



# Northumberland

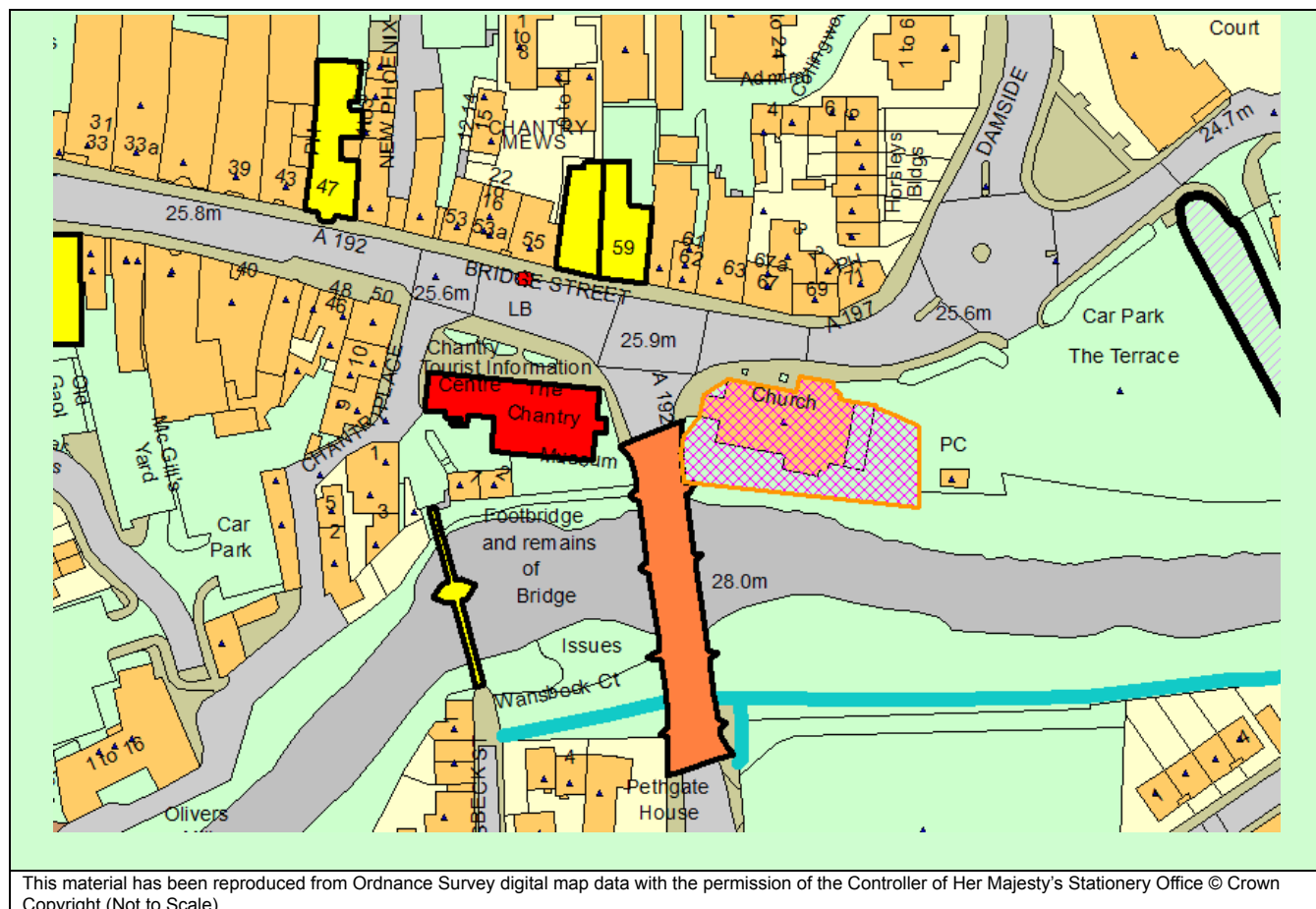
## County Council

### Castle Morpeth Local Area Council Planning Committee

#### 12<sup>th</sup> August 2019

<b>Application No:</b>	19/01298/FUL		
<b>Proposal:</b>	Proposed replacement of existing main entrance timber doors, with fully glazed doors, within a slim timber frame (resubmission)		
<b>Site Address</b>	St Georges United Reformed Church, Bridge Street, Morpeth, Northumberland, NE61 1PD		
<b>Applicant:</b>	Mr Ken Anderson Bridge Street, Morpeth, Northumberland, NE61 1PD	<b>Agent:</b>	Ms Sarah Sabin 1 The Old Stables, Greys Yard, Morpeth, Northumberland NE61 1QD
<b>Ward</b>	Morpeth North	<b>Parish</b>	Morpeth
<b>Valid Date:</b>	1 May 2019	<b>Expiry Date:</b>	14 August 2019
<b>Case Officer Details:</b>	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

**Recommendation:** That this application be REFUSED permission



## 1. Introduction

1.1 The application is being determined by the Planning Committee at the request of Councillor Bawn to address the effect upon the Morpeth Conservation Area.

## 2. Description of Proposal

2.1 The development proposals seek planning permission for the removal of the existing traditional timber entrance doors and their replacement with fully glazed doors set within slim timber frames St Georges United Reformed Church, Bridge Street, Morpeth.

2.2 This is a resubmission of an application that was withdrawn Reference No: 18/04384/FUL) but the same plans have been submitted.

2.3 The site is within the Morpeth Town Centre and the Morpeth Conservation Area.

## 3. Planning History

**Reference Number:** 13/03344/DISCON

**Description:** Discharge of condition 3 of 13/01704/CON (Reconstruction of the existing boundary wall to the south of St. George's Church)

**Status:** Approved

**Reference Number:** 18/04384/FUL

**Description:** Replacement of existing main entrance timber doors with fully glazed doors within a slim timber frame

**Status:** Withdrawn

**Reference Number:** CM/20100220

**Description:** Fell 1no Lime tree and carry out works to 3no other Lime trees

**Status:** Approved

## 4. Consultee Responses

Morpeth Town Council	Morpeth Town Council are minded to support the expert view of the Conservation Officer
Building Conservation	Objection
County Archaeologist	No objections
County Ecologist	No objections
West Tree And Woodland Officer	No response received.
