

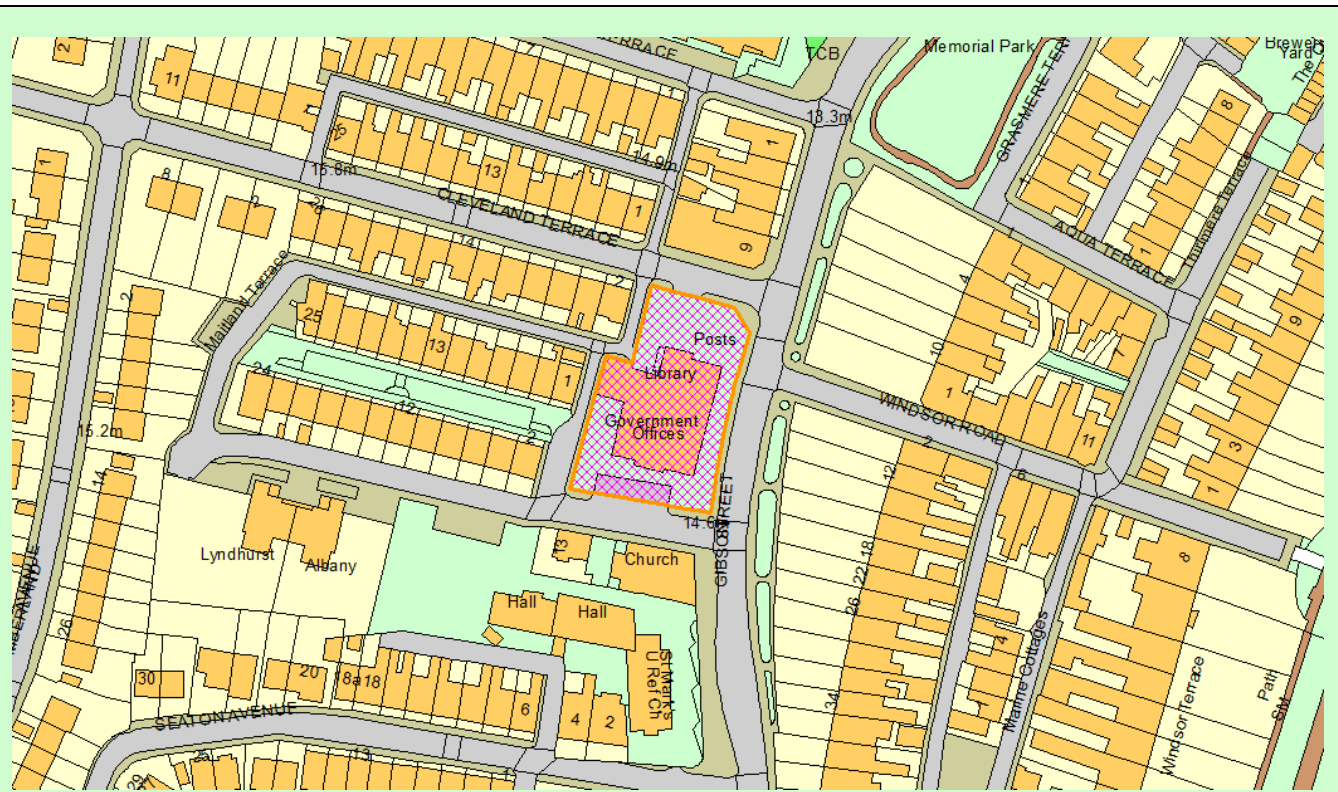
# NORTHUMBERLAND

Northumberland County Council

## Ashington/Blyth Local Area Council Planning Committee

13 September 2017

<b>Application No:</b>	16/04655/CCD		
<b>Proposal:</b>	Demolition of Former Library & Council Offices, site to be retained as vacant hardstanding (as supplemented by additional information) and to undergo a change of use to a public carpark.		
<b>Site Address</b>	Newbiggin Library, Gibson Street, Newbiggin-By-The-Sea, NE64 6UZ		
<b>Applicant:</b>	Ms Jill Watson County Hall, Morpeth, NE61 2EF	<b>Agent:</b>	Mr Ian Cockburn 1 Fore Street, Hexham, Northumberland, NE46 1ND
<b>Ward</b>	Newbiggin Central And East	<b>Parish</b>	Newbiggin By The Sea
<b>Valid Date:</b>	20 December 2016	<b>Expiry Date:</b>	14 February 2017
<b>Case Officer Details:</b>	Name: Mr Ed Harwood-Scorer Job Title: Planning Assistant Tel No: 01670 620422 Email: Ed.Harwood-Scorer@northumberland.gov.uk		



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## 1. Introduction

- 1.1 It is appropriate that the Planning Committee determine this planning application given that the applicant is Northumberland County Council and one or more objections have been received.

## 2. Description of the Proposals

- 2.1 The application seeks planning permission for the demolition of the former library and council office buildings for the site to be retained as vacant hardstanding for the proposed change of use to a public carpark, at Newbiggin Library, Gibson Street, Newbiggin-by-the-Sea.
- 2.2 Demolition of existing masonry built single / part two storey building with single storey extensions to the rear. Clearance of the building and provision of compacted hardcore capping layer in lieu to form hardstanding. The future use of the site is unknown at this time.
- 2.3 The site area is approximately 1654sqm and there are no plans to extend or reduce the area of the site.

## 3. Planning History

**Reference Number:** 93/00012/183DEE

**Description:** CLEVELAND ANNEXE, CLEVELAND TERRACE, NEWBIGGIN BY THE SEA

ALTERATIONS TO PROVIDE A SOCIAL SERVICE AREA OFFICE AND COUNTY BRANCH LIBRARY

**Status:** Application Permitted

## 4. Consultee Responses

Building Conservation	The wholesale demolition and impact of a vacant hard-standing on townscape character, significance and setting of the Conservation Area, will cause a degree of harm to the 'suburban extension' and conservation area overall. The degree of harm is considered to be less than substantial that should be carefully balanced against the benefits of the development proposed.
