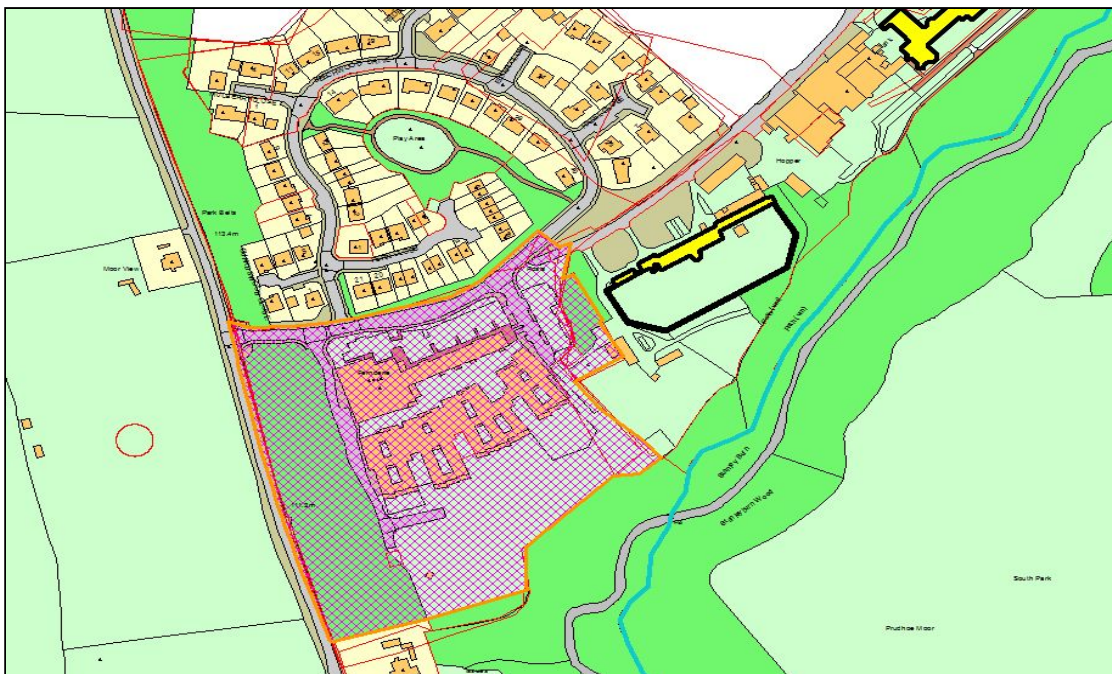


Northumberland County Council

Strategic Planning Committee 2 June 2020

Application No:	19/04985/FUL		
Proposal:	Extension and internal and external remodelling of existing low secure mental health hospital to provide both low and medium secure clinical units with associated parking, infrastructure and landscaping works		
Site Address	Northumberland Tyne & Wear NHS Foundation Trust., Ferndene, Moor Road, Prudhoe Northumberland NE42 5PB		
Applicant:	Northumberland Tyne & Wear NHS Foundation Trust	Agent:	Katherine Brooker 4th Floor, Rotterdam House, 116 Quayside, Newcastle Upon Tyne NE1 3DY
Ward	Prudhoe South	Parish	Prudhoe
Valid Date:	20 December 2019	Expiry Date:	03 June 2020
Case Officer Details:	Name: Mr Callum Harvey Job Title: Planning Officer Tel No: 01670 623625 Email: callum.harvey@northumberland.gov.uk		

Recommendation: That Members be minded to GRANT planning permission for the proposed development, subject to relevant conditions.



1. Introduction

- 1.1 This application falls to be determined by committee as it has been called in by a Ward Councillor, in accordance with the Council's current scheme of delegation.

2. Description of the Proposals

- 2.1 The application site is located at Beechwood Drive to the south of the Humble's Wood residential estate in Prudhoe. The site, known as Ferndene, is operated by the National Health Service and is occupied by a Children's and Young Persons Unit (CYPU). Planning permission is sought for the remodeling of the existing hospital building, specifically:

- Minor extensions to the southern elevation of the building and within internal courtyards to create an additional 516 sq.m. of floor space, amounting to a 10% increase in the footprint of the existing building.
- A second entrance point on the western elevation with an adjacent vehicle 'air lock'; and
- Heightening of existing parapets to the building by approximately 1m, to achieve 5.2m in total height.

