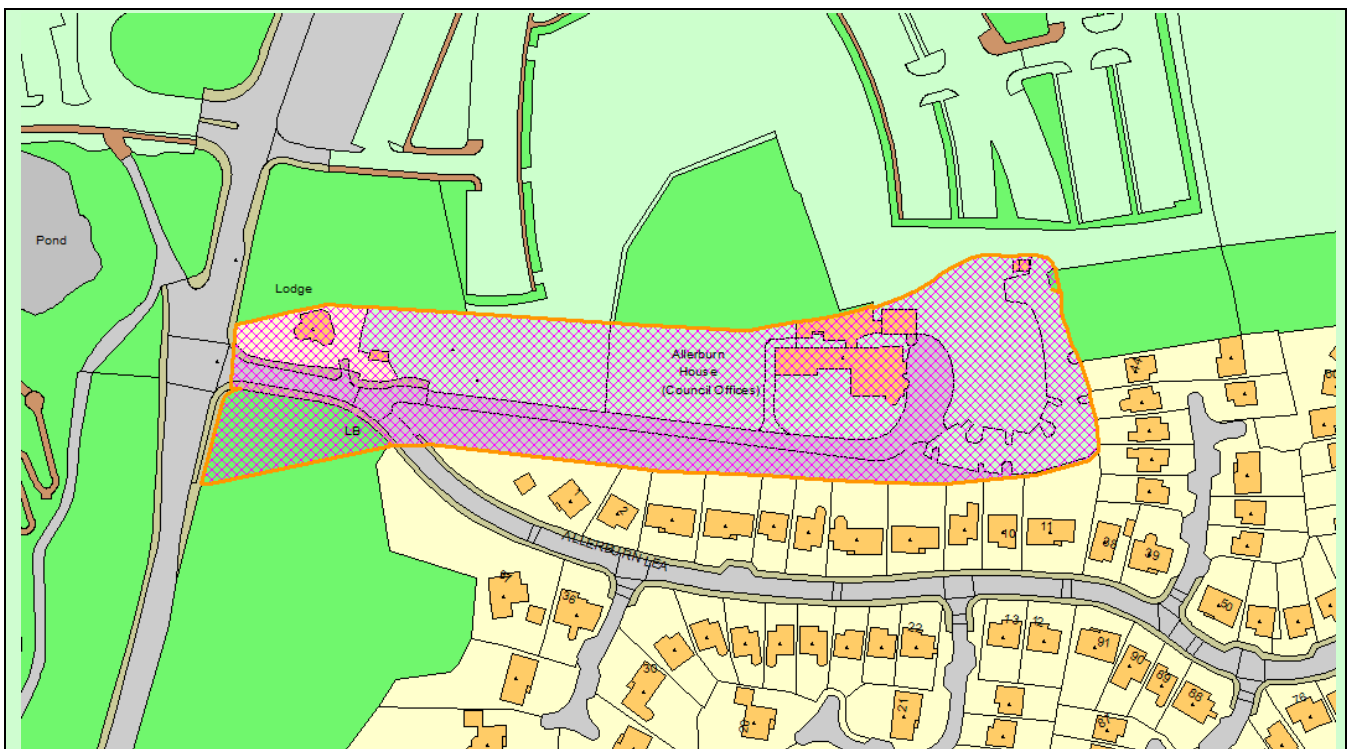




Northumberland County Council

North Northumberland Local Area Council
19th April 2017

Application No:	18/00672/FUL		
Proposal:	Development of 14 Dwellings; Conversion of Allern House to 3 Apartments including demolition of later extensions and Refurbishment of Lodge - Amended 27/03/18		
Site Address	Allern House, Denwick Lane, Alnwick, Northumberland NE66 1YY		
Applicant:	Mr Neil Turnbull Wansbeck Workspace, Rotary Parkway, Ashington, NE63 8QZ	Agent:	Mr Keith Dillon St Jude's, Barker Street, Shieldfield, Newcastle Upon Tyne NE2 1AS
Ward	Alnwick	Parish	Alnwick
Valid Date:	27 February 2018	Expiry Date:	29 May 2018
Case Officer Details:	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: Ragu.Sittambalam@northumberland.gov.uk		



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, applications submitted by this application is to be recommended for approval contrary to a valid objection from Alnwick Town Council and has been submitted by Ascent Homes, a development arm of Arch. The application has been reviewed by the Head of Service and the Planning Chair of the North Northumberland Local Area Council confirming that the application should be referred to Planning Committee for determination.

1.2 The site is subject to extant approval under 16/03770/FUL;

Proposal for 20 no dwelling houses through conversion of existing buildings (10 units) and erection of 10 new build units

All relevant pre-commencement conditions have been discharged with substantive works undertaken on site.

1.3 The application has been amended as follows;

- 28/03/18 - Submission of an ecology addendum.
- 27/03/18 - Submission of a Northumbrian Water pre-development enquiry report.

2. Description of the Proposals

2.1 The application site is located on the north-eastern edge of Alnwick, set to the east side of Denwick Lane (B1340) accessed off Allerburn Lea. The land bound by modern residential development at Allerburn Lea to the south with a wooded area to the north separating the land from the car/coach park that serves Alnwick Garden. The site is of a rectangular form with land levels rising to the eastern end of the site. There are some trees which have been retained as part of the extant scheme with the majority of the site now cleared.