County Ecologist	No objections.
Newbiggin-By-The Sea Parish Council	No objections. Conditions suggested.
Highways	No objections subject to conditions.

## 5. Public Responses

### 5.1 Neighbour Notification

Number of Neighbours Notified	26
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Number of Objections	1
Number of Support	0
Number of General Comments	0

## 5.2 Notices

Site Notice- Affecting Conservation, 19th January 2017

News Post Leader 26th January 2017

## 5.3 Summary of Responses:

One objection has been received from a nearby local resident in which it is acknowledged that building is already subject of neglect. However, concerns are expressed towards loss of building considered to be of character within the conservation area and opportunity to provide car park elsewhere.

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=OIFIONQSLTE00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Wansbeck District Local Plan 2007

GP1A - General development policies

GP13 - Biodiversity and wildlife networks

GP17 - Conservation Areas

GP18 - Sympathy with surrounding conservation area

GP23 - Pollution and Nuisance

GP25 - Noise

GP30 – Visual Impact

GP31 - Urban Design Principles

GP32 –Landscaping and the Public Realm

T3 - Provision for cyclists

T7 - Parking Provision

CF1 - Safeguarding existing community facilities

### 6.2 National Policy

National Planning Policy Framework, (NPPF 2012)

National Planning Practice Guidance (NPPG amended 2014)

### 6.3 Other Documents/Strategies

Conservation Area Management Strategy (CAMS)

Conservation Area Character Appraisal.

## 7. Appraisal

7.1 The main considerations in assessing this proposal are considered to be:

- principle of development
- residential amenity
- loss of community facility
- ecology
- highways impact
- impact upon the conservation area

### Principle of Development

7.2 The main issues relating to the principle of the acceptability of the proposed development are: the extent to which the proposed development accords with the existing development plan for the area and its general policies for development as well as the extent to which the proposed development is consistent with the NPPF.

