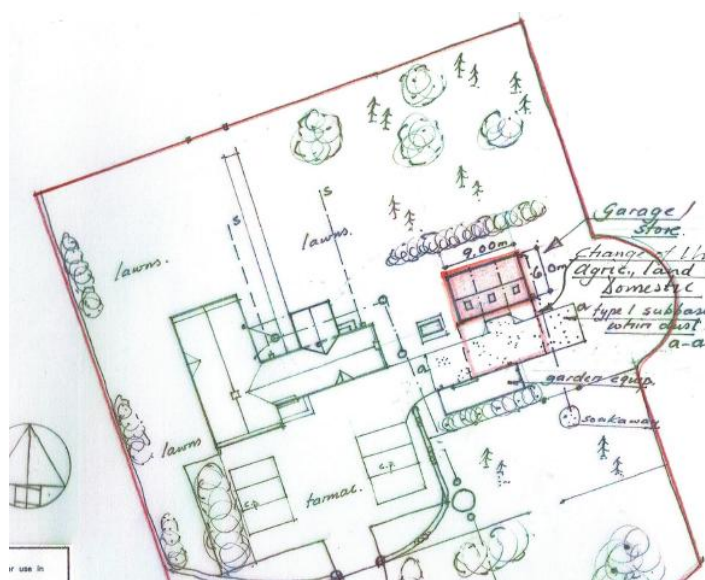


The application site falls within the open countryside whereby Core Strategy policy 5 limits development to the re-use of existing buildings, with new buildings only permitted where it can be demonstrated that these cannot be located within an identified settlement and would not be detrimental to the special qualities of the National Park, or where the new building seeks to replace, and is not materially larger than, an existing building.

Based on historic aerial photographs of the site available to the Authority, observations made by the Planning Officer during a site visit on 16.05.2017 and the information submitted to support the application, it is understood that the site previously benefitted from a barn (comprising a footprint of approximately 17m x 10m) located to the east of the property which was constructed some time before 2003 and was destroyed by fire in around 2014.



2007 aerial photograph of site showing former building



Proposed site plan

The proposed construction of a slightly smaller replacement building in the approximate position of the former building for use in association with both the domestic and business requirements of the applicant which (as discussed below) would be acceptable in terms of impact upon visual and residential amenity and would not be detrimental to the special qualities of the National Park, would not conflict with the aims and objectives of Core Strategy policy 5 or the NPPF and is therefore considered to be acceptable in principle. The proposal would also accord in principle with Core Strategy policy 14 under which support is given for developments which enable home-based employment activities which do not have a detrimental impact upon neighbours or neighbouring land uses. The inclusion of a condition requiring the building to be used for domestic purposes only is not considered to be appropriate in this case due to the proposed use of the building for both domestic and business purposes, which is considered to be acceptable in this instance.

Whilst the enclosure of non-domestic land to create new/enlarged domestic gardens/areas is generally resisted by Northumberland National Park Authority in order to prevent the encroachment of residential premises into the open countryside, so as to protect the character of the landscape, it is considered that the use of the land surrounding the property in this way would not



be detrimental to the character or openness of the surrounding site or open countryside. This aspect of the proposed scheme is therefore also considered to be acceptable in principle.

Design and amenity

The NPPF states that “*good design is a key aspect of sustainable development and is indivisible from good planning*”, and that development should be responsive to local character and distinctiveness. Core Strategy Policy 3 provides support for development proposals that conserve and enhance local character and the Park’s special qualities through design that:

- Utilises materials appropriate to the site and setting;
- Is sympathetic in terms of scale, height, massing, siting, form, materials and colour; and
- Protects open space which contributes to amenity, character and setting of a settlement.

The overall design, appearance and proposed materials of the building and extended hardstanding area are considered to be acceptable and would not have an adverse impact upon the character, appearance or views of the site or surrounding area, in accordance with Core Strategy policies 1, 3 and 20 and the NPPF.

Due to the absence of neighbouring properties surrounding the site it is not considered that the proposed development would result in any detrimental impact upon residential amenity. In this instance a condition is not required in order to restrict the use of the building to domestic purposes only, thus preventing any commercial use or use not in connection with the dwellinghouse, due to the absence of neighbours upon which the use of the building in this way may detrimentally impact and the uses for which the building is specifically proposed.

Impact upon National Park special qualities

No implications surrounding ecology and biodiversity or cultural heritage have been identified in relation to the site and proposed works.

The information submitted indicates that the proposed building would incorporate the installation of 2no. external lighting units either side of the external doors; no details such as specification or design of these units have however been provided. Due to the very remote location of the application site, in order to protect the tranquillity and dark skies of the National Park through the installation of inappropriately designed external lighting it is considered appropriate to include a condition requiring that details of these external lights be submitted to and approved in writing by NNPA prior to installation. Subject to the inclusion of an appropriately worded condition to the effect of the above, the application is considered to be in accordance with Core Strategy policies 1 and 19 and NPPF Paragraph 125.

Highways and Rights of Way

The proposed development would provide potential garaging for vehicular parking areas in addition to an extended area of hardstanding which could also be used for vehicular parking. Following consideration of the information submitted it is not considered that the development would impact detrimentally upon highway safety, in accordance with Core Strategy policy 3 and the NPPF.



Energy Efficiency and Renewable Energy

Policy 25 requires all new developments, including conversions, to minimise the amount of energy used during construction, achieve high energy efficiency, and utilise renewable energy sources in order to offset at least 10% of the predicted energy requirements of the development. The development comprises a simply designed building envisaged to have low energy requirements. It is therefore considered that it would not be reasonable to require 10% of energy requirements to be embedded through renewable energy in this case.

Recommendation & Conditions

It is recommended that conditional planning permission be granted subject to the following conditions:

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

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission and to comply with Section 91 (as amended) of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Application form (as amended), received 9th May 2017
- Location plan and proposed site plan (DWG. NO. 01 & 02)(as amended), received 9th May 2017
- Proposed floor plan and elevations (DWG. NO. 17/1056/2), received 4th May 2017

Reason: For the avoidance of doubt and to ensure that the development accords with Policies 1, 3, 5, 14, 17, 18, 19, 20 and 25 of the NNPA Core Strategy and the National Planning Policy Framework.

3. Prior to the fixing of any external lighting within the site, details of the external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Details should include:

- The specific location of all external lighting units;
- Design of all lighting units;
- Details of beam orientation and lux levels; and
- Any proposed measures such as motion sensors and timers that will be used on lighting units.

The approved lighting scheme shall be installed in accordance with the approved details and shall be maintained as such thereafter, unless removed entirely.



Reason: In order to ensure that there is no harmful effect upon the tranquillity and intrinsically dark character of the area, including the Northumberland Dark Sky Park through excessive light pollution, in accordance with Core Strategy Policy 19 and the NPPF

Informative Notes

1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of development, irrespective of the degree of variation, will constitute unauthorized development and may be liable to enforcement action.
 - (b) You or your agent or any other person responsible for implementing this permission should inform the Northumberland National Park Authority's Development Management team immediately of any variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
2. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. Some conditions may require work to be carried out, or details to be approved prior to the commencement of the development.

Where pre-commencement conditions are not complied with, the whole of the development could be unauthorised, and you may be liable to enforcement action. In some circumstances, the only way to rectify the situation may be through the submission of a new application. If any other type of condition is breached then you may be liable to a breach of condition notice.

Background Papers

Application file 17NP0049
EIA Screening Opinion

	Signature	Date
Planning Officer		
Head of Development Management or Chief Executive		