Strategic Estates	No response received.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	0
Number of Support	0
Number of General Comments	0

## Notices

Site notice Affecting LB & Conservation 23<sup>rd</sup> May 2019

Morpeth Herald 9th May 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=PQ44N5QSFMU00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

*Morpeth Neighbourhood Plan (2016)*

Policy Sus1 - Sustainable Development Principles

Policy Des1 – Design Principles

Policy Her1 – Locally Important Heritage Assets

Policy Emp1 – Morpeth Town Centre

*Castle Morpeth Local Plan (2003)*

C1 Settlement boundaries

MC1 Morpeth Settlement boundaries

### 6.2 National Planning Policy

National Planning Policy Framework (2019) (NPPF)

National Planning Practice Guidance (2018) (NPPG)

### 6.3 Other Documents/Strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19)

Policy STP 1 Spatial strategy (Strategic Policy)

Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)

Policy STP 3 Principles of sustainable development (Strategic Policy)

Policy QOP 1 Design principles (Strategic Policy)

Policy QOP 2 Good design and amenity

Policy ENV7 Historic and Heritage Assets

Policy ENV9 Conservation Areas

Planning (Listed Buildings and Conservation Areas) Act (PLBCAA)

## **7. Appraisal**

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

- Principle of the development

- Design and impact to the Conservation Area

### Principle of Development

7.2 Policy Sus1 of the Morpeth Neighbourhood Plan states that proposals for new development will be expected to be accommodated within settlement boundaries defined in the neighbourhood plan other than in those circumstances defined in policy Set1. Policy Set1 of the Morpeth Neighbourhood Plan states that development proposals will be supported within the settlement boundaries subject to being in accordance with other relevant policies in the Plan

7.3 Policy C1 of the Castle Morpeth Local Plan establishes settlement boundaries and states that development in the open countryside beyond settlement boundaries will not be permitted unless the proposals can be justified as being essential to the needs of agriculture or forestry or are permitted by alternative policies in the development plan. The site is within the settlement boundaries of Morpeth under Policy MC1 and is therefore within a sustainable location.