7.3 It is a requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration. The "saved" Policies of the Wansbeck District Local Plan remain a statutory component of the development plan and the starting point for determining applications as set out at paragraph 12 of the NPPF. However, the NPPF advises at paragraph 215 that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.

### Residential Amenity

7.4 The application site is flanked by a supermarket and chemist to the North and converted building currently in use as a boxing club to the South. It lies within a predominantly residential part of Newbiggin by the Sea with dwellings to the rear in Maitland Terrace, Cleveland Terrace to the North, and Gibson Street directly opposite. In response to formal consultation, Newbiggin Town Council generally accepts that the building is beyond economic repair and fast becoming unsightly within the conservation area.

7.5 It is also offered that there is a pressing need for more parking in close proximity to the nearby health services. As such, there was a single objection to the proposal which requests that in the event of permission being granted and in the interests of residential amenity and public safety, appropriate conditions be imposed including those controlling the actual demolition process and also restricting access/egress to and from the site.

### Loss of Community Facility

7.6 As mentioned above, the last known use of the premises was as a public library. This facility was transferred to the nearby Sports and Community Centre located in Woodhorn Road following the granting of planning permission in December 2016. Given the above, this proposal will not result in the actual loss of the

facility within Newbiggin and as such, the proposal does not conflict with policy CF1 of the Wansbeck District Local Plan.

### Ecology

- 7.7 The County Ecologist advises that the building and surrounding habitat is of overall low value with respect to bats. Comprehensive building inspections (internal and external) revealed no bats or evidence of use by bats and the dusk emergence and dawn return bat activity surveys recorded no bats entering or leaving the building. Very small numbers of Pipistrelle bats were recorded foraging and commuting in the area with most foraging activity being associated with the gardens on the east side of Gibson Street to the east of the site. The building does have features that could be utilised by bats so there remains a residual risk of occasional individual bats roosting in the structure at any time. Any such bats would be most vulnerable during the hibernation period (November to March inclusive).
- 7.8 Additionally, some evidence of nesting wild birds (likely to be pigeons) was noted during the building inspections. Although the site lies within 170m of the Northumberland Shore SSSI and within 500m of the Northumbria Coast Special Protection Area/Ramsar site, this application is for demolition only and therefore it is unlikely to have any significant impact on those sites or their associated species assemblages. No other protected, threatened or notable habitats/species are likely to be affected by the proposals. From an ecological perspective, there are no objections to the proposal subject to the imposition of suggested conditions requiring appropriate mitigation and enhancement measures as detailed in the report submitted with the application are carried out in full.
- 7.9 For the above reasons, it can be said that there is little to no impact on the biodiversity and wildlife networks in the conservation area with sufficient alternative habitats available nearby for the few birds/bats that have made the unused building their home. This is compliant with Policy GP13.

### Highways Impact

- 7.10 The Highways Officer has no objections subject to conditions and requests that in the event of the proposal being approved, the standard "Demolition Management Plan" be imposed requiring the "pre-commencement" submission of details in respect of proposed traffic management throughout the development period, vehicle cleaning, dust control measures, site conditions survey etc. Such a process accords with both GP23 and GP25 to reduce pollution and nuisance through the means of demolitions which create considerable dust and noise. The short term nature of the works and distance between the development and surrounding amenities/housing mitigates the pollution related issues resulting from demolition.
- 7.11 Details of cycle parking to be submitted and approved in writing by the LPA. Approved cycle parking shall be implemented before the development is occupied. This is in the interests of highway safety and sustainable development, in accordance with the NPPF and policy T3 of the Wansbeck District Local Plan.

- 7.12 The development shall not be occupied until details of refuse storage facilities and a refuse storage strategy have been submitted to and approved (in writing) by the LPA. Approved refuse storage facilities shall be implemented before the development is occupied. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with approved details. This is in the interests of the amenity of the surrounding area and highway safety, in accordance with the NPPF.

