

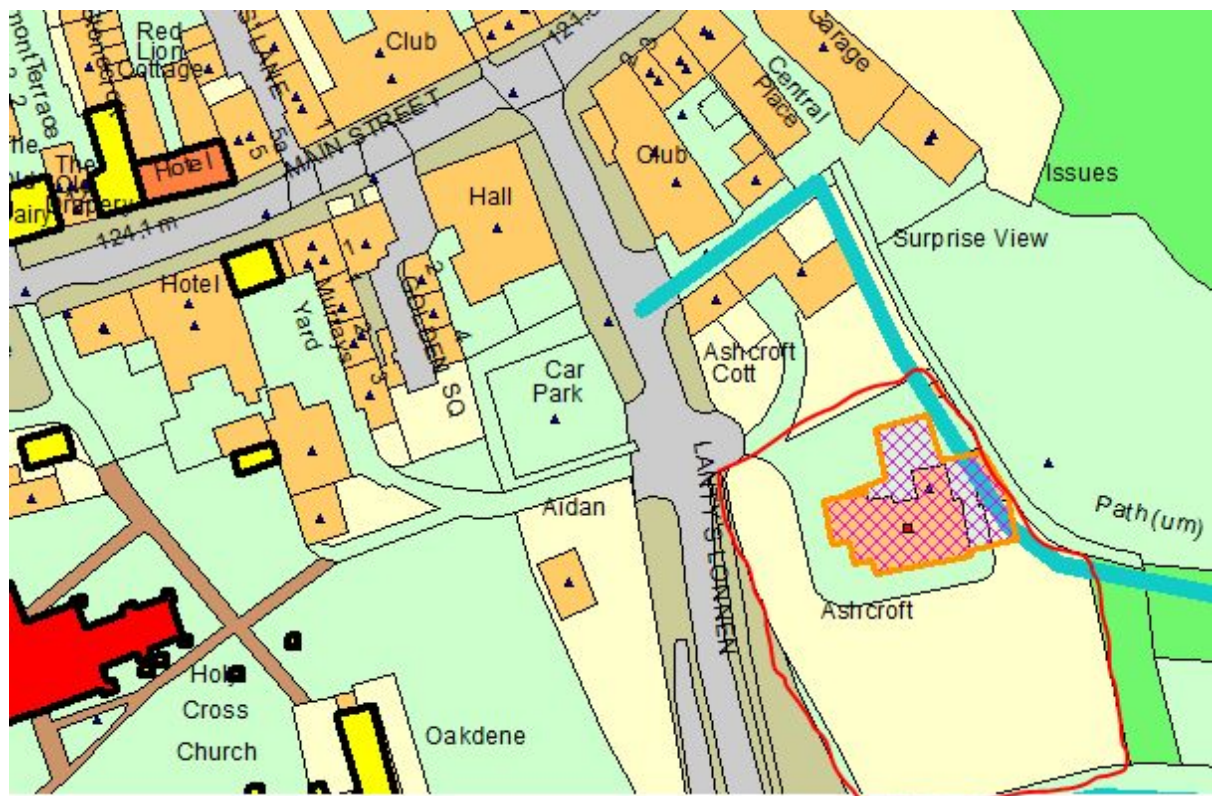


Northumberland County Council

Strategic Planning Committee

Application No:	20/00118/FUL		
Proposal:	Construction of new porch to entrance area of the property, with oak posts, no doors or windows.		
Site Address	Ashcroft Guest House , Lantys Lonnen, Haltwhistle, NE49 0DA		
Applicant:	Mr & Mrs G James Ashcroft Guest House, Lantys Lonnen, Haltwhistle, NE49 0DA	Agent:	Miss Susie White First And Second Floor , 1 Fore Street, Hexham, NE46 1ND
Ward	Haltwhistle	Parish	Haltwhistle
Valid Date:	20 February 2020	Expiry Date:	4 June 2020
Case Officer Details:	Name: Miss Charlie Hall Job Title: Planning Technician Tel No: 01670 624525 Email: Charlie.Hall@northumberland.gov.uk		

Recommendation: That this application be REFUSED



1. Introduction

- 1.1. Under the provisions of the Council's current Scheme of Delegation the Director of Planning in conjunction with the Chair and Vice Chair of Strategic Planning Committee consider that the application is to be considered by the Strategic Planning Committee for the reason that it raises locally significant issues.

