

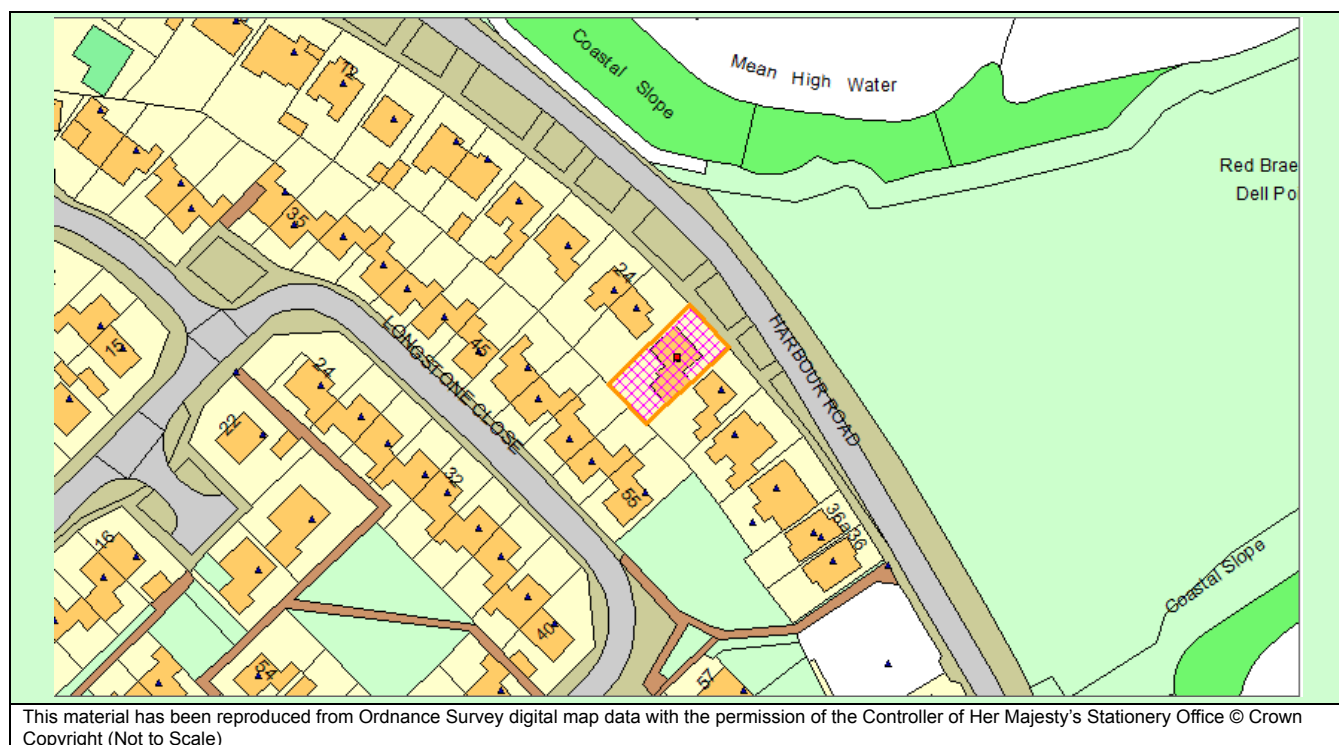


Northumberland County Council

North Northumberland Local Area Council 19 March 2020

Application No:	19/04822/FUL		
Proposal:	Demolition of existing house and construction of new detached, 2-storey residence.		
Site Address	28 Harbour Road, Beadnell, Chathill, Northumberland NE67 5BB		
Applicant:	Mrs Lynda Liley 28, Harbour Road, Beadnell, NE67 5BB,	Agent:	Mr Neil Dawson 204 Durham Road, Low Fell, Gateshead, NE8 4JR
Ward	Bamburgh	Parish	Beadnell
Valid Date:	10 December 2019	Expiry Date:	21 February 2020
Case Officer Details:	Name: Mr Jon Sharp Job Title: Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by the North Local Area Council planning committee following a valid objection from the Parish Council as a statutory consultee. It is recommended for approval.

2. Description of the Proposals

2.1 The application seeks permission for the demolition of an existing single storey dwelling and erection in its place of 1no two storey dwelling at 28 Harbour Road, Beadnell.

2.2 The proposed dwelling would have a footprint of approximately 145sqm and a maximum height of approximately 8 metres. It would be constructed using traditional building techniques with a modern materials palette including a mixture of render, and fibre cement facing walls under a cement tiled roof. Windows and doors and rainwater goods would be uPVC.