- 2.2 The application also seeks planning consent for the following works:

- Erection of a 5.2m high metal mesh perimeter fence around part of the curtilage of the hospital to the south;
- Erection of a 3.2m high timber fence to separate the curtilage to the south of the building, within the confines of the proposed 5.2m high metal mesh perimeter fence;
- Erection of an additional 2m high timber fence to separate part of the curtilage to the south of the building, within the confines of the proposed 5.2m high mesh perimeter fence;
- Erection of a 2m high timber fence along part of the southern boundary of the site, within the existing curtilage of the building.
- Landscaping to provide new gardens and amenity space within the confines of the perimeter fence;
- Construction of a 'facilities management compound', comprising an area for refuse bin storage and container storage, enclosed within a 2m high render wall to the west and north elevations and a 2m high timber fence to the eastern and southern elevations;
- Creation of 18 additional car parking spaces, leading to a net total of 132 parking spaces;
- Retaining wall to form part of proposed extended car parking area to south of the building, within the existing curtilage of the building;
- Relocation of existing storage sheds and horticulture beds within the curtilage to the south of the hospital; and
- Felling of 5no. individual trees and 2no. further small tree groups along the western boundary of the site to create a 5m 'sterile' zone around the building.

- 2.3 This application is linked, by a common objective of care re-provision across Northumberland and a business case made by the NHS to HM Treasury, to the recent planning application for a new state of the art mental health unit at Northgate Hospital, Morpeth (application ref: 19/04025/FUL). The application at Northgate Hospital had been Minded to Grant by members of the Strategic Planning Committee in January 2020 and that decision has subsequently been issued. The current proposal seeks to reconfigure, upgrade and extend two existing low secure CYPS wards at Ferndene to provide medium secure wards. The proposed 'change' of the security level of the wards does not require planning consent, as the use of the building would remain within Use Class C2 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 2.4 Ferndene is a 5,000sq.m healthcare facility on the southern edge of the built up area of Prudhoe. To the north of the building is part of the car park, Beechwood Drive and a residential estate beyond; to the east another part of the car park with the Grade II Listed Walled Garden beyond; to the south a maintained grassed area within the curtilage of the hospital with dense woodland and the watercourse known as Stanley Burn beyond; and to the west an area of woodland with Moor Road and open agricultural pasture beyond. The site is well screened from views from the west and south by the existing surrounding woodland.
- 2.5 The application site is located within the Green Belt as identified in the Tynedale District Local Plan. The site is also located within the High Risk Development Area as identified by the Coal Authority, and is within close proximity to the Grade II Listed Walled Garden and Gardeners Cottage, and the Grade II Listed Prudhoe Hall, which are located to the north east of the site. An area of Habitat of Principal Importance Deciduous Woodland (Channels Wood) is located to the south and west of the site, with an area of Semi Ancient Woodland 25m to the south of the site. The water course known as Stanley Burn is located 40m to the south of the site.

3. Planning History

Reference Number: 12/01125/DISCON

Description: Discharge of conditions 6, 7, 8, 9, 11, 13, 14, 18, 21 and 32 of approved planning application 20081020

Status: Permitted

Reference Number: 12/03614/FUL

Description: Construction of single storey block and render garage to house a tractor, store salt, workshop and staff room with flat roof, roller shutter access doors, double glazed uPVC windows and door with roller shutter protection

Status: Permitted

Reference Number: 15/04131/FUL

Description: Extension to existing hospital creating a seclusion suite & de-escalation room with lobby, corridor and new internal store room.

Status: Permitted

Reference Number: T/20110069

Description: Reserved Matters to planning application 20081020 - Construction of 60 no. dwellings including associated infrastructure works

Status: Permitted

Reference Number: T/20090634

Description: Reserved matters to planning application 20081020 - Construction of new hospital

Status: Permitted

Reference Number: T/20081020

Description: Outline : Demolition of existing former hospital buildings and construction of new hospital, care village and residential dwellings, with associated car parking, access and landscaping

Status: Permitted

4. Consultee responses

Prudhoe Town Council	Support the application.
Highways	No objection subject to the use of recommended conditions and informatives.
The Coal Authority	No objection
Forestry Commission	No response received.
Lead Local Flood Authority (LLFA)	Original objection resolved following receipt of amended details, subject to use of recommended conditions.
Environment Agency	No response received.
Northumbrian Water Ltd	No comment.
Building Conservation	No objection
Public Protection	The Council's Public Health Protection team have been consulted and have recommended conditions in respect of noise, ground gas and land contamination mitigation

	measures. At the time of the writing of this report, the Public Health Protection team are reviewing the need for the recommended conditions in respect of noise. Members will be updated by the recommending officer on this matter prior to the determination of this application.
County Ecologist	No objection subject to use of recommended conditions and informatives.
County Archaeologist	No objection, no further archaeological work required.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	64
Number of Objections	27
Number of Support	0
Number of General Comments	0

Notices

- Site Notice – Affecting Listed Building, 29th January 2020 and a further notice posted 11th February 2020
- Press Notice, published 30th January 2020

Summary of Responses:

27 letters of objection have been received, raising the following concerns which are material planning considerations:

