

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: lesley.little@northumberland.gov.uk

Tel direct: 01670 622614

Date: 11 January 2021

Dear Sir or Madam,

Your attendance is requested at a virtual meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held on **THURSDAY, 21 JANUARY 2021** at **2.00 PM**.

Please note this will be a “virtual meeting” that will be streamed live on our Youtube channel at [youtube.com/NorthumberlandTV](https://www.youtube.com/NorthumberlandTV)

Yours faithfully

Daljit Lally
Chief Executive

To North Northumberland Local Area Council members as follows:-

G Castle (Chair), S Bridgett (Vice-Chair), T Thorne (Vice-Chair (Planning)), T Clark, G Hill, Lawrie, A Murray, W Pattison, G Renner-Thompson, G Roughead, Seymour and J Watson

Any member of the press or public may view the proceedings of this virtual meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting. However, the only participants in the virtual meeting will be the Councillors concerned and the officers advising the Committee.



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. **PROCEDURE TO BE FOLLOWED AT A VIRTUAL PLANNING COMMITTEE** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 12)

The minutes of the meeting of the North Northumberland Local Area Council held on Thursday 19 November 2020, as previously circulated, to be agreed and signed by the Chair.

4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room. NB Any member needing clarification must contact Legal Services, on 01670 623324. Please refer to the guidance on disclosures at the rear of this agenda letter.

5. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 13 - 18)

To request the committee to decide the planning applications attached to this report using the powers delegated to it. (Appendix A)

Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

6. **20/01238/FUL** (Pages 19 - 52)

The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.
Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland NE66 1LZ

- 7. 20/01239/LBC** (Pages 53 - 68)
- Listed Building Consent: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.
Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland NE66 1LZ
- 8. 20/02159/COU** (Pages 69 - 82)
- Change of use to storage facility to be used for container, boat and caravan storage
Land North East Of Chathill Station, Chathill, Northumberland
- 9. PLANNING APPEALS UPDATE** (Pages 83 - 94)
- For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.
- 10. S106 AGREEMENTS UPDATE REPORT** (Pages 95 - 98)
- For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.
- 11. PUBLIC QUESTION TIME**
- To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)
- As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.
- Please note however that a question may possibly be rejected if it requires the disclosure of any categories of confidential or exempt information, namely information:
1. relating to any individual;
 2. which is likely to reveal the identity of an individual;
 3. relating to the financial or business affairs of any particular person
 4. relating to any labour relations matters/negotiations;
 5. restricted to legal proceedings
 6. about enforcement/enacting legal orders

7. relating to the prevention, investigation of prosecution of crime.

And/or:

- is defamatory, frivolous or offensive;
- it is substantially the same as a question which has been put at a meeting of this or another County Council committee in the past six months;
- the request repeats an identical or very similar question from the same person;
- the cost of providing an answer is disproportionate;
- it is being separately addressed through the Council's complaints process;
- it is not about a matter for which the Council has a responsibility or which affects the county;
- it relates to planning, licensing and/or other regulatory applications
- it is a question that town/parish councils would normally be expected to raise through other channels.

If the Chair is of the opinion that a question is one which for whatever reason, cannot properly be asked in an area meeting, he/she will disallow it and inform the resident of his/her decision.

Copies of any written answers (without individuals' personal contact details) will be provided for members after the meeting and also be publicly available.

Democratic Services will confirm the status of the progress on any previously requested written answers and follow up any related actions requested by the Local Area Council.

12. PETITIONS

This item is to:

- (a) Receive any new petitions: to receive any new petitions. The lead petitioner is entitled to briefly introduce their petition by providing a statement in writing, and a response to any petitions received will then be organised for a future meeting;
- (b) Consider reports on petitions previously received: no reports are due to be considered at this meeting;
- (c) Receive any updates on petitions for which a report was previously considered: any updates will be verbally reported at the meeting.

13. LOCAL SERVICES ISSUES

To receive a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of members of the Local Area Council, who will also then have the

opportunity to raise issues with the Area Managers.

The Area Managers have principal responsibility for highway services and environmental services, such as refuse collection, street cleansing and grounds maintenance, within the geographic boundaries of the Local Area Council.

14. BUDGET 2021-22 AND MEDIUM TERM FINANCIAL PLAN

This presentation will outline the Council's strategy to the 2021-22 Budget within the context of the Corporate Plan. The presentation will provide details of the approach to setting the budget for the next financial year and the broad impact this will have on the delivery of services.

15. INORTHUMBERLAND UPDATE

(Pages
99 - 100)

The report attached at Appendix B provides an update to the Committee on iNorthumberland as requested at the meeting in November 2020.

16. BERWICK REGENERATION COMMISSION

This is a standing item on the agenda for verbal updates, if any

17. LOCAL AREA COUNCIL WORK PROGRAMME

To note the latest version of agreed items for future Local Area Council meetings (any suggestions for new agenda items will require confirmation by the Business Chair after the meeting) (Appendix C).

18. DATE OF NEXT MEETING

The next meeting will be held at 2.00 pm on Thursday 18 February 2021.

19. URGENT BUSINESS

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.

This page is intentionally left blank



Northumberland County Council

PROCEDURE AT VIRTUAL PLANNING COMMITTEE

A Welcome from Chairman to members and those watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is being held on a virtual basis
- (ii) Members are asked to keep microphones on mute unless speaking and otherwise respect the etiquette of a remote meeting including raising a hand when they wish to speak
- (iii) The changes to the public speaking protocol to include written representations being read out by an officer (but to retain speaking by local member where applicable)

B Record remote attendance of members

- (i) Legal officer asks each member in alphabetical order to indicate presence at meeting
- (ii) Democratic Services Officer (DSO) to announce and record any apologies received

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members' questions

Planning Officer

Updates – Changes to recommendations – present report

Public written representations and speaking (local member)

Objector(s) (up to 750 words) – to be read by Officer

Local member (up to 5 mins)/ parish councillor (up to 750 words)- to be read by Officer

Applicant/Supporter (up to 750 words) – to be read by Officer

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

Committee members' questions to Planning Officers

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

Debate (Rules)

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

Vote(by majority or Chair's casting vote)

- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then proceed to ask each member in turn to indicate which way they wish to vote – FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At a virtual meeting of the **North Northumberland Local Area Council** held on **Thursday, 19 November 2020** at **2.00 pm**

PRESENT

Councillor G Castle
(Chair in the Chair for items 147-150 and 156-162)

Councillor T Thorne
(Vice-Chair (Planning) in the Chair for items 151-155)

MEMBERS

Bridget SC
Hill GER
Murray AH
Pattison W

Renner-Thompson G
Roughead GA
Seymour C
Watson JG

OFFICERS

Brown J
Bucknall G
Cartmell V
Dixon L
Hodgson B
Hudson J
Little L
Masson N
Sinnamon E
Williams M

Public Health Consultant
Highways Delivery Area Manager
Principal Planning Officer
Democratic Services Assistant
Neighbourhood Services Area Manager
Planning Officer
Senior Democratic Services Officer
Principal Solicitor
Senior Planning Manager
Team Leader - ICT Practitioner SIFA

147. PROCEDURE TO BE FOLLOWED AT A VIRTUAL LOCAL AREA COUNCIL (PLANNING)

The Chair outlined the procedure which would be followed at the virtual meeting and of the changes to the public speaking protocol. He also advised Members that if their connection was lost during consideration of an application and it was not possible for a short recap to be provided then the Member would not be allowed to vote on the application.

148. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor T Clark.

149. MINUTES OF PREVIOUS MEETINGS

RESOLVED that the minutes of the North Northumberland Local Area Council held on Thursday 1 October 2020 and Thursday 22 October 2020, as circulated, be confirmed as a true record and be signed by the Chair.

150. DECLARATIONS OF INTEREST

Councillor Castle declared that he had a personal and prejudicial interest in item 7, Tree Preservation Order as his son was employed by Northumberland Estates who were objecting and he would leave the meeting for this item.

151. DETERMINATION OF PLANNING APPLICATIONS

The report (attached as **Appendix A** to the signed minutes) requested the Committee to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

RESOLVED that the information be noted.

152. 19/04930/FUL

**Erection of a rural workers dwelling with attached car port.
Land South East of the Hope Farm, Longframlington, Northumberland**

J Hudson, Planning Officer introduced the application to the Committee with the aid of a power point presentation advising that one objection had been received and this was from CPRE Northumberland.

There were no questions in respect of the Site visit videos which had previously been circulated.

In response to questions from Members, the following information was provided:-

- Any future request for the removal of the condition restricting the occupation of the resident of the proposed dwelling to the agricultural business would require an application for the variation or removal of that condition. As this was a development which would not have normally been considered in the open countryside it was not likely that this condition would be lifted.
- The Parish Council had been provided with the information regarding the agricultural worker, however they still maintained their objection.
- Whilst policies did not generally support development in the open countryside, there were some exceptions and it was considered in this instance appropriate to support essential farming need. The proposed development was an agricultural dwelling within the farmstead. The

design and massing of the proposed development was acceptable for the farmstead.

- The agricultural clause would allow a member of the farmer's family farm to live on the site enabling the functions of the farm to take place, it was on the edge of the farmstead and adjacent to other agricultural buildings.

Councillor Bridgett proposed acceptance of the officer recommendation to approve the application with the conditions outlined in the report which was seconded by Councillor Watson.

The Chair advised that he was fully supportive of this application within his Ward which was a genuine application from the family.

A vote was taken as follows: FOR 7; AGAINST 1; ABSTENTION 2.

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report.

Councillor Castle left the meeting for the following item.

**153. Tree Preservation Order (TPO)
Town and Country Planning Act 1990
(Land in the grounds of the former Dukes Middle School, The Dunterns,
Alnwick)
Tree Preservation Order 2020
(No. 4 of 2020)**

V. Cartmell, Principal Planning Officer introduced the report to the Committee with the aid of a power point presentation, advising that since publication a further letter of support had been received from Alnwick Town Council. This had been circulated to Members in advance of the meeting.

In response to questions from Members of the Committee the following information was provided:-

- The landowner had objected to the TPO as they felt it was unnecessary as a condition had been added to the planning permission for the site to provide protection to the trees. Officers felt it was appropriate for the TPO to provide protection as the granted permission might not come forward.
- The TPO would cover all trees and whilst the planning permission had not yet been issued, it would allow for the removal of those trees previously identified as part of the application for removal.
- It was confirmed that the trees were well established.

Councillor Hill proposed acceptance of the recommendation as outlined in the report which was seconded by Councillor Seymour.

A vote was taken and it was unanimously

RESOLVED that the Tree Preservation Order be confirmed without modification for the reasons set out at paragraphs 7.1 – 7.3 in the report.

Councillor Castle re-joined the meeting at this point.

154. S106 AGREEMENTS UPDATE REPORT

RESOLVED that the information provided be noted.

155. PLANNING APPEALS UPDATE

RESOLVED that the information provided be noted.

OTHER LOCAL AREA COUNCIL BUSINESS

156. PUBLIC QUESTION TIME

There had been no public questions submitted.

157. COVID UPDATE

J Brown, Consultant in Public Health for the Council provided an update to Members advising that there had been a steep increase in the number of positive cases in November after a plateau at the end of September and through October. Between the 9th to the 11th November had seen the highest number of positive cases and it was thought this could be due to the half term school holidays or pre-lockdown behaviour, although these numbers were now starting to fall. Whilst the majority of positive cases had been within the South East of the County, all Wards within the County had reported positive cases with larger numbers of cases now being seen in Alnwick, Bamburgh and Berwick. The number of positive tests for the last seven days was 879 across Northumberland with 92 in the North of the County. This was still a high level compared to August/September. The age group with the highest number of positive cases in the North was 40-49 compared to the rest of the County which was within younger age groups. There was also concern with an increase in positive cases in the over 65s in all areas. The Committee was advised of the four dedicated wrap-around outbreak prevention groups for specific groups of residents. Half of the Public Health team were now dealing with outbreaks in schools and some outbreaks had also happened within care homes which unfortunately had resulted in some deaths. The local testing site in Spittal had come online the previous week which was managed by the NHS and a mobile testing site was still also operating in Berwick. The Council's care home visiting policy was in line with national guidance had been sent out the previous week and Covid champions were being recruited to help with myth busting. The Behavioural Insights and the Regional Behaviour Change Campaign was ongoing and work would be undertaken with care home staff on this. The testing of NHS staff and the use of later flow tests was highlighted with the logistics being looked at and the preparation of the NHS for a

vaccination programme. It was still important that focus was also kept on handwashing, space and the use of masks and cleaning of work areas.

The Chair thanked Dr Brown for his update and highlighted inconsistencies within the current lockdown arrangements for exercise classes to be held outdoors. Dr Brown advised that whilst it was important to get out it was important to reduce social contact and the best advice was for residents not to mix.