2.3 The application site is within the built up area of Beadnell and bound by residential development to the north, south and west, with highway to the east with the coastal strip beyond. It is within the Northumberland Coast Area of Outstanding Natural Beauty and adjacent to the newly established Beadnell Conservation Area.

3. Planning History

Reference Number: 17/03716/FUL

Description: Proposals include - raising the wall head and ridge to form attic rooms, extend and alter side garage, internal alterations, formation of front balcony.

Status: Permitted

Reference Number: 19/03753/FUL

Description: Demolition of existing house and construction of new detached, 2-storey residence.

Status: Withdrawn

4. Consultee Responses

Beadnell Parish Council	Beadnell Parish Council have considered the above planning application and agreed to object to this application on the following grounds; Design, Neighbouring amenity, lack of parking, over development, proposal does not respect the building line front boundary wall should be retained
Building Conservation	We consider the degree of change would be such that no harm to the setting of the Beadnell Conservation Area would arise.
County Ecologist	Further information requested in respect of construction environmental method statement
County Ecologist (reconsult)	No objections subject to condition in respect of protected species
Highways	It is considered that this development will not have an impact upon highway safety, and there are no objections in principle to the proposals. The imposition of conditions and informatives as outlined will address any concerns with the development.
Natural England	No objections subject to appropriate mitigation
Northumberland Coast AONB	The AONB Partnership is supportive of the proposal in principle however can not support the current application due to concerns about the siting, massing and scale of the house proposed. It is recommended that these

	concerns are addressed with reference to the AONB Design Guide for the Built Environment.
North Sunderland And Seahouses PC	No response received.
Northumbrian Water Ltd	<p>Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have the following comments to make:</p> <p>Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:</p> <ul style="list-style-type: none"> ' Discharge into ground (infiltration) ' Discharge to a surface water body ' Discharge to a surface water sewer, highway drain, or another drainage system ' As a last resort, discharge to a combined sewer

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	18
Number of Objections	11
Number of Support	0
Number of General Comments	0

Notices

Site notice - Affecting Conservation, posted 25th February 2020

Press notice - Northumberland Gazette - published 27th February 2020.

Summary of Responses:

11no objections received raising concerns including;

scale,
design,
visual impact,
amenity,
overbearing,
privacy,
parking,
over development of plot,
impact on AONB

3no additional comments received following receipt of revised site layout reiterating earlier comments.

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=Q28JOVQSLBX00>

6. Planning Policy

6.1 Development Plan Policy

North Northumberland Coast Neighbourhood Plan 2017 - 2032 (Made Version (July 2018))

Policy 1 Sustainable Development
Policy 5 Design in New Development
Policy 8 Development within Settlements
Policy 14 Principal Residence Housing

Berwick upon Tweed Local Plan (1999)

F1 Environmental Wealth
F2 Coastal Zone
F6 Special Protection Areas, Special Areas of Conservation and Ramsar Sites
F10 Protected Species
F31 Social and Economic Welfare
M14 Car Parking Standards

6.2 National Planning Policy

National Planning Policy Framework (2019)
Planning Practice Guidance (2019, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) and proposed minor modifications as submitted 29th May 2019

STP 1 Spatial strategy (Strategic Policy)
QOP 1 Design Principles (Strategic Policy)
QOP 2 Good Design and Amenity
TRA 1 Promoting Sustainable Connections (Strategic Policy)
TRA 2 Effects of Development on the Transport Network
TRA 4 Parking Provision in New Development
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and Geodiversity
ENV 4 Tranquillity, dark skies and a sense of rurality
ENV 5 Northumberland Coast Area of Outstanding Natural Beauty
ENV 7 Historic environment and heritage assets
ENV 9 Conservation Areas

6.4 Other Documents/Strategies

Northumberland Coast AONB Management Plan 2014-2019

National Design Guide (2019)

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. The main considerations in assessing this proposal are;

Principle of Development,
Emerging Policy,
Scale, Design & Visual Impact,
Residential Amenity,
Highways,
AONB,
Heritage Assets, and
Ecology.

Principle of the development

7.2 The National Planning Policy Framework (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. However, the presumption in favour of sustainable development is restricted by Paragraph 172 of the NPPF, which states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.

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 policies of the North Northumberland Coast Neighbourhood Plan (2018) (NNCNP) and the saved policies of the Berwick Local Plan (1999) (BLP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F2 of the same document states that within the Coastal Zone "development will be permitted provided that;

- i) it is located in the villages of Seahouses, North Sunderland or Beadnell, or in exceptional cases relating to their particular features and/or needs, the villages of Bamburgh or Holy Island, or other small settlements...;
- ii) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including species appropriate to the north Northumberland coastal environment, means of enclosure and access;
- iii) it would not adversely affect the integrity of the internationally important nature conservation interests of the coast;
- iv) it is not located in an area at risk from flooding, erosion by the sea or landslips...; and,

v) it accords with Policies elsewhere in the Plan.