2. Description of the Proposals

- 2.1. This application seeks planning permission for a timber porch to the front of Ashcroft Guest House, Haltwhistle.
- 2.2. The proposed porch would be constructed from oak beams and would have a slate pitch roof, but would not be enclosed and there would be no windows or doors. The proposed porch would be situated on an existing raised platform in front of the main entrance to the guest house. The porch would project 2.75m from the entrance and would be 3.87m in width, the porch would be the same size as the existing raised platform. The proposed porch would be 3.6m to the eaves and 4.7m in overall height from ground floor level.
- 2.3. The existing property is a detached building, constructed from rough stone with ashlar quoins and door and window surrounds. It has a Welsh slate roof that is enlivened with tall chimneys, a central peaked gable and a stone finia site. The site is located on the outskirts of Haltwhistle town centre and within Haltwhistle Conservation Area. The building lies perpendicular to the road.

3. Planning History

Reference Number: 15/00640/FUL

Description: Demolition of existing outbuildings and greenhouses and construction of 1 bedroom holiday let. Creation of 1 parking space and larger turning area with new entrance from highway.

Status: REFUSED

Reference Number: 15/01730/FUL

Description: Conversion of existing double garage to 1no. one bedroom holiday let. Construction of new double garage to rear of guesthouse, creation of new access from highway, new parking area and new turning area to front of proposed holiday let.

Status: PERMITTED

Reference Number: 16/01935/NONMAT

Description: Non-material amendment to 15/01730/FUL - (Conversion of existing double garage to 1no. one bedroom holiday let. Construction of new double garage to rear of guesthouse, creation of new access from highway, new parking area and new turning area to front of proposed holiday let) - Amendments relate to the addition of two dormer windows to the previously approved new double garage

Status: PERMITTED

Reference Number: 18/00723/TREECA

Description: Trees in a Conservation Area: Felling of 1no. Lime tree

Status: NOOBJECTION

Reference Number: 19/02008/TREECA

Description: Works to Trees in a Conservation area - Fell dead/dying Horse Chestnut

Status: NOOBJECTION

Reference Number: T/20051399

Description: Amendment to planning permission 20041550: Change of use from garage with flat above to one holiday let unit

Status: PERMITTED

Reference Number: T/20041550

Description: Construction of new entrance and double garage with holiday let flat above and provision of French doors and balcony railings over existing single storey flat roofed WC

Status: PERMITTED

Reference Number: T/20041510

Description: Tree Notice: Felling of one beech tree, one lime tree, one dead lime stump, pollard by 7-8 metres one lime tree and crown reduce and shape by 20% one chestnut tree

Status: NONCCZ

Reference Number: T/93/E/TN/583

Description: Remove dead tree.

Status: NOOBJECTION

Reference Number: T/78/E/760

Description: Change of use and conversion of doctor's residence and surgery to guest house

Status: PERMITTED

Reference Number: T/970047

Description: ADVERTISEMENT: Proposed illumination of existing sign

Status: PERMITTED

Reference Number: 15/00640/FUL

Description: Demolition of existing outbuildings and greenhouses and construction of 1 bedroom holiday let. Creation of 1 parking space and larger turning area with new entrance from highway.

Status: REFUSED

Reference Number: 15/01730/FUL

Description: Conversion of existing double garage to 1no. one bedroom holiday let. Construction of new double garage to rear of guesthouse, creation of new access from highway, new parking area and new turning area to front of proposed holiday let.

Status: PERMITTED

Reference Number: T/20041550

Description: Construction of new entrance and double garage with holiday let flat above and provision of French doors and balcony railings over existing single storey flat roofed WC

Status: PERMITTED

Reference Number: T/20041510

Description: Tree Notice: Felling of one beech tree, one lime tree, one dead lime stump, pollard by 7-8 metres one lime tree and crown reduce and shape by 20% one chestnut tree

Status: NONCCZ

Reference Number: T/93/E/TN/583

Description: Remove dead tree.

