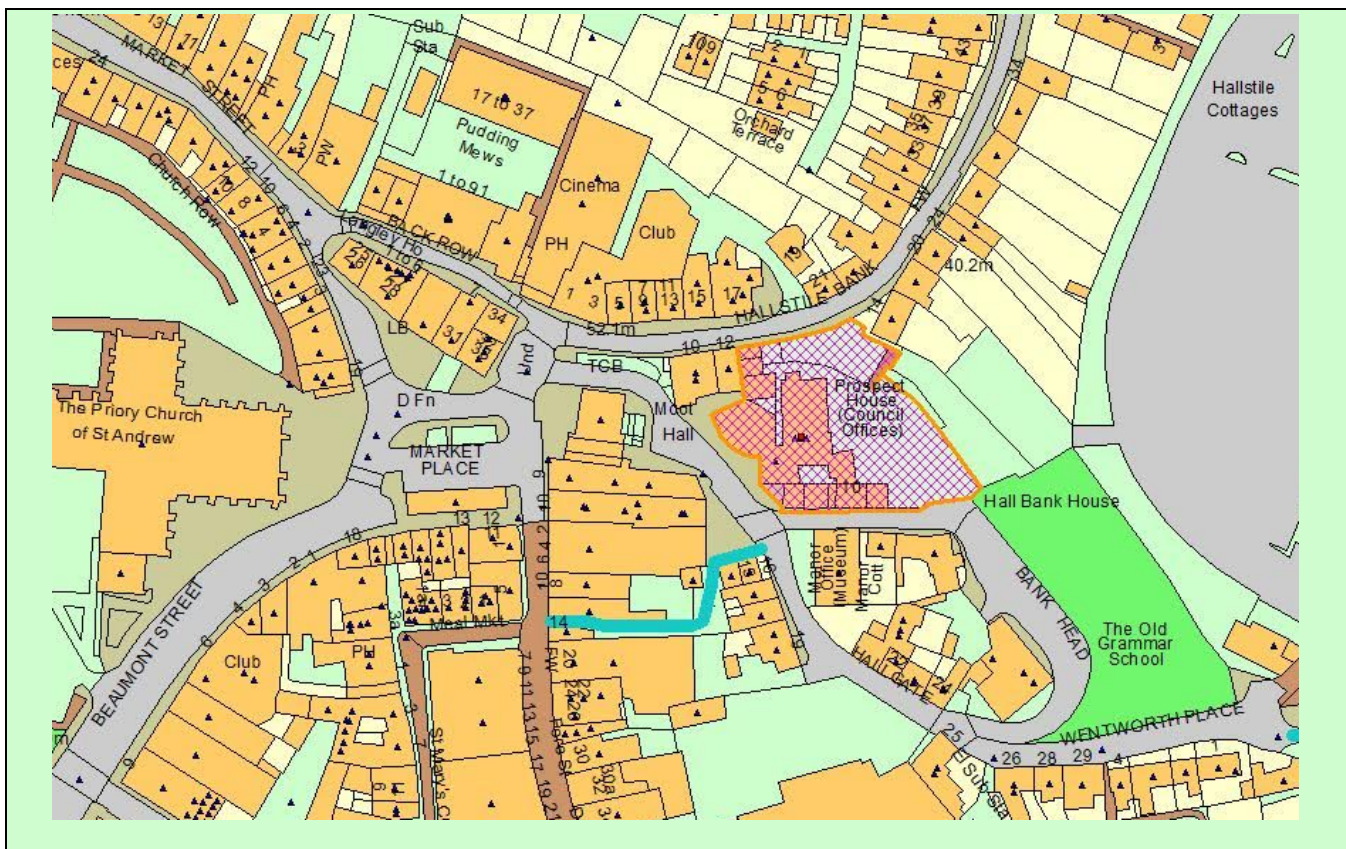




# Northumberland County Council

## Tynedale Local Area Council Planning Committee 10 July 2018

<b>Application No:</b>	17/04071/LBC		
<b>Proposal:</b>	Listed Building Consent: Change of Use (B1 to C3) of Prospect House comprising demolition of modern rear single storey extension, conversion of existing office building and construction of 2 No Cottages with associated external works providing eighteen units of self-contained residential accommodation		
<b>Site Address</b>	Prospect House, Hallgate, Hexham, NE46 1XD		
<b>Applicant:</b>	Mr C Leonard 14 Halegrove Court, Cygnet Drive, Stockton-on-Tees, TS183DB	<b>Agent:</b>	Mr Chris Brown 113 Stanhope Road South, Darlington, DL37SF,
<b>Ward</b>	Hexham East	<b>Parish</b>	Hexham
<b>Valid Date:</b>	9 November 2017	<b>Expiry Date:</b>	4 January 2018
<b>Case Officer Details:</b>	Name: Ms Melanie Francis Job Title: Senior Planning Officer Tel No: 01670 625549 Email: melanie.francis@northumberland.gov.uk		



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## **1. Introduction**

1.1 Under the provisions of the Council's current Scheme of Delegation, in cases where applications are considered to be of significance, they are put on a vetting list for the Head of Service to determine whether the application should be determined by Committee. It was decided by the acting Head of Service that this application should be determined by Committee.

## **2. Description of the Proposals**

2.1 Listed building consent is sought for the change of use and conversion of Prospect House from former council offices to 18 units of accommodation, including the demolition of the rear single storey extension and the construction of two attached cottages. The units would have either one or two bedrooms and the two cottages would have two bedrooms. The Heritage Statement details the changes to the building which are listed by floor and sections of the building. The two cottages would be linked to the existing, most easterly cottage by a glazed link at 1<sup>st</sup> floor level, with vertical boarding at ground floor. The cottages would be constructed of reclaimed brickwork, with natural stone heads and cills, a slate roof and wooden windows. Since the submission of the application, there have been some amendments to the proposal, including the removal of a porticoed entrance porch. 'Prospect House' consists of a number of buildings including Prospect House itself, numbers 1 and 10 Hallgate, a former stable block and a former storehouse. All the buildings are now physically linked. Twenty car parking spaces would be created to the rear with a bin storage area

