

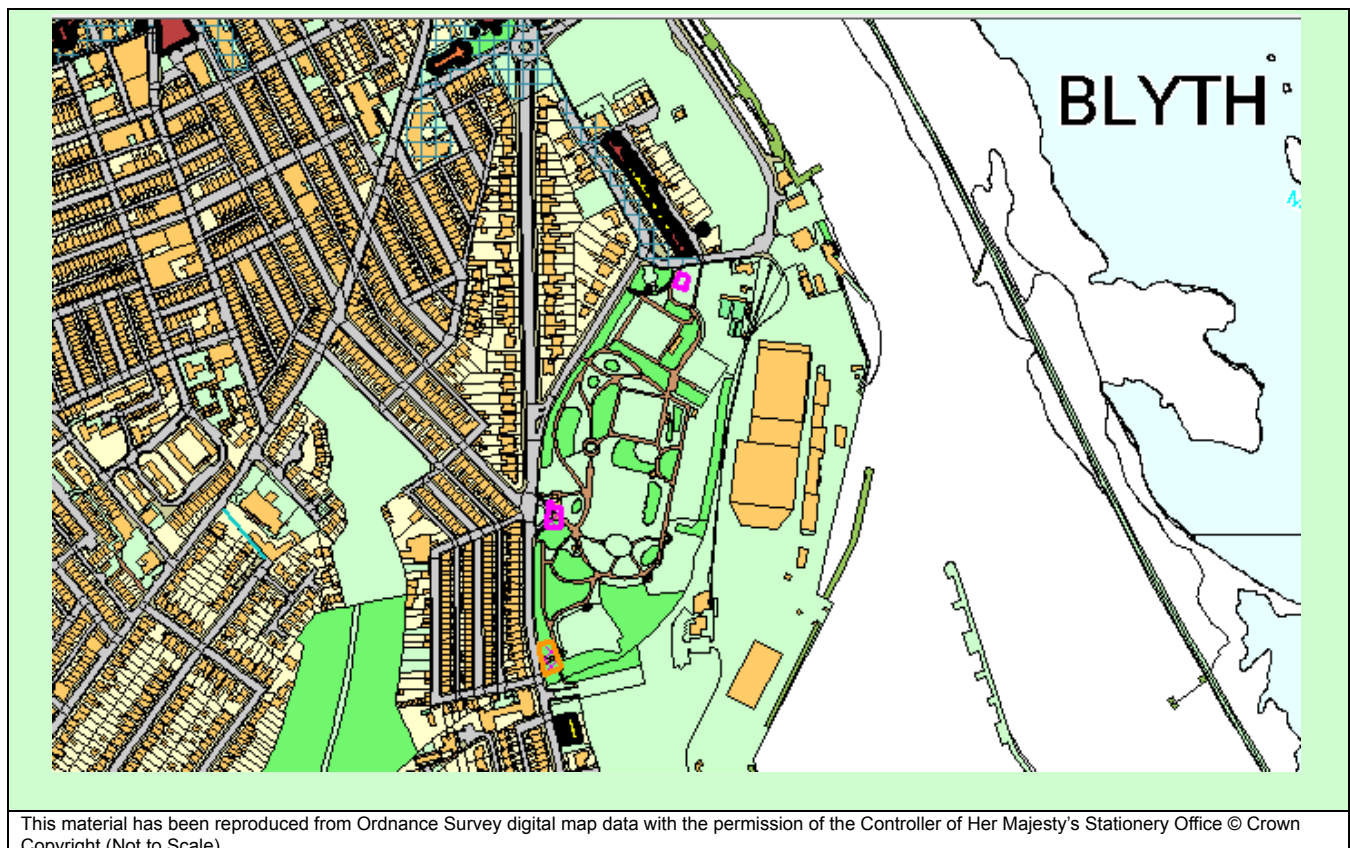


Northumberland County Council

Ashington and Blyth Local Area Council - Planning Committee 13th February 2019

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| Application No: | 18/03900/FUL | | |
| Proposal: | Erection of one new decorative steel archway and four new decorative steel columns in Ridley Park, Blyth. | | |
| Site Address | Ridley Park, Park Road, Blyth, Northumberland | | |
| Applicant: | Mrs Gibson Ridley Park , Wensleydale Terrace, Blyth, NE24 3HF | Agent: | Miss Cara Lund The Kings Head, 85 Bridge Street, Blyth, Northumberland NE24 3AE |
| Ward | Wensleydale | Parish | Blyth |
| Valid Date: | 23 November 2018 | Expiry Date: | 15 February 2019 |
| Case Officer Details: | Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being reported to the Local Area Council as it involves a County Council development on Council owned land.

