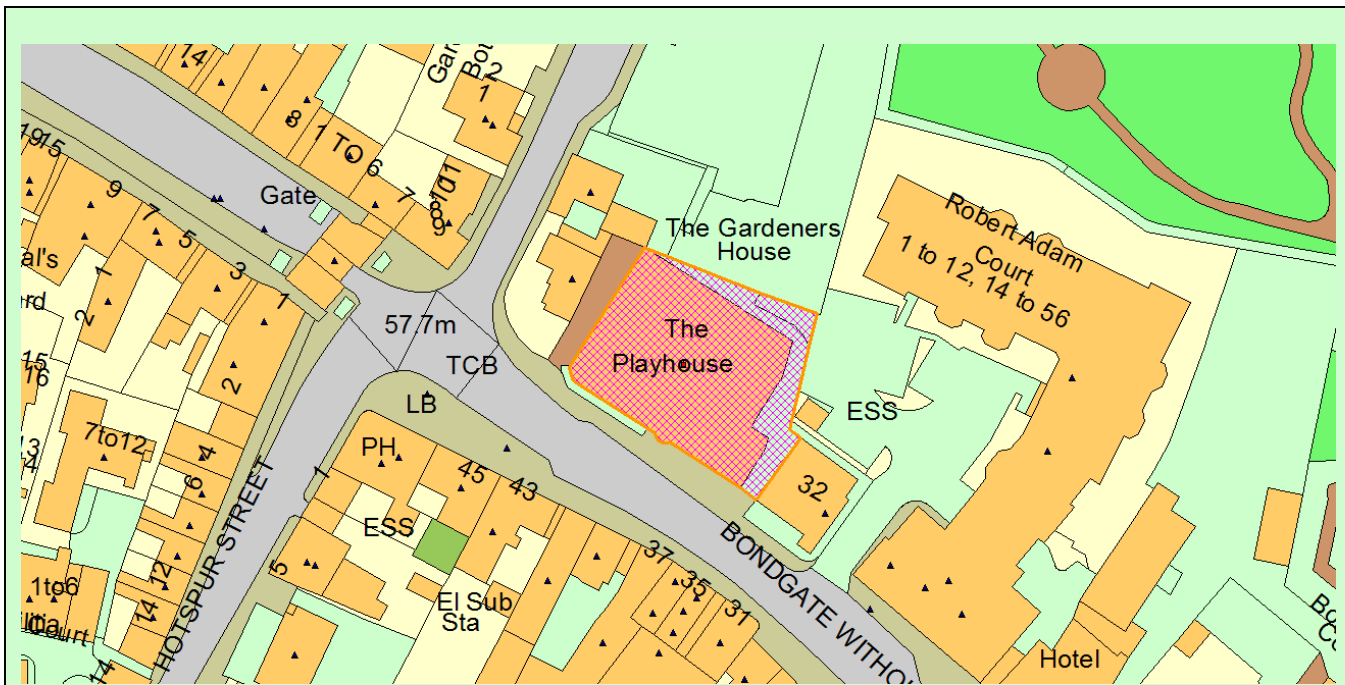




Northumberland County Council

North Northumberland Local Area Council
19th April 2018

Application No:	18/00682/CCD		
Proposal:	Refurbishment and reorganisation of the internal elements, refurbishment of external elements of the building and part change of use to incorporate library (D1) and tourist information facilities (B1) (amended 5th April 2018).		
Site Address	Alnwick Playhouse And Arts Centre , Bondgate Without, Alnwick, NE66 1PQ		
Applicant:	Mrs Nicola Hodgson C/O Agent,	Agent:	Nicky Hodgson Millmount, Ponteland Road, Newcastle Upon Tyne, NE5 3AL
Ward	Alnwick	Parish	Alnwick
Valid Date:	22 February 2018	Expiry Date:	20 April 2018
Case Officer Details:	Name: Mr Chris McDonagh Job Title: Planning Officer Tel No: 01670 622646 Email: Chris.McDonagh@northumberland.gov.uk		



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is to be recommended for approval contrary to a valid objection from Alnwick Town Council. The application has been referred to the Head of Service and the Planning Chair of the North Northumberland Local Area Council for consideration to be given as to whether the application should be referred to Planning Committee for determination.

1.2 The proposal was duly considered under these provisions, confirming that the matter should be dealt with by Committee.

2. Description of the Proposals

2.1 The site is located to the east of the town centre of Alnwick within the historic area of Bondgate Without. The host building is a large two-storey Ashlar stone built, arts and entertainment centre, with a predominantly glass frontage, off the B6346 road. The Playhouse incorporates a cinema and theatre, and as part of the plans submitted intends to install tourist information and community facilities within the ground floor level.

