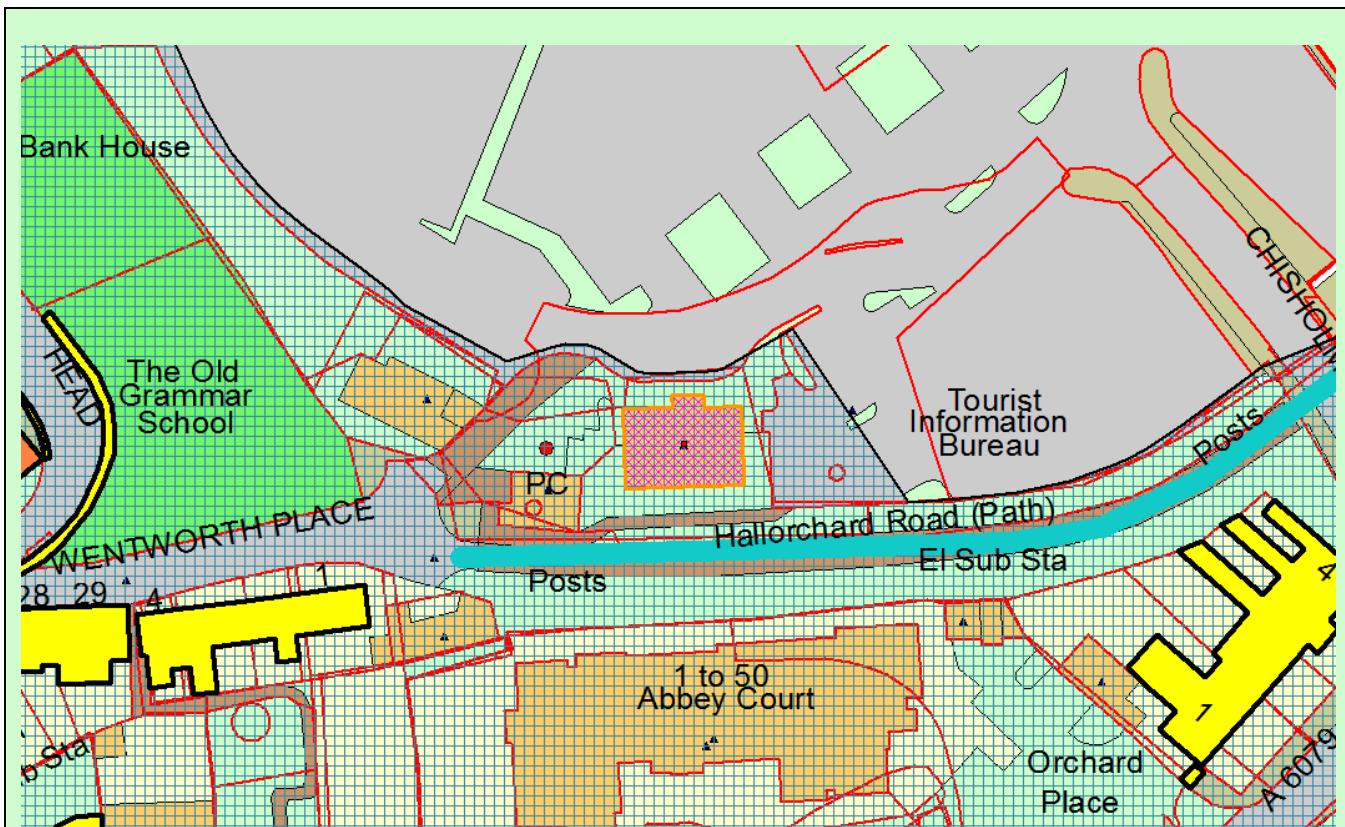




Northumberland County Council

Tynedale Local Area Council Planning Committee 13 November 2018

Application No:	18/03195/FUL		
Proposal:	Change of use to charity shop		
Site Address	Hexham Tourist Information Centre, Wentworth Car Park, Alemouth Road, Hexham, Northumberland, NE46 1QE		
Applicant:	Mr Gareth Edwards Far Place Sidehead, Westgate, Bishop Auckland, DL13 1LE	Agent:	None
Ward	Hexham East	Parish	Hexham
Valid Date:	19 September 2018	Expiry Date:	14 November 2018
Case Officer Details:	Name: Miss Rachel Campbell Job Title: Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		



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1. Introduction

1.1 This application falls to be determined by members of the Tynedale Local Area Council Planning Committee, in accordance with the Council's current Scheme of Delegation, as the building is owned by Northumberland County Council.