2.2 Prospect House is three storeys in height, plus an attic floor and cellar and is constructed of brick with stone detailing and some stone extensions. The roofs are a mixture of Welsh slate, and stone slate. Prospect House has been extensively altered since its' original construction. The building is thought to date from the 18<sup>th</sup> century, although the basement areas, as they are constructed of stone, could be earlier. The original house had a large extension in the late 19<sup>th</sup> century which is likely to have removed a central staircase, and included the addition of new reception rooms and bedrooms, plus a grand hallway and porch, which has since been demolished, plus servant's quarters. Alterations were also carried out to the earlier house including the introduction of crenellations to the c.1865 bays. Internally the building has a number of impressive and interesting features and fixings from the 1890s redevelopment. To the rear (west) of the site where the modern Council chamber is sited, a stable and a yard were located. It is considered that remains of stone walls on Hallstile Bank could be the remains of cottages demolished to undertake the 19<sup>th</sup> century alterations. The stone basement or stables, which are separately listed and accessed from Hallstile Bank is potentially medieval and could have been part of a gateway, with the two storeys above being of likely 18<sup>th</sup> century date, with the windows on the upper floor and potentially also the middle floor, added sometime after 1967.

2.3 The site also includes a number of cottages on the southern part of the site fronting onto the side elevation of Moot Hall. These cottages are now connected to Prospect House, although originally they were separate, and later may have provided servant accommodation. The most easterly cottage has a modern brick built flat roofed extension which would be demolished and replaced by two new cottages. The land to the east of Prospect House were once gardens which

extended down the side of the valley towards an orchard. There is a car park to the rear on the site of the original gardens.

2.4 The building was first used as council offices in 1939 and the existing council chamber and other extensions on the western elevation date to the 1960s. The building has a floorspace of some 1790 metres<sup>2</sup>, with 640 metres<sup>2</sup> of external space including the car park and an area of sloping land below retaining walls.