2. Description of the Proposals

2.1 Erection of one new decorative steel archway and four new decorative steel columns in Ridley Park, Blyth.

2.2 The proposed installations have been designed by local school children and will be constructed by the North East artist and metalworker Stephen Lunn. They will be installed at three separate locations within the park to better define the existing entrances, provide a local interest point and welcome visitors. The three separate locations within the park are:

Location A - northern entrance to the park, next to the existing war memorial.

Location B - existing main entrance currently defined by four small stone pillars.

Location C - smaller southern entrance defined by two small brick pillars.

2.3 Location A will include two steel columns, decorated with metal work to reflect the designs produced by the children. The theme for these two columns will be quayside / water / port to tie in with their location near the water.

2.4 Location B. The arch will replace 4 existing stone pillars and be finely decorated in steel, providing a clear defined arch to the main entrance. Decoration includes, symbols of nature, play, water and the local port.

2.5 Location C The images opposite illustrate the final design developed for the pair of columns to the south entrance. The theme for these two columns will be nature and play. Decoration will include, trees, plants, bikes, slides, bees, bats, butterflies and caterpillars, brought together to create a visually interesting and intricate scene.

2.6 The gates and columns will be coloured in select parts to reflect the children's drawings. The artwork is galvanized, then painted on site with enamel paint.

2.7 The Blyth Conservation Area is immediately north of the park and a Listed War Memorial is located to the north western corner.

3. Planning History

Reference Number: C/91/C/519

Description: Change of use from council nursery to commercial garden centre / market garden

Status: No objection

Reference Number: 10/S/00657/FUL

Description: Change of use from bowling pavilion to cafe (including outdoor seating area)

Status: Permitted

Reference Number: 11/00032/FUL

Description: to fit security shutters to all windows and doors, gas bottle storage to side of building, commercial extraction unit.

Status: Permitted

Reference Number: 17/00114/LIC

Description: Application for premises license variations.

Status: No objection

4. Consultee Responses

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| Building Conservation | Support Application |
| Blyth Town Council | No response received. |
| Strategic Estates | No objections |

5. Public Responses

Neighbour Notification

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|-------------------------------|----|
| Number of Neighbours Notified | 12 |
| Number of Objections | 0 |
| Number of Support | 0 |
| Number of General Comments | 0 |

Notices

Site notice Affecting LB & Conservation 11th December 2018

News Post Leader 6th December 2018

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=PHISJVQSK1U00>

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley Core Strategy 2007

Policy ENV2 Historic and Built Environment

DC1 - General Development

Blyth Valley District Local Plan 1999

Policy G1 Cramlington and Blyth: General Settlement Policy
Policy G3 Settlement Policy: Blyth

6.2 National Planning Policy

National Planning Policy Framework (2018)
National Planning Practice Guidance (2014, as updated)

6.3 Emerging Policy

Draft Northumberland Local Plan (Regulation 19)

Policy ENV 9 - Conservation Areas
Policy QOP 2 - Good Design and Amenity

7. Appraisal

Principle of Development

7.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF (2018) states that the purpose of the planning system is to contribute to the achievement of sustainable development and, as such, adopts a presumption in favour of sustainable development.

7.2 The application site is located within the defined settlement boundary of Blyth as defined with Policies G1 and G3 of the Blyth Valley Local Plan that states along with Blyth, the majority of housing and development should be accommodated in these main service centres. Furthermore, the proposal would accord with Policy DC1 of the Blyth Valley DPD, which states that development proposals will be expected to be situated within settlement boundaries on the Local Plan proposals map.

7.2 The NPPF sets out the requirements for good design. Paragraph 130 clearly states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Refusal should only be pursued when designs fail to utilise the opportunity to improve the character and quality of an area, as also stated in paragraph 130.

7.3 With regards to the above, the proposal has been considered acceptable and compliant with the NPPF. Whilst the emerging Local Plan (REG 19) carries limited weight only at this stage, the proposal is compliant with Policy QOP 2, which equally seeks development of a high standard without adverse impacts on amenity.

Visual and Residential Amenity

7.3 Policy ENV2 of the Blyth Valley Core Strategy states that high quality design will be expected in all new developments, re-use, and conversion of existing buildings. Developments which in visual terms would cause significant harm to the character or quality of the surrounding environment will be refused.

7.4 Policy DC1 General Development with the Blyth Development Control Policies DPD states that proposals will be expected to be of:

- A high standard of design and landscaping which takes account of existing natural and built features, the surrounding area and adjacent land uses.
- Have no adverse impact on the best and most versatile agricultural land, public rights of way, public open space and playing fields, trees, hedgerows, geology, geomorphology, wildlife and natural habitats.
- Have no adverse impact on the amenities of residents of nearby residential properties.