- Visual impact of the proposed 5.2m high fence
- Visual impact of the proposed compound to the north east of the existing facility
- Increase in traffic, leading to highway safety and air pollution impacts
- Potential noise impact during construction period
- Existing car parking problems along Beechwood Drive to the north of the site, and the impact of the proposed increase in users of the facility in respect of car parking
- Accessibility of public transport
- Additions to existing building within the Green Belt
- Impact on setting of nearby Grade II Listed Buildings
- Loss of trees along western boundary of the site
- Surface water flood risk
- The use of the existing facility for accommodating 'medium risk' patients

The above is a summary of the comments. The full written text is available on our website at:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=makeComment&keyVal=Q2TGHTQS0LP00>

6. Planning Policy

6.1 Development Plan Policy

Tynedale Core Strategy 2007

Policy GD1 – Locational of development
Policy GD3 - Green Belt
Policy GD4 – Principles of transport and accessibility
Policy NE1 – Principles for the natural environment
Policy BE1 – Principles for the built environment
Policy CS1 – Principles for community services and facilities
Policy EN1 – Principles for energy

Tynedale District Local Plan 2000 (Saved Policies 2007)

Policy GD2 – Design criteria for development
Policy GD3 – Accessibility of buildings open to the public
Policy GD4 – Highway safety criteria
Policy GD7 – Car parking provision in Prudhoe
Policy NE7 – New buildings in the Green Belt
Policy NE10 – Former Prudhoe Hospital development site within the Green Belt
Policy NE14 – Extensions to existing buildings in the Green Belt
Policy NE27 – Protected Species
Policy NE33 – Impact on trees and woodland
Policy NE34 – Tree felling
Policy NE37 – Landscaping
Policy BE22 – Development within the setting of a Listed Building
Policy BE27 – Archaeology
Policy CS22 – Noise

4.2 National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance (2018, as updated)

4.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (including Proposed Minor Modifications) (Regulation 19) (submitted on 29th May 2019)

Policy STP 1 – Settlement Boundaries

Policy STP 2 - Presumption in favour of sustainable development (Strategic Policy)
Policy STP 3 - Principles of sustainable development (Strategic Policy)
Policy STP 5 - Health and wellbeing (Strategic Policy)
Policy STP 7 - Strategic approach to the Green Belt (Strategic Policy)
Policy STP 8 - Development in the Green Belt (Strategic Policy)
Policy QOP 1 - Design principles (Strategic Policy)
Policy QOP 2 - Good design and amenity
Policy QOP 4 - Landscaping and trees
Policy QOP 5 - Sustainable design and construction
Policy QOP 6 - Delivering well-designed places
Policy TRA 2 – The effects of development on the transport network
Policy ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
Policy ENV 2 - Biodiversity and geodiversity
Policy ENV 3 – Landscape
Policy ENV 7 - Historic environment and heritage assets
Policy INF 2 - Community services and facilities

7. Appraisal

- 7.1 In assessing the acceptability any proposal regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that the starting point for determining applications remains with the development plan, which in this case contains Policies of the Tynedale Core Strategy (2007) as well as the Policies of the Tynedale District Local Plan (2000) which were 'Saved' by the Secretary of State in 2007.
- 7.2 Paragraph 48 of the NPPF states that from the day of its publication, weight can be given to policies contained in emerging plans dependent upon the stage of preparation of the plan, level of unresolved objections to policies within the plan and its degree of consistency with the NPPF. The emerging Northumberland Local Plan was submitted to the Planning Inspectorate for examination in May 2019, along with a schedule of Minor Modifications (May 2019) following public consultation. The Authority are therefore affording appropriate weight to policies contained within the emerging plan which form a material consideration in determining planning applications alongside Development Plan Policies.
- 7.3 The main issues for consideration in the determination of this application are:
- Principle of the development and Green Belt
 - Design and visual impact
 - Impact on Heritage Assets
 - Archaeology
 - Residential amenity
 - Highway safety
 - Ecology and loss of trees
 - Surface water flood risk

Principle of the development and Green Belt

- 7.4 The application site is within the broader extent of Prudhoe, adjacent to existing residential development and within the grounds of the Former Prudhoe Hospital. The principle of the location of the current healthcare facility at Ferndene was established in 2008, under the same decision when the principle of the location of the residential estate now known as Humble's Wood was established (T/20081020). Prudhoe is listed as a Main Town under both Policy GD1 of the Tynedale Core Strategy and Policy STP1 of the emerging Northumberland Local Plan. Both of these Policies direct development to these larger settlements, with Main Towns such as Prudhoe being the main focus for employment, housing, retail and services. Extensions and alterations to this existing facility would therefore be acceptable under GD1 in this sustainable location together with Policy STP1 of the emerging Northumberland Local Plan and Chapter 2 of the NPPF.
- 7.5 The application site is located within the Green Belt as identified in the Tynedale District Local Plan. Paragraph 133 of the NPPF states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 134 of the NPPF states that the Green Belt serves the following five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.6 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.7 Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:
- the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building; and

