

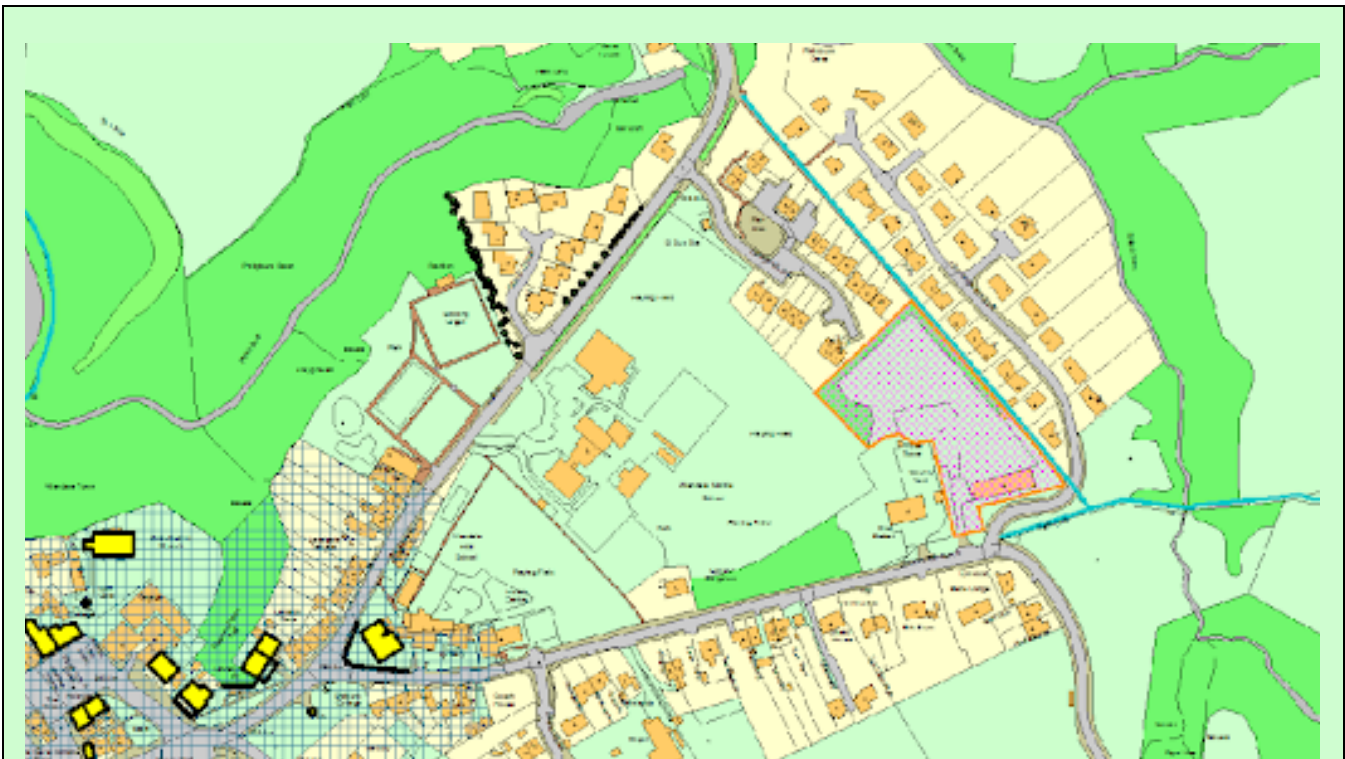


Northumberland County Council

Tynedale Local Area Council 15 January 2019

Application No:	18/03728/VARCCD		
Proposal:	Variation of condition 2 (plans) pursuant to planning application 16/02705/CCD in order to allow change of barn type		
Site Address	Council Depot, Shilburn Road, Allendale, Hexham, Northumberland, NE47 9LG		
Applicant:	Mr Michael Carle, Local Services Group, Blyth, Northumberland, NE24 5TF	Agent:	None
Ward	South Tynedale	Parish	Allendale
Valid Date:	31 October 2018	Expiry Date:	26 December 2018
Case Officer Details:	Name: Mr Daniel Puttick Job Title: Senior Planning Officer Tel No: 01670 622635 Email: daniel.puttick@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

- 1.1 This application is for County Council Development. Under the Council's current Scheme of Delegation, the application falls to be determined by members of the Tynedale Local Area Committee as the Council have a significant interest in the land. In addition, Allendale Parish Council have objected to the application. A full summary of their comments is provided within this report.