Status: NOOBJECTION

Reference Number: T/78/E/760

Description: Change of use and conversion of doctor's residence and surgery to guest house

Status: PERMITTED

Reference Number: T/970047

Description: ADVERTISEMENT: Proposed illumination of existing sign

Status: PERMITTED

4. Consultee Responses

Haltwhistle Town Council	Support the application
Building Conservation	<p>The application site is the Ashcroft Guest House. It is a nineteenth century substantial property evident on the 1st edition OS map. It is identified on historic maps as "Ashcroft". It is constructed of rough stone with ashlar quoins and door and window surrounds. It has a Welsh slate roof that is enlivened with tall chimneys, a central peaked gable and a stone finial. Two storeys in the main, it also has a stepped back single storey element on its westernmost end that includes the property's front door. Historic map analysis suggests this single storey part is original to the property.</p> <p>Ashcroft is within the Haltwhistle conservation area, which was designated in 1993. The conservation area focuses on the built-up historic town and the more open areas leading south to the River Tyne. Ashcroft is within the area identified within the adopted Character Appraisal (2009) as the "Tyne Floodplain". This character area is mainly made up of the flat areas closest to the River Tyne and the bank sloping down to the River to the south of the town centre. This area is identified as an important part of the setting of the historic town, with a sharp division existing between it and the built-up area surmounting the skyline to the north.</p> <p>It is clear that Ashcroft contributes positively to the significance of the conservation area. It is visible from the B6322; sitting in an elevated position atop the bank discussed in the</p>

Character Appraisal. Its elevated position, along with its scale and high quality architecture, gives the appearance of a building of high status and importance. It is also one of the first visible properties when entering Haltwhistle from the south via Lanty's Lonnen. It serves a purpose of providing a strong welcome to the conservation area, setting the tone of an area of architectural and historic significance. It is a positive representation of Haltwhistle's Victorian growth.

The Haltwhistle conservation area is a designated heritage asset within which the Ashcroft Guest House sits. Ashcroft Guest House has sufficient architectural and historic interest as a fine example of a Victorian Villa within a prominent position to be considered a non-designated heritage asset.

There are a number of listed buildings within the vicinity, mainly to the west of the application site. The nearest is the grade II former Vicarage, now three dwellings Coldor, Valley View and Oakdene, which lies approximately 100m to the west. Just beyond the former Vicarage is the grade I Church of the Holy Cross.

Planning permission is sought for the erection of an oak and slate porch structure. It would sit within and fill the space between the set back one storey doorway area and the two storey main building. The porch's scale would be large in terms of footprint and height. I understand the need to be so tall as to not physically interfere with the stone door surround and the large footprint would allow for the porch to sit within the existing dwarf wall area. However, as reasonable as these design approaches may be, the resulting porch scale would be disproportionately large and a dominating feature on the front and side elevation of the property.

I cannot agree that the proposal would, as stated in the submitted Design and Access Statement, "enhance the heritage asset by modifying the existing entrance area with a more aesthetically pleasing design". On the contrary, the porch would obscure the visibility of the attractive recessed stone door surround and the quoins that positively contribute to the property's architectural quality.

There would be a negative effect upon the significance of this property that is a non-designated heritage asset in its own right and has a positive impact upon the character and appearance of the Haltwhistle conservation area - a designated heritage asset.

In considering the significance of the nearby listed buildings and the nature of the proposed development, I do not consider that it would be harmful to their significance. In considering the NPPF regarding harm to designated heritage assets (in this

	<p>case, Haltwhistle Conservation Area), the harm would be less than substantial. In accordance with paragraph 194 however, any harm must be clearly and convincingly justified. Paragraph 196 sets out that where development “will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable”. A porch that would provide limited protection from rain to guest house visitors would not be providing a real benefit to the public at large that would outweigh the identified harm.</p> <p>The proposed porch would be of a disproportionately large scale and would obscure features that positively contribute to the architectural quality of the property. This would be harmful to the significance of the property and the conservation area. There are no clear public benefits that would outweigh the identified harm. The application cannot be supported.</p>
Countryside/ Rights Of Way	No objection subject to condition

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	3
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site notice -PROW & affecting con area, 10th March 2020

Hexham Courant 27th February 2020

Summary of Responses:

None received.