2.2 On site at the entrance is the lodge building, a stone built single storey structure with a slate covered roof. The lodge is a period building of a form relative to its typology. To the east is the more substantial; three storey Allerburn House which formerly had served as office space, adjoining Allerburn House is a two storey extension off the west elevation with attached ancillary structures to the rear; the modern extensions are not of a matching architectural style to Allerburn House albeit of a mock-design.

2.3 The application seeks planning permission to form 18 no. dwellings comprising of the following works;

- Demolish western and northern extensions to Allerburn House.
- Convert Allerburn House to 3 no. apartments (2 no. 3-bedroom and 1 no. 2-bedroom), no further extensions would be undertaken as part of the conversion. There would be a wholesale renovation of the building which would involve the introduction of new partitions to facilitate the conversion.

- Renovate the Lodge as a 2-bedroom property (as per the existing), no further extensions would be undertaken as part of the conversion which would retain the existing floor plan.
- Erect 4 no. detached dwellings to the west end of the site. The dwellings would be 5-bedroom properties of two storeys in height with the exception of plot 2 that would be two and a half storeys with a detached double-garage to the side.
- Erect 4 no. detached dwellings to the east end of the site arranged in a quadrant facing toward Allerburn House. The dwellings would be 5-bedroom properties of two storey height with the exception of plot 15 that would be two and a half storeys with a detached double-garage to the side.
- Erect 6 no. dwellings made up of two blocks of three dwellings. The dwellings would be two and a half storeys in height and would be staggered toward Allerburn House, stepping up along the streetscene.
- The dwellings would be buff brick/sandstone render with artstone window surrounds with a blue/black roof tile.

2.4 The site is subject to the following environmental constraints;

- Coal Advice Area - Low Risk
- Impact Risk Zone - SSSI

3. Planning History

Reference Number: 16/03770/FUL

Description: Proposal for 20 no dwelling houses through conversion of existing buildings (10 units) and erection of 10 new build units

Status: Permitted

Reference Number: 17/01327/DISCON

Description: Discharge of condition 4 (Construction Method Statement), 13 (Ground Gases), 15 (Memorial Tree), 16 (Surface Water) and 17 (CCTV Drainage Survey) relating to planning permission 16/03770/FUL - Proposal for 20 no dwelling houses through conversion of existing buildings (10 units) and erection of 10 new build units

Status: Permitted

Reference Number: 17/03830/VARYCO

Description: Variation of condition 2 (approved plans) of application 16/03770/FUL

Status: Withdrawn

Reference Number: 17/04012/DISCON

Description: Discharge of condition 3 (materials) of approved planning application 16/03770/FUL

Status: Permitted

Reference Number: A/95/A/484

Description: Velux Roof Lights,

Status: Permitted

Reference Number: A/92/A/414

Description: Temporary Office Accommodation,

Status: Permitted

Reference Number: A/89/A/587

Description: Extension & Alterations to 2nd Floor to provide offices,

Status: Permitted

Reference Number: A/2009/0079

Description: Removal of Condition 2 of Planning Permission 95/A/135 to allow unrestricted occupancy of dwelling.