- the partial or complete redevelopment of Previously Developed Land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
- 7.8 The NPPF goes on to state at Paragraph 146 that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include engineering operations.
- 7.9 Turning first to the proposed additions to the existing building, it is noted that the current proposal seeks to create an additional 516 sq. metres of floor space, amounting to a 10% increase in the footprint of the existing building. The proposal also seeks to create a new facilities management compound to the north east of the building. The recommending officer also notes that the footprint of the building has previously been extended by 85 sq. metres under decision 15/04131/FUL, and an outbuilding for the storage of a maintenance vehicle and materials within the curtilage of the building was approved under decision 12/03614/FUL. Whilst also taking these previous additions into consideration, the currently proposed increase in footprint of the building, the airlock and the compound are not considered to be disproportionate additions over and above the size of the original building, in accordance with Policy NE7 of the Tynedale District Local Plan and Paragraph 145 of the NPPF.
- 7.10 Turning to other operations at the site it is noted that these elements are within the curtilage of the existing building. It is considered that the curtilage of the building is Previously Developed Land, as defined by the NPPF. Paragraph 145 of the NPPF and Policy NE10 of the Tynedale District Local Plan therefore require these elements of the application to not have a greater impact on the openness of the Green Belt than the existing development. It is noted the relocation of the sheds, and the proposed 5.2m high fencing and 1m high parapets to the lower sections of the roof of the existing building, are minor alterations to the site as a whole and would not be seen from prevailing views to the west or south due to the existing woodland on these sides of the site, which keep the site well screened. Whilst neighbouring residents have raised concerns regarding the proposed loss of some trees along the western boundary of the site, the recommending officer notes that the proposed felling would retain the surrounding woodland as an effective visual screen of views of the site from the west and south. The proposed fencing and parapets would therefore not have an unacceptable adverse impact on the visual openness of the Green Belt. The proposed extension to the existing car park and construction of a retaining wall to the south of the proposed car park extension are also contained within the existing curtilage of the building, which is currently a mix of maintained lawns and hardstanding, therefore the erection of these structures/engineering operations would not have an unacceptable adverse impact on the spatial openness of the Green Belt. As such it is considered that the proposed external works within the site accord with Policy NE7 of the Tynedale District Local Plan and Paragraph 145 of the NPPF.

- 7.11 For the reasons set out above the proposed works are not considered inappropriate development in the Green Belt, in accordance with Policies NE7 and NE14 of the Tynedale District Local Plan, Policies STP7 and STP8 of the emerging Northumberland Local Plan and the NPPF.
- 7.12 Policy CS1 of the Tynedale Core Strategy sets out the principles for community services and facilities within the former Tynedale district. One of these principles is to address deficiencies in services and facilities, and facilitate improvements in their level of provision and accessibility. Paragraph 10.1 of the Tynedale Core Strategy forms the surrounding text for this Policy, and specifically refers to health services in the context of this Policy; therefore this Policy is a material consideration when assessing the current proposal. The proposal seeks to improve the level of service provision at an existing healthcare facility, to coincide with ongoing healthcare service improvements across Northumberland and Tyne & Wear following the findings of a review by the Care Quality Commission in 2016. It is considered that the proposed works would address a demonstrated deficiency in an existing healthcare service, and would improve the level of service being provided both at the existing facility at Ferndene and across the Northumberland and Tyne & Wear region. The proposed works would therefore accord with Policy CS1 of the Tynedale Core Strategy, together with Policy STP 5, and INF2 of the emerging Northumberland Local Plan, and the wider public benefits of the improvement to the level of service can be given weight when considering this application.

Design and visual impact

- 7.13 The application seeks consent for a number of works which are listed earlier in this report. The works are in relation to an existing healthcare facility on the edge of though within the broader extent of the Main Town of Prudhoe. As highlighted earlier in this report, the application site is well screened from views to the west and south by a well-established tree line and woodland. To the north of the site is the existing residential estate known as Humble's Wood.
- 7.14 As highlighted earlier in this report, the proposed 5.2m high fencing and the 1m high parapets to the lower sections of the roof of the existing building would not be seen from prevailing views to the west or south due to the existing woodland on these sides of the site, which keep the site well screened. When viewed from the west and north, the proposed fencing and parapets would be viewed within the context of the existing building, and the fence would be located within the established curtilage of the building, which is currently a mix of maintained lawns and hard standing. Whilst the 5.2m high fencing would be visible from public vantage points to the north of the site, it is recommended that the degree of visual harm is considered within the context of the existing site. The purpose of the fencing is to improve security at the existing facility, which the application submits is necessary to facilitate the proposed improvements to the healthcare service provision. It is therefore considered that the visual impact of the fence would not be significant.
- 7.15 The proposed extensions to the existing building would be of a scale and massing which would be subservient to the main building and would not detract

from its appearance. The external elevations to the proposed extensions to the southern elevation and internal courtyards would comprise of off-white render, facing brick and aluminum window frames painted dark grey, all to match existing. The proposed airlock on the western elevation of the building would comprise a metal vehicular gate, off-white render walls and security fencing to match existing. The western elevation would also feature a large laminated panel section coloured green to match existing paneling on the eastern elevation of the building which faces onto the car park. It is considered that these changes to the existing building would not detract from the appearance of the building or the surrounding area.