7.5 Policy 1 of the NNCNP states that development within the plan area will be supported which provides for new principal residence dwellings, employment opportunities, new and expanded business premises or new and expanded social, community, leisure and educational facilities which contribute to the maintenance or growth of local sustainable communities.

7.6 Policy 8 of the NNCNP seeks to support development within the defined settlement boundaries where they can demonstrate how they will;

- a) where relevant, incorporate access for pedestrians from the proposed development into the centre of the settlement and, where relevant, the beaches;
- b) preserve key coastal views into and out of the settlements;
- c) ensure sufficient car parking space is provided within the curtilage of the proposed development to ensure no additional on-street parking on nearby streets;
- d) ensure that where infill development or conversions and extensions are proposed, they do not result in substantial loss of amenity space or loss of parking space which could result in an adverse impact on residential amenity from on-street parking on nearby streets;
- e) where relevant, provide linkages between wildlife corridors for the benefit of biodiversity as shown on the Policies Map;
- f) incorporate native landscaping to reduce the impact of the development, and improve biodiversity;
- g) contribute as necessary to any strategic mitigation initiatives devised to protect the Northumbria Coast SPA/Ramsar site, or other nationally and internationally important wildlife sites.

7.7 The proposed dwelling would be located within the defined settlement of Beadnell and would have good access to a range of services and to public transport links and can be considered a sustainable location for small scale development. The proposed site would be located with suitable access to local facilities and in this sense would be an appropriate area in which to site new development. In this context it is therefore considered that the principle of the proposal is acceptable.

Emerging Policy

7.8 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 Publication Draft Plan (Reg 19) and proposed minor modifications was submitted for examination on the 29th May 2019. The policies contained within this document carry minimal weight in the determination of planning applications at this stage.

7.9 Policy STP1 of the emerging NLP states that "sustainable development will be supported within the constraints of the Green Belt and settlement boundaries defined on the Local Plan policies map or in neighbourhood plans. As the application site falls within the settlement boundary as set out in the NNCNP, it is considered that the proposed development is acceptable in this context. This policy is a material consideration in the determination of this planning application, although it may be afforded little weight at this stage.

Scale, Design & Visual Impact

7.10 Policy 5 of the NNCNP states that all development should comprise high quality design which respects local context and character. Policy F2 of the BLP sets out the criteria against which new housing development shall be assessed, including the impact on adjacent land uses in terms of scale, massing, materials, etc.

7.11 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.

7.12 The proposed dwelling has been designed to be in keeping with the surrounding residential development. It would be constructed using traditional building techniques albeit with a modern materials palette and would be viewed in the context of the existing built form, which includes other dwellings of similar construction. Design cues have been taken from a number of recently constructed properties on Harbour Road and whilst acknowledging that the scale of the proposed dwelling would be significantly greater than that which is to be replaced, it would not be incongruous in the street scene. Concerns raised regarding the front elevation of the dwelling protruding forward of the building line have been addressed, with the dwelling being pushed back by 1 metre to reduce the impact. It is considered that the proposed dwelling has been well designed and that the scale of the dwelling is appropriate.

7.13 On the basis of the above it is considered that the proposal reflects local character and distinctiveness and would therefore be in accordance with Policy 5 of the NNCNP, Policy F2 of the BLP and the NPPF in this respect.

7.14 Policy QOP 1 of the emerging NLP echoes this and seeks to support development which respects its surroundings. Policy ENV 1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character. The proposal is considered to be in general accordance with these policies, however little weight can be attributed to them at this time.

Amenity

7.15 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.16 Due to the site location, it is considered that there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook or privacy. The design of the proposed property has been amended to remove Juliet balconies and windows to the side elevation which had raised privacy and overlooking concerns and the design now proposed is considered to be acceptable in this respect. As such the proposal is considered to be in accordance with the NPPF in this respect.

7.17 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy.

Highways

7.18 Policy M14 of the BLP sets out parking standards for new development within the former borough.

7.19 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.

7.20 The Local Highway Authority has raised no objections subject to the imposition of conditions in respect of access arrangements, parking and refuse storage. On this basis it is considered that the proposal is acceptable and in accordance with Policy M14 of the BLP and the NPPF in this respect.