Status: Permitted

Reference Number: A/2004/0497

Description: Erection of modular office building

Status: Permitted

Reference Number: A/1999/0406

Description: Advertisement - Fascia sign

Status: Permitted

4. Consultee Responses

Alnwick Town Council	<p>Objects;</p> <p>Location - the proposed 3 storey dwellings would still have a negative visual impact and reduce the visibility of the retained part of Allerburn House. The plans show that 2 of the 6 proposed three-storey properties have been moved but we feel that in their current proposed location all 6 three-storey properties should be moved closer to the rear of the plots.</p> <p>Density ' there are currently 6 three-storey properties which we feel is too many in the proposed location. If this location is to be maintained then the overall number of three-storey properties should be reduced.</p> <p>Height - the proposed 3 storey dwellings still have a negative visual impact on neighbouring properties and in relation to the retained part of Allerburn House. The plans show 2 of the 6 proposed three-storey properties being moved but we feel that all 6 three-storey properties would need to be moved closer to the rear of the plots to reduce this negative visual impact.</p> <p>The application does not support the Alnwick & Denwick Neighbourhood Plan policies:</p> <p>H4 Housing Design New housing, including conversions and the development of individual plots in the plan area, will be required to demonstrate that a high standard of design will be achieved.</p>
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	<p>HD4 Design in the Wider Town</p> <p>Outside the historic core of the town new development (including extensions, alterations and changes of use to existing buildings) is encouraged to take the following design principles into account:</p> <p>a) Footprint: expected to respect the density and grain of the surrounding distinctive suburban townscape</p> <p>b) Design: expected to make a positive contribution to local character and distinctiveness whilst not discouraging appropriate innovation</p> <p>c) Quality: expected to respect and enhance the quality of the surrounding suburban townscape and any historic content, in design, materials, detailing and finishes;</p> <p>e) Size and scale: expected to respond positively to local character</p> <p>f) Materials: expected</p>
Highways	<p>No Objection; Conditions & Informatives Advised</p> <p>The proposed scheme is considered to be in accordance with local and national planning policy.</p> <p>The level of trip generation from the development will not have a severe or material impact on the wider highway network.</p> <p>There are no highway objections to the proposals subject to the imposition of planning conditions relating to modifications to vehicular access; cycle parking provision; and details of refuse bin collection area/strategy, that will address the minor concerns in relation to the proposals as submitted.</p>
Lead Local Flood Authority (LLFA)	<p>No Objection;</p> <p>We have no objection to the proposed development. We ask that the following be added to the list of approved drawings/documents.</p> <p>Drawing No. 1611 01 Rev E 'Engineering Layout' SuDS Maintenance Plan (Coast Consulting)</p>
Architectural Liaison Officer - Police	<p>No Objection;</p> <p>I cannot find any grounds from a crime prevention point of view on which to object but have noticed a lack of any detail regarding security to the actual units proposed for this site. I would recommend that the houses are built to the police approved security scheme Secured by Design (SBD) specifications contained in the SBD Homes 2016.</p> <p>I have noted the proposed boundary treatments and am happy that they meet the minimum requirements for SBD.</p>
Northumbrian Water Ltd	<p>No Objection</p> <p>An enquiry was received by NWL from the applicant for allowable discharge rates & points into the public sewer for the proposed development.</p> <p>In this document it states Foul flows can discharge without restriction into the combined public sewer via manhole 2201 on the B1340, to the west of the site.</p> <p>A restricted surface water flow of 20 l/sec would be permitted to discharge into the 300mm diameter combined public sewer via manhole 2201 if the more sustainable options prove to be unfeasible.</p>
Public Protection	No Objection; Condition Advised

	<p>Having reviewed the following attachments:</p> <ul style="list-style-type: none"> o Supplementary Ground Investigation Report, Produced by: Geoenvironmental Engineering, Report Ref: 2016-1993, Report Date: 26.09.2016 o Gas Verification Strategy Report, Dated: February 2017, Produced by: Patrick Parsons o Technical Note, Dated: 09/10/2017, Produced by: Patrick Parsons, Job Number: N170740 <p>In principle this Service is in agreement with this proposal subject to a condition relating to construction delivery/collection hours.</p>
County Ecologist	<p>No Objection; Conditions & Informatives Advised</p> <p>The bat report ('Allerburn House, Alnwick, Proposed development Bat and Barn owl report. Summer 2017 Ruth Hadden' and 'Allerburn House, Alnwick, Proposed development Bat and Barn owl report addendum. Summer 2017 Ruth Hadden'); states that the building supports small numbers of roosting pipistrelle and whiskered/Brandts bats. Part of the existing building where bats are roosting is to be demolished and as such a Low Impact Class Licence will be required. Mitigation for the loss of the roosting areas will be provided in the new buildings and parts of the existing House. This will take the form of retaining existing roosts and providing roosting areas between tiles and roofing felt/sarking.</p> <p>Subject to the receipt of architects drawings showing the bat mitigation, I therefore have no objections to the proposals on ecological grounds on condition that the avoidance, mitigation and enhancement measures detailed in the reports, and the condition recommended, are carried out in full.</p>
Building Conservation	No Objection

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	23
Number of Objections	7
Number of Support	0
Number of General Comments	0

Notices

General site notice 29th March 2018

Press notice - Northumberland Gazette 15th March 2018

Summary of Responses:

During the consultation period, 7 no. objections raised the following issues;

- The proposal would overall be an increase in development from the existing scheme.

- A large proportion of Allerburn House is proposed to be demolished conflicting with Neighbourhood Plan Policy.
- Adverse visual impact from proposed townhouses.
- The size of the town houses would not be inkeeping.
- Overlooking from town houses.
- No SuDS measures have been proposed.
- Issues of potential further tree removal.
- Outstanding surface water drainage issues.

Issues such as maintenance of boundary trees/hedges and issues arising during the construction period were submitted but are not material planning considerations.

Representations also raised issues of works that have already been undertaken without requisite consent, namely foundations. Any work that has been carried out by the developer is at their own risk and carries no weight for or against the application.

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=P4GKR2QSMHW00>

6. Planning Policy

6.1 Neighbourhood Plan Policy

ADNP - Alnwick & Denwick Neighbourhood Plan (2017)

CF2 Outdoor Sports & Leisure
ENV3 Local Green Space

6.2 Local Plan Policy

ACS - Alnwick LDF Core Strategy (2007)

S1 Location and scale of new development
S2 The sequential approach to development
S3 Sustainability criteria
S5 Housing density
S6 Provision of affordable housing
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and enhancing biodiversity and geodiversity
S13 Landscape character
S15 Protecting the built and historic environment
S16 General design principles

ALP - Alnwick District Wide Local Plan (1997)

TT5 Controlling car parking provision (and Appendix E)
APPENDIX E Car parking standards for development
CD32 Controlling development that is detrimental to the environment and residential amenity

6.3 Other Documents/Strategies

Northumberland Five-year Supply of Deliverable Sites: 2017 to 2022 (2017)
Northumberland Strategic Housing Market Assessment (SHMA - October 2015)
Alnwick Landscape Character Assessment Supplementary Planning Document
Commuted Sums (Section 106 Agreements) Developer Fund for Affordable Housing
Protocol - November 2016

7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007) but primarily the Alnwick & Denwick Neighbourhood Plan (2017).

