

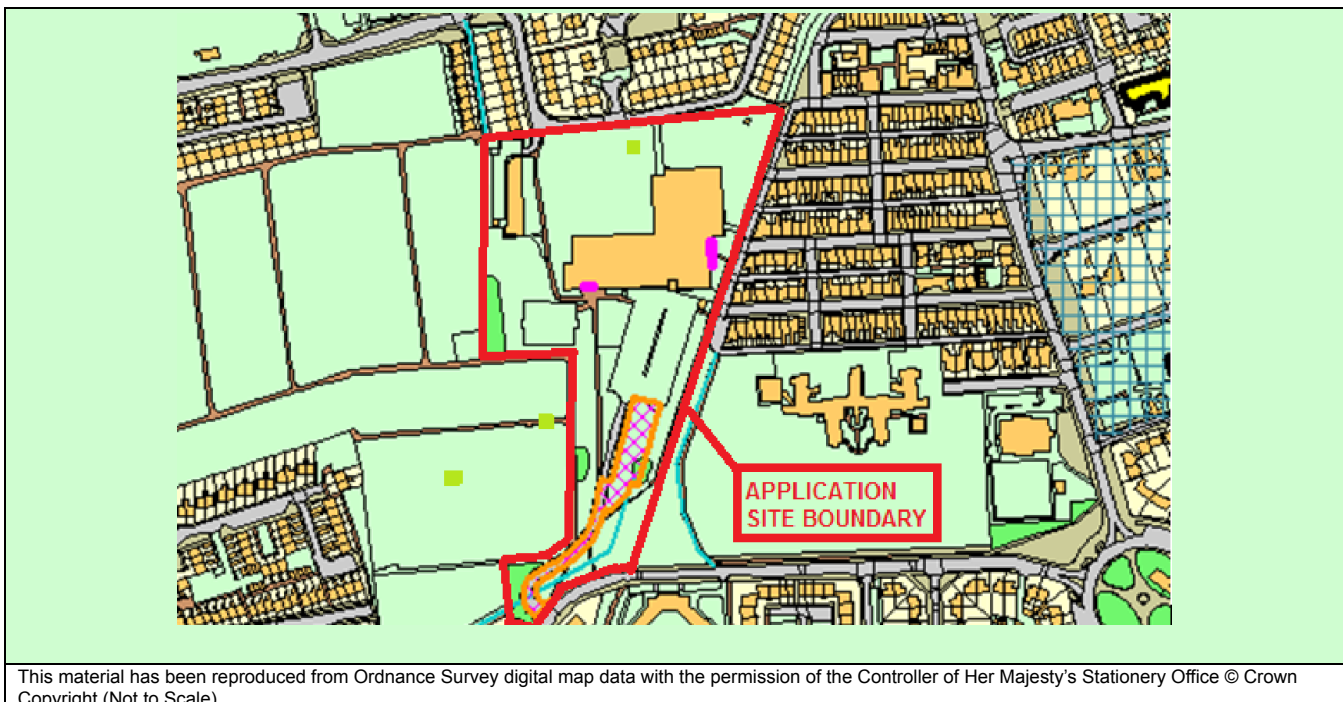


Northumberland County Council

ASHINGTON & BLYTH LOCAL AREA COMMITTEE 13 NOVEMBER 2019

Application No:	19/02913/CCD		
Proposal:	Installation of additional windows together with replacement of others, addition of render, and extension to existing car park so as to provide 28no. additional spaces as amended by drawing received 10/10/2019		
Site Address	Blyth Sports Centre, Bolam Avenue, Blyth, Northumberland, NE24 5BT		
Applicant:	Mr Mike Turner Blyth Sports Centre Bolam Park Blyth NE24 5BT	Agent:	Mrs Nicola Hodgson Millmount Ponteland Road Newcastle upon Tyne NE5 3AL
Ward	Cowpen	Parish	Blyth
Valid Date:	4 September 2019	Expiry Date:	30 October 2019
Case Officer Details:	Name: Mr Malcolm Thompson Job Title: Planning Officer Tel No: 01670 622641 Email: Malcolm.Thompson@northumberland.gov.uk		

Recommendation: That this application be GRANTED.



1. Introduction

1.1 This application is being reported to the Local Area Committee as the proposal has been submitted on behalf of Northumberland County Council.

2. Description of the Proposals

2.1 The application seeks permission for minor alterations to the east and south elevations of this sports centre at Bolam Avenue, Blyth and also for the provision of an additional 30no. parking spaces.

2.2 The application site is located to the west of, and within 700 metres of Blyth Town Centre. The overall site is some 4 hectares in area whereas the actual building has a footprint of approximately 6000 square metres. The proposed car park extension is some 1000 square metres.

2.3 The site is bounded to the east by dwellings in Railway Terrace and St. Wilfrid's RC Primary School and to the west by properties within Cromwell Court and allotment gardens. To the north of the sports centre are dwellings in Bolam Avenue some 50 metres away from the nearest part of the sports centre whereas the nearest dwellings to the south are some 230 metres away on the opposite side of Princess Louise Road.