2.2 The application seeks planning permission for the following;

South elevation (front) -

- *Entrance reconfigured (doors, windows, escape door, cladded walls and soffit);*
- *New sliding glazed entrance door;*
- *Additional stone dwarf wall.*

North elevation (rear) -

- *Existing window widened with new escape door.*

East elevation -

- *2no new windows;*
- *1no new door.*

West elevation -

- *Entrance reconfigured (doors, windows, escape door, cladded walls and soffit).*

2.3 Further works include internal alterations to incorporate a tourist information point and library facilities, but these internal works do not require planning permission. However, partial changes of use are required which will accommodate the library (D1) and tourist information facilities (B1).

2.4 The application site is located within the Alnwick Conservation Area and it located within the vicinity of several listed buildings including;

- *The Hotspur Gateway or Bondgate Tower (Grade I)*
- *The Fleece Inn (Grade II)*
- *45 and 47, Bondgate Without (Grade II)*
- *1 Hotspur Place (Grade II)*

- *3 and 5, Hotspur Street (Grade II)*
- *52 Bondgate Without (Grade II)*

3. Planning History

Reference Number: 13/00012/LIC

Description: Alteration of hours for the sale by retail of alcohol for consumption on the premises

Status: No Objection

Reference Number: A/83/A/417

Description: First Floor office extension

Status: Permitted

Reference Number: A/79/A/238

Description: Fire escape

Status: Permitted

Reference Number: A/79/A/362

Description: Proposed Gym and Offices

Status: Permitted

Reference Number: A/78/A/0019

Description: RENEWAL OF PERMISSION FOR ELECTRICAL GOODS SHOP

Status: Permitted

Reference Number: A/80/A/501

Description: Conversion of ground floor into a shops

Status: Permitted

Reference Number: A/76/A/0389

Description: Erection of illuminated 'food' sign.

Status: Permitted

Reference Number: A/81/A/434

Description: Change of use shop to office

Status: Permitted

Reference Number: A/89/A/234

Description: Alts and lamps to form community arts centre

Status: Permitted

Reference Number: A/94/A/023

Description: Alterations & Extension,

Status: Permitted

4. Consultee Responses

County Ecologist	No objection – informative attached.
Highways	<p>No objection – conditions and informatives attached</p> <p><i>When assessing applications for planning permission the Highway Authority checks that the proposal will not result in an adverse impact on the safety of users of the highway, the highway network or highway assets. The information submitted has been checked against this context.</i></p> <p><i>The site is located within the town centre and proposes internal reorganisation to accommodate Council facilities whilst retaining the theatre and ancillary functions. The proposal is considered to be generally acceptable in terms of the National Planning Policy Framework and the Highway Authority does not object to the principle of granting of planning permission.</i></p> <p><i>However, amendment is required in respect of an element of the scheme on the Bondgate Without frontage. A section of wall and alteration to levels is proposed in order to accommodate a proposed sliding door access towards the eastern end of the frontage. The land in front of the building at this location is recorded as part of the highway. The erection of a wall within the highway would not be lawful under the 1980 Highways Act. and alterations would need to be authorised through an Agreement under Section 278 of the 1980 Highways Act, if technically satisfactory. At this stage insufficient information is provided to consider whether the principle of alterations would be acceptable.</i></p> <p><i>It is recommended that the applicants are asked to investigate an amendment to the scheme to avoid affecting land within the highway.</i></p>
Alnwick Town Council	<p>Objection –</p> <p><i>The Town Council are disappointed that there was no consultation with the community regarding the proposed layout and facilities at the Playhouse.</i></p> <p><i>The Town Council is supportive of the proposed community hub and the refurbishment of the Playhouse. In particular the new plans for the auditorium, café, toilets and improved access are seen as positive. However, there is concern about the limited space allocated for the library and Tourist Information Centre and as a result, the Town Council OBJECTS to the application. In particular:</i></p> <p><i>a) The space allocated for the Tourist Information Centre (TIC) appears very small. The facility appears to be shrinking down to have 2 display racks and a shared customer desk with the library, which is accessed across the small library activity space. The Town Council does not feel the TIC service in the new layout, is given the importance it needs in such a high profile tourism destination. It is concerned that during the busy summer months the facility will not be adequate, will not be able to cope with a sudden influx of visitors such as a coach full of visitors and appears to have no storage. The customer interactions and dealing with routine telephone calls are also likely to cause some disruption to library users. The existing Alnwick TIC has a floor area of over 50m2 plus a store room and whilst it is</i></p>