7.2 The main issues in the consideration of this application are;

- Principle of Development
- Housing Land Supply
- Planning Obligations
 - Affordable Housing
 - Education
- Landscape
- Design
- Non-Designated Heritage Asset
- Amenity
- Archaeology
- Contaminated Land
- Ecology
- Highway Safety
- Water Management
- Procedural Matters
- Other Matters

Principle of Development

7.3 The principle of development has been established through the approval and implementation of 16/03770/FUL. Notwithstanding the fall back position, since the previous approval, the Alnwick & Denwick Neighbourhood Plan has been adopted which forms a material consideration in assessing material differences in the application and extant consent. The primary change between the current application and previous proposal is the partial demolition

of Allerburn House, which is limited to modern offshoots added to the building and the erection of 6 no. two and a half storey town houses in their place.

- 7.4 *H2 of the ADNP sets out locations for housing allocation sites; Allerburn House and its associated land is set out within H2-4 of the supporting policy text setting a guidance capacity for the site of twenty dwellings (aligning with the previous consent). Design for the site must account for mature specimen trees, the retention of the main section of Allerburn House given its importance as a local heritage asset and the elevated relationship of the site over Allerburn Lea. The site adjoins a Biodiversity Action Plan Priority Habitat which must be preserved.*
- 7.5 H2 does not discriminate for how housing is to be delivered on site, but notably is specific on how Allerburn House is addressed as part of a principle of a future development setting out that the retention of the main section is a key focus with the remaining aspects subject to no change from the originally approved scheme. The application proposes to demolish extensions that are not original to Allerburn House and that are not considered to comprise the main section of Allerburn House and is therefore considered compliant with H2.
- 7.6 The principle of development is therefore considered acceptable and in accordance with H2 of the ADNP; S1, S3 and S16 of the ACS and the NPPF.

Housing Land Supply

- 7.7 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirements. The five year housing land supply position is pertinent to proposals for residential development in that paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. In such cases, the presumption in favour of sustainable development, as stated in paragraph 14 of the NPPF will be engaged.
- 7.8 H1 of the ADNP sets out the quantity of housing to be brought forward over the plan period of 1100 dwellings between 2011 and 2031.
- 7.9 For details of the five year housing land supply assessment, the Council's Five Year Supply of Deliverable Sites 2017 to 2022 report, published in November 2017 should be referred to. This report identifies housing land equivalent to a 6.5 years supply. Therefore, in the context of paragraph 49, policies for the supply of housing should not be considered out of date.

Planning Obligations

- 7.10 *S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social*

infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.

Affordable Housing

- 7.11 Paragraph 31 of the PPG sets out that there are specific circumstances where contributions for affordable housing and tariff style planning obligations on developments of more than 10 units; or where the combined gross floorspace is greater than 1,000 square metres (gross internal area). The way in which this is delivered is in consultation with Affordable Housing. The extant scheme provided an off site affordable housing contribution by commuted sum.
- 7.12 *Paragraph 50 of the NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need.*
- 7.13 The Northumberland Strategic Housing Market Assessment (SHMA - October 2015) includes up to date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 191 dwellings per annum over the period 2014 to 2019. To address this, an affordable housing contribution will continue to be sought on all proposals involving residential development except in the circumstances set out in Planning Practice Guidance paragraph 31. This will be expected to be delivered on-site.
- 7.14 The application proposes in excess of ten dwellings; therefore an affordable housing provision is sought on this application. The extant consent secured a commuted sum of £85,000. Given that the current proposal would reduce the number of units but deliver development in a different manner the method of contribution would remain the same however this application is subject to a revised calculation. Calculations are based on the guidance set out in 'Commuted Sums (Section 106 Agreements) Developer Fund for Affordable Housing Protocol - November 2016'.
- 7.15 The applicant has put forward 17 no. new build units which are set at an average value of £419,429 per dwelling. When a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer is offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contributions; this falls under 'vacant building credit'. Taken alongside the eligible vacant building credit associated with the scheme and in accordance with the Affordable Housing Protocol, would result in a revised figure of £87,488. The sum has been agreed by the developer and would be secured through a s106 legal agreement.
- 7.17 The affordable housing provision is therefore considered acceptable in accordance with the NPPF and PPG.

Education

- 7.18 In respect of major housing applications, issues of school capacity and potential impacts of new development are considered through consultation with Education. Contributions where necessary, are sought for physical infrastructure improvements.
- 7.19 *Paragraph 72 of the NPPF states that Local Planning Authorities should take a proactive, positive approach to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. This includes giving great weight to the need to create, expand or alter schools.*
- 7.20 The extant position of the planning application is such that it is not considered necessary to seek an Education contribution in this instance. This is because no contribution was sought in the first application, that the application is of a small scale and that the proposal presents a reduction in the number of dwellings. No education contribution has therefore been sought.