7.5 The new installations have been inspired by local children's artwork and are to be translated into the finished archway and columns. The proposed art work would be designed with a high quality use of steelwork to reflect the character of the industrial heritage of Blyth and the park itself. Whilst the existing brick pillars provide a formal park entrance, they are of no significant architectural merit and the introduction of the decorative steel work will enhance the appearance of the visual appearance of the area. Given the scale and location of the proposed works, they would be highly visible from the public domain but would not dominate or impose upon the open and natural character of Ridley Park and its recreational use. They have been appropriately placed in order to ensure there would be no adverse impact to the area of public open space.

7.6 The impact to residential amenity would be negligible due to the nature and scale of the proposed work within Ridley Park.

7.7 It is considered that based on the high quality design, use of materials, appropriate scale and location would ensure there would be no detrimental impact to visual amenity and would be in accordance with Policy ENV2 of the Blyth Valley Core Strategy, DC1 of the Blyth Valley Development Control Policies DPD and the NPPF.

Building Conservation

7.8 Whilst the public amenity space is not situated within a designated conservation area it contributes to the setting of the Blyth Heritage Conservation Area and a number of listed buildings on Bath Terrace and the Grade II listed Blyth First World War Memorial. In providing comments on the application Building Conservation has regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (PLBCAA) which requires the local authority to have special regard to the desirability of preserving listed buildings, *their setting* and any features of special architectural or historic interest which they possess. The National Planning Policy Framework (NPPF) is a significant material consideration and cognisance has been given to Chapter 16 'Conserving and Enhancing the Historic Environment'.

7.9 Building Conservation have been consulted on the application as it is considered that the development proposals have the potential to impact the setting

of the War Memorial; and the setting of the identified Conservation Area including the listed buildings (nationally and locally listed) on Bath Terrace and Wensleydale Terrace.

7.10 The special significance of Ridley Park derives from its communal, social, historical and architectural significance. Established in the early Edwardian period (c. 1904) it was designed on land donated by Viscount Matthew White Ridley. Situated in proximity to the docks, its purpose was to provide refuge from the bustling activities of the town and docks creating a space to promenade, congregate and reflect. The arrangement of paths, flower beds, trees and landscaping result in a pleasant and attractive green space in the town. The creation of a garden of remembrance and the addition of the First World War Memorial dated 1923 (relocated from Beaconsfield Street in 1950) standing at the north-western entrance to Ridley Park, alongside the Boer War and Second World War memorials reinforces the communal and commemorative importance of the park.

7.11 Building Conservation evaluated the proposed works having regard to the design, size, scale and material palette and how this impacts the local distinctiveness of the park and the setting of the identified heritage assets. It is considered that the ability to appreciate and understand the significance of the Grade II listed War Memorial, Blyth Heritage Conservation Area and listed buildings on Bath Terrace and Wensleydale Terrace would not be negatively impacted by the development proposals and their setting would be preserved.

7.12 It is considered that the proposed new installations respond positively to the local character and distinctiveness of Blyth while preserving the setting of the identified listed buildings and Blyth Heritage Conservation Area. The application is in accordance with Section 66 of the PLBCAA and NPPF, Chapter 16 specifically Sections 192 (c) and 200 of the NPPF. With regards to Policy ENV 9 of the emerging Local Plan (REG 19), it is considered that the proposal would enhance the character of the park without detriment to the conservation area or nearby listed memorial.

Equality Duty

7.13 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

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

Human Rights Act Implications

7.15 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.

7.16 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.

7.17 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 The assessment of this application has given appropriate regard to the potential effects of the development's impact on visual and residential amenity and the surrounding environment. The development is considered to accord with the policies and guidance of the Blyth Valley Core Strategy, Blyth Valley Development Control Policies DPD and the NPPF.

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. 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:

Site Plan Location A – 15058-EDA-XX-XX-DR-A-1005 P01

Column Location A - 15058-EDA-XX-XX-DR-A-1020 P01

Site Plan Location B - 15058-EDA-XX-XX-DR-A-1006 P01

Archway Elevations Location B 01 & 02 - 15058-EDA-XX-XX-DR-A-1020 P01

Site Plan Location C - 15058-EDA-XX-XX-DR-A-1005 P01
Column Elevations Location C 15058-EDA-XX-XX-DR-A-1020 P01
Location Plan - 15058-EDA-XX-XX-DR-A-1000 P01

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

Date of Report: 30.01.2019

Background Papers: Planning application file(s) 18/03900/FUL