

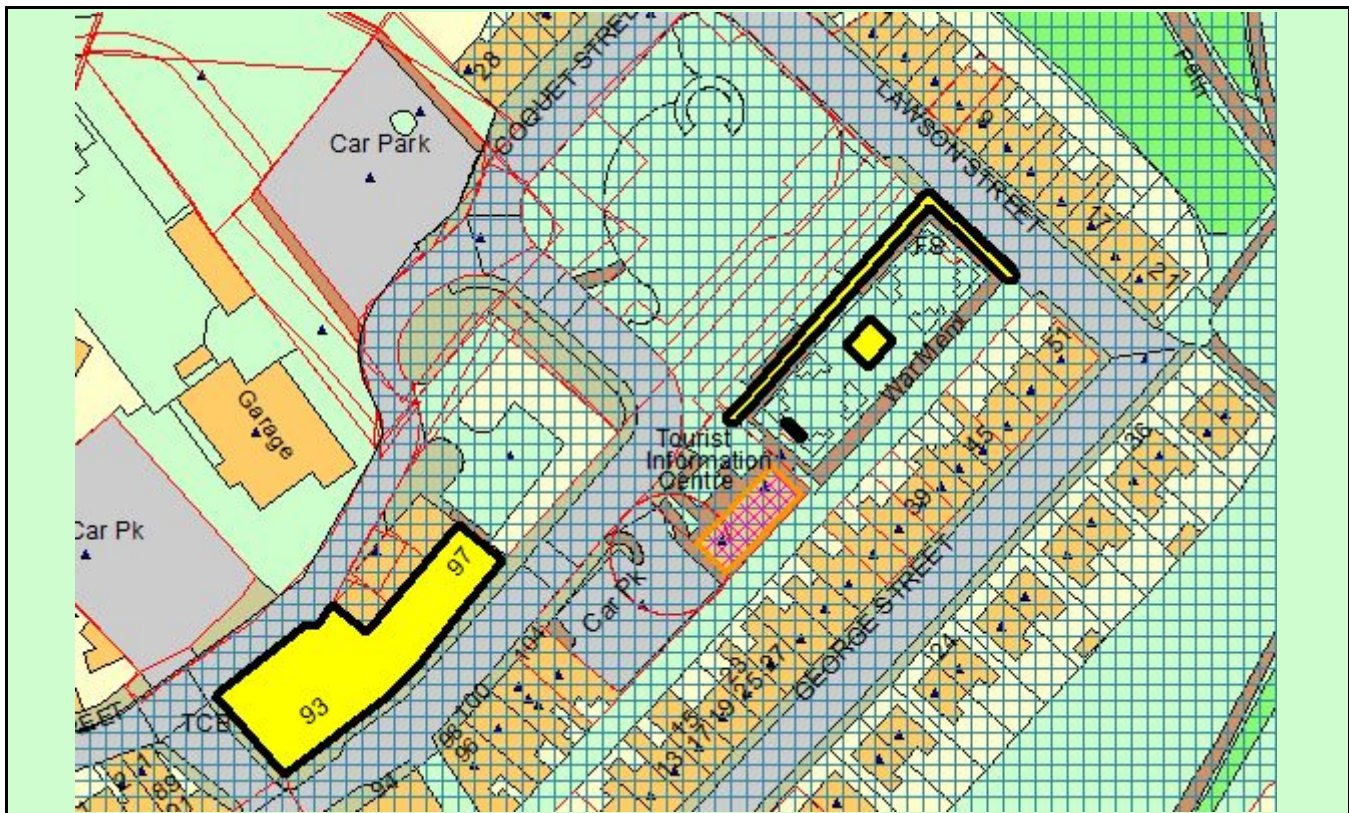


# Northumberland County Council

North  
Northumberland Local Area Committee  
18th October 2018

<b>Application No:</b>	18/01604/CCD		
<b>Proposal:</b>	Change of use of former Tourist Information Centre and public WCs to retail use		
<b>Site Address</b>	Amble Tourist Information Centre, Queen Street, Amble, Morpeth Northumberland NE65 0DQ		
<b>Applicant:</b>	C/O Northumberland County Council	<b>Agent:</b>	Northumberland County Council County Hall, Morpeth , Northumberland , NE61 2EF
<b>Ward</b>	Amble	<b>Parish</b>	Amble By The Sea
<b>Valid Date:</b>	16 July 2018	<b>Expiry Date:</b>	24 October 2018
<b>Case Officer Details:</b>	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