Previous Permission

- 7.21 Should this application be approved, the site would benefit from two permissions which could both be implemented potentially resulting in a significantly greater amount of development to that of which has been approved in either circumstance.
- 7.22 To address this, the applicant has agreed to surrender the planning permission ref: 16/03770/FUL only in the event that this application is approved. This is considered necessary to ensure that appropriate development is delivered on site.

Landscape

- 7.22 The site is open land in and around Allerburn House and its former curtilage, with a tree belt that runs along the northern boundary of the site. The visibility and prominence of the site is limited due to the topography of the site and surrounding routes. The appraisal of Landscape considers the physical mass and character impact of a development proposal.
- 7.23 *HD1 of the ADNP sets out that development will be expected to be designed to avoid visual harm to the landscape character and setting of the town and loss of landscape features that contribute to local distinctiveness.*
- 7.24 *S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district.*
- S16 of the ACS states that proposals should take full account of the need to protect and enhance the local environment.*
- 7.25 It is acknowledged that the imposition of new development in this location has been accepted through the extant permission. The current proposal would remove an originally approved dwelling to the east end of the site, remove the extensions to the west and north elevations of Allerburn House to provide

room to erect 6 no. town houses arranged in two terraces of three units. There would be a reduction in height for the detached dwellings proposed in this application against the originally approved housetypes lowering the height to Housetypes 1, 2 and 3 by 1.1m, 1.8m and 0.9m respectively which, taken alongside the removal of the detached unit to the east would overall lower the mass of detached dwellings around Allerburn House.

- 7.26 The main change would be through the demolition of the extensions to Allerburn House which consists of a substantial two storey wing to the west elevation and a one and a half storey building to the north end of the site physically connected by a modern link. The proposal would demolish the extensions and introduce three storey townhouses which would be of a height of 7.1m to eaves and 10.2m to ridge. Although not dissimilar to the heights of the dwellings originally approved the massing of the blocks would be larger than the other properties. However in considering the site context, notably the change in levels increasing from west to east, the massing of the proposed buildings (against the detached dwellings that would front onto the western gable and the ground level adjacent to Allerburn House), is such that the town houses would step up along the site for each unit with a larger step immediately adjacent to Allerburn House. There would also be a staggering of the frontage to the eastern block to further mitigate the massing of the new units.
- 7.27 On balance, it is acknowledged that there would be a landscape impact resulting from the proposal, but it is not considered significant taken as a whole. From this, the impact on landscape would be acceptable in accordance with S13 and S16 of the ACS and the NPPF.

Design

- 7.28 The proposal would be similar to the originally approved scheme with changes to the elevation treatments, scale of the new dwellings and how housing would be delivered on site. Design considers the appearance of the development independently and as part of the immediate streetscene.
- 7.29 *HD5 of the ADNP sets out the design principles for new development outside the historic core of the town.*
- 7.30 *S16 of ACS sets out that all development will be expected to achieve a high standard of design reflecting local character and distinctiveness in traditional or contemporary design and materials.*
- 7.31 *BE8 of the ALP specifies the relevant appendix to assess proposals for new dwellings and extensions (in this case Appendix A). Appendix A covers criteria relating to layout, access, car parking, design, materials and landscaping. It is acknowledged that this policy in part is not fully compliant with the NPPF in terms of its prescriptive nature.*
- 7.32 *Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in developments.*

- 7.33 The dwellings would be of a semi-rural aesthetic in terms of materials but with contemporary features particularly through the treatments of openings and detailing using materials of a quality that is reflective of the location. The town houses would retain the continuity in terms of the design albeit of a slightly different form against the detached properties. The layout of the town houses, west of Allerburn House would be staggered, with a stepping of the ridge line across the streetscene; this is considered to mitigate the overall appearance of the mass proposed, which taken alongside the site levels, shows that the townhouses would sit at a lower level.
- 7.34 Material details have been submitted with the application which reflects those previously provided to discharge the relevant condition from the previous application, on these basis no further conditions have been recommended.
- 7.35 On this basis the visual impact is considered acceptable and in accordance with HD5 of the ADNP, BE8 of the ALP, S16 of the ACS and the NPPF.

Non-Designated Heritage Asset

- 7.36 Allerburn House is a substantial two and a half storey stone built property with slate covered roofs that is characterised by the corner turret, eyebrow windows and stone detailing. The building has been subject to a larger extension to the side with a modern link to outbuildings at the rear which are not original to the principal building. Allerburn House is not subject to any statutory heritage designations, this section considers the impact on the non-designated heritage asset from a heritage standpoint.
- 7.37 *HD3 of the ADNP sets out that development affecting non-designated heritage asset identified as part of the application process should have particular regard to the conservation of the heritage asset, its features and its setting.*
- 7.38 *S15 of the ACS sets out that the District Council will conserve and enhance a strong sense of place by conserving the district's built and historic environment.*
- 7.39 *Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
- 7.40 Whilst the principle of development accepted the loss of later extensions to the building; Allerburn House is considered a non-designated heritage asset and is therefore subject to the policy framework identified above. It is acknowledged that there would be a loss of character through the removal of extensions; however the loss of extensions in part would better reveal the significance of the heritage asset visually as Allerburn House, appearing as the original building independent of modern intervention; highlighting its original architectural detailing, materials and form as the principal asset.