2. Description of the Proposals

- 2.1 An amendment to planning permission granted under 16/02705/CCD is sought in order to vary the approved plans, thereby enabling the construction of an alternative salt barn. Planning permission was granted under application 16/02705/CCD for a proposed salt barn to protect Highways stocks of currently uncovered bulk stored road salt materials, which would have had a 4000 tonne capacity. This application proposes a change in the type of barn to provide a 'Eurodome', which would have a circular footprint and dome shaped roof structure reaching a maximum height of 13.7m with a maximum diameter of 27.8m.
- 2.2 The structure would centre on a retaining wall, with a steel roof structure clad with bitumen roofing shingles applied over roofing felt, with a roller door measuring 6m in width to the front allowing vehicular access. The structure would be located in the north west corner of the site, which is situated within the depot yard access from Shilburn Road.
- 2.3 Planning permission granted under application 16/02705/CCD authorised the construction of a steel framed building with polyester fabric cladding panels, with internally located pre-cast concrete panels providing foundation for the salt pile. This structure would have had a height of 10.1m, width of 17.5m and total length of 45m.
- 2.4 The application site is located within the settlement of Allendale, which is within the North Pennines Area of Outstanding Natural Beauty.

3. Planning History

Reference Number: 16/02705/CCD

Description: Proposed salt barn to protect Highways stocks of currently uncovered bulk stored road salt materials (4000 tonne capacity)

Status: Permitted

Reference Number: T/20061452

Description: Northumberland County Council - 06/00191/CCM : Replacement staff amenity building and alterations to layout

Status: No Objections

4. Consultee Responses

Allendale Parish Council	Allendale Parish Council object to the application.
Highways	No objections subject to conditions
North Pennines AONB	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	15
Number of Objections	1
Number of Support	0
Number of General Comments	1

Notices

General site notice, displayed on site on 20th November 2018
No Press Notice Required.

Summary of Responses:

One letter of objection has been received, raising concerns about the increase in height of the development which will result in a built significantly higher than the roofs of surrounding properties and therefore not screen by existing tree and shrub belts as referenced in the original planning application. A further letter of representation has been received in relation to this application, raising concerns as to the size of the salt barn and questioning why it needs to be so large. Concerns are also expressed at the removal of trees from the site in September, which has opened up views of the site.

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=PGUD60QS0K400>

6. Planning Policy

6.1 Development Plan Policy

Allendale Neighbourhood Development Plan (2015)

ANDP 1 General Development Principles

Tynedale Core Strategy (2007)

GD1 Locational policy setting out settlement hierarchy
BE1 Principles for the built environment
NE1 Principles for the natural environment

Tynedale Local Plan (2000, Policies Saved 2007)

GD2 Design Criteria for development, including extensions and alterations
GD4 Range of transport provision for all development
GD6 Car parking standards outside the built-up areas
NE15 Development in the North Pennines AONB

6.2 National Planning Policy

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

6.3 Emerging Planning Policy

Northumberland Local Plan – Publication Draft Plan Regulation 19

6.4 Other Documents/Strategies

North Pennines AONB Building Design Guide (2011)
North Pennines AONB Planning Guidelines (2011)

7. Appraisal

- 7.1 The principle of the development has already been established as acceptable in the granting of planning permission under application 16/02705/CCD, which authorised the construction of a new barn for the storage of grit salt within the Council Depot in Allendale. This application proposes a revised design, in a similar location within the site. The main issues for consideration are therefore limited to matters of design, the impact on residential amenity, landscape impact and highways safety.

Design

- 7.2 The previous application proposed the construction of a new storage barn to house road salt, which would measure 45m in length, 17.5m in width and 10.1m in height. That barn would comprise a tubular lattice roof frame constructed of steel, with single ply polyester fabric cladding panels to the roof and walls. Internally, pre-cast concrete panels would provide foundation for the salt pile. The building would have had a rectangular footprint and curved roof structure with an East-West orientation.
- 7.3 This application proposes a structure with a circular footprint and domed roof structure, reaching a height of 13.7m. The building is one which is fit for its purpose to house rock salt, which requires an accommodating structure to maximise the capacity of stock held at the site while also ensuring its protection from the elements. The size of the building is derived from the need to maintain a large stock pile of salt to service the surrounding highway

network, particularly in the remote locations around Allendale. Due to the size of the building, providing something of architectural interest would have significant cost implications and as a result the building's appearance is derived from its function.

- 7.4 Being set within an existing Council depot, adjacent to the fire station and school, the building would not be entirely at odds with its surroundings in terms of its scale. Views of the building are not widespread, and the dome would be seen against the backdrop of the school and depot. Though large in scale, it is considered that the design is appropriate for its use and setting. The use of the proposed materials is preferable in this location due to its proximity to a residential estate, and would ensure that the structure does not cause significant harm to the character of the local area. It is acknowledged that the building is larger than nearby houses, however given the topography of the landscape and surrounding features it would not be a visually intrusive addition within the street scene, though it is accepted that it would be more visible to neighbouring properties than previously due to the removal of trees within the site.
- 7.5 It is inevitable that some harm would arise from the construction of such a large building at the site, however this must be balanced against the requirements of the building which dictate its size. Due weight is given to the benefits arising from the proposal in terms of ensuring adequate protection of salt and in this instance the limited harm identified would be outweighed by the benefits of the proposal. Consideration must also be given to the extant planning permission at the site for a salt barn of of a similar scale but alternate design. The application is considered to be acceptable in this respect, in accordance with the aims of Policy ANDP1 of the Allendale Neighbourhood Plan, Policy BE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale Local Plan and the aims of the NPPF.