7.4 The latest version of the Northumberland Local Plan Publication Draft Plan (NLP) was published in May 2019. Relevant policies in this document are a material consideration in determining this application but it is not considered that such policies can be afforded significant weight at this time due to the stage that this plan is at in its journey towards adoption. It is worth noting however, that the spatial strategy of Policy STP1 seeks to direct most new development to existing towns within the County.

7.5 The site lies within the settlement limits of Morpeth as identified in with the Proposals Map of the Morpeth Neighbourhood Plan and Castle Morpeth District Local Plan. As the proposal is for alterations to an existing building within the Morpeth settlement boundary, the application is acceptable in principle and is in accordance with policies Sus1, Set1 C1, MC1 and the NPPF.

### Design and Impact to Conservation Area

7.6 St. George's United Reformed Church is situated within the designated heritage asset – the Morpeth Conservation Area. Commanding a riverside location, it is an imposing landmark building which closes the eastern end of Bridge Street. The juxtaposition of the church adjacent to the Grade II\* listed Telford Bridge, Grade I listed Chantry and Grade II listed no.57 and 59 Bridge Street serve to create an interesting and significant grouping which provides a sense of arrival to the historic town and positively contributes to the Conservation Area's special architectural and historic character.

7.7 The church dates back to the mid-19th century and built in the Gothic (Early English) style, the tall church has a stepped west clock tower terminated by an octagonal spirelet. Constructed in squared sandstone under steeply pitched Bangor Blue slate roof (with later inserted dormer windows c.1960) its openings comprise arched tracery windows with hood mouldings and a gothic arch entrance having double oak doors with ornate ironmongery.

7.8 Whilst not a listed building, the Church is identified as a non-designated heritage asset within the terms of Paragraph 184 of the NPPF by virtue of its architectural and

historic merit, age and surviving historic fabric and features and merits consideration in planning decisions (NPPF, Annex 2: Glossary Definition of Heritage Asset). The significance of the Church derives from its architectural, historic and communal significance. It is a fine local example of an ecclesiastical building pertaining to the mid-Victorian era. Its robust and traditional fabric, ornate detailing, visual dominance and continued use as a place of worship greatly contribute to its significance and the significance of the designated heritage assets in proximity and the ability to appreciate and understand them.

7.9 The National Planning Policy Framework (NPPF) is a significant material consideration and cognisance has been given to Chapters 12 'Achieving well-designed places' and 16 'Conserving and Enhancing the Historic Environment'.

7.10 Policy Sus1 of the Morpeth Neighbourhood Plan states that proposals should follow the principles of good quality design which respects the character and appearance of the setting of the development and the surrounding area. Policy Des1 of the Morpeth Neighbourhood Plan sets out Design Principles and seeks to ensure that development of and in proximity to designated and local heritage assets and their settings conserves, preserves, reflects and enhances the historic asset and the historic environment in accordance with their significance.

7.11 As the building is a non-designated heritage asset, Policy Her1 is relevant which seeks to safeguard heritage assets and states that;

*"The impact of a proposal on the significance of a non-designated heritage asset should be properly considered. There should be a balanced consideration of the impact of the proposed development upon the asset and its setting, having regard to the scale of any harm or loss. The presumption shall be that the heritage asset should be retained and re-used wherever practicable and proposals that cannot demonstrate that the harm will be outweighed by the benefits of the development will not be supported. Where public benefits that are necessary and cannot be met in any other way outweigh loss or harm this should be minimised".*

7.12 In addition, the site is located within the Morpeth Town Centre boundaries under Policy Emp1 of the Morpeth Neighbourhood Plan. This states that developments will be supported if they enhance the character and attractiveness of the town centre by conserving and enhancing the historic character of the Morpeth Conservation Area, its setting and the historic assets, both designated and undesignated, in the town centre.