#### Impact Upon Conservation Area

- 7.13 The application site lies within that part of the "extended" Newbiggin by the Sea Conservation Area referred-to as the "Suburban Extension" and is therefore beyond the "Historic Core" as defined in the Conservation Area Character Appraisal. Nevertheless, it is referred to in the Character Appraisal as being one of a few "individual buildings of note" within the Suburban Extension, again compliant with GP17. In Keeping with the majority of buildings in this part of Newbiggin, the application premises are finished in a mixture of red facing brick and pebbledash/render.
- 7.14 Although generally rectangular in shape, the building has some original offshoots and a slate roof covering with contrasting red ridge tiles. The site is enclosed by way of a mixture of boundary walls and steel fencing whereas the flat roof elements of the building are protected by way of rolled barbed wire. The building does however have some character within this rather prominent location. The proposal seeks to demolish the entire building and to remove all materials from within the site so as to replace the footprint of the building with a "capping layer" of compacted granular sub-base so as to form a hard-standing. One of the objectives contained within the Conservation Area Management Strategy (CAMS) relates specifically to demolition and requires consent to demolish within the conservation area "... only after a contract for a replacement scheme with approval has been let, unless demolition without implementation of a replacement scheme would leave the character and appearance of the area unharmed".
- 7.15 Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving any listed building and its setting; as well as the need to "preserve or enhance" the character, appearance and setting of conservation areas (s71 and s72 of the 1990 Act). The NPPF discusses the concept and degree of harm that can be caused by development that potentially affects the setting and significance of heritage assets. The degrees of harm are defined as "total loss", "substantial harm" or "less than substantial harm" and advises LPAs to balance the level of harm against the benefits of the development proposed. The Character Appraisal and Building Conservation assessment has established that this particular building does make a positive contribution to the character, appearance and setting of the Conservation Area, particularly as a placemaking/landmark building of note within the "Suburban Extension". There is a general presumption in favour of retaining buildings which make a "positive contribution" to the character or appearance of the conservation area, however, in this circumstance the benefits to the locality of a new public carpark and the

requirement and need for additional car parking provision significantly outweigh the place identity benefits of retaining an unviable vacant unit.

7.16 In response to formal consultation, the Council's Buildings Conservation Officer has commented that the building (although not a listed building) has individual interest, as well as contributing to the significance of the sub-area character which forms part of the overall conservation area. It is also offered that the wholesale demolition and impact of a vacant hard-standing on townscape character, significance and setting of the Conservation Area, will cause a degree of harm to the "suburban extension" and conservation area overall.

7.17 Paragraph 133 of the NPPF advises:

"Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible
- the harm or loss is outweighed by the benefit of bringing the site back into use.

7.18 The Buildings Conservation Officer has commented that there is no evidence provided with this application to indicate that the building is incapable of being repaired (i.e. it is not a dangerous structure) or that the sequential tests set out in the NPPF above have been duly considered and addressed as part of the justification for demolition. The justifications presented in the application are that the building is surplus to requirements and expensive to repair/maintain and the community requirement for a nearby carpark is significant (support considerably outweighs objections).

7.19 Despite the absence of any firm proposals for the long-term use of the site, full assessment and the resultant impact upon the conservation area, the Buildings Conservation Officer acknowledges that the degree of harm is considered to be less than substantial. Nevertheless, this loss should be carefully balanced against the benefits of the development proposed.

7.20 The applicant has been furnished with details of the Town Council's comments and in response has offered that whilst funding is an issue, the aim would be to provide a much needed car park in the area that would be to the benefit of local residents and users of the nearby shops and medical facilities.

7.21 The Town Council's suggested conditions included those requiring the proper reinstatement of the land, and planting of trees in the interests of the conservation area have been drawn to the applicant's attention and in response, it has been offered that the intention would be to submit a further application in the near future for planning permission in respect of a proposed car park. It has also been offered by the applicant that a petition containing 436 signatures has been received calling for the council to demolish the building

and to provide a car park in its place. Whilst this in itself is not a reason to simply grant planning permission for the demolition, it does demonstrate many residents' views of the existing building and the blight it has become through its dilapidation over the recent years.