Residential Amenity

- 7.6 The application site is located on the eastern end of Allendale, within the existing Council depot site. The proposed new building would be located further to the north west within the site than the approved structure, which would reduced the impact upon neighbouring residents. Although larger in size, the increase in separation distance and the dome structure of the roof are factors which would be considered to reduce the impact of the development on neighbouring residents when compared with the effects that would arise from the construction of the building approved under application 16/02705/CCD.
- 7.7 It is acknowledged that there would remain some late night overshadowing for properties, however due to the shape of the roof structure and the fact that the building would be set further back from residential dwellings the effects of this would be insufficient to justify refusal of the planning application. Given the very limited amount of harm arising in terms of the impact on residential amenity, it is considered that the benefits of the proposal would outweigh the negatives and accordingly the development is viewed to be acceptable in accordance with Policy ANDP1 of the Allendale Neighbourhood Plan, Policy GD2 of the Tynedale Local Plan and the aims of the NPPF.

Landscape Impact

- 7.8 The site falls within the North Pennines Area of Outstanding Natural Beauty (AONB), whereby Policy NE15 of the Tynedale Local Plan states that priority will be given to the protection and enhancement of the landscape and natural qualities of the AONB. Policy ANDP1 of the Allendale Neighbourhood Plan states that all development shall be designed and located having regard to the principles and advice set out in the North Pennines AONB Building Design Guide and Planning Guidelines, and shall be located so as to ensure that it does not adversely affect the amenity of residents or other sensitive land uses or character and appearance of the settlement or area in which it is located.
- 7.9 The location of the building within the settlement boundary of Allendale would aid the protection of the scenic qualities of the rural areas of the AONB. Though large in scale, the building would be screened by existing development surrounding the site. A condition to secure details of the colour and finish of the external materials is considered to be necessary in absence of such details.
- 7.10 The location and construction of the building is such that no significant harm would be imposed on the special scenic qualities of the AONB. The North Pennines AONB Partnership have been consulted on the application, commenting only to raise awareness of the impact the external finish may have and noting some discrepancies on the proposed plans. To ensure that the building has a satisfactory appearance upon completion of the works, in the interests of preserving the landscape character of the AONB, it is proposed to impose a condition requiring precise details for the external finish of the building to be submitted to, and approved in writing by, the Local Planning Authority. Subject to satisfactory details being submitted in order to discharge this condition, it is considered that the AONB would be preserved in accordance with the aims of the NPPF, Policy NE15 of the Tynedale Local Plan and Policy ANDP1 of the Allendale Neighbourhood Plan.

Highways Safety

- 7.11 The application has been assessed for its impact on the road network by the Highway Authority. It is noted that the building would provide accommodation for an existing stock of rock salt in a more secure and protected environment. Sufficient parking and manoeuvring space would be retained within the site for vehicles to enter, deliver/accept materials and exit the site in a forward gear. Sufficient space is also provided within the building for vehicles to operate as required.
- 7.12 There are no safety implications associated with the site, and no concerns are raised by the Highway Authority. As the site is in use as a depot and has an appropriate access for goods vehicles, it is not considered that the proposals would be prejudicial to the safety of the road network. The development is acceptable in this respect in accordance with Policies GD4 and GD6 of the Tynedale Local Plan and the aims of the NPPF.

Equality Duty

- 7.13 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

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

Human Rights Act Implications

- 7.15 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.
- 7.16 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.
- 7.17 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 proposed variation would provide a barn with a smaller footprint than that approved in application 16/02705/CCD. Although the barn would have a greater height, its dome shaped structure and location within the site are considered to ensure that there would be no harm to the amenity of local residents, or on the character and scenic qualities of the North Pennines

AONB. There are no objections raised by the Highway Authority. Overall, the proposals are considered to be acceptable and any limited harm would be outweighed by the benefits of providing protection for the grit salt at this site.

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 planning permission ref 16/02705/FUL (28 September 2016).

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

02. The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans:

1. Drawing No. 01 - Scheme Location Plan and Layout
2. Drawing No. 218248 D 100 - LD-27-4PT6-30 Eurodome Salt Barn

Reason: To ensure the development is built in accordance with the approved plans in the interests of proper planning.

03. No development shall commence until a Construction Method Statement 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 shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. measures to control the emission of dust and dirt;

Reason: To prevent nuisance in the interests of ensuring residential amenity and highway safety from the outset of development, in accordance with Policies GD2 and GD4 of the Tynedale Local Plan.

04. Notwithstanding the detail contained within the application, no development shall commence until precise details of the materials and colour for the exterior of the building have been submitted to, and approved in writing by, the

Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development upon completion of the works from the outset of the development in accordance with Policy GD2 of the Tynedale Local Plan.

Background Papers: Planning applications 18/03728/VARCCD, 16/02705/CCD