7.21 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

AONB

7.22 The application site is within the Northumberland Coast AONB and as such consideration must be given to the impact of the proposals on that designated area.

7.23 Policy F2 of the BLP states that development will be permitted where it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping..., including means of enclosure and access.

7.24 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

7.25 The AONB Partnership has responded to consultation stating they are supportive of the proposed development in principle, however concerns are raised about the scale, massing and siting of the dwelling. Whilst these concerns are noted, changes have been made to address these concerns which are considered to be sufficient to allow a positive recommendation to be made.

7.26 On the basis of the above, it is considered that the proposal would be acceptable and in accordance with Policy F2 of the BLP and Paragraph 172 of the NPPF.

7.27 Policy ENV 5 of the emerging NLP states that the special qualities of the AONB will be conserved and enhanced having regard to the current AONB Management

Plan and locally specific design guidance. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Heritage Assets

7.28 The application site is adjacent to but outwith the newly established Beadnell Conservation Area and as such due consideration must be given to this designated heritage asset.

7.29 The legislative framework has regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act (PLBCAA) which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.30 Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.

7.31 The Council's Building Conservation Officer has responded to consultation stating that the degree of change would be such that there would be no harm to the setting of the conservation area. On this basis the proposal is in accordance with the NPPF and the PLBCAA.

7.32 Policy ENV7 of the emerging Northumberland Local Plan (NLP) states that development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings. Policy ENV9 of the emerging NLP seeks to ensure that development which could affect the setting of a conservation area helps to preserve or enhance the character or appearance of that area. This policy forms a material consideration in the assessment of this application and it is considered that the proposals are in general accordance with it.

Ecology

7.33 Policy F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species protection provisions which apply.

7.34 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.35 The County Ecologist has responded to consultation raising no objections subject to the imposition of conditions in regard of protected species mitigation. On this basis the proposal is considered to be acceptable and in accordance with Policy F10 of the BLP and the NPPF.

7.36 Policy ENV2 of the emerging Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Other Matters

7.37 The comments submitted by the Parish Council and members of the public are noted and, where appropriate, have been addressed in the preceding paragraphs.

Equality Duty

7.38 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

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

Human Rights Act Implications

7.40 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.

7.41 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.

7.42 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 appearance of the property,

the street scene or the amenity of nearby land uses, the wider landscape, heritage or ecology interests. 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. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

1. Drawing No THD19-058-02-D - Location Plan, Existing & Proposed Block Plan & Proposed Site Plan;
2. Drawing No THD19-058-05-D - Proposed Plans;
3. Drawing No THD19-058-10-D - Proposed Elevations.

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

03. Details of materials to be submitted

Notwithstanding any description of the materials in the application, the development hereby permitted shall be commenced above DPC level until precise details, to include samples, of the materials to be used in the construction of the external walls and/or roof(s) of the building(s) and surfaces of the drive and parking areas have been submitted to, or made available for inspection on site and approved in writing by, the Local Planning Authority. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of Policy F2 of the Berwick Local Plan.

04. Implementation of car parking area

The development hereby permitted shall not be occupied until the car parking area indicated on the approved plans, has been implemented in accordance with the approved plans. Thereafter, the car parking area 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

05. Development in accordance with Construction Method Statement

The approved Construction Method Statement and associated plans shall be adhered to throughout the construction period.

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

06. Construction Environmental Management Plan to be submitted - PRE-COMMENCEMENT

The development hereby permitted shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP must include the recommendations of the "Report To Inform Appropriate Assessment 28 Harbour Road, Beadnell December 2019 Draft" by E3 Ecology and "Ecological Appraisal and Bat Survey Harbour Road, Beadnell November 2019 Final", E3 Ecology including;

Timing restrictions with regard to key elements of work based on noise levels, minimising disturbance during the sensitive winter period.

Screening/acoustic fencing to minimise disturbance through movement/noise/light.

Vegetation clearance will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.

Four external crevice roost sites suitable for use by small numbers of bats will be created within the new building (as described in the main text).

Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°. Building demolition will be undertaken to a precautionary bat method statement. Old slates, ridge tiles and fascias will be removed carefully by hand, being aware that bats may be present beneath slates or ridge tiles, within mortise joints, cavity walls, between loose stones, between lintels and in gaps around window frames. If bats are found during works, works will stop in that area and the ecological consultant will be contacted immediately. If it is necessary to move the bats for their safety, this will be undertaken by a licensed bat handler.

The CEMP will include the details submitted previously as the Construction Method Statement.

Reason: to maintain the favourable status of protected species and the integrity of European Sites.

Background Papers: Planning application file(s) 19/04822/FUL