Councillor Bridgett advised that he stood by his comments made at a previous meeting when Councillor Hill requested greater engagement and the need for more public involvement, in that the County had moved into Tier 2 too quickly without any discussion and Councillors had not been advised of this in advance. He questioned what the outcome for the County would be after the Country came out of lockdown on 2 December. Dr Brown advised that prior to lockdown the Council had been in negotiations with the Department of Health on moving into Tier 3 and he was of the opinion that based on the current figures the Council would be in that Tier after lockdown and there would be no negotiations. Tier 2 had only enabled the figures to plateau and Tier 3 would be needed to actually reduce the number of cases.

Councillor Hill hoped that we would continue to be able to have these discussions in this forum in order to give the North Northumberland perspective but had hoped to be moving away from the Tier system. Whilst the majority of residents had welcomed the testing site at Spittal, neighbours had reported issues with noise and floodlighting of the site after it had closed for the night. She also asked that more education be provided on how the virus was spread and information provided on the bubble system and how this worked when travelling across the border into Scotland. Dr Brown would feed back issues regarding the noise and ask that this be kept to a minimum but it was difficult when having to rely on generators. He would also seek advice on the question of cross border travel. The current advice was not to spend any time within 2 metres of anyone, wear a face covering and PPE if required in a work environment. Being within 1 metre – 2 metres for 15 minutes or more significantly increased the risk of contracting Covid.

The numbers using the new testing sites had been requested from Deloittes but that information had not yet been provided, however this data was confidential so clarification would need to be sought on if this could be shared with Members. It was stressed that appointments were still required to attend these new sites and residents could not just walk in and request a test. Members asked that updates continue to be made to the Local Area Councils, and Dr Brown was thanked for his attendance.

158. PETITIONS

No new petitions were received nor were there any updates on petitions previously considered.

159. LOCAL TRANSPORT PLAN 2020/21 – CAPITAL PROGRAMME UPDATE

North Northumberland Local Area Council – 19 November 2020

P. Jones, Service Director Local Services, introduced the report (attached as **Appendix C** to the signed minutes) highlighting the scale of the challenge in delivering this plan this year during extremely challenging circumstances. He advised that in addition to the £18.591m LTP programme which had been approved on the 2 April 2020, a further capital investment of £15m had been made for the highway maintenance of U and C roads and footways across 2020/21 and 2021/22 with an initial programme worth £10m approved for the first phase within 2020/21. The Council had also secured £11.4m in funding from the Government with an initial programme of £9m as the first phase approved on 20 August 2020. The Council was one of a few Councils who had been successful in securing a third award of DfT Challenge funds following a bid for £3.7m towards an overall £4.8m Steel Bridge Refurbishment Programme.

Covid had resulted in some delays to the delivery of the programme with the initial focus on ensuring emergency and reactive repairs could be safely undertaken. The steps taken to ensure safe working methods and adaptations to plant and equipment were outlined which had enabled the construction programme to restart in June 2020. Design and office based staff were able to successfully work remotely from home. Updates were provided in relation to the road maintenance programme with the remaining resurfacing schemes programmed to be substantially completed during the remainder of the financial year and the annual surface dressing programme completed in mid-September. The micro-surfacing programme in more urban areas had been completed. An additional £9m allocated to the maintenance programme had allowed the opportunity to extend or enhance schemes which had already been in the current year's LTP. The improvements to footway and cycling networks was highlighted and progress on bridge projects was provided. Information was provided on landslip repairs and the work being undertaken for a long-term solution to the problems on the B6344 at Todsteads, along with drainage works undertaken at Longframlington and works on the C road running past Winter's Gibbet and Harwood Forest near Elsdon.

The work undertaken by all staff in delivering the massive programme in challenging circumstances was recognised and he thanked staff for undertaking the additional duties and for their continuing help in keeping the County safe for its residents and visitors.

Mr Jones was thanked for his comprehensive update. He would clarify who was funding work being undertaken on Bondgate Tower in Alnwick and the position on the replacement of signs regarding Covid in areas where they were deteriorating. In response to a question regarding the funding of the long term solution for the problems at Todsteads, Members were advised that some of the additional £11.4m funding had been retained for this and the scheme would also be included in the next two years LTP as it was likely to be a multi-year scheme. Once options and costings were known these would be shared with Members.

160. LOCAL SERVICES UPDATES

North Northumberland Local Area Council – 19 November 2020

G Bucknall, Highways Delivery Area Manager, provided information on several resurfacing schemes which had been completed in the North of the County, advising that two schemes in Spittal would also be completed before Christmas. Signs regarding social distancing would be checked within towns and replaced if required. Members welcomed all the work that had been undertaken on improving the roads in the North of the County and thanked Mr Bucknall and his team.

- It would be clarified if road markings on the road from Alnwick Fords to Longframlington where resurfacing works had been undertaken would be repainted, as requested by Councillor Thorne.
- An email had been received in relation to the road at Elyhaugh Farm to which Mr Bucknall would respond and he would also go out to investigate the current condition of the road. It was highlighted that this farm provided contracted winter services on behalf of the Council and the area depended on them being able to provide this service.
- The current position in relation to Rothbury Road traffic calming measures would be followed up.
- Resurfacing of Billendean Road work was about to commence and Councillor Hill questioned if residents had been consulted regarding the removal speed humps. This would be clarified with Neil Snowdon.
- The floodgate at the West End was currently being manufactured and would be ready for installation in the next few weeks. Councillor Hill would email the concerns raised by a resident that the stonewalls were now actually coming down.
- There were two further days' work scheduled on the road at Great Tossen for 14 December.
- Funding was allocated for footpath works on both Swansfield Park Road and Wagonway Road in Alnwick and the work would be completed by the end of March.

B Hodgson, Neighbourhood Services Area Manager advised of the arrangements which had to be put in place to ensure the safety of staff undertaking front line roles during the current pandemic. He also advised of the extra work undertaken to ensure the safety of residents and visitors following the relaxation of the first lockdown period.

In response to comments and questions from Members the following was noted and would be followed up if necessary:-

- The weeds at Market Cross in Belford had already been flagged up as an issue and would be dealt with.
- The issue with badgers disturbing graves had been passed to Pest Control who would be attending to look at options, however it was noted that badgers were a protected species. Mr Hodgson would meet with them on site to ascertain what information could be passed to residents.

Members congratulated and thanked both the Neighbourhood Services Area Manager and Highways Delivery Area Manager and their staff for the quality and amount of work that had been undertaken in difficult circumstances.

RESOLVED that the information was noted.