2.5 Prospect House, which is located within the centre of Hexham, is grade II listed and includes the cottages to the south, with the former stables to the north-west, storehouse to east of number 12, and crenellated retaining wall to north-east all separately listed grade II. The site which is within the Hexham Conservation Area is also adjacent to a number of listed buildings including the Manor Officer (Old Gaol) which is grade I listed and is a Scheduled Ancient Monument, the grade I listed Moot Hall and the grade II listed Manor Cottage and Hall Bank House.

2.6 An archaeological evaluation of the site has taken place. The site is also subject to a planning application ref: 17/04070/FUL.

2.7 Submitted with the application were the following documents:

Prospect House Heritage Statement (Lichfields October 2017)

Prospect House, Hallgate, Hexham: report on an archaeological evaluation (The Archaeological Practice Ltd November 2016)

Conversion Principles (Wardman Brown Architectural Services Rev A October 2017)

Design and Access Statement (Wardman Brown Architectural Services Rev A October 2017)

Prospect House, Hexham Planning Statement (Lichfields 25 October 2017)

### **3. Planning History**

**Reference Number:** C/89/E/0543 LBC

**Description:** Listed Building Consent for alterations to provide reception facilities, toilets kitchen and interview room

**Status:** No objection

**Reference Number:** C/90/E/0738 LBC

**Description:** Listed Building Consent for fire escape at Council Chamber

**Status:** No objection

**Reference Number:** 17/01438/FUL

**Description:** Change of Use (B1 to C3) of Prospect House comprising demolition of modern rear single storey extension, conversion of existing office building and construction of 2 No Cottages with associated external works providing twenty units of self-contained residential accommodation

**Status:** Withdrawn

**Reference Number:** 17/01439/LBC

**Description:** Listed Building Consent: Demolition of modern rear single storey extension, conversion of existing office building and construction of 2 No Cottages with associated external works providing twenty units of self-contained residential accommodation

**Status:** Withdrawn

**Reference Number:** 17/04070/FUL

**Description:** Change of Use (B1 to C3) of Prospect House comprising demolition of modern rear single storey extension, conversion of existing office building and construction of 2 No Cottages with associated external works providing eighteen units of self-contained residential accommodation

**Status:** Pending consideration

**Reference Number:** T/93/E/LB281

**Description:** Listed Building Consent - Application of bronze solar control film to windows to rear.

**Status:** Permitted

**Reference Number:** T/930281

**Description:** Listed building consent: Application of bronze solar control film to windows to rear

**Status:** Permitted

#### 4. Consultee Responses

Hexham Town Council	No objection but it is noted there has not yet been a response to the previous comment regarding public access to the viewing point and that this remains a concern.
Historic England	Do not wish to offer any comments
National Amenity Societies	No response received.
Building Conservation	No objection to principle of conversion but concerns with number of units and impact on listed building. Detailed room photos not been supplied as requested.

#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	35
Number of Objections	3
Number of Support	0
Number of General Comments	0

## Notices

Site Notice: expired 7 December 2017

Press notice: expired 15 December 2017

## Summary of Responses:

Three letters of objection have been received in which the main issues raised are:

- Level of development in excess of what the listed building can accommodate without compromising the integrity of the building
- Development not respect the listed building, the original layout and the size of rooms
- Fire safety and evacuation needs more consideration
- Council chamber needs to be demolished
- Unacceptable division of rooms 6 and 7
- Quality of detailing for the new build is poor
- Mock sash style windows not appropriate
- Car park should be landscaped and car parking reduced

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=OZ3AB7QSKF100>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Tynedale Local Development Core Strategy (2007)

BE1 Principles for the environment

Tynedale District Local Plan (Adopted April 2000)

GD2 Design criteria

BE21 Alterations to listed buildings

### 6.2 National Planning Policy

National Planning Policy Framework (2012)

National Planning Policy Guidance

## **7. Appraisal**

7.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest which it possesses.

