



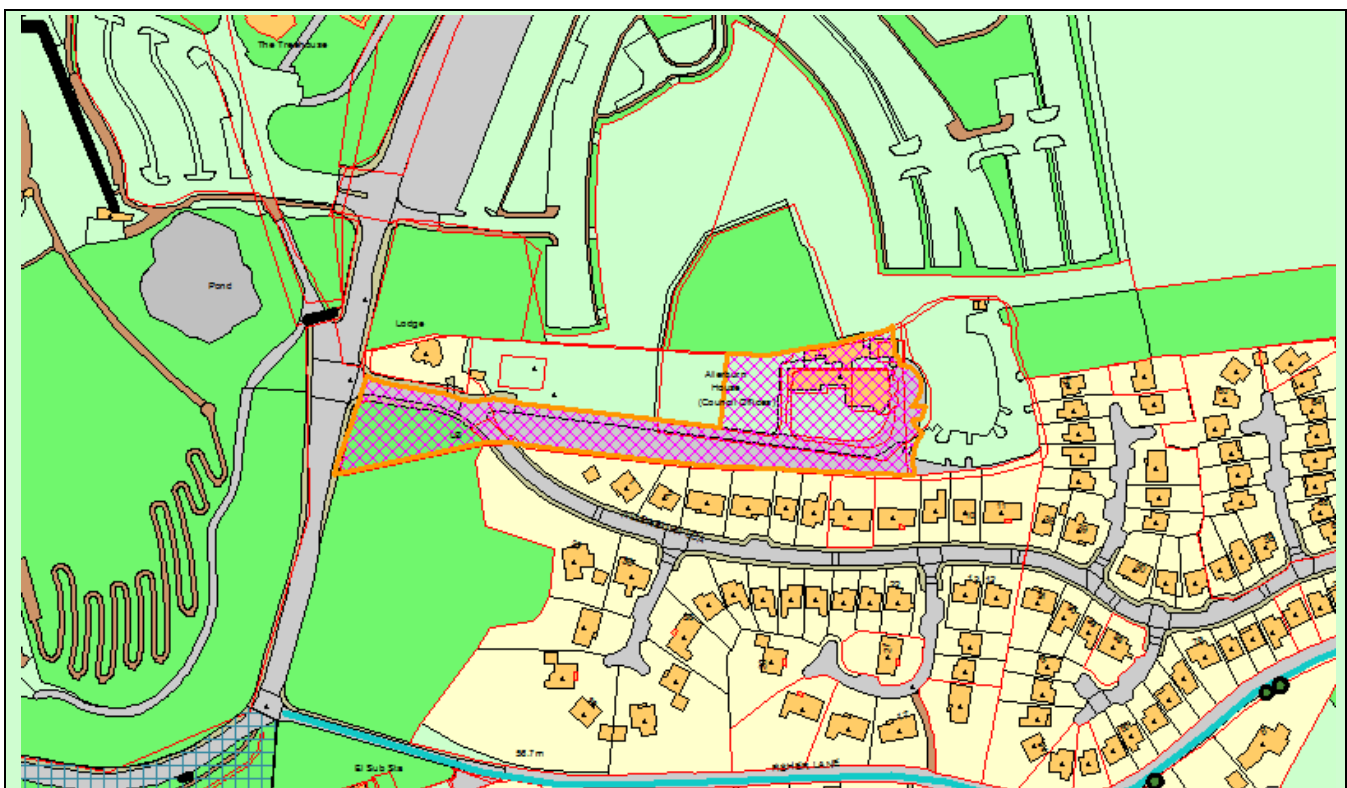
Northumberland County Council

North Northumberland Local Area Council

22nd November 2018

Application No:	18/02811/FUL		
Proposal:	Proposals for the conversion of Allerburn House into 3 apartments, demolition of adhoc extensions to Allerburn House and the erection of 6 new build units		
Site Address	Allerburn House, Denwick Lane, Alnwick, Northumberland NE66 1YY		
Applicant:	Mr Neil Turnbull Wansbeck Workspace, Rotary Parkway, Ashington, NE63 8QZ	Agent:	Carole Inman St Jude's, Barker Street, Shieldfield, Newcastle Upon Tyne NE2 1AS
Ward	Alnwick	Parish	Alnwick
Valid Date:	30 August 2018	Expiry Date:	27 November 2018
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to conditions and s106.