161. WINTER SERVICES PREPAREDNESS AND RESILIENCE REPORT

The report (attached as **Appendix B** to the signed minutes) provided an update on the pre-season preparations ahead of the forthcoming winter services season. It was confirmed that rotas were in place and gritters had already been out on the County's road network. There were the same number of routes as in previous years with spare capacity to undertake additional work if the winter was especially severe. If Members should need to contact officers then this should be done via customer services and it was stressed by Members to use this route rather than trying to call officers directly to ensure that their issues were properly logged and addressed where possible to do so, and also to avoid disturbing staff who may not be on duty and in need of rest.

Kris Westerby would be asked to contact Councillor Renner-Thompson regarding gritting at Warrenford. In respect of Councillor Hill's concerns regarding the gritting ranger being moved from Berwick to Alnwick, Members were advised that Berwick would be provided with a better service, the vehicle to be used by the Contractor was a much better vehicle, it being able to navigate the narrow streets and also to carry more salt. It was clarified that the Contractor was purely on stand-by to carry out work on behalf of the Council. Councillor Bridgett asked that if the vehicle used in Rothbury was to be replaced that the V plough would continue to be able to be used as it was extremely useful in this type of terrain. It was further clarified that footpath clearing would be carried out under the same priorities as the previous year.

RESOLVED that the information was noted.

162. WORK PROGRAMME

The work programme was attached as **Appendix D** to the signed minutes. Members were asked to contact the Chair if there were any issues which they wanted at future meetings and these would be taken to the Local Area Council Chairs' Briefing.

Councillor Bridgett highlighted an announcement due to be made by Government on a new Broadband roll out in which Durham had been chosen to benefit from a pilot scheme but Northumberland had not. He had raised this with the Director of IT, however he asked that an update on the I-Northumberland Broadband rollout be provided at a future meeting.

CHAIR _____

DATE _____

This page is intentionally left blank



Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 21 JANUARY 2021

DETERMINATION OF PLANNING APPLICATIONS

Report of the Executive Director of Place

Cabinet Member: Councillor JR Riddle

Purpose of report

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

Author and Contact Details

Report author Rob Murfin
Director of Planning
01670 622542
Rob.Murfin@northumberland.gov.uk

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the North Northumberland Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:

- Decision makers are to have regard to the development plan, so far as it is material to the application
- Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
- Applications should always be determined on their planning merits in the light of all material considerations
- Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
- Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward

3. Planning conditions must meet 6 tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. They must be:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

Important Copyright Notice

5. The maps used are reproduced from the Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationery office, Crown Copyright reserved.

BACKGROUND PAPERS

These are listed at the end of the individual application reports.

Implications

Policy	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for money	None unless stated
Legal	None unless stated
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
Risk Assessment	None
Crime & Disorder	As set out in the individual reports
Customer Consideration	None
Carbon reduction	Each application will have an impact on the local environment and it has been assessed accordingly
Wards	All

Policy:	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for Money:	None unless stated
Human Resources:	None
Property:	None
Equalities:	None
Risk Assessment:	None
Sustainability:	Each application will have an impact on the local environment and it has been assessed accordingly
Crime and Disorder:	As set out in the individual reports
Customer Considerations:	None
Consultations:	As set out in the individual reports
Wards:	All

This page is intentionally left blank

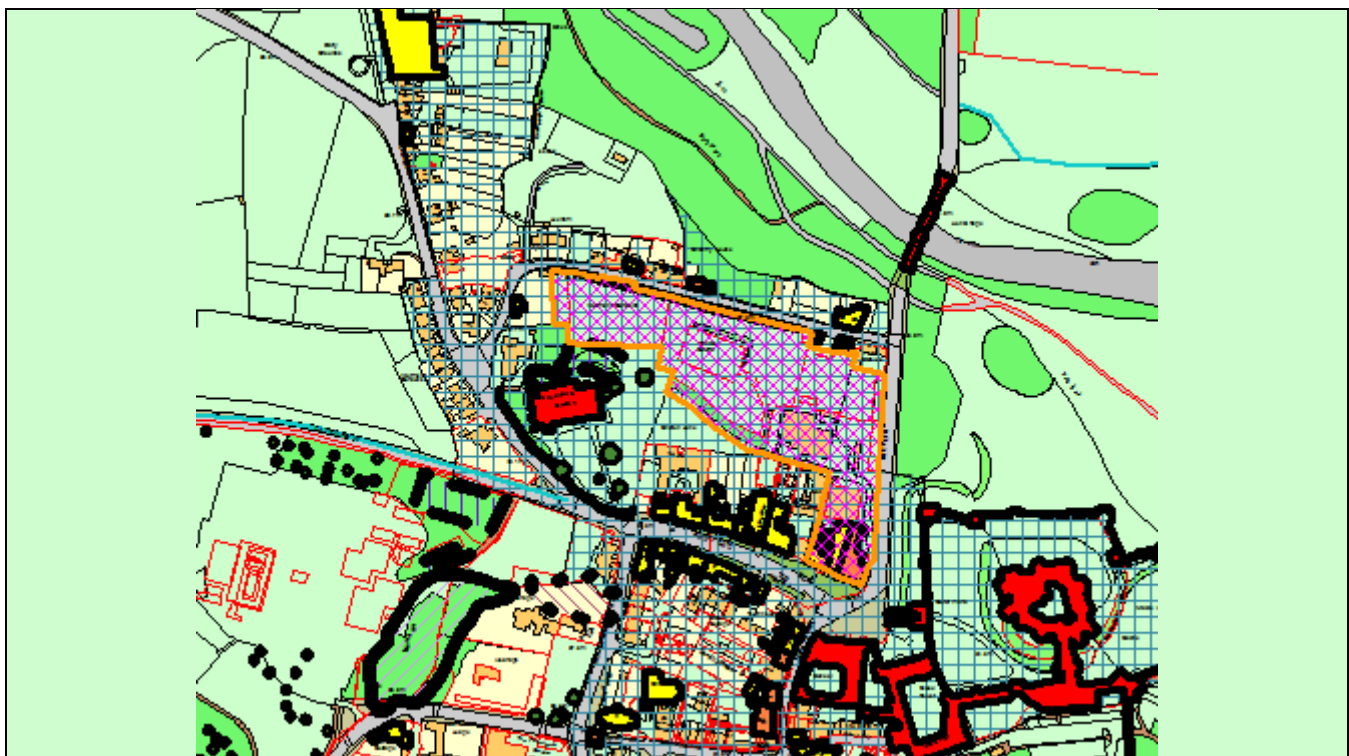


Northumberland
County Council

**North Northumberland Local Area Council Virtual Planning Committee
January 2021**

Application No:	20/01238/FUL		
Proposal:	The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.		
Site Address	Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland NE66 1LZ		
Applicant:	Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX	Agent:	None
Ward	Alnwick	Parish	Alnwick
Valid Date:	30 April 2020	Expiry Date:	29 th January 2021
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be GRANTED, subject to Conditions and Legal Agreement for £13,537 Coastal Mitigation Service Contribution to mitigate for off-site ecological impacts.