**Recommendation:** Permission be GRANTED subject to Conditions



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## 1. Introduction

1.1 Following inclusion on the Chair Referral List, as the this application has been submitted by the County Council, it is deemed appropriate that the application is considered at North Northumberland Local Area Council Planning Committee as the applicant is Northumberland County Council.

## 2. Description of site and the proposals

2.1 The site to which the application relates is the Amble Tourist Information Centre (TIC). The TIC is located between Amble Town Centre (Queen Street) and the Harbour. The TIC currently also includes public toilet provision.

2.2 The proposal is a change of use for the Tourist Information Centre and Public WC's to retail use. Following discussions with the Estates Department at NCC it is understood that the Public WC element is to remain in place, as this application is an assessment of the change of use to retail without plans detailing physical changes. Any external alterations, such as changes to the public toilet provision would be subject to a further planning application.

## **3. Planning History**

**Reference Number:** C/95/A/389

**Description:** Tourist Information Centre adjacent to War Memorial

**Status:** NOOBJ

**Reference Number:** A/ENQ/2007/0219

**Description:** Information panels

**Status:** REPLY

**Reference Number:** A/ENQ/2007/0496

**Description:** Erection of notice board/interpretation panel

**Status:** REPLY

## **4. Consultee Responses**

Building Conservation	Building Conservation raise no objection to the proposed development. The proposal would not result in any impact upon the setting of listed buildings or the character and appearance of the Conservation Area. This is subject to the proposed works being carried out as described in the application.
Amble Town Council	Amble Town Council has no objection provided the public toilet provision is not reduced or removed altogether. It would be good if they got renovated and brightened up so they felt like somewhere you wanted to use. These toilets haven't felt clean or welcoming for a long time - you can judge a pub, cafe, restaurant or town by their public toilets.
Highways	No objection subject to conditions.
Public Protection	Public Protection have no comment to make on this consultation.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	0
Number of Support	1
Number of General Comments	0

### Notices

Site notice Affecting LB & Conservation, 20th July 2018  
Northumberland Gazette 26th July 2018

### Summary of Responses:

1 no. neighbour notification has been received in relation to this application. This states that the representor strongly supports this application. They go on to state that the demise of the Tourist Information Centre is regrettable, and that a proper facility is needed. They also state that the building lies empty, and they are surprised that it has not been vandalised and that as a near neighbour this is a worry. The representor states that using it for this purpose is an excellent idea, serving as a link between Queen Street and the Harbour Village.

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=P85SSBQS0J400>

## 6. Planning Policy

### 6.1 Development Plan Policy

S1 Location and scale of new development - Alnwick LDF Core Strategy  
S2 The sequential approach to development - Alnwick LDF Core Strategy  
S11 Locating development to maximise accessibility and minimise impact from travel - Alnwick LDF Core Strategy  
S3 Sustainability criteria - Alnwick LDF Core Strategy  
S15 Protecting the built and historic environment - Alnwick LDF Core Strategy  
S16 General design principles - Alnwick LDF Core Strategy  
S17 Town centres - Alnwick LDF Core Strategy  
BE11 Design principles for development in town centres - Alnwick District Wide Local Plan  
TT5 Controlling car parking provision (and Appendix E) - Alnwick District Wide Local Plan

### 6.2 National Planning Policy

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

### 6.3 Other Material Considerations

Amble Conservation Area Character Appraisal and Management Matters  
- Designation Report February 2008

### 6.4 Emerging Policy

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (2018)

## **7. Appraisal**

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

- Principle of Development;
- Residential Amenity/Public Protection;
- Highways; and,
- Impact on Heritage Assets.

### Principle of development

7.2 The National Planning Policy Framework (July 2018) (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the saved policies (2007) of the Alnwick District Wide Local Plan (1997) (ALP) and the Alnwick LDF Core Strategy (2007) (ACS). The Local Plan policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Draft Plan for Regulation 18 Consultation was published on 4th July 2018. The policies contained within this document carry minimal weight in the determination of planning applications at this stage.