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1. Introduction

1.1 This application has been submitted by Ascent Homes, the housing development arm of Advance Northumberland, which is wholly owned by NCC. 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.

This applications includes a s106 agreement for affordable housing.

1.3 Further to this, Application 18/00672/FUL, which was previously refused by the North Area Local Area Council Planning Committee in April 2018, is currently subject to an appeal which has been submitted to the Planning Inspectorate.

1.4 The application was refused for the following reasons

- 1. The proposal would have a significant adverse impact on residential amenity in terms of overlooking from the proposed town houses to existing residential properties to the south. The application would therefore conflict with Policy CD32 of the Alnwick District Wide Local Plan and Paragraph 17 of the National Planning Policy Framework.*
- 2. The visual impact by virtue of the town houses' height, design and massing would have a significant adverse impact on the immediate area and wider landscape. The application is therefore contrary to Policy HD4 and H4 of the Alnwick & Denwick Neighbourhood Plan, Policy S16 of the Alnwick LDF Core Strategy and the National Planning Policy Framework.*
- 3. The demolition of extensions to Allerburn House and the erection of town houses would have a significant adverse impact on the setting of the non-designated heritage asset. The application would therefore be contrary to Policy HD3 of the Alnwick & Denwick Neighbourhood Plan, Policy S15 of the Alnwick LDF Core Strategy and the National Planning Policy Framework.*

1.5 The application has been amended following this refusal, and has been submitted to the Local Planning Authority for consideration.

Description of Site and Proposal

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. The site to which the application relates is wholly within the application site for 16/03770/FUL, however this has a smaller footprint than the application site for 16/03770/FUL.

2.2 Allerburn House has 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, and are understood to have been added to the House during the 1960's.

2.3 The application seeks planning permission to form 9 no. dwellings comprising involving the conversion of the Allerburn House into 3 apartments 6 townhouses to the north of Allerburn House, amendments have been made to the proposal following refusal of a previous application on the site earlier in 2018. This has involved the removal of 'Juliet' Balconies from the scheme and a reduction in ridge height and a reduction in the overall height of the windows in the third storey of the town house element of the proposal.

3. Relevant 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: PER

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: PER

Reference Number: 17/03830/VARYCO

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

Status: WDN

Reference Number: 17/04012/DISCON

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

Status: PER

Reference Number: 18/00672/FUL

Description: Development of 14 Dwellings; Conversion of Allerburn House to 3 Apartments including demolition of later extensions and Refurbishment of Lodge - Amended 27/03/18

Status: REF

Reference Number: 18/01634/NONMAT

Description: Non Material Amendment (substitution of house types for plots 2,3,4,&5 removal of existing & proposed single garages & replace with new double garage to plot 2) on approved planning application 16/03770/FUL.

Status: PER

Reference Number: 18/02409/VARYCO

Description: Variation of condition 2 (approved plans) of approved planning application 16/03770/FUL. Substitution of house type on plot 16 from HT3 to HTA. Re-positioning and substitution of house types as follows: Plot 18 from house type HT2 to HT1A, Plot 19 from house type HT3 to HT1A and removal of double garage, Plot 20 from house type HT1 to HT1A - Amended 30/08/18

Status: PER

Reference Number: 18/02423/NONMAT

Description: Non-material amendment relating to approved application 16/03770/FUL - substitution of housetypes for plots 2, 3, 4 & 5, removal of existing and proposed single garages and replace with new double garage to plot 2

Status: PER

Reference Number: 18/02786/DISCON

Description: Discharge of Condition 5 (Highways 2) on approved planning application 16/03770/FUL

Status: PER

Appeals

Reference Number: 18/00036/REFUSE

Description: Development of 14 Dwellings; Conversion of Allerburn House to 3 Apartments including demolition of later extensions and Refurbishment of Lodge - Amended 27/03/18

Status: INPROG

4. Consultee Responses

Highways	There are no highway objections to the proposal subject to the imposition of planning conditions relating to modifications to vehicular access, car and cycle parking provision and details of refuse storage/strategy that will address the minor concerns in relation to the proposals as submitted.
Alnwick Town Council	The Town Council does not feel that the minor amendments made to the design of the Town Houses are sufficient to lift objection to the earlier application. The grounds for the current objections are based on the Location, Density and Height of the proposals and the Town Council does not consider the proposal to be compliant with Policies H4 and HD4 of the Alnwick and Denwick Neighbourhood Plan
Building Conservation	Building Conservation has no objection to the proposal. It is considered that the development would not impact on the setting of the nearest listed building, the Grade II Gateway to Castle Grounds Opposite Allerburn, other listed buildings within the area, nor the non-designated heritage asset of Allerburn House.