1. Introduction

1.1 This application is deemed appropriate for consideration at virtual Strategic Planning Committee following referral through the Virtual Delegation Process.

2. Description of the Site and the Proposal

2.1 The site to which the application relates is located on Bailiffgate, Alnwick and on the land immediately to the North. The listed buildings, 2, 4 and 6-8 Bailiffgate formerly housed the Duchess School. The site is situated on the outskirts of Alnwick town centre, it sits within the Conservation area and immediately to the West of Alnwick Castle. The site is accessed via the public road on Bailiffgate. The north of the site is accessed via a private single carriage road accessed off The Peth. The existing access road tracks to the north and then forms a gravel track towards the West providing some access to the rear of St Michaels Church.

2.3 The terraced buildings on Bailiffgate sit at the top of the slope which forms 'The Peth'. The site slopes gradually down to Walkergate to the North. It is bounded to the East by an existing retaining wall alongside 'The Peth', the West a series of existing stone walls forming the boundary with St Michaels Church. To the north Walkergate forms the boundary with a stone retaining wall alongside the road.

2.4 The proposal to which this application relates is for the conversion of no. 2-8 Bailiffgate to form 14no. hotel suite /apartments, including a new restaurant and bar area. It is proposed that this will be connected by a glazed link to a new-build hotel block extension to the rear, providing 33no. hotel rooms. This totals 47no. hotel rooms.

2.5 The proposed development therefore consists of the conversion of no. 2-8 Bailiffgate, demolition of the rear of 2-8 Bailiffgate and the boundary wall to the east (to allow for vehicular access off The Peth), the refurbishment of the existing gymnasium block and a new build extension.

2.6 It is understood that the gross floor space of the proposal is to be 5630m² with this composed of 4654m² hotel (C1 use) and 976m² (D2 use) Assembly and Leisure use, which is ancillary to the primary function of the proposal as a hotel.

3. Planning History

Reference Number: C/09/00074/CCD

Description: Removal of existing mobile unit and replacement with 2 double mobile units

Status: PER

Reference Number: 13/02288/LBC

Description: Listed Building Consent - Roof repairs to replace stolen lead roof

Status: WDN

Reference Number: 15/00563/VARCCD

Description: Variation of condition 1 from application C/09/00074/CCD (Removal of existing mobile unit and replacement with 2 double mobile units).

Status: APPRET

Reference Number: 18/02544/LBC

Description: Listed Building Consent: General repairs and reinstatement works following cessation of use as school in order to improve aesthetics and make premises wind and watertight. There will also be timber decay repairs, asbestos removal and plaster repairs internally.

Status: PER

Reference Number: 19/04192/LBC

Description: Listed building consent for localised repair of existing pitched roofs, to include replacement of natural slates, lead work, roof lights and cast iron rainwater goods. Install new thermal insulation throughout roof voids at rafter level and removal of existing ceilings throughout the upper floors to expose the roof voids. Redecorate retained existing cast iron rainwater goods.

Status: PCO

Reference Number: 20/01239/LBC

Description: Listed Building Consent: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PCO

4. Consultee Responses

Alnwick Town Council	<p>Alnwick Town Council (ATC) believes that the development of hotel, restaurant and gymnasium facilities on the site of the former Duchess High School will bring significant benefits to the town. It will bring back into use buildings which have lain empty since 2016 and provide additional employment opportunities for the residents of the town and its surrounding district. High quality hotel accommodation in the town centre will reinforce Alnwick's stature as one of the premier tourist destinations in Northumberland. As importantly, at a time when the future of the local economy looks uncertain, such a significant investment will signal renewed faith in the future development of the town.</p> <p>For all of these reasons, ATC accepts the general principle of development. ATC has, however, a number of specific concerns and must OBJECT until these are adequately addressed. These fall into three areas; massing, parking and related issues, and access.</p>
Highways	No objection, subject to conditions.
County Archaeologist	There are no objections to the proposed development on archaeological grounds subject to a programme of archaeological mitigation being undertaken in association with the proposed development. This advice is consistent with paragraph 199 of the NPPF. Conditions suggested.
County Ecologist	No objection, subject to conditions and CMS contribution.

Building Conservation	<p>While we support necessary measures to find a new use for 2-8 Bailiffgate we suggest all harm should be avoided. However, if harm is demonstrably necessary it should be minimised. There is no evidence that a building on the scale of the proposed hotel is necessary to bring about the reuse of 2-8 Bailiffgate. In order to bring about the necessary traffic circulation around the proposed development a significant length of listed wall would be sacrificed. We consider the development would give rise to less than substantial harm within the terms of paragraph 196 of the Framework and consequently we object.</p>
Strategic Estates	<p>No response received.</p>
Historic England	<p>Historic England's remit with the application is the impact the proposal would have on the significance of the grade II* listed 2 Bailiffgate and Alnwick Conservation Area where it is defined by the western entrance of Alnwick Castle, itself a grade I listed building. The existing condition of 2 Bailiffgate and its neighbours 4 and 6-8 is of concern since the Duchess High School vacated the buildings. Internally their characters have been much altered by decades of school use but they retain in their layout and some surviving details a sense of their origins as 18th and 19th century town houses. Externally the buildings make a contribution to the historic coherence and appearance of Bailiffgate and the return of No2. Is over looked by the imposing curtain walls of the castle with views of the Lion Bridge and grade II* registered park and garden in the Distance. On the whole their proposed conversion to hotel use is handled with sensitivity, working with historic layout and restoring features. The loss of the rear ranges and a further erosion of the plot boundaries are the most noticeable negative impacts but probably justifiable in the context of creating a viable hotel. The eradication of dry rot should be directed by understanding and stopping the cause of moisture that leads to the environmental conditions necessary for the rot to take hold. I recommend conditioning a methodology for this aspect of the proposal. The new hotel wing is respectfully sited in relation to the rear of No2 and to The Peth, in turn this helps its relationship to the curtain wall of the Castle in that it feels rooted in the town layout and so maintains the distinction between castle and settlement. The size is large for a rear plot development but manages not to dominate No2 or obscure too much of its rear elevation. It is probably of the maximum size that could be respectful here.</p> <p>A uniform hotel unit plan produces a very regular set of elevations but monotony is avoided through careful detailing of material and texture and inspiration from the town's simple yet ordered 18th and 19th century town houses. All told the application presents a good balance between finding a new viable use for the listed buildings whilst creating a relatively large new building for this part of Alnwick Conservation Area. It accords with paragraph 193 of the National Planning Policy</p>