2. Description of the Proposals

- 2.1 Planning permission is sought for the change of use of Hexham Tourist Information Centre, Wentworth Car Park, Alemouth Road, Hexham to a A1 (Retail) use. This application seeks to change the unit from a tourist information centre to a charity shop.
- 2.2 The floor space of the proposed charity shop would measure 154 square metres and the change of use would not increase the floor space of the building. The change of use would provide employment for one full time member of staff and one part time member of staff. The hours of opening would be from 09:00 – 17:30 Monday to Saturday and 10:00 – 16:00 Sundays including Bank Holidays.
- 2.3 The change of use would not involve any external changes to the building and would not involve any internal alterations. Section 29 of the application form states that the applicant has served notice on the owner of the building, Northumberland County Council. The building is currently vacant and was previously Hexham's Tourist Information Centre.
- 2.4 The application site is within Hexham Conservation Area, is within a low risk coal advice area and is within an Impact Risk Zone for a nearby SSSI. There are also a number of listed buildings within the wider locality.
- 2.5 The change of use application has been submitted alongside an advertisement consent application (planning reference: 1803196/ADE) for the display of one fascia signage to advertise the Farplace Animal Rescue Charity Shop.

3. Planning History

Reference Number: 18/03196/ADE

Description: Advertisement Consent for non-illuminated fascia sign to front elevation

Status: Pending Consideration

Reference Number: T/980567

Description: Construction of tourist information centre and public toilets

Status: Permitted

Reference Number: T/980302

Description: Construction of tourist information centre (As amended by drawing no. TICWENT/11.DWG received 11.5.98)

Status: Refused

4. Consultee Responses

Public Protection	No comment.
Building Conservation	No objection.
Highways	No objection.
Hexham Town Council	No objection as any shop is better than an empty premise but Hexham Town Council believes there may be more appropriate use of the building and hopes Northumberland County Council can find a better tenant.
Strategic Estates	Strategic Estates are aware of the application and have no further comment to make.
Hexham Business Improvement District	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	0
Number of Support	0
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee.

Notices

Site Notice affecting Conservation Area – Displayed on 16th October 2018
Press notice in Hexham Courant – Published on 27th September 2018

Summary of Responses:

None received.

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=PEMGT5QSIWO00>

6. Planning Policy

6.1 Development Plan Policy

Tynedale LDF Core Strategy (2007)

Policy BE1 – Principles for the Built Environment
Policy EDT1 – Principles for Economic Development and Tourism
Policy GD1 – The General Location of Development
Policy GD4 – Principles for Transport and Accessibility

Tynedale District Local Plan (2000)

Policy BE22 – The Setting of Listed Buildings
Policy ED11 – Small Scale Opportunities from New Sites, Redevelopment or Conversion
Policy GD2 – Design Criteria for all Development
Policy GD4 – Range of Transport Provision for all Development
Policy GD7 – Car Parking Standards within the built-up areas

6.2 National Planning Policy

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

6.3 Other Documents/Strategies

Hexham Neighbourhood Plan: Pre-Submission Consultation Draft March 2018
(note the plan can only be given limited weight at this stage)

Policy BE1 – Locally Distinctive and High Quality Design
Policy BE3 – Sustainable Design
Policy LE3 – New Business Units

7. Appraisal

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

- Principle of the development;
- Impact upon visual amenity and heritage assets;
- Impact upon residential amenity; and
- Highway safety.

Principle of the Development

7.2 Policy GD1 of the Tynedale LDF Core Strategy refers to the principles for the location of development. The policy states the main towns of Hexham, Prudhoe and Haltwhistle should be the main focus for development. The building of the proposed change of use is located within the market town of Hexham and would involve the re-use of an existing building. The proposal would not increase the footprint of the unit. The scale of the proposal would be acceptable within the town of Hexham and would accord with Policy GD1 of the Tynedale LDF Core Strategy.

7.3 Paragraph 80 of the NPPF states *“planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.*

Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development". Policy EDT1 of the Tynedale LDF Core Strategy sets out the principles for economic development and tourism including supporting a buoyant and diverse local economy. The proposed change of use meets the principles set out within this policy and therefore is in accordance with Policy EDT1 of the Tynedale LDF Core Strategy.

7.4 Policy ED11 of the Tynedale District Local Plan refers to small scale employment opportunities. This policy states new sites, by redevelopment or conversions will be permitted within or adjacent to existing settlements as long as the criteria can be met. These will be considered further below.