7.13 Furthermore, sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act (PLBCAA) 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; and *the desirability of preserving or enhancing the character and appearance of the Conservation Area*.

7.14 Policies ENV7 and ENV9 of the emerging Northumberland Local Plan states that where development proposals would cause less than substantial harm to the significance of a designated heritage asset, this will be weighed against the public benefits of the proposal, including securing the optimum use that is viable and justifiable.

7.15 The submissions consist of annotated drawings of the west elevation of the Church and the submitted Design and Access Statement considers that the alterations are minor and would allow views into the Church Lobby which would not have a detrimental impact the Morpeth Conservation Area. The proposed elevation drawing illustrates the intended treatment of the ornate entrance to the Church. Whilst it is acknowledged that the proposals will not involve physical alteration to the masonry of the gothic arch they will result in the loss of historic fabric. The removal of the robust and traditional entrance doors - a purposeful design denoting the Church as a building of importance; providing security for worshipers; and spiritually as the passage from one world to another (secular to sacred) - would result in a negative impact on the significance of the host, the collective significance of the building group; and the character and appearance of the Conservation Area.

7.16 When the proposed treatment of fully glazed doors with overlight, set within timber frames are evaluated having regard to the architectural character and ornate features of the host it is considered that the proposal is incongruous and that the expanse of glass in this location would result in harm to the heritage asset. Further the loss of the fine traditional doors with historic and decorative ironmongery would erode the special architectural and historic character of the Conservation Area whose significance is formed in part by the substantial retention of period buildings and their historic fabric and features.

7.17 Building Conservation has objected to the application as it is considered that the proposal represents harm to the architectural character of the host - a non-designated heritage asset; the collective significance of the building group; and fails to preserve the special character and appearance of the Morpeth Conservation Area. The degree of harm is 'less than substantial'.

7.18 Having regard to the requirements set out in the PLBCAA and the test in the Paragraphs 193 & 194 of the NPPF, that *great weight should be given to the heritage asset's conservation*, it is considered that the '*less than substantial harm*' identified has not been demonstrated as necessary and has not been justified.

7.19 Further when the application is evaluated having regard to the Morpeth Neighbourhood Plan it is considered that it is contrary to Policies Sus1, Set1, Des1 and Her1 as the impact of a proposal on the significance of a non-designated heritage asset has not been properly considered and it has not been demonstrated that the harm will outweigh the benefits of the development. The removal and replacement from traditional timber to glazed doors would not conserve the special character of the non-designated heritage asset or the Morpeth Conservation Area.

### ***Equality Duty***

8.1 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***

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

## ***Human Rights Act Implications***

8.3 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.

8.4 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.

8.5 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.

## **9. Conclusion**

9.1 Whilst the principle of the replacement doors is encouraged, the design, style and use of materials in the replacement is of paramount importance given the prominent riverside setting of the church and its location within the conservation area.

9.2 The church is not a listed building, however, it is a non-designated heritage asset. As such, the character and appearance of the church should not be harmed in any way as a consequence of alterations. In this case, the proposal represents harm to the architectural character of the host non-designated heritage asset, and fails to preserve the special character and appearance of the Morpeth Conservation Area. The degree of harm is 'less than substantial', which has not been justified.

9.3 On balance, it is considered that the proposal cannot be supported.

## **8. Recommendation**

That this application be REFUSED permission subject to the following:

01. The proposal represents harm to the architectural integrity of the host building - a non-designated heritage asset; and fails to preserve the special character and appearance of the Morpeth Conservation Area. The degree of harm is 'less than substantial' and the application has not demonstrated that the proposal is necessary or demonstrated that any public benefits outweigh this harm. The application is therefore not in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act (PLBCAA), the NPPF, Policies Set1, Sus1, Des1 and Her1 of the Morpeth Neighbourhood Plan.

**Date of Report: 23.07.2019**

**Background Papers:** Planning application file(s) 19/01298/FUL