- 7.22 Policy GP17 refers to the considerations to be made towards development within conservation areas that impact the historic interest, character and appearance of the area. As such, the impact of the demolition and any future intended uses on the conservation area is a material consideration.
- 7.23 Notwithstanding the nostalgic and place/setting values of the old library and council buildings, the demolition of them will not contradict policy GP17 because they have fallen into a state of economic disrepair. This is supported by the fact that Heritage England rejected a request to grade list the buildings or add either of them to the "List of Buildings of Special Architectural or Historic Interest", they had no further objections.
- 7.24 In summary, in arriving at a recommendation for this proposal, an 'on balance' view is formed. On balance, the resultant impact and harm of retaining the existing building in its continuing dilapidating condition and its continued lack of occupancy (and therefore potential to undergo repairs), significantly outweighs the community benefits of the proposed replacement car park facilities. Furthermore, and in keeping with those comments provided by the Town Council, this will also negate the potential for the building to become increasingly unsightly within the conservation area which, in line with policy GP18, should be preserved and enhanced. Re-worded this para slightly.
- 7.25 By following the required conditions outlined within the development proposal, it is considered that appropriate design principles can be achieved to match the surrounding conservation area. In doing so, further compliance with policies GP17, GP18, GP 30 and GP31 is achievable.

## **8. Conclusion**

- 8.1 It is acknowledged that the demolition of this unlisted building would cause a degree of harm within the "extended" Newbiggin by the Sea Conservation Area given its prominent location and longstanding relation to place-identity. However, it is officer opinion and indeed that of the Conservation Officer, that this harm would be less than substantial. Additionally, and notwithstanding the lack of any firm proposal(s) for the development of the site or its long-term use, it is considered that the lack of use of the building and the potential for it to rapidly fall into a state of disrepair would have a far greater adverse impact upon the Conservation Area. The proposed use of the site as a vacant hard-standing as described in the completed application form and its longer-term use as a car park together with a properly consolidated surface and further associated landscaping would remove the potential for the site to become an unsightly whilst at the same time, provide a much need facility for the general area.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:



## Conditions/Reason

01. 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)

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number L(0-)02 11417/16 dated November 2016, and the Demolition Management Report received 03/04/17.

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

03. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Bat Survey ' Newbiggin-by-the-Sea Library, November 2016', Final Version V01, EcoNorth Ltd., 8.12.16) including, but not restricted to, inclusion of a minimum of 4No. bat roost features (bat bricks and/or boxes, 1No. per elevation) in/on any subsequent new buildings on the site; adherence to timing restrictions; adherence to precautionary working methods and with a bat and nesting bird Method Statement for demolition works to be submitted to and approved in writing by the Local Planning Authority before demolition works commence; adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK' Bat Conservation Trust/Institution of Lighting Engineers, 2008; an updating active season bat and bird nesting survey to be carried out in the event that demolition works do not commence before the end of November 2018 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and approved in writing by the Local Planning Authority before development/demolition works commence.

Reason: To maintain the favourable conservation status of protected species and in accordance with Wansbeck Local Plan policy GP12.

04. No demolition shall be undertaken between 1 March and 31 August unless an ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law and in accordance with Wansbeck Local Plan policy GP12.

05. Demolition of the building shall take place in complete accordance with the details provided in the Demolition Method Statement & Risk Assessments - 01 dated 14th March 2017.

Reason: In the interests of highway safety and in accordance with the National Planning Policy Framework.

06. All traffic movements in association with the proposal hereby granted planning permission shall be in accordance with those details provided in the Traffic Management Plan dated 2nd February 2017.

Reason: In the interests of highway safety and in accordance with the National Planning Policy Framework.

07. Upon completion of the works hereby granted planning permission, any damage to the surrounding vehicular and pedestrian highway other than that identified in the condition survey dated March 2017 shall be made good within 3 months in accordance with a scheme submitted to, and approved by, the local planning authority in consultation with the County Highways Officer.

Reason: In the interests of highway safety and in accordance with the National Planning Policy Framework.

**Date of Report:** 18.07.2017 (EHS)

**Background Papers:** Planning application file(s) 16/04655/CCD