- 7.16 The proposal also seeks to construct a new 'Facility Management' compound to the north east of the site, which would contain storage containers for waste, other materials and service vehicles associated with the facility. The compound would be located within part of the existing car park and would be enclosed within a 2m high render wall to the west and north elevations, an access gate on the western elevation and a 2m high timber fence to the eastern and southern elevations. Plans of the northern and western elevations have been provided as part of this application, however further details of the eastern and southern elevations have not been submitted for consideration. It is therefore considered necessary to require further details of the southern and eastern elevations to be submitted for approval prior to the compound being constructed, in the interest of monitoring purposes.
- 7.17 Subject to the use of a condition as set out above, it is considered that the works would not have an unacceptable impact on the appearance of the existing building or the surrounding area, in accordance with Policy BE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale District Local Plan, Policy QOP1 of the emerging Northumberland Local Plan and the NPPF.

Impact on Heritage Assets

- 7.18 To the north east of the site are the Walled Garden and Gardeners Cottage and Prudhoe Hall, which are Grade II Listed Buildings. The Building Conservation Officer has been consulted and they have noted that the existing development at Ferndene is a relatively new purpose-built facility within the former parkland of Prudhoe Hall.
- 7.19 The proposed works would result in a visual intensification of the site, and whilst the proposed buildings and fencing would respond to the appearance of the host building at Ferndene, they are utilitarian in form and specification. However, the Building Conservation Officer refers to Section 9 of the Historic England's Good Practice Advice in Planning Note 3 (2017), which states that where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether the additional change will further detract from, or enhance, the significance of the asset.

7.20 It is considered that the proposed works do not further detract from the setting and significance of the Grade II Listed Buildings than the existing development at Ferndene; therefore in light of the Historic England guidance set out above it is considered that the current proposals would not result in harm to the setting and significance of the Grade II Listed Buildings. As such the proposed works would accord with Policy BE1 of the Tynedale Core Strategy, Policies GD2 and BE22 of the Tynedale District Local Plan, Policies QOP1, ENV1 and ENV7 of the emerging Northumberland Local Plan and Chapter 16 of the NPPF in this respect.

Archaeology

7.21 The Council's Archeologist has been consulted and they have no objection to the proposed works, and have advised that no archaeological investigations would be required as part of the current or subsequent applications. The proposal would therefore accord with Policy BE1 of the Tynedale Core Strategy, Policy BE27 of the Tynedale District Local Plan, Policy ENV1 of the emerging Northumberland Local Plan, and Chapter 16 of the NPPF in this respect.

Residential amenity

7.22 As part of the wider redevelopment of the Former Prudhoe Hospital site, consent was granted by the former Tynedale District Council in the years 2008 (Planning reference T/20081020) and 2011 (Planning reference T/20110069) for the construction of 60 dwellings and associated infrastructure to the north of Ferndene. This part of the wider Former Prudhoe Hospital site is known as 'Humble's Wood'. Consent was later granted in 2016 for the construction of 392 dwellings, and the conversion of Prudhoe Hall and associated buildings to provide an additional 12 dwellings (Planning reference 14/04160/FUL). This part of the wider site to the north east of Ferndene is known as 'Cottier Grange'. Construction of the Humble's Wood development to the north of Ferndene has been completed, whilst the Cottier Grange development is still under construction.

7.23 There have been a number of objections received from neighbouring residents raising concerns in respect of the proposed 'change' of the existing health care facility from accommodating 'low-risk' patients to accommodating both 'low-risk' and medium-risk' patients. This change in the type of patient receiving care at the facility does not require planning consent in its own right and cannot therefore form part of the consideration of the application before Members.

7.24 Paragraph 91 of the NPPF requires planning decisions to aim to achieve healthy, inclusive and safe places which are safe and accessible. Policy GD2 of the Tynedale District Local Plan requires proposals to, where appropriate, and not to have a significant impact on residential amenity.