County Ecologist	No objection, subject to condition.
Public Protection	No objection, subject to conditions
Lead Local Flood Authority (LLFA)	No objection, subject to conditions
Strategic Estates	No comment
Northumbrian Water Ltd	No objection, subject to condition.
North Trees And Woodland Officer	No response received.
Waste Management - North	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	18
Number of Objections	8
Number of Support	0
Number of General Comments	0

Notices

Site Notice - Affecting Listed Building 5th September 2018

Northumberland Gazette - 6th September 2018

Summary of Responses:

During the consultation period, 8 no. objections raised the following issues:

- The proposal would overall be an increase in development from the existing scheme;
- The proposal would be contrary to the neighbourhood plan;
- Unsuitability of the Townhouses to the site, the town and the Neighbouring Built environment very similar to the previously refused scheme;
- Adverse visual impact from proposed townhouses;
- The size of the town houses would not be in keeping;
- Overlooking, Privacy from town houses and the impact on neighbour amenity;
- Density of the scheme;
- No SuDS measures have been proposed;
- Issues of potential further tree removal;
- Outstanding surface water drainage issues; and,
- Impact on Allerburn House as a non-designated heritage asset.

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=PD17RVQSIA300>

6. Planning Policy

6.1 Development Plan Policy

Alnwick Core Strategy

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

Alnwick District Wide Local Plan

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
BE2 Regional and local archaeological significance
BE8 Design in new residential developments and extensions (and Appendix A and B)
APPENDIX B Extensions to existing dwellings

Alnwick and Denwick Neighbourhood Plan

H1 - Quantity of Housing
H2 - Location of Housing Development
H3 - Ensuring a choice of housing
HD4 - Housing Design
TRA1 - Walking
ENV11 - Providing new green space through development
HD1 - Protecting Landscape Setting
HD3 - Protecting Non-Designated Heritage Assets
HD4 - The Approaches to the Town
HD5 - Design in the Wider Town

6.2 National Planning Policy

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

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;
- Housing Mix;

- Planning Obligations;
- Affordable Housing;
- Education;
- Landscape;
- Design;
- Non-Designated Heritage Asset;
- Amenity;
- Archaeology;
- Contaminated Land;
- Ecology;
- Highway Safety;
- Water Management;
- Procedural Matters; and,
- 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 permission. The primary change between the current application and previously permitted proposal is the partial demolition of Allerburn House and the replacement of detached houses in the approved scheme with town houses, The element of Allerburn House to be demolished, is limited to modern offshoots, understood to have been added in the 1960's.

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 requirement. The five year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and

corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

7.8 As set out in paragraph 73 of the NPPF, where the strategic policies are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Northumberland's local housing need figure is currently 717 dwellings per annum. Against this requirement, and taking into account the supply identified in the Council's latest Five Year Supply of Deliverable Sites 2017 to 2022 report, the Council can demonstrate a 12.1 years supply of housing land. Therefore Northumberland clearly has more than a 5-year housing land supply, and as such, in this context, the presumption in favour of sustainable development does not apply.

7.9 This supply position updates that presented in the Council's 'Position statement following withdrawal of the draft Core Strategy (Nov 2017), and in the Five Year Supply of Deliverable Sites 2017 to 2022 report (Nov 2017) which used an Objectively Assessed Need of 944 dwellings per annum, informed by superseded evidence. While the draft Northumberland Local Plan includes a housing target of 885 dwellings per annum, given that the plan is not yet adopted, this target has not been used for the calculation of the Council's five year housing land supply position, as to do so would not reflect the NPPF.

Housing Mix (and Density)

7.10 Policy H3 of the neighbourhood plan requires a mix of formats and sizes, on the basis there is a mix of dwelling types and dwelling sizes (and provision for affordable housing) within this proposal and the wider scheme, this proposal is therefore considered to be compliant with H3 of the ADNP. With regards to density, the proposal is similar in density to the previously approved scheme and is therefore considered to be in accordance with S5 of the ACS.

Planning Obligations

7.11 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

7.12 The proposal is part of a wider development of the site, which already includes a s106 agreement for an affordable housing contribution. Although there is provision in the existing s106 for variation of condition applications and non-material amendment applications, there is no such provision for further 'full planning permission applications such as this proposal. Therefore, should this application be approved it is advised that a subsequent s106 agreement is drawn up and agreed to cover this eventuality.