7.5 Policies S1, S2 and S3 of the ACS seek to ensure that the location and scale of new development is appropriate. Amble is recognised in the ACS as a Main Rural Service Centre and is therefore considered to be the main focus for new

development in the district. Policy S17 of the ACS seeks to ensure that development within town centres is appropriate in scale and reinforces each town centre's role in meeting community needs and acting as a focus for a range of activities.

Although outside of the primary shopping frontage, the proposal is located towards the periphery of the main shopping street and is the reuse of an existing building in use as a public service, it is therefore not deemed appropriate that the proposal is subject to a sequential test for Main Town Centre Uses, particularly as this is on the main thoroughfare between amble and the tourist area around the Harbour.

7.6 On balance, having regard to national and local policy, the principle of the proposal is considered to be acceptable.

#### Scale, Design and Visual Impact

7.7 Policy S16 of the ACS states that proposals should take full account of the need to protect and enhance the local environment, having regard to their layout, scale and appearance. Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.8 It is considered that the proposal would not have a detrimental effect upon the character or appearance of the property or the surrounding area. The change of use of the building would have no material impact upon the visual amenity of the area and is therefore considered acceptable. Should external works be proposed in the future, these would be subject to a further planning application.

#### Amenity/Public Protection

7.9 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users. Consideration has been given to the impacts of noise and odour upon residential amenity arising from the scheme. The Council's Public Protection Officer responded and does not raise any concerns over the proposed change of use. On this basis the proposal is considered to be acceptable in amenity terms and therefore is in accordance with the NPPF in this respect.

#### Highways

7.11 Policy S11 of the ACS sets out criteria to assess the extent to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.

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

7.13 The Local Highway Authority has responded to consultation stating that there are no issues arising from the proposal, they have however recommended

appropriate conditions. On this basis it is considered that the proposal is in accordance with Policy S11 of the ACS and the NPPF in this respect.

### Heritage Assets

7.14 The legislative framework has regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which imposes a duty on Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

7.15 Policy S15 of the ACS states that all development involving built and historic assets or their settings will be required to preserve, and where appropriate, enhance the asset for the future.

7.16 The application site is located within the Amble Conservation Area and the building conservation team have been consulted, however as there are no proposed alterations as part of the proposal it is considered that there would be no discernible impact upon the character or appearance of the Conservation Area.

7.18 The proposed development for the change in use of the TIC to retail is considered to preserve the existing character and appearance of the main section of the conservation area. No objection is raised to the proposal from a building conservation perspective, as it is not considered to have any detrimental impact on the significant character and appearance of the conservation area.

7.19 Overall, the proposal is not considered to impact or harm the character and appearance of the Amble Conservation Area. Building Conservation raise no objection to the proposal, subject to plans provided. It is therefore considered that the proposal would be in accordance with Policy S15 of the ACS, Chapter 16 of the NPPF and Section 72 of the PLBCCA.

### Other Matters

7.20 Comments have been received from the Town Council regarding the retention of the Public WC in some form. Upon discussion with the applicant in NCC's Estates Team it is confirmed that there is no intention to remove the Public WC element of the building at this stage. Further to this it is considered appropriate to add a condition requiring the Public WC element of the proposal to remain has been recommended by the Planning Officer.

### Equality Duty

7.21 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

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

## Human Rights Act Implications

7.23 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.

7.24 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.25 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

8.1 It is considered that the proposal represents an appropriate form of development that would not have a significant adverse impact on the street scene or the amenity of nearby residents, or impact detrimentally the retail offer in Alnwick. It is therefore considered that the proposal is in accordance with national and local planning policies and accordingly it would be unreasonable to withhold planning permission.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:

### Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. 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:

Site Location Plan 27/04/2018 (Time 12:20.21) - Northumberland County Council - Uploaded 8th June 2018

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

03. The Public WC element of the building will remain in operation

Reason: To secure the public service for future use.

**Date of Report:** 04.10.2018

**Background Papers:** Planning application file(s) 18/01604/CCD