7.41 The main scope for potential impact is through the introduction of new built development to the west, namely the town houses. It has been discussed in Landscape and Design about how the properties would sit as part of the wider area and in an immediate streetscene respectively. The town houses were previously proposed as part of 17/03830/VARYCO which was withdrawn for a procedural reason, proposing a line of town houses that sat proud of Allernburn House. Through discussions with the applicant, involving Building Conservation the scheme has been amended for this application to show an overlapping and stepping of the roof line along the width of the town houses with a larger stepping of levels that would show the ridgeline of the closest dwelling to sit at second floor level to Allernburn House. Overall and despite the removal of the two storey wing, the design and site context of the town houses is such that they would appear subordinate and along the line of the estate road prevent diminishment of the setting of Allernburn House. This is reflected in Building Conservation's stance of no objection.

7.42 The impact on non-designated heritage assets it therefore considered acceptable and in accordance with HD3 of the ADNP; S15 of the ACS and the NPPF.

Amenity

7.43 The assessment of amenity seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use. Objections received on this issue have been taken into account within the appraisal.

7.44 *Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.*

7.45 *Paragraph 17 of the NPPF sets out its core planning principles, to underpin both plan-making and decision-taking. One of these principles is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

7.46 As part of the consultation response from Highways Development Management (HDM), a construction method statement has been approved that secures details of on site operations during the construction period. This in turn would ensure good practise having regard to amenity issues for nearby occupants prior to completion of the development.

7.47 Public Health Protection (PHP) has also recommended a condition restricting collections and deliveries associated with construction which has been included within the recommendation.

7.48 There is an acceptance that through the extant position that the amenity impact of the detached units is acceptable. In terms of massing there would be a decrease in amount of built form from detached units through the revised sizing of the dwellings which are approximately 1m lower than those originally approved alongside the removal of a dwelling to the east end of the site. The

main impact from massing would be from the introduction of townhouses in place of the two storey wing bearing off Allerburn House. The current wing ranges in height from 8.2m-9.4m at the farthest point, with the townhouses at a height of 7.1-10.1m (eaves-ridge); it is acknowledged that there would be an increase in height and that the dwellings would sit forward of the former wing, however the increase in height taken alongside the comparable footprint is not considered to result in a significant mass that would warrant refusal.

- 7.49 Along with the massing of the town houses are potential impacts on privacy. The properties that are most likely to be affected by the changes to the proposal are those that sit immediately south of the site boundary to the north side of Allerburn Lea which are approximately comparable in level. The town houses would be separated from the southern boundary by a minimum of 22m with a total minimum separation to the rear wall of neighbouring properties of 33m (front-rear). It is recognised that the town houses would be of a three storey height but taken as a limited increase against the previous structure, that there would be substantial separation provided with existing trees that sit along the southern boundary to partially obscure view, the changes are not considered to cause a significant impact on privacy or appear overbearing.
- 7.50 The impact on amenity is therefore acknowledged but not considered significant to warrant refusal, according with CD32 of the ALP and the NPPF.

Archaeology

- 7.51 The site comprises of Allerburn House and the Lodge, which are considered non-designated heritage assets. The proposal would involve substantive groundworks. Whilst no archaeological assessment has been submitted with this application, an assessment was undertaken as part of the extant permission.
- 7.52 *BE2 of the ALP sets out that planning permission will not be granted for development detrimental to sites of regional or local archaeological importance, unless there is an overriding need for the development and no alternative location can be found. Where the impact of the development is not clear, the developer will be required to provide an archaeological assessment.*
- 7.53 *Paragraph 126 of the NPPF requires Local planning authorities to adopt a positive strategy for the conservation and enjoyment of the historic environment, recognising that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance.*
- 7.54 The previous application had included an archaeological desk-based assessment, the County Archaeologist was satisfied that there were no significant archaeological features recorded within the site boundary or in adjacent areas and that the risk that significant unrecorded archaeological features may be present is considered to be low with no watching brief recommended. Given this low risk, and the relatively small size of the proposed development site, it is unlikely that significant or meaningful archaeological data would be recovered via a monitoring exercise.

- 7.55 The archaeological impact of the proposal is therefore acceptable and in accordance with BE2 of the ALP and the NPPF.

Ecology

- 7.56 The site comprises of historic buildings with modern extensions with mature trees in and around the site. There are considered to be potential on-site ecological impacts arising from the development. The application has been submitted with an Ecological Assessment, supplemented with an addendum alongside a tree protection plan which has been subject to assessment in consultation with the County Ecologist. Objections relating to ecological impact have been addressed in this section.
- 7.57 *S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.*
- 7.58 *Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.*
- 7.59 The County Ecologist has raised no objection to the proposal having reviewed the submitted information, recommending a condition that works are carried out in accordance with the mitigation and protective measures outlined in the report. As part of the works a Low Impact Class Licence from Natural England will be required due to the presence of bats in parts of the building to be demolished. Additional mitigation for the loss of roosting areas will be provided in the new buildings and parts of the existing House.
- 7.60 The County Ecologist has requested that plans be submitted showing the bat mitigation to form part of the approved documents. This has been provided which sits within an individual condition set out in the recommendation.
- 7.61 Representations were made with regard to tree loss on site, set against the originally approved tree retention plan, there are not considered to be any significant impacts with two smaller trees that sit forward of the wing to Allernburn House (of category B and C) that would be removed as part of the works.
- 7.62 There is also consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.
- 7.63 This impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.