3. Planning History

Reference Number: C/99/C/176

Description: Construction of multi games playground with floodlighting to southwest of centre

Status: No objection

Reference Number: B/01/00251/TEL

Description: Telecommunications apparatus - 1 No. stub tower with 3 No. antenna

Status: Refused

Reference Number: B/01/00301/FUL

Description: 1 No. 6.6m stub mast with 3 No. 4 stack dipole antennae, all equipment to be placed internally

Status: Withdrawn

Reference Number: 01/00026/FUL

Description: Installation of 2 additional transmission dishes to existing rooftop

Status: APV

Reference Number: B/02/00332/FUL

Description: Alterations to existing rooftop telecommunications installation

Status: Approved

Reference Number: C/03/00141/DCD

Description: Skate park (for use by BMX bikes, in line skates and skateboards) to south of centre

Status: No objection

Reference Number: B/06/00299/FUL

Description: Construct extension to front (south elevation) facade of sports centre to provide new fitness suite, reception, foyer and wet change access for all.

Status: Approved

Reference Number: B/85/C/48

Description: Illuminated sign

Status: Approved

Reference Number: B/75/C/164

Description: Extensions to existing swimming-baths to form leisure centre

Status: Approved

Reference Number: B/99/C/0176/P

Description: Construction of new multi-games playground with floodlighting

Status: Approved

Reference Number: 16/00143/LIC

Description: Increase the duration of licensable activities for boxing/wrestling, live music, recorded music and supply of alcohol to 1am on Friday, Saturday and Sunday.

Status: No objection

Reference Number: 17/00117/LIC

Description: Application for minor variation to premises licence

Status: No objection

Reference Number: B/01/00026/FUL

Description: Installation of two additional transmission dishes to the existing rooftop

Status: Approved

4. Consultee Responses

Countryside/ Rights Of Way	No objection.
Strategic Estates	No response received.
County Ecologist	No objections.
Blyth Town Council	No response received.
Highways	No objection.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	11
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site notice - Public Right of Way, 6th September 2019

News Post Leader 12th September 2019

Summary of Responses:

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=PVV5FTQSICB00>

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley Development Control Policies DPD - 2007
DC1 - General Development

Blyth Valley Core Strategy - 2007
Policy SS1 - Regeneration and renaissance
ENV2 - Historic and Built Environment

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2018, updated 2019)
NPPG - National Planning Practice Guidance (2019, as updated)

6.3 Other relevant documents/policies

The NPPF states that from the day of its publication, weight can be given to policies contained in emerging plans dependent upon the stage of preparation of the plan, level of unresolved objections to policies within the plan and its degree of consistency with the NPPF. The emerging Northumberland Local Plan was submitted to the Planning Inspectorate in May 2019 for independent examination, supported by a schedule of Minor Modifications following a six week period of consultation earlier this year. The Authority are therefore affording appropriate weight to policies contained within the emerging plan which form a material consideration in determining planning applications alongside Development Plan Policies.

Northumberland Local Plan Publication Draft Plan (Regulation 19) (NLPPD)
Policy STP1 - Spatial Strategy
Policy STP 2 - Presumption in favour of sustainable development
Policy STP 3 - Sustainable development
QOP 1 - Design principles
QOP2 - Good Design and Amenity
TRA 2 - The effects of development on the transport network
TRA4 - Parking Provision in New Development

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are:

Principle of Development;
Emerging Policy;
Scale, Design & Visual Impact;
Amenity; and
Highways.

Principle of the development

7.2 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the policies of the Blyth Valley District LDF Core Strategy (2007) (BVCS), Blyth Valley District LDF Development Control Policies DPD (2007) (BVDCP) and the saved policies of the Blyth Valley District Local Plan (1999) (BVLDP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policy DC1 of the BVDCP states that development proposals will be expected to be situated within settlement boundaries as shown on the Local Plan proposals map which is clearly the case in this particular instance.

7.5 Policy SS1 of the BVCS more generally states that the majority of new development will be directed towards the main towns of Blyth and Cramlington... within defined settlement limits.

7.6 The proposed development seeks to retain this existing (and well used) facility following substantial internal refurbishment, together with minor alterations to the external elevations and provision of additional car parking spaces. Development in Blyth generally has good access to a range of services and to public transport links and can be considered a sustainable location for development. In this context it is therefore considered that the principle of the proposal is acceptable in line with the NPPF.

Emerging Policy

7.7 Paragraph 48 of the NPPF states that some weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Reg. 19) (NLP) was submitted to Government on 29th May 2019 for examination. As such, the policies contained within this document carry some weight in the determination of planning applications at this stage.

7.8 Policy STP1 of the emerging NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. The policy sets out a hierarchy of settlements within which development will be supported. Policy STP1 identifies Blyth as a Main Town which will be the main focus for development within the county. Some weight can be attributed to the emerging Local Plan at this stage, however, the proposal is considered to be in general accordance with this policy.