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/simpleSearchResults.do?action=firstPage>

6. Planning Policy

6.1. Development Plan Policy

Tynedale LDF Core Strategy 2007

GD1 Locational policy setting out settlement hierarchy
BE1 Principles for the built environment
EDT1 Principles for Economic Development and Tourism

Tynedale District Local Plan 2000 (Policies saved 2007)

GD2 Design Criteria for development, including extensions and alterations
TP27 Development affecting Public Rights of Way
TM2 Enhancement of existing facilities, attractions and infrastructure
TM7 Tourist accommodation in existing settlements

6.2. National Planning Policy

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

6.3. Emerging Planning Policy

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

QOP 1 Design principles
ENV 9 Conservation Areas
ECN 15 Tourism and visitor development

7. Appraisal

7.1. The main issues for consideration in the determination of this application are:

- Principle of the development
- Design and visual impact on the Conservation Area
- Impact on residential amenity
- Public Right of Way

Principle of the Development

7.2. The application site sits within the main town of Haltwhistle. Policy GD1 of the Tynedale Core Strategy states that Haltwhistle is classed as a main town and is the main focus for development. Policies TM2 and TM7 of the Tynedale District Local Plan support enhancement and extension of existing tourism facilities to support economic growth. Therefore the principle of the development would be considered acceptable and in accordance with Policy GD1 of the Tynedale Core Strategy and the NPPF.

Design and visual impact on the Conservation Area

- 7.3. The application site falls within the Haltwhistle Conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 7.4. The proposed porch would be open and have no windows or doors. The porch would be constructed from oak beams and would have a traditional slate roof to match the host building. The proposal would be located on an existing raised platform which is situated in front of the main entrance. The platform has a small stone wall to the west and south elevations, the porch would be situated on this wall. The existing building is sited perpendicular to the road.
- 7.5. Policy GD2 of the Tynedale Local Plan states that any proposal must be appropriate to the site and the surrounding area in terms of scale, materials, positing and appearance. Tynedale Core Strategy Policy BE1 requires development to conserve and where appropriate enhance the quality and integrity of Tynedale's built environment and its historic features giving particular protection to conservation areas.
- 7.6. The Council's Conservation Officer was consulted on the proposal and they object to the porch as it would cause harm to a non-designated heritage asset and the setting of the Conservation Area. The Conservation officer has concerns with the size and scale of the proposal and believes that the proposal would be disproportionately large and a dominating feature on the front and side elevation of the property. They consider that the proposed oak beams would obscure the quoin detailing to this part of the building and would therefore cause harm to its architectural significance. Given the location of Ashcroft in a prominent location at the entrance of the Conservation area they consider that the proposal would harm the architectural significance of the building and the wider conservation area and that there is little evidence of public benefit which would cause less than substantial harm.
- 7.7. Taking the above into consideration, the harm to the building and the wider Conservation Area is acknowledged. Whilst the building is an existing tourism facility and its enhancement is supported, on balance it is not considered that this public benefit would be sufficient to outweigh the identified harm. Therefore the proposal would not be in accordance with Policy GD2 of the Tynedale District Local Plan, Policy BE1 of the Tynedale LDF Core Strategy and the NPPF in this respect.

Impact on residential amenity

- 7.8. Ashcroft guest house is a detached building located on a large plot. There is a dwelling located to the north of the application site which would not be affected by the proposed porch to the south elevation of Ashcroft. The proposed porch is small in scale and would not cause any overbearing or privacy issues. The proposal is therefore considered acceptable in this respect, in accordance with Tynedale LDF Core Strategy Policy BE1, Tynedale District Local Plan Policy GD2 and the NPPF.

Impact on the Public Right of Way

- 7.9. There is a Public Right of Way that runs down along the eastern boundary of the site. The Public Rights of Way Officer was consulted and they have no objection to the proposal subject to a condition protecting the public right of way. The proposed porch would be situated along the south west of the site and would be a significant distance away from the public right of way and would therefore not impact the path. The proposal would therefore accord with Policy TP27 of the Tynedale Local Plan.

Equality Duty

- 7.10. 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

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

Human Rights Act Implications

- 7.12. 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.
- 7.13. 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.
- 7.14. 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. Although the building is an existing tourism facility and its enhancement is supported the proposed porch would cause less than substantial harm to the property and the wider conservation area which on balance, is not considered to be outweighed by public benefit and would be contrary to Policy GD2 of the Tynedale District Local Plan, Policy BE1 of the Tynedale LDF Core Strategy and the NPPF in design and visual impact terms.

9. Recommendation

That this application be REFUSED subject to the following:

Conditions/Reason

1 The proposed porch would cause less than substantial harm to the property and the wider conservation area which on balance, is not considered to be outweighed by public benefit and would be contrary to Policy GD2 of the Tynedale District Local Plan, Policy BE1 of the Tynedale LDF Core Strategy and the NPPF in design and visual impact terms.

Background Papers: Planning application file(s) 20/00118/FUL