- 7.64 Ordinarily coastal mitigation would be sought for this proposal. However, given that the site benefits from an implemented extant consent for an increased number of residential units to what has been proposed; it is not considered pragmatic to seek coastal mitigation for this application. This allowance is considered to be an exception given the fall back position.

Contaminated Land

- 7.65 The application has been submitted with a ground investigation report, gas verification strategy report and a technical note in relation to contaminated land which has been subject to assessment by the Council's Public Health Protection team (PHP).
- 7.66 *Paragraph 120 of the NPPF states that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the landowner.*
- 7.67 The application has been submitted with a number of documents relating to land contamination through the previously approved scheme and subsequent discharge of conditions. The documents set out that there are no land contamination issues that would require remediation or mitigation and as such has not drawn further comment from PHP.
- 7.68 It is therefore considered that mitigation of contamination issues can be successfully undertaken, in accordance with the NPPF

Highway Safety

- 7.69 In addressing highway safety, on and off-site issues are considered in consultation with Highways Development Management (HDM). The application would upgrade the existing access with an estate road spanning the length of the site toward a cul-de-sac. There are on-site issues in terms of the highways requirements for the properties and off-site impacts through the provision of a safe means of access for vehicles, pedestrians and the delivery of appropriate off-site works. The application has been submitted with a construction method statement as previously approved by HDM. Objections made in respect of highway safety have been addressed below.
- 7.70 *S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.*
- 7.71 *Paragraph 32 of the NPPF sets out the considerations of decisions with regard to highways impacts, stating that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*

- 7.72 HDM have raised no objection to the proposal setting out that the scheme would be in accordance with local and national policy, that there would not be significant levels of trip generation that would cause a material impact on the wider highway networks and that there are no objections to the proposal subject to recommended conditions and informatives.
- 7.73 The highway works would be limited to an upgrading of the access which would be subject to a s184 agreement which would secure suitable levels of visibility when emerging from the site. The application was supplemented with a construction method statement which has been considered acceptable by HDM to be adhered to throughout the construction phase of the development. Further conditions to secure details regarding refuse strategy, cycle parking and surface water runoff have also been set out in the recommendation to be discharged prior to occupation with a further condition to secure parking as set out in the approved plans, again prior to occupation. The applicant has set out that the road is intended to remain private and therefore is not subject to further conditions/agreements in terms of adoption.
- 7.74 The impact on highway safety is considered acceptable and in accordance with S11 of the ACS and the NPPF.

Water Management

- 7.75 The application is for major development which is subject to consultation with the Lead Local Flood Authority (LLFA). Northumbrian Water (NWL) has also been consulted as mains foul drainage is proposed. There will be on-site impacts through the introduction of built form and off-site impacts in terms of water displacement.
- 7.76 *Paragraph 94 of the NPPF states that Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply demand considerations.*
- 7.77 The LLFA have raised no objection on the basis that the documents included in the application which have been used to discharge conditions for the previous scheme are secured as approved documents of this permission.
- 7.78 NWL have considered the application and having reviewed the pre-development submission from the applicant, requesting a condition to undertake works in accordance with the FRA.
- 7.79 From this, water management can be successfully undertaken on site in accordance with the NPPF.

Procedural Matters

Equality Duty

- 7.80 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

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

Human Rights Act Implications

- 7.82 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.
- 7.83 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. Conclusion

- 8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.
- 8.2 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.
- 8.3 A s106 Legal Agreement is to secure the obligation/contribution as set out in the recommendation.

9. Recommendation

That Members authorise the Head of Service to GRANT permission subject to a s106 Legal Agreement to secure the following contribution & commitment:

- Off-site affordable housing contribution of £87,488
- Surrender of planning permission 16/03770/FUL

Conditions

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. Approved Plans

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;

1. PL-01 - Site Location Plan
2. PL-03 - Proposed Site Plan (showing Ground Floor Plans)
3. PL-04 - Proposed Site Plan (showing Roof Plans)
4. PL-05 Rev A - Boundary Treatment Plan
5. PL-06 - Proposed Surface Materials Plan
6. PL-08 - Housetype 1
7. PL-10 - Housetype 4
8. PL-11 - Housetype 12,5
9. PL-12 - Housetype 12,5
10. PL-14 - Housetype A
11. PL-18 - Allerburn House - Demolition Plans
12. PL-19 - Allerburn House - Proposed Floor Plans
13. PL-21 - Allerburn House - Proposed elevations
14. PL-16 - Lodge Building - Proposed
15. PL-22 - Allerburn House - Streetscape 1
16. AIA TPP Rev D - Tree Protection Plan
17. SK10 P3 - Exceedance Plan
18. SK11 P3 - Impermeable Areas

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

Development Management

03. Materials in Accordance with Submitted Details

Notwithstanding information contained within the approved plans, the materials shall be carried out in accordance with the details contained within N81:2671 Allerburn House, Alnwick - Materials Schedule.