7.2 The NPPF states that when determining planning applications, local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to a viable use consistent with their conservation; and the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.3 All the changes to the building are detailed in the plans and the Heritage Statement. Some of the proposals involve the reinstatement of features and rooms, including the removal of modern partitions. In general, existing internal door openings would be utilised or where they are not required would be retained by being pinned shut. Internal fittings such as kitchens have been sited, following amendments to the plans, to avoid historic features. A new connection would be provided from Prospect House to the cottages. The former stable buildings, adjacent to Hallstile Bank, would use the upper floor for accommodation, with no current proposals for the lower two floors. The former Council Chamber would be converted to two apartments including the introduction of a mezzanine floor. The cottages which have few visible internal features surviving would be converted to accommodation. The modern flat roofed extension attached to these would be removed and replaced with two new two storey cottages. These would be connected by a glass and wooden link building. The cottages which would use similar materials to the existing cottages would have a traditional glazing pattern within wooden sash windows.

7.4 The Conservation Officer has assessed the application and acknowledges that the number of units and therefore the number of internal sub-divisions have been slightly reduced. The Officer still has concerns regarding the number of units and its' impact on the building, including its loss of character and appearance. The Officer considers that features would be squashed into small spaces, to the detriment of historic plan form. This view has also been expressed by objectors to the application, as well as the detail and style of windows not being appropriate, the size of flats is not what is required in Hexham and that the amount of car parking should be reduced and there should be some landscaping to the rear.

7.5 These comments are acknowledged and some amendments have been made to the proposal. Prospect House has, however, been vacant for a number of years following the closure of the council offices. The building is in need of a new use and repairs to the fabric. The building has also been subject to vandalism and there is a risk that this could escalate. It is considered that the development of the building to a residential use, including the construction of two new dwellings would lead to less than substantial harm to the significance of the designated listed buildings. In cases where harm is demonstrated, this harm has to be weighed against the public benefits of the proposal, including securing its optimal viable use. Prospect House is a very prominent building in the centre of the town and clearly visible as one enters the town from the north. A new use is required which would not have a detrimental impact on the historic fabric and which would conserve those features that remain within the building, thereby sustaining this important group of listed buildings into the future. The removal of the flat roofed extension on the south-east corner of the cottages would benefit the building overall, and the construction of the two new cottages, subject to conditions in relation to materials and detailing would provide additional accommodation and an enhancement to that area of the building.

7.6 Although the Conservation Officer still has concerns about the development in terms of the subdivision of the building into units, it is considered that the development would, subject to relevant conditions, not harm the fabric of the listed building and the public benefit of bringing this important former municipal building back into use would weigh against the harm that would result from the application. It is considered that subject to relevant conditions, the application would accord with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21 and the NPPF.

### Equality Duty

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

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

### Human Rights Act Implications

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.

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.

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

The application has been assessed against Local Plan and national planning policies and relevant legislation. It is considered that the development would, subject to relevant conditions, not harm the fabric of the listed building and the public benefit of bringing this important former municipal building back into use would weigh against the harm that would result from the application. It is considered that subject to relevant conditions, the application would accord with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21 and the NPPF.

## 9. Recommendation

That this application be GRANTED permission subject to the following:

### Conditions/Reason

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

001 Rev C Existing ground floor  
007 Rev B Existing elevations  
008 Rev D Proposed elevations  
009 Rev K Proposed Ground Floor  
010 Rev K Proposed First Floor  
012 Rev H Proposed Second and Third Floor  
013 Rev A Enabling Works Ground Floor Plan  
014 Rev A Enabling Works First Floor Plan  
015 Rev A Enabling Works Second and Third Floor Plan  
017 Rev B Proposed Ground Floor  
018 Rev A Proposed Ground Floor  
019 Rev A Proposed First Floor  
020 Rev B Proposed First Floor  
021 Rev A Proposed Second and Third Floor  
022 Rev A Conversion Construction Details  
023 Existing Site Location and Block Plan  
024 Rev A Proposed Block Plan  
025 Rev A Car Park Access Adaptions  
026 Rev B Proposed New Cottages and Porch elevations  
027 Rev B Internal construction details  
028 Internal construction detail locations  
029 Internal construction detail locations

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



3 Prior to the commencement of development samples and details of any roof vents, ventilation grilles, flues and soil pipes shall be submitted to and improved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

4 If there are any repairs to windows, stone, brickwork and roofs, a method statement and specification of the repairs and to include samples and details of fixings and mortar mix shall be made available to the Local Planning Authority for their inspection and approval prior to any repairs being undertaken. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