Scale, Design & Visual Impact

7.9 Policy DC1 of the BVDCP states that development should have no adverse impact on the character and views of important landscape or on historic and geological features of the area. Policy DC27 of the same document recognises the importance of good design in regards to new development within the former district.

7.10 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.11 It is considered that the proposed changes would not give rise to any significant concerns in respect of design or visual impact. Only very minor material changes are proposed to the exterior of the building and as such there would be no adverse visual impact arising. It is considered therefore that the proposal is appropriate in this respect and is in accordance with policies DC1 and DC27 of the BVDCP and the NPPF.

7.12 Policy QOP1 of the emerging Northumberland Local Plan (NLP) echoes this and seeks to support development which respects its surroundings. Policy ENV1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character. Notwithstanding the limited weight to be attached to the policies of the NLP, the proposal is considered to be in general accordance with these policies.

Material Planning Considerations

7.13 Material Planning Considerations must be genuine planning considerations, i.e. they must be related to the purpose of planning legislation and must also fairly and reasonably relate to the issue in question. Examples of material planning considerations are as follows:

Material considerations can include (but are not limited to):

- Amenity
- Parking/Highway safety
- Design, appearance and materials

Amenity

7.14 Policy DC1 of the BVDCP seeks to ensure that development proposals will have no adverse impact on the amenities of residents of nearby residential properties.

7.15 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.16 The internal refurbishment works are not classed as being “development” for the purposes of planning. Therefore, and despite the proposal description, those particular works do not require planning permission. The proposed minor alterations to the elevations are extremely minor in nature/scale and relate to the following:

Front (south-facing) elevation

- insertion of one window at upper level measuring 900mm x 2400mm;
- insertion of matching glazing at ground floor level measuring 700mm x 6100mm;
- application of render panel measuring 3200mm x 2800mm.

Side (east-facing) elevation

- insertion of single door at ground floor level measuring 900mm x 2200mm;
- insertion of 2 glazing panels at ground/upper levels measuring 2000mm x 6000mm.

No works are shown as being proposed to the opposite side (west-facing) and rear (north-facing) elevations.

7.17 Policy DC1 refers to matters such as loss of privacy, overlooking, overbearing and loss of light that might result as a consequence of the development. In other words, how the structural reconfiguration of a building or a new build may have the potential to compromise those amenities of existing/neighbouring residents. These minor alterations are not considered to present any significant issues in terms of residential amenity. As there would be no issues arising in terms of loss of privacy, overlooking, overbearing or loss of light, the proposal accords with policy DC1 of the BVDCP and the NPPF in this respect.

7.18 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in accordance with this policy.

Parking/Highway Safety

7.19 Although policy DC11 of the BVDCP encourages the use of public transport by ensuring that new development is accessible to public transport, to minimise the impact of development upon the highway network, it also seeks to ensure the provision of an appropriate level of car and cycle parking provision within new developments.

7.20 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

7.21 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.22 The proposed provision of an additional 30 no. parking spaces will alleviate indiscriminate parking both with the site and in the adjacent streets. The traffic expected to be generated from the proposed development is not considered to have a harmful impact on the highway network. In responding to formal consultation, the Highways Officer has commented that there are no highway safety concerns arising from the proposed development. It is therefore considered that subject to standard conditions in respect of the implementation of the car park hard surfaces, cycle parking, and the submission of a construction method statement, the proposal is in accordance with highways policy and the NPPF in this respect. Standard informatives are also offered in respect of the storage of building equipment/materials and the deposit of mud/debris within the adjacent highway.

7.23 in summary, therefore, there are no highway concerns with the proposal, which accords with both national and local plan policies.

Other matters

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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 concerns of the objectors have been fully taken into account in the assessment of this proposal. In view of the material planning considerations the Local Planning Authority can assess, it is considered that the proposal is of an appropriate design and represents an appropriate form of development that would not have a significant adverse impact on the street scene, the conservation area or the amenity of nearby residents. The application has been assessed and found to be acceptable in relation to its impact upon highways, parking, landscaping and ecology. It is therefore considered that the proposal is in accordance with national and local planning policies and on that basis, is recommended for approval.

9. Recommendation

That this application be GRANTED 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 facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in 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 the provisions of Blyth Valley policy DC28.

03. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown in the following plans:

- 3495-10-03 PROPOSED SITE PLAN dated June 2019
- 3495-20-101 PROPOSED GROUND FLOOR PLAN dated May 2019
- 3495-20-102 PROPOSED FIRST FLOOR PLAN dated May 2019
- 3495-30-02 PROPOSED ELEVATIONS dated May 2019
- 3495-90-01 REV A PROPOSED CAR PARK dated Sept. 2019

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

Date of Report: 24th October 2019

Background Papers: Planning application file(s) 19/02913/CCD