7.25 The application submits that the proposed alterations to the existing facility, namely the proposed fencing, proposed roof parapets and proposed airlock on the western elevation, are to improve the level of security provision at the

facility. The recommending officer acknowledges the concerns raised by neighbouring residents in respect of previous security incidents at the site, and this has resulted in the current fear of future incidents and the impact on safety and amenity of those neighbouring residents. However it is also acknowledged that the currently proposed security measures would lead to an improvement over and above the existing level of security at the healthcare facility. Whilst noting that the NHS could already seek to accommodate 'medium-risk' patients at the facility without planning consent, it is considered that the proposed works would lead to an increase in security provision at the site; as such the proposed works to the building which do require planning consent would not lead to an increase in risk of crime, and would instead reduce the risk of future security incidents at the healthcare facility. It is therefore considered that the proposed works would accord with Policy GD2 of the Tynedale District Local Plan, Policy STP5 of the emerging Northumberland Local Plan and Paragraphs 91 and 127 of the NPPF in this respect.

- 7.26 It is also considered that the proposed works would not have an unacceptable impact on neighbouring residents in respect of overlooking, overbearing or loss of light, in accordance with Policy GD2 of the Tynedale District Local Plan.
- 7.27 The Council's Public Health Protection team have been consulted and have recommended conditions in respect of noise, ground gas and land contamination mitigation measures. At the time of the writing of this report, the Public Health Protection team are reviewing the need for the recommended conditions in respect of noise. Members will be updated by the recommending officer on this matter prior to the determination of this application.

Highway safety

- 7.28 The application seeks to extend the footprint of the building, and extend the size of the existing car park with the creation of 18 additional car parking spaces leading to a cumulative total of 132 spaces. The proposal also seeks to create an airlock on the western elevation of the building, create electrical vehicle parking facilities, create car-share parking bays and construct a new compound to the north east of the building.
- 7.29 Concerns have been raised by neighbouring residents in respect of the current car parking issues at the site, leading to cars parking along Beechwood Drive to the north. The Highways Development Management team have been consulted on the application and have no objection, subject to the use of recommended conditions and informatives in the interest of highway safety. These include the requirement to implement the proposed car parking prior to the proposed development being brought into use, and the requirement to submit a Construction Method Statement for approval prior to works commencing in order to control the parking and movement of vehicles during the construction phase. The Local Highways Authority considers that the proposed car parking provision is sufficient for the proposed development.
- 7.30 Subject to the use of the recommended conditions, it is considered that the proposed works would not have an unacceptable impact on highway safety, in

accordance with Policy GD4 of the Tynedale Core Strategy, Policies GD3, GD4, GD7 and GD9 of the Tynedale District Local Plan, Policies TRA1, TRA2, TRA4 and INF2 of the emerging Northumberland Local Plan, and Chapter 9 of the NPPF.

Ecology and loss of trees

- 7.31 An area of Habitat of Principal Importance Deciduous Woodland (Channels Wood) is located to the south and west of the application site, with an area of Semi Ancient Woodland 25m to the south of the site. The water course known as Stanley Burn is also located 40m to the south of the site. The proposed buildings, structures and engineering works are located within the curtilage of the existing healthcare facility, which is currently a mix of maintained lawns and hardstanding. The application also seeks to fell 5no. trees and 2 small groups of trees along the western boundary of the site, in order to accommodate a 5m 'sterile zone' around the building as part of the proposed security measures.
- 7.32 The Council's Ecologist has been consulted on the proposals and has no objection, subject to the use of recommended conditions in the interest of preserving protected species and their habitats. It is considered that the proposed works are acceptable in this respect, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE25, NE26, NE27, NE29, NE33, NE34, NE35 and NE37 of the Tynedale District Local Plan, Policies QOP4, ENV1, ENV2 and ENV3 of the emerging Northumberland Local Plan, and Chapter 15 of the NPPF.

Surface water flood risk

- 7.33 The application site is 40m from Stanley Burn to the south. The site is not in Flood Zones 2 or 3 as identified by the Environment Agency. The proposal seeks to extend the existing building, extend the car park, construct a retaining wall as part of the car park extension, and construct a new compound to the north east of the building.
- 7.34 The Lead Local Flood Authority (LLFA) have been consulted on the application, and following the submission of a Drainage Strategy and associated drawings they have no objection to the application, subject to the use of recommended conditions. The LLFA have highlighted an existing water storage tank beneath the area of the proposed car park, and have recommended the use of a bespoke condition requiring further details of the tank to be submitted and approved prior to the proposed car park being implemented.
- 7.35 Subject to the use of recommended conditions, it is considered that the proposed works would not lead to an increase in flood risk within the site or elsewhere, in accordance with Policy GD5 of the Tynedale Core Strategy, Policy CS27 of the Tynedale District Local Plan, Policies STP4, ENV1, WAT1, WAT2 and WAT3 and Chapter 14 of the NPPF.

Coal Risk

7.36 The application site is located within the High Risk Development Area as identified by the Coal Authority. The Coal Authority have been consulted on the application and have no objection, and have advised that a Coal Mining Risk Assessment is not required in support of this application. No conditions have been recommended by the Coal Authority.