7.5 The proposal is a change of use and would re-use an existing vacant building and would not alter the external appearance of the building. Therefore the proposal would not harm the character of the town of Hexham or the wider area and would be acceptable as a matter of principle in accordance with Policies GD1 and EDT1 of the Tynedale LDF Core Strategy and the principles of the NPPF.

Impact upon Visual Amenity and Heritage Assets

7.6 The proposed change of use to Class A1 would not adversely impact upon the adjoining land and buildings. The proposal would change the use of the building from a tourist information centre into a retail unit to be utilised as a charity shop. The Council's Building Conservation Team has been consulted on this application to assess the impact of the proposed change of use upon the setting of the nearby Listed Buildings and the character of Hexham Conservation Area. The Council's Building Conservation Officer has no objection to the proposal. The change of use would not alter the external appearance of the building and therefore would not adversely affect the Hexham Conservation Area, the setting of the nearby Listed Buildings or the wider street scene. The proposal would accord with Policies BE22, GD2 and ED11 of the Tynedale District Local Plan.

Impact upon Residential Amenity

7.7 Hexham Tourist Information Centre is a detached building located to the south of the Wentworth Car Park. The building is located within a central location within the market town of Hexham. The building is situated within a built-up area with a mixture of commercial and residential buildings. There are two buildings within close proximity to Hexham Tourist Information Centre; one of which is a block of public toilets and the other is the Wentworth Café. The proposal is to change the use of the building from a tourist information centre to a retail unit. The proposal would not involve altering the external appearance of the building. The advertisement consent application reference 18/03196/ADE will be assessed separately to this change of use application and seeks consent for the display of one fascia signage. The Council's Public Health Protection Team has been consulted on this application and has no comment to make. The opening hours, which are typical of this type of use, are considered to be acceptable. It is considered that the residential amenity of neighbouring properties would be protected and the proposed change of use would accord with Policies ED11 and GD2 of the Tynedale District Local Plan.

Highway Safety

- 7.8 Policy GD4 of the Tynedale LDF Core Strategy sets out the principles for transport and accessibility. Policy GD4 of the Tynedale District Local Plan sets out the criteria relating to transport for all types of development. Policy GD7 of the Tynedale District Local Plan relates to the car parking standards within the built-up areas of Hexham, Haltwhistle, Prudhoe and Corbridge.
- 7.9 The Council's Highway Development Management Team has been consulted on this application and has no objection to the proposed change of use. It is considered that no issues arise from the proposal. The application site is accessed from the U829 which has a speed limit of 20mph onto a private drive. There are existing pedestrian and public links in place connecting the site to the local amenities in Hexham. The proposed change of use to a charity shop would not create any road safety issues at this location. The proposed signage is also considered to be appropriate, but this will be assessed in more detail under advertisement consent application reference 18/03196/ADE. Due to the location of the development, within the town centre, designated car parking would not be required. The proposed change of use can utilise the existing car parking available within the town centre. It is also considered that the existing refuse collection can be extended to incorporate the proposed change of use. The proposed change of use is considered to be in accordance with Policy GD4 of the Tynedale LDF Core Strategy, Policies GD4 and GD7 of the Tynedale District Local Plan and the aims of the NPPF.

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 National and local planning policies have been taken into consideration when assessing this application. It is considered that the proposed change of use represents an appropriate form of development and would accord with Policies BE1, EDT1, GD1 and GD4 of the Tynedale LDF Core Strategy, Policies BE22, ED11, GD2, GD4 and GD7 of the Tynedale District Local Plan and the aims of the National Planning Policy Framework.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development shall be carried out in complete accordance with the details shown on the following plans:

1. Buy A Plan – Block Plan (Date: 5th Sep 2018) (Received on: 06/09/2018)
2. Buy A Plan – Location Plan (Date: 5th Sep 2018) (Received on: 06/09/2018)
3. HERITAGE STATEMENT (No Date) (Received on: 17/09/2018)
4. Proposed Signage Plan (No Date) (Received on: 20/09/2018)

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

03. The opening hours shall be as detailed within this application:

Monday to Saturday: 09:00 – 17:30

Sundays: 10:00 – 16:00

Reason: For the avoidance of doubt and in the interests of amenity in accordance with Policy GD2 of the Tynedale District Local Plan.

Date of Report: 24.10.2018

Background Papers: Planning application file(s) 18/03195/FUL