	<p><i>acknowledged that the retail element of the business is planned to be less, we do not feel that the floor area allocated is sufficient.</i></p> <p><i>b) The space allocated for the Library also appears very small. Town Councillors have reviewed the Government recommendations set out in Libraries Deliver: Ambition for Public Libraries in England 2016 to 2021 report (updated 6th March 2018). This is summarised in the Appendix to this document. The general view of the Town Council is that the space allocated to the service has been used, rather than a proper review undertaken of what is actually needed.</i></p> <p><i>Overall, the Town Council feels that relocating two of the three services into the community hub may well work, but the three services identified in the layout proposed, will not have the necessary space required to deliver effective services. Options suggested could be to use the available space for the Library and the TIC, or alternatively, for the Library and Customer Services.</i></p>
Building Conservation	<p>No objection –</p> <p><i>Based on plans provided, the proposed internal and external works to upgrade the building would have no impact to the Alnwick Conservation Area or any adjacent listed buildings.</i></p> <p><i>Although the external works proposed would be visible from the street, including the reconfigured entrance doors/windows along the main south elevation, including a sliding door for level access, and other more unobtrusive alterations on other elevations, the character and significance of the conservation area would be preserved.</i></p> <p><i>The proposed works to the building are not considered to have any detrimental impact upon the existing character and appearance of the streetscape or the overall character and appearance of this part of the Alnwick Conservation Area.</i></p>
County Archaeologist	<p>No objection –</p> <p><i>There are no objections to the proposed development on archaeological grounds and no archaeological work will be required.</i></p>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	14
Number of Objections	0
Number of Support	0
Number of General Comments	1

Notices

Site Notice- Affecting Conservation, posted 5th March 2018.

Press Notice- Newspaper - Northumberland Gazette 8th March 2018

Summary of Responses:

None received.

6. Planning Policy

6.1 Neighbourhood Plan Policy

Alnwick and Denwick Neighbourhood Plan (2017) – ADNP

E5 Tourism Development

CF1 Protecting Key Community Facilities

HD3 Protecting Non-Designated Heritage Assets

HD6 Protecting Town Gateways

6.2 Development Plan Policy

Alnwick Core Strategy (2007) ACS

S11 Locating development to maximise accessibility and minimise impact from travel

S15 Protecting the Built and Historic Environment

S16 General Design Principles

Alnwick District Wide Local Plan (1997) - ALP

BE2 Local and Regional Sites of Archaeological Significance

6.3 National Planning Policy

National Planning Policy Framework (2012) – NPPF

National Planning Practice Guidance (2014, as updated) – NPPG

7. Appraisal

7.1 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 for the area within which the application site is located, comprises the saved policies of the Alnwick Local Plan (1997) and the Alnwick Core Strategy (2007) and the Alnwick & Denwick Neighbourhood Plan (2017).

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

- *Principle of Development*
- *Design*
- *Impact on Conservation Area*
- *Setting of Listed Buildings*
- *Highway Safety*
- *Archaeology*
- *Ecology*
- *Other Matters*

Principle of Development

7.3 The application proposes works to carry out renovations and alterations to a community asset to improve its amenities and functionality within the Town Centre of Alnwick; there are no in-principle objections to the proposal.

Design

7.4 Policy 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.

7.5 Policy HD6 of the ADNP states the protection and enhancement of the gateways to the historic core of Alnwick will be sought when considering development proposals in their vicinity.

7.5 Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in new developments.

7.6 The proposed works would not have a significant adverse impact on the visual amenity of the building or street scene. The most significant changes would be to the front elevation of the Playhouse, but these are limited to changes to the existing entrance to the west side of the front elevation, and a new entrance to the east side of this same elevation. Similarly, changes are proposed to existing entrances to the south and west elevations, but these are minor in scale, utilising matching materials and styles so as to assimilate well with the existing vernacular of the building. The design is therefore in accordance with Policy S16 of the ACS and neighbourhood plan policy HD6.

Impact on Conservation Area

7.7 The legislative framework has regard to Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.

7.8 Building Conservation has responded to formal consultation with no objection to the proposals. Specifically, the Conservation Officer commented on the lack of impact upon the Alnwick Conservation Area;

Based on plans provided, the proposed internal and external works to upgrade the building would have no impact to the Alnwick Conservation Area or any adjacent listed buildings.

Although the external works proposed would be visible from the street, including the reconfigured entrance doors/windows along the main south elevation, including a sliding door for level access, and other more unobtrusive alterations on other elevations, the character and significance of the conservation area would be preserved.