7.37 The Council's Public Health Protection team have been consulted on the application, and they have no objection subject to the use of recommended conditions in respect of ground gas and land contamination mitigation. Subject to the use of these conditions it is considered that the proposed works would not lead to a risk to human health in respect of contaminated land or ingress of ground gases, in accordance with Policies CS19 and CS23 of the Tynedale District Local Plan, Policies POL1 and POL2 of the emerging Northumberland Local Plan and Chapter 15 of the NPPF.

Other matters

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

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

Human Rights Act Implications

7.41 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.

7.42 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.

7.43 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 application proposes works to an existing healthcare facility known as Ferndene, in Prudhoe. It is considered that the principle of the proposed works are acceptable in this location in accordance with the relevant Policies in the Development Plan and the NPPF.

8.2 For the reasons set out earlier in this report, it is considered that the proposed works are not inappropriate development in the Green Belt, in accordance with the relevant Policies in the Development Plan and the NPPF.

8.3 The proposal would not lead to harm to the setting and significance of the nearby Grade II Listed Buildings.

8.4 Subject to the use of the recommended conditions set out below, it is considered that the proposed works would not have an unacceptable impact in respect of residential amenity, highway safety, flood risk, protected species and their habitat, heritage assets, archaeology, or coal risk, in accordance with the relevant Policies in the Development Plan and the NPPF.

9. Recommendation

That Members be minded to grant planning permission subject to the following conditions:

Conditions

1) 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)

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

NTWFH-MAA-XX-RF-DR-A-0001 Revision P1 Site Location Plan – received 16.01.2020
NTWFH-MAA-XX-00-DR-A-0007 Revision P1 Ground Floor Plan as Proposed – received 16.01.2020
NTWFH-MAA-XX-RF-DR-A-0009 Revision P1 Roof Plan as Proposed – received 16.01.2020
NTWFH-MAA-XX-EL-DR-A-0011 Revision P1 Site Elevations as Proposed – received 16.01.2020
TWFH-MAA-XX-SE-DR-A-0013 Revision P1 Site Sections as Proposed – received 16.01.2020

NTWFH-MAA-XX-SE-DR-A-0014 Revision P1 Detailed Existing and Proposed Elevations – Medium Secure Entrance – received 16.01.2020
NTWFH-MAA-XX-SE-DR-A-0015 Revision P1 Detailed Existing and Proposed Elevations – Wards – received 16.01.2020
NTWFH-MAA-XX-SE-DR-A-0016 Revision P1 Detailed Existing and Proposed Sections – received 16.01.2020
NTWFH-BGP-XX-XX-DR-C-101 Revision P01 Proposed Impermeable Areas – received 21.02.2020
NTWFH-BGP-XX-XX-DR-C-120 Revision P02 Drainage Layout Strategy – received 21.02.2020
NTWFH-COL-ZZ-XX-DR-L-1000 Revision 07 Proposed Site Masterplan 1 of 3 – received 16.01.2020
NTWFH-COL-ZZ-XX-DR-L-1001 Revision 07 Proposed Site Masterplan 2 of 3 – received 16.01.2020
NTWFH-COL-ZZ-XX-DR-L-1002 Revision 07 Proposed Site Masterplan 3 of 3 – received 16.01.2020
NTWFH-COL-ZZ-XX-DR-L-6000 Revision 04 Landscape Organisational Diagrams – received 16.01.2020
NTWFH-SRM-ZZ-ZZ-PR-W-0003 Revision A Phasing Master Plan – received 16.01.2020
JN1949-Dwg-001 – Swept Path Analysis FM Yard Large Refuse – received 16.01.2020
E041 – Topographic Survey – received 16.01.2020
AIA Tree Protection Plan by All About Trees Ltd – received 11.02.2020

Approved Documents

Flood Risk Assessment And Drainage Strategy
NTWFH-BGP-XX-XX-RP-C-001 Ferndene Hospital Prudhoe Issue 002 Dated 25/02/2020 Produced by Billingham George & Partners Civil & Structural Consultants

Arboricultural Method Statement for Trees by All About Trees Ltd – received 11.02.2020

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

- 3) Notwithstanding the details shown on the approved plans, prior to the construction of the Facilities Management Compound, plans showing the eastern and southern elevations of the compound shall be submitted to the local planning authority for consideration and approval. The development shall then be carried out in accordance with the approved details.

Reason: In the interest of the appearance of the development, in accordance with Policy BE1 of the Tynedale Core Strategy, Policies GD2 and BE22 of the Tynedale District Local Plan, and Chapters 12 and 16 of the NPPF.

- 4) Development shall not commence until a Construction Method Statement, and accompanying Construction Method Site Plan, has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and Site Plan shall, where applicable, provide for:
 - i. vehicle cleaning facilities;
 - ii. the parking of vehicles of site operatives and visitors;
 - iii. the loading and unloading of plant and materials;
 - iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale District Local Plan, and the NPPF.