Education

7.13 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.

7.14 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.

7.15 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 by the Council's Education Department.

Previous Permission

7.16 Should this application be approved, the site would benefit from multiple 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.

7.17 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

7.18 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.

7.19 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.

7.20 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.

7.21 It is acknowledged that the imposition of new development in this location has been accepted through the extant permission which covers this site.

7.22 The main change would be through the demolition of the extensions to Allerburn House which consist 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 6.9m to the eaves, and of 9.9m to ridge (This

compares with the townhouses in 18/00672/FUL (refused by this committee in April 2018) in the same location with an eaves height of 7m and 10.20m 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.

7.23 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

7.24 The proposal would be similar to the originally approved scheme with changes to the elevation treatments, scale of the new dwellings, house types used and how housing would be delivered on site. This section considers the appearance of the development independently and as part of the immediate streetscene.

7.25 HD5 of the ADNP sets out the design principles for new development outside the historic core of the town.

7.26 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 and policy H4 of the ADNP sets out the general design principles within the neighbourhood plan area.

7.27 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.

7.28 Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in developments. 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. Further to this the ridge height and maximum window heights have reduced from those shown on the plans for the refused application 18/00672/FUL, the 'juliet' balconies shown on the plans for the refused application 18/00672/FUL have also been removed from the house type on the submitted scheme. In terms of the introduction of town houses in

the site, whilst these are not found in the immediate vicinity of the site, there are examples of town houses elsewhere in Alnwick.

7.29 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.

7.30 On this basis the visual impact is considered acceptable and in accordance with H4, HD5 of the ADNP, BE8 of the ALP, S16 of the ACS and the NPPF.

Non-Designated Heritage Asset and Impact on nearby listed buildings.

7.31 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.

7.32 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.

7.33 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.

7.34 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.

7.35 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.

7.36 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 Allerburn 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 Allerburn

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 Allerburn House. This is reflected in Building Conservation's stance of no objection. Building Conservation confirm that the proposal would not impact on the setting of the non-designated heritage asset of Allerburn House or nearby listed buildings such as the Grade II Gateway to Castle Grounds.

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

Amenity

7.38 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.

7.39 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.

7.40 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.

7.41 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.

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

7.43 There is an acceptance that through the extant position that the amenity impact of the detached units in the approved scheme is acceptable. 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 7-9.9m (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. Of note, the town houses overall height has been reduced from 10.2m experienced in the recently refused permission 18/00672/FUL and the juliet balconies from the town houses have been removed from the scheme.

7.44 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. The lowering of the overall height of the town houses from those in the refused scheme lessens this impact further.

7.45 The impact on amenity is therefore acknowledged but not considered significant to warrant refusal, according with CD32 of the ALP and the NPPF.

Archaeology

7.46 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.

7.47 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.

7.48 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.

7.49 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.

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

Ecology

7.51 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.

7.52 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.

7.53 Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.

7.54 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.

7.55 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.

7.56 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 Allerburn House (of category B and C) that would be removed as part of the works.

7.57 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.

7.58 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.

7.59 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

7.60 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 Protection team (PP).

7.61 Paragraphs 178-183 are the relevant section of the NPPF in relation to Ground Conditions and Pollution and sets out the relevant policy stance. This requires that planning decisions should ensure that a site is suitable for its proposed use taking into account any proposed use taking account of ground conditions and any risks from land instability and contamination. This also states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the landowner. Further to this, the relevant section of the NPPF also states that decisions should also ensure that new development is appropriate for its location taking account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

7.62 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 PP.

7.63 It is therefore considered that mitigation of contamination issues can be successfully undertaken, in accordance with the NPPF

Highway Safety

7.64 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.

7.65 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.

7.66 Paragraph 109 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.

7.67 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.

7.68 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.

7.69 The impact on highway safety is considered acceptable and in accordance with S11 of the ACS and the NPPF.

Water Management

7.70 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.

7.71 Paragraph 149 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.

7.72 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.

7.73 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.

7.74 From this, water management can be successfully undertaken on site in accordance with the NPPF.

Equality Duty

7.75 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

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

Human Rights Act Implications

7.77 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.

7.78 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.

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

8. Conclusion

8.1 The 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 required is to secure the obligation/contribution as set out in the recommendation.