Reason: In the interests of visual amenity in accordance with Policy S16 of the Alnwick LDF Core Strategy.

Highways Development Management

04. Details of Access to be Submitted

Notwithstanding the details provided, no dwelling shall be occupied until the site access with Allerburn Lea estate road has been modified and reconstructed, including 2.4 x 43 metre visibility splays, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy S11 of the Alnwick LDF Core Strategy.

05. Details of Cycle Parking Provision to be Submitted

The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

06. Details of Surface Water Drainage (Private Land) to be Submitted

Prior to occupation, details of surface water drainage to manage run-off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

07. Approved Construction Method Statement

The approved Construction Method Statement, together with supporting plan as set out in 'PL-07 - Construction Management Plan', shall be adhered to throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

08. Complete Car Parking & Manoeuvring Areas

No dwelling shall be occupied until the car parking and manoeuvring areas serving that dwelling and indicated on the approved plans have been provided. Thereafter, the car parking/manoeuvring areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

Lead Local Flood Authority / Northumbrian Water

09. Approved Drainage Details

The drainage details for the development hereby approved shall be carried out in accordance with the following documents;

1. Drawing No. 1611 01 Rev E 'Engineering Layout'
2. SuDS Maintenance Plan (Coast Consulting)

Reason: In the interest of suitable water management on site in accordance with the National Planning Policy Framework.

10. In Accordance with Flood Risk Assessment

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Allerburn FRA- Compressed- Part 2" published "20th February 2018". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 2201 and ensure that surface water discharges to the surface water sewer at manhole 3201. The surface water discharge rate shall not exceed the available capacity of 5.3 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority and implemented prior to occupation of the dwellings hereby approved.

Reason: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework.

Public Health Protection

11. Construction Delivery / Collection hours

Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

Ecology

12. Works in Accordance with Approved Reports

No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological reports ('Allerburn House, Alnwick, Proposed development Bat and Barn owl report. Summer 2017 Ruth Hadden' and 'Allerburn House, Alnwick, Proposed development Bat and Barn owl report addendum. Summer 2017 Ruth Hadden') and this condition, including, but not restricted to;

1. adherence to timing restrictions;
2. root protection zones will be implemented around all retained trees and hedgerows in accordance with the guidance given in BS5837;
3. adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK', Bat Conservation Trust/Institution of Lighting Engineers, 2008;
4. use of 'bat friendly' timber treatments;
5. use of bitumastic underfelt/timber sarking;
6. adherence to the Bat Method Statement;
7. installation of 3No. Schwegler 2F bat boxes on trees;
8. installation of a minimum of 5No. inbuilt bat boxes and 5No. inbuilt bird boxes into the new dwellings. Numbers, types and positions of which will be agreed in writing with the Local Planning Authority (LPA) prior to development commencing
9. production and implementation of a landscaping scheme to include species native to Northumberland. To be submitted to and agreed in writing with the LPA prior to development commencing.

Reason: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with paragraphs 109 and 118 of the NPPF

13. In Accordance with Ecological Mitigation Plan

Notwithstanding details contained within the approved plans, the following document shall be made available to all workers on site;

1. PL-22 - Proposed Site Plan - Ecological Layout - Bat and Barn Owl

The measures outlined within the document shall be adhered to full over the construction phase and the measures implemented in full.

Reason: To maintain the favourable conservation status of protected species.

Informatives

1. Amended Vehicle Crossing Point

You should note that under the Highways Act 1980 an amended vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the modifications to the of the vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact Northumberland County Council's Northern Area Highways Office at northernareahighways@northumberland.gov.uk

2. No Materials or Equipment on Highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

3. No Debris on Highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

4. Surface Water Runoff

No surface water runoff from the development area shall be permitted to enter the existing highway drainage system or highway areas.

5. Pollinating Insects

The Government's National Pollinator Strategy: for bees and other pollinators in England November 2014 recognises the importance of gardens in supporting pollinating insects, encourages nature friendly garden planting. Where possible I would advise the applicant to make new nature friendly garden planting across their scheme which will include where possible native species. Some useful links for advice on how to do this are:

<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/perfect-for-pollinators>

<http://www.wildlifetrusts.org/gardening>

Please note that Buddleia is not a native species and can be invasive. I would not recommend using this species in wildlife friendly gardening.

6. Protected Species

The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works.

All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

7. Native Trees & Shrubs

Where trees/shrubs are to be planted, following link advises on species appropriate to Northumberland:

<https://www.nwt.org.uk/sites/northumberland.live.wt.precedenthost.co.uk/files/files/Notes%20on%20Tree%20Planting%20And%20The%20Use%20of%20Native%20Species%20In%20North%20East%20England.pdf>

Date of Report: 09.04.2018

Background Papers: Planning application file(s) 18/00672/FUL