5 Notwithstanding any information as submitted, prior to the commencement of development, details at a scale of 1:5 of any new windows, which shall be double hung sliding sash and to include the construction, glazing, opening mechanisms and the depth of the reveal shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

6 Prior to the commencement of development, details at a scale of 1:5 of new external doors including proposed frames, panels and depth of reveal and new internal doors shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

7 Prior to the commencement of the building of the new cottages, samples of the reclaimed brickwork, slate and all other materials used in the external construction shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

8 Notwithstanding any information as shown on drawing 008 Rev D, the modern windows shall be replaced in the cottages with wooden windows to a design that shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

9 Prior to the commencement of works to the external areas of the building and notwithstanding the information as submitted, details of any boundary treatments, including works to existing boundaries and finishes to external areas, including the inner courtyard and the car park which shall be demarcated by natural materials, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

10 All rainwater goods shall be black painted cast iron in a traditional form and fixed to the building using spiked brackets.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

11 Prior to the commencement of development, a Conservation Strategy shall be submitted to and approved in writing by the Local Planning Authority detailing the protection of all historic features, including the staircase, windows and glazing, fireplaces, panelling, plaster ceilings, cornicing and any other internal architectural features, during the works to the building. Thereafter all works to historic features shall follow this strategy.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

12 Any existing cornicing, picture rail and other mouldings and features either currently visible or discovered during the works to the building shall be retained, repaired and replicated if sections are missing or damaged. Details of these features and the works proposed shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

13 Details of the paint colour and finish, including manufacturer's specification to be used on the external areas of the building shall be submitted to and approved in writing by the Local Planning Authority prior to any painting work commencing. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

14 Prior to the commencement of internal development of the hallway, full details of the restoration and decoration of the main and inner hallways shall be submitted to and approved in writing by the Local Planning Authority prior to any restoration work

commencing. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

15 The tiled floors shall be retained within the building and shall be protected during the course of development, and if any restoration works are required, details shall be submitted to and approved in writing by the Local Planning Authority prior to any restoration work commencing. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

16 Drawings at a scale of 1:5 shall be submitted to and approved in writing for any new plasterboard walls that involve the scribing around of historic features. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

17 Notwithstanding the details shown in drawing 022 Rev A, and once investigations have taken place for the requirements for sound and fire protection measures, full details shall be submitted to and approved in writing by the Local Planning Authority prior to any restoration work commencing. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

18 A detailed service plan showing the position of all new plumbing, electrical and mechanical services for the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Thereafter the development shall not be constructed otherwise than in accordance with the approved details.

Reason: To ensure works are carried out in a manner consistent with the character of the building and in accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

19 Prior to works to the windows of the former Council chamber, detailed drawings of the works proposed and samples of the stone for extending the surround shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Thereafter the development shall not be constructed otherwise than in accordance with the approved details.

Reason: To ensure works are carried out in a manner consistent with the character of the building and in accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

20 Drawings at a scale of 1:20 of the proposed link between the existing and the new cottages, and to include details of the interface between the buildings, details of the glazing and a sample of the timber with the specification for its' treatment, shall be submitted to and approved in writing by the Local Planning Authority prior to any works to the link. Thereafter the development shall not be constructed otherwise than in accordance with the approved details.

Reason: To ensure works are carried out in a manner consistent with the character of the building and in accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

21 Samples and details of the reclaimed brickwork and the slate to be used in the construction of the new cottages shall be submitted to and approved in writing by the Local Planning Authority prior to any works to the link. Thereafter the development shall not be constructed otherwise than in accordance with the approved details.

Reason: To ensure works are carried out in a manner consistent with the character of the building and in accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE21.

22 All existing original doors shall be retained and if required to be altered in any way, details shall be submitted to and approved in writing by the Local Planning Authority prior to any works. Thereafter the development shall not be constructed other than in accordance with the approved details.

Reason: In the interest of the appearance and character of the listed building. In accordance with Core Strategy Policy BE1 and Local Plan Policies GD2 and BE22.

**Background Papers:** Planning application file(s) 17/04071/LBC