	<p>Framework asks that great weight be given to the conservation of designated heritage assets.</p> <p>Recommendation</p> <p>Historic England has no objection to the application on heritage grounds</p>
National Amenity Societies	No response received.
Northumbrian Water Ltd	No objection, subject to condition.
Tourism, Leisure & Culture	No response received.
Architectural Liaison Officer - Police	<ol style="list-style-type: none"> 1. Consideration to be given to reviewing the lighting scheme to achieve a uniformity level of lighting of 0.4uo. 2. Consideration be given to implementing an access control system to prevent non-residents accessing the residential floors. 3. It be conditioned that the development not be brought into use until a lighting scheme for the site and full details of CCTV cameras, their location and the extent of their coverage have been submitted to and approved in writing by the Local Planning Authority in conjunction with Northumbria Police.
Public Protection	The Public Health Protection Unit object to this proposal on the grounds of: Lack of clarification or details of the required ground gas / radon gas protection in the conversion of the existing buildings.
Lead Local Flood Authority (LLFA)	No objection, subject to conditions

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	477
Number of Objections	2
Number of Support	0
Number of General Comments	1

Notices

Site notice Affecting LB & Conservation, 22nd May 2020

Morpeth Herald 14th May 2020

Summary of Responses:

2 Representations of objection have been received. These raise concerns regarding the following matters:

- Highway and Transport Issues (e.g. access, road safety and parking)
- Impact on Amenity of Nearby Occupiers

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=Q958HTQSFXP00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy 2007

S1 Location and scale of new development -
S2 The sequential approach to development
S3 Sustainability criteria
S8 Economic regeneration
S10 Tourism development
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and enhancing biodiversity and geodiversity
S13 Landscape character
S15 Protecting the built and historic environment
S16 General design principles
S17 Town centres
S19 Redevelopment of existing school sites
S20 Providing for open space, sport and recreation
S23 Planning obligations

Alnwick and Denwick Neighbourhood Plan 'Made' Version 2017

E1 - Providing for Economic Growth
E5 - Tourism Development
E6 - Employment and Tourism for Young People
CF2 - Outdoor Sports and Leisure
TRA1 - Walking
TRA2 - Cycling
ENV1 - Providing New Green Space Through Development
ENV4 - Protecting Biodiversity
ENV6 - Protecting Trees
ENV7 - Landscaping of New Developments
ENV9 - Sustainable Drainage Systems
ENV11 - Reducing Light Pollution
HD1 - Protecting Landscape Setting
HD2 - Heritage Assets at Risk
HD4 - The Approaches to the Town
HD5 - Design in the Wider Town
HD6 - Protecting Town Gateways
HD7 - Design in the Historic Centre

6.2 National Planning Policy

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

4.4 Emerging Planning Policy

Northumberland Local Plan Regulation 19 version with minor modifications as submitted for examination (May 2019)

STP1, STP2, STP3, STP4, STP5, STP6, ECN1, ECN15, TCS1, TCS4, QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT2, ENV1, ENV2, ENV3, ENV4, ENV7, ENV9, WAT1, WAT2, WAT3, WAT4, POL1, POL2, INF1, INF5, INF6

7. Appraisal

Development Plan and Material Considerations

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick and Denwick Neighbourhood Plan 'made' version 2017, Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

7.3 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. As per Para 48 of the NPPF the amount of weight that can be given to the emerging Local Plan depends upon the stage of the plan, the level of unresolved objections and its consistency with the NPPF.

7.4 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- The Principle of the Development;
- Development of the Former Duchess' School Site;
- Heritage Matters (*including Public Benefits*);
- Amenity Impacts;
- Landscape/Townscape Matters;
- Design and impact on the local area;
- Highway Safety and Transportation Matters;
- Flood Risk and Drainage;
- Ecology and Biodiversity Matters (*on and off site*);
- Arboricultural Matters (*trees*);
- Contamination;
- Planning Obligations.

Principle of Development

7.5 Policy S1 of the Alnwick Core Strategy (ACS) identifies Alnwick as a Main Rural Service Centre and a main focus for new development. These settlements offer the greatest range of housing, employment and service opportunities, have links to the

transport network, public transport systems and serve wide rural hinterlands. ACS policy S2 provides for a sequential test for new development however, whilst the NPPF encourages the use of previously developed land it does not set a strict hierarchy therefore ACS policy S2 is afforded little weight in the determination of the application. ACS policy S3 outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops services, the transport network and modes of transport other than the private car; that there is adequate existing or planned capacity in the physical and community infrastructure and environmental needs can be mitigated; potential implications of flood risk have been assessed. It is considered that the proposal in principle, complies with these policies. Having regard to Policies S1, S2 and S3 of the Core Strategy, the site is considered to be a sustainable location for new development. The site is located within the Main Rural Service Centre of Alnwick and is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car.

7.6 The ACS acknowledges the economic benefits that tourism brings to the area, but also requires that such development is as sustainable as possible with development such as hotels more appropriate for urban areas. Policy S10 ADNP reflects this requirement. ADNP policy E5 provides support for tourism development subject to a range of criteria.

7.7 The ADNP forms part of the Development Plan for the site. Policy E1 is the main policy with regards to economic development in Alnwick. This states *“Development proposals which support provision of job opportunities and the sustainable development and economic growth of Alnwick as a major service centre will be supported where they can be achieved without significant impact on the environment.”* Policy E5 of the ADNP is also relevant to this proposal. This states *“New tourism development in or adjacent to the town, particularly that which will help grow Alnwick and Denwick as a year round tourism destination, will be supported subject to all of the following being met: i) Development is located where it will complement business and services in the town and will not adversely impact on the vitality and viability of the town centre; ii) Development will contribute positively to the weekend and evening economy of the town; iii) The scale and character of development will not have an unacceptable adverse impact upon the natural and historic environment; iv) Development can be accommodated within the physical infrastructure of the town; v) Development will not have adverse impacts on living conditions in residential areas; vi) Development will not have a significantly detrimental impact on the transport network and travel patterns.”* The proposal will encourage economic development, and see inward investment into the town, further to this, this will help to grow Alnwick as a year round tourist destination, complement existing business and services, and not impact adversely on the vitality and viability of the town centre. The proposal will therefore help contribute to the aims of this policy in principle. Detailed matters e.g. impact on character, historic environment, and highway impacts will be explored elsewhere in this report.