- 5) Prior to the proposed development being brought into use the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, shall be 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 Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale District Local Plan, and the NPPF.

- 6) Prior to the proposed development being brought into use the cycle parking shown on the approved plans shall be implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity and sustainable development, in accordance with Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale District Local Plan, and the NPPF.

- 7) Prior to the proposed development being brought into use a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i details of and results from an initial staff travel to work survey;
- ii clearly specified ongoing targets for staff travel mode shares;
- iii a plan for monitoring and reviewing the effectiveness of the Full Travel Plan;

and

- iv a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with Policy GD4 of the Tynedale Core Strategy and the NPPF

- 8) Prior to the proposed development being brought into use the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with Policy GD4 of the Tynedale Core Strategy and the NPPF.

- 9) No works will commence unless in accordance with the reports Arboricultural Method Statement for Trees at Ferndene, Prudhoe (January 2020, All About Trees), and the associated Tree Protection Plans. Checks for bats (in accordance with the British Standard BS 8596:2015 – Surveying For Bats In Trees And Woodland) will take place prior to any felling or arboricultural operations.

Reason: To avoid harm to deciduous woodland, a Habitat of Principal Importance, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE26, NE27 and NE33 of the Tynedale District Local Plan, and the NPPF.

- 10) All works will follow the mitigation advice in the report Bat Survey, Ferndene, Prudhoe December 2019 Final by E3 Ecology. Including;
- Additional external lighting that may reduce bat use of the site will be avoided. High intensity security lights will be avoided as far as practical, and any lighting illuminating the boundary of the site will be low level (2m) and low lumen.
 - In the unlikely event that 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.
 - Any landscape planting will be designed to enhance structural diversity, and will include plants bearing flowers, nectar and fruits which are attractive to invertebrates.
 - Two general purpose bat boxes will be provided within nearby trees, within the site owner's landholding.
 - A single hole and a single open-fronted bird box will be placed within the site owner's landholding.

Reason: To maintain the favourable conservation status of protected species, in accordance with Policy NE1 of the Tynedale Core Strategy, Policy NE27 of the Tynedale District Local Plan, and the NPPF.

- 11) No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policy NE1 of the Tynedale Core Strategy, Policy NE27 of the Tynedale District Local Plan and the NPPF.

- 12) All works will be undertaken in full accordance with the Government guidance Pollution Prevention for Businesses.

Reason: To prevent pollution of nearby watercourses, in accordance with Policy NE1 of the Tynedale Core Strategy, Policies NE27 and NE28 of the Tynedale District Local Plan, and the NPPF.

- 13) Development shall not commence until 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, in accordance with Policy GD5 of the Tynedale Core Strategy and the NPPF.

- 14) Prior to the surfacing of the proposed car park a full structural investigation of the existing storage tank shall be submitted to and approved by the Local Planning Authority. This shall include:

- Calculations verifying that the tank can take the loading of vehicles;
 - An assessment of the existing storage tank's current condition;
 - Details of any new tank installed in the event that the existing tank is replaced;
- and
- Details of any measures undertaken in the event the existing tank is upgraded to take the loading of vehicles.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the existing drainage system is not compromised with the new works, in accordance with Policy GD5 of the Tynedale Core Strategy and the NPPF.

- 15) Prior to the occupation of the proposed development details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime, in accordance with Policy GD5 of the Tynedale Core Strategy and the NPPF.

- 16) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:
- As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc); and additional details on the existing underground storage tank);
 - Construction details (component drawings, materials, vegetation;
 - Health and Safety file; and
 - Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-statutory technical standards, in accordance with Policy GD5 of the Tynedale Core Strategy and the NPPF.

- 17) Deliveries to and collections from the site during the construction and/or demolition phases of the development shall only be permitted between the hours of Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00, with no deliveries or collections on a Sunday or a Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policy DC22 of the Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document and the NPPF.

- 18) During the construction period there shall be no noisy activity , i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours of Monday to Friday 08:00 to 18:00 and Saturday 08:00 to 13:00.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policy CS19 of the Tynedale District Local Plan and the NPPF.

- 19) 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, in accordance with Policies CS19 and CS23 of the Tynedale District Local Plan and the NPPF.

- 20) The extensions shall not be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Where no ground gas protection has been installed in the original building to which the extension will be attached, then the applicant shall submit full justification to the LPA for written confirmation that this condition and the validation condition will not be necessary.

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, in accordance with Policies CS19 and CS23 of the Tynedale District Local Plan and the NPPF.

Informatives

Reminder to not store building material or equipment on the highway

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

Reminder to not deposit mud/ debris/rubbish on the highway

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

Statutory Nuisance

The Public Health Protection Unit would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice.

Failure to address issue of noise and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

EIA

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

Background Papers: Planning application file(s) 19/04985/FUL; T/20090634; T/20081020