7.9 Although The Playhouse is not subject to any statutory heritage designations, this section considers the impact on the non-designated heritage asset from a heritage standpoint. Policy HD3 of the ADNP sets out that development affecting non-designated heritage assets identified as part of the application process should

have particular regard to the conservation of the heritage asset, its features and its setting.

7.10 Policy S15 of the ACS sets out that the LPA will conserve and enhance a strong sense of place by conserving the district's built and historic environment. 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.

7.11 Given the small scale of works proposed and the sympathetic design proposed for the alterations, the impact on the setting of the Conservation Area is considered acceptable and in accordance with Policy S15 of the Alnwick Core Strategy and the provisions of the NPPF.

Setting of Listed Buildings

7.12 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.13 Paragraphs 132-134 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.14 The Playhouse is adjacent to several Listed Buildings, most notably '*The Hotspur Gateway or Bondgate Tower*' (Grade I). The Council's Building Conservation team has responded to formal consultation with no objections given the scope of works, stating that their setting would be unaffected. Several external elements of the Playhouse have previously been modernised and given the scale of the proposals in this application, there would be no impact on the setting of Listed Buildings.

7.15 On this basis no advertisement has been carried out in respect of the setting of listed buildings.

Highway Safety

7.16 Policy S11 of the ACS relates to accessibility principles and the impacts of travel from new development. Paragraph 32 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.17 The application has been assessed by the Highway Development Management (HDM) team, which has no objection to the proposal subject to conditions. An initial request for further information or amendments based on the position of the dwarf wall extending onto the footpath and floor levels proposed to the eastern extent of the front elevation was requested by HDM. This was due to the dwarf wall being positioned on a section of highway, which would not be lawful under the Highways

Act 1980. After further consideration it is recommended that the land in question should be subject to a "stopping-up" Order under Section 247 of the Highways Act. A condition to this effect has been included within this permission document.

7.18 It is therefore considered that the proposed development on this site is in accordance with Policy TT5 of the ALP, Policy S11 of the ACS and transport provisions of the NPPF, and will not have a severe impact upon highway safety.

Archaeology

7.19 Paragraph 128 of the NPPF states where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

7.20 The site is identified as an archaeological centre point and as such has the potential for archaeological records of interest. Following formal consultation the County archaeologist has responded specifying no further works are required and there is unlikely to be any impact upon archaeology on site. The application is therefore in accordance with the provisions of the NPPF.

Ecology

7.21 Policy S12 of the ACS is relevant in relation to assessing the potential effects on protected species, ecology and biodiversity whilst Paragraph 118 of the NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken.

7.22 Following consultation with the County Ecologist, no objection to the proposal was received on the basis that a condition is attached to any grant of permission requesting further details via a method statement to protect and maintain the sites biodiversity. This condition would have had to have been discharged prior to works commencing; however, given the scale of works proposed, it is considered unlikely that there would be unacceptable impacts to biodiversity on site and therefore unreasonable to impose pre-commencement conditions on this basis. An informative has instead been attached on the basis that protected species are encountered during construction.

Other Matters

7.23 Alnwick Town Council has objected to the application based on the small scale of the integral Tourist Information Centre and community library within the amended Playhouse layout. However, while there are recognised as valid community vitality concerns, the internal works associated with the development do not require planning permission and planning is not at liberty to refuse the application based on them. The additional uses proposed would add to the amenities available in an accessible location.

Procedural Matters

Equality Duty

7.24 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

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

Human Rights Act Implications

7.26 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.

7.27 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 and Neighbourhood Plan policies. 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 recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

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

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Location plan; uploaded 21st February 2018
2. Proposed floor plans; Drawing ref: 3695/20/02
3. Proposed elevations; Drawing ref: 3695/30/02 Rev A

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and complies with the National Planning Policy Framework.

03. Materials

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 Policy S16 of the Alnwick Core Strategy.

04. Section 247 'Stopping up order'

No works to provide the level access or erect the low level stone wall shall commence until the highway necessary to implement the works have been 'Stopped Up' in accordance with Section 247 of the Town and Country Planning Act 1990.

Reason: To ensure public highway land is not obstructed and is released in order to facilitate the development.

05. Construction Method Statement

Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

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

Informatives

01. Stop up or divert highway

You are advised of the necessity to formally stop up or divert the highway under the Town and Country Planning Act 1990 before the commencement of any relevant works. You should contact the National Transport Casework Team on 0207 944 4310 or nationalcasework@dft.gsi.gov.uk at your earliest convenience. Further information on the process can be found at

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

Date of Report: 04.04.2018

Background Papers: Planning application file(s) 18/00682/CCD