7.8 Policy E6 is also relevant to the proposal. This states *“Development proposals that provide opportunities for the training, employment and retention of young people within the plan area will be supported subject to local character and residential amenity being protected from significant harm.”* As a development that is likely to provide training employment opportunities in Alnwick, the proposal is will comply with this policy in principle.

7.9 ACS policy S8 provides support for high quality development and services which would support economic regeneration through a range and choice of local job opportunities. It is considered that the proposal complies with this policy.

7.10 NLP policy STP 1 sets out a spatial strategy for development seeking to provide development that will enhance the vitality of communities across Northumberland. The NLP identifies Alnwick as a Main Town to deliver sustainable development. Policy STP2 sets out the presumption in favour of sustainable development with STP3 setting out the principles of sustainable development.

7.11 NLP policy ECN 15 provides support for tourism and visitor development subject to a set of principles and which includes prioritising the siting of such developments, in Main Towns and Service Centres.

7.12 NPPF Chapter 6 sets out the government's aim of building a strong economy with paragraph 83 c, providing support for sustainable rural tourism. Paragraph 117 and 118 include the requirement for planning authorities to promote the effective use of land and encourage multiple benefits from land, including through mixed use schemes. It is considered that although the scheme is an urban scheme, this proposal would help tourism in both rural and urban settings.

7.13 The proposal will result in improved tourist facilities in Alnwick in accordance with Policies S8, S9 and S10 of the Alnwick Core Strategy (2007) which support economic regeneration and tourism development in sustainable locations.

7.14 The proposal is considered to be in compliance '*in principle*' with the relevant policies in the Development Plan and when balanced against the appropriate material considerations '*in principle*' e.g. NPPF and the Emerging Northumberland Local Plan, where this can be given weight, as a site, for hotel development, within the built up area of Alnwick.

Development of the Former Duchess' School Site

7.15 The need for the redevelopment of the former Duchess' School site was envisaged when the Alnwick and Denwick Neighbourhood Plan was being prepared as a housing site. This therefore includes the following policy H2

"Housing provision will be made on the sites allocated on the Proposals Map and follow the guidelines in Table HSG2. In respect of the major greenfield allocations, (H2-1 and H2-2) planning applications should be accompanied by a master plan or development brief that demonstrates how the new development integrates with the town and respects the living conditions of existing residents on the urban edge."

7.16 In terms of the site's potential contribution to the housing land supply, this is estimated to be 60 dwellings, however, given the delivery on other sites allocated in the plan, and the housing delivery from non-allocated sites within the urban area of Alnwick this means that this site is no longer fully required to deliver the housing aspirations of the plan.

7.17 Whilst the plan anticipated the site would come forward for housing development, and it is understood that the site partially has an extant permission for housing on some of the site, it is considered that the proposed use would be a more

suitable use of the site, allowing more people to enjoy the site and its setting, experiencing the local historic environment, which is considered to be a public benefit of the scheme.

7.18 The table detailing guidelines for the site states *“Design for this site must take into account important inward views of the town from the north, the Wash Burn corridor on the east side of the site, specimen trees and the future of the greenfield part of the site for recreation.”* It is considered that these guidelines are still relevant to the site and proposal despite the change in the proposed use.

7.19 The ability for the proposal to respect the architectural and historic character of the listed building and its setting is discussed within the heritage section of this report.

7.20 Therefore it is considered that the site will help to achieve the high level aspirations set out in the Neighbourhood Plan, despite the proposal being contrary to allocations in the plan, as set out in paragraph 7.17.

Town Centre Uses

7.21 Overlaying settlement policy is the policy area relating to town centres. Under the NPPF, hotels are clearly within the definition of 'main town centre uses', a definition that is carried over into the emerging Local Plan. The town centre boundary was defined through the Alnwick and Denwick Neighbourhood Plan. While it does not cover the whole application site, the town centre does appear to include the main hotel elements of the proposal. The gym building sits out with the boundary. The gym use was ancillary to the former school use and would be ancillary to the hotel use. As a stand-alone use it may have been considered a main town centre use in an edge-of centre location but the ancillary nature and the history of a gym on this site is probably sufficient to avoid any need to carry out sequential testing. The emerging Local Plan makes clear the policy direction intended in this respect in Policy ECN 15 part 2b: *“Where hotel development of over 2,500 square metres gross floorspace, proposed outside a defined town centre, meets the tests set out in Policy TCS 4 and can therefore be supported, other Main Town Centre Uses that are truly ancillary to the hotel, will not themselves be subject to the sequential test.”* It is noted that the car parking area would also be out with the town centre boundary, which seems reasonable. In summary, it is appropriate that the main hotel, especially given the scale involved, sits within the town centre; at the same time, it is acceptable that ancillary elements spill over into the edge-of-centre area.

Links to other NCC Corporate Policy

7.22 Major step changes in provision for visitors have formed a key element of economy and tourism strategies in Northumberland over a long period. The development of visitor attractions, including at the heart of Alnwick and along the nearby north Northumberland coast, has been highly successful. Planning strategies reflect this: Alnwick Core Strategy Policy S8 gives overarching support for development that will regenerate the economy through (inter alia) the provision of jobs. Policy S10 directs tourism development in a way that will boost rural service centres.

7.23 The emerging Local Plan places great emphasis on sustainable economic and tourism development, seeking, in Policy ECN-1 (part 2e), to make decisions that

will support and promote tourism and the visitor economy. The next part of the policy (2f) recognises that the historic environment is a key driver in this effort.

In some respects, the level of growth in visitor attractions has not been matched by the pace of change in the quantity and quality of visitor accommodation. Further development of visitor accommodation, while supported in the existing development plan, is given additional emphasis in emerging development plan approaches.

Locating a large hotel in this prime position in relation to the historic environment will be consistent with this.

7.24 The main tourism policy in the emerging Local Plan, Policy ECN 15, lists (at the start) aspects of tourism that Northumberland is in a good position to capture and seeks to build upon. A large new hotel in the proposed location can be seen as helping in some of these aspirations - notably the potential to provide for heritage and cultural visits, weddings, out of season visits and food and drink tourism.

The central Alnwick location is supported by part 2a of the policy, which prioritises Main Towns and Service Centres for the development of significant new accommodation.

7.25 Overall, it is considered, from an *'in principle'* perspective, and more generally in terms of strategies supported by the Council, that the proposal would bring substantial public benefits to the community of Alnwick and the County of Northumberland in economic and tourism terms, as well as keeping listed buildings in beneficial use.