9. Recommendation

That this application be GRANTED permission subject to the following conditions and informatives; and a s106 agreement for affordable housing in line with that previously agreed as part of 16/03770/FUL

- Off site affordable housing contribution of £85,000.

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;

1. Housetype 4 Plans & Elevations - Drawing No. PL33 Rev B 27.07.18
2. Housetype 4 Plans & Elevations 6,7,8 - Drawing No. PL35 Rev- 24.08.18
3. Housetype 4 Plans & Elevations 9, 10, 11 Drawing No. PL36 Rev- 24.08.18
4. Engineering Layout Drawing No. 01 Issue E 20.02.18
5. Allerburn House - Proposed Floor Plans Drawing No. PL-19 02.02.2018
6. Allerburn House - Proposed Elevations Drawing No. PL-21 02.02.2018
7. Proposed Site Plan (showing Ground Floor Plans) Drawing No. PL27 - Rev A 24.07.2018
8. Proposed Site Plan (showing Roof Plans) Drawing No. PL28 Rev A 24.07.2018
9. Proposed Boundary Treatment Plan Drawing No. PL-29 Rev - 24.07.2018
10. Proposed Surface Materials Plan Drawing No. PL30 Rev - 24.07.2018
11. Construction Management Plan Drawing No. PL31 Rev- 24.07.2018
12. Proposed Site Plan Ecologist Layout - Bat and Barn Owl Drawing No. PL-32 24.07.2018
13. Allerburn House - Demolition Plans Drawing No PL-18 02.02.2018
14. Exceedance Plan Drawing No. SK10 Issue P3 28.02.18
15. Impermeable Areas Drawing No. SK11 Issue P3 28.02.18
16. Arboricultural Impact Assessment Tree Protection Plan (TPP Rev D) Revision D Retained Trees shown on Proposed Layout with Protective Measures Indicated Drawing Ref AIA TPP Rev. D 21.02.18
17. 1611-01 FLOOD RISK ASSESSMENT AND DRAINAGE STATEMENT Rev D
18. 1611-01 ENGINEERING LAYOUT Issue E
19. 1611-101 SUDS Maintenance Plan Rev B
20. Site Location Plan Drawing No. PL26 24.07.2018

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

03. Notwithstanding information contained within the approved plans, the materials shall be carried out in accordance with the details contained within:

1. Proposed Surface Materials Plan Drawing No. PL30 Rev - 24.07.2018

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

04. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

05. Notwithstanding the details provided, no plot shall be occupied until the car parking and manoeuvring areas indicated on the approved plan, has 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 safety, in accordance with the National Planning Policy Framework.

06. 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.

07. The development shall not be occupied until details of refuse storage facilities and a refuse storage strategy have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development is occupied. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with the approved details.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework.

08. No dwelling shall be occupied until the site access with Allerburn Lea estate road had been modified and reconstructed , including 2.4 x 43 meter visibility splays as shown in the plan SK12 received on 9/08/18 and the highway including roads, kerbs and footway has been reinstated.

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

09. 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', 'Allerburn House, Alnwick, Proposed development Bat and Barn owl report addendum. Summer 2017 Ruth Hadden', and drawing number N81:2671) 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 a minimum of 2No. integrated bat boxes and 2No. integrated bird boxes into each new dwelling. Numbers, types and positions of which will be agreed in writing with the LPA prior to development commencing
8. 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.”

Reasons: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with paragraphs 8, 118 and 170 of the NPPF.

10. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

11. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

12. 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 LPA.

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

13. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

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

14. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

15. No building shall not be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in report "Gas Verification Strategy Report, Dated: February 2017, Produced by: Patrick Parsons", which has been approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties

16. There shall be no burning of any material during the construction phase of the development

Reason: To protect the amenity of local residents.

Informatives

01. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.
02. You should note that under the Highways Act 1980 a vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:
northernareahighways@northumberland.gov.uk
03. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345600 6400 for Skips and Containers licences.
04. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway
05. Any areas of hardstanding areas (car parks, driveways etc.) within the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable surface: Using gravel or a mainly green, vegetated area. Directing water from an impermeable surface to a border rain garden or soakaway. Using permeable block paving, porous asphalt/concrete. Further information can be found here -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf In addition the development should explore disconnecting any gutter down pipes into rain water harvesting units and water butts, with overflow into rainwater garden/pond thus providing a resource as well as amenity value and improving water quality.

Date of Report: 09.11.2018

Background Papers: Planning application file(s) 18/02811/FUL