Landscape/Townscape Matters

7.26 The site is located within the town of Alnwick, so the matters to be considered in relation to landscape are minimal, with the proposal appearing within the town from long range views and viewpoints, with the proposal being more related to townscape matters in terms of its contextual appearance. The proposal is therefore deemed to be in compliance with Landscape policies such as S13 in the ACS. This is therefore appraised in Townscape terms as such within this section.

7.27 Policy HD1 of the ADNP is relevant to this section of the report *"Development proposed in the Parishes of Alnwick and Denwick will be expected to be designed to avoid: visual harm to the landscape character and setting of town and village; the loss of landscape features that contribute to local distinctiveness or historic elements that contribute to landscape character and quality and to the health and well-being of residents and visitors. Development proposals that would have an effect on the important views identified in Table HD1 should demonstrate that they do not harm the distinctive landscape or historic character of Alnwick."*

7.28 Policies STP3, HOU9, QOP1, QOP2, QOP6, ENV1, ENV3, ENV7, ENV9 are relevant to matters relating to townscape and the context in which a proposal will be viewed.

7.29 The National Design Guide (September 2019) (NDG) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to townscape, these would be 'Context', 'Identity' and 'Built Form'.

7.30 The first of the ten characteristics is *'Context'*. The NDG clarifies that *"Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and*

improves negative ones". It is considered that this proposal enhances the positive qualities of the heritage assets in question, with the proposal ensuring the conservation of the heritage asset (the former Duchess School Building), providing a new permanent use for the building. Although there is some harm to the structure and the setting. It is deemed acceptable from a contextual perspective as this will improve the site from its current position as a closed school, and provide a well considered scheme a large area of open space, albeit private and a mix of accommodation types in the site, complementing the mix in the surrounding area (either already developed or consented).

7.31 *'Identity'* is also a key characteristic. It is considered that well designed new development is influenced by an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents; the characteristics of the existing built form; the element of a place or local places that make it distinctive; and other features of the context that are particular to the area. Further to this the NDG states *"well designed places are visually attractive and aim to delight their occupants and passers by. They cater for a diverse range of residents and other users. All design approaches and architectural styles are visually attractive when designed well"* and goes further to state *"Well designed places appeal to all our senses. The way a place looks, feels, sounds and even smells, affects its enduring distinctiveness, attractiveness and beauty"*. Further to the points above the proposal is deemed to fit with the identity of the surrounding area as the proposal

7.32 *'Built Form'* is a further key characteristic relevant to this section. The NDG states *"Well designed new development makes efficient use of land with an amount and mix of development an open space that optimises density. It also relates well to and enhances the existing character and context. Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context accessibility, the proposed building types, form and character of the development."*

7.33 Whilst the proposal fits with the landscape character, being in an urban location, townscape is a greater consideration. With regards to compliance with this the applicant has stated the following in their planning statement *"A Landscape and Visual Impact Assessment and accompanying Landscape Strategy Plan has been prepared by Glen Kemp Landscape Architects."*:

Due to the overall screening effect of surrounding buildings, the visual profile of the site within the town and on the approaches to it, is limited. Baliffgate House is very prominent on views along Baliffgate and from the castle entrance. From 'The Peth', most of the site is screened by dense boundary vegetation. Views into the site are most readily obtained from the western end of Walkergate on the site's northern boundary. A key view is that gained from a short section of the Public Right of Way (PROW) running through the parkland to the north site of the river east of Lion Bridge. From here, although the site is not prominent in the view, it is seen in the context of an iconic panoramic scene which includes Alnwick Castle. A small number of properties have mainly upper floor views towards the site, the most notable being those from the sheltered housing accommodation on the site's southern boundary, and those from houses at the western end of Walkergate. There are no views of the site from within the Castle or from the entrance to St Michael's Church.

7.34 In terms of potential landscape effects after completion the LVIA states the following *“Work to the site’s stone walls would be of moderate beneficial significance. The only anticipated potential adverse landscape effects of note (substantial – moderate significance) would be the removal of a mature beech tree (T1) and part of a group of beech trees near the former sports hall. With a sensitive masterplan and detailed design in terms of massing and materials, it is anticipated that the overall effect on townscape character and landscape character of the site would be one of slight beneficial significance.”*

7.35 In terms of visual effects, the LVIA states:
“the most notable effects would be experienced along Walkergate from which initial visual effects would be of moderate significance in time with appropriate landscape mitigation in the form of boundary planting. There would be no notable adverse visual effects for receptors at Alnwick Castle, St Michaels Church or the historic parkland north of the castle.

In terms of policy compliance, the development proposals have been designed in terms of layout and proposed materials so as to reflect the sensitive heritage setting and the development would have no notable adverse effect on the appearance of the local townscape. Further to this there would be no adverse effects on Alnwick’s protected landscapes and the development proposals are a sensitive response to the site’s historic setting and landscape character. With its sensitive approach to responding to the local townscape and site character and its design, it is considered the proposal complies with ADNP policies, where relevant. By carefully incorporating the main hotel car park within the walled gardens on site, and by protecting the most valued trees and integrating soft landscaping throughout the development, the development complies with the key requirements of the emerging NLP.”

7.36 The appropriate policies in the emerging NLP in relation to this matter are Policies ENV1 and ENV3. It is considered the proposal site complies with these policies as the proposal will not have a negative impact on the landscape or the landscape character and will not be visible from long range views towards the site or Alnwick itself.

7.37 Concerns have been raised by representors, including the Town Council, in terms of the massing of the proposal and therefore its likely impact on townscape, however this differs from the opinion of officers, when considering the impact of the proposal in townscape terms, as set out above.

7.38 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Impact on Heritage Assets

7.39 The NPPF, ADLP and the NCS seek to protect heritage assets within the plan area. The site includes the listed buildings of the former Duchess School and is adjacent to the Conservation Area Boundary to the north of the site.

7.40 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 or its setting or any features of special architectural or historic interest which it possesses.

7.41 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.42 The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.43 Policy S15 of the ACS is the most relevant policy in relation to the Historic Environment in the former Alnwick District Area, and Policies HD2 and HD5 from the ADNP covering specifically the Alnwick, Denwick and Denwick (detached) parishes with NPPF Chapter 16 providing the national context.

7.44 HD2 of the ADNP *“Where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged.”*

7.45 The National Planning Policy Framework (NPPF) is a material Planning consideration in the assessment of the application. Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as ‘total loss’, ‘substantial harm’, or ‘less than substantial harm’ and introduces the need to balance any harm against the benefits of the development.

7.46 In terms of significance the following is important to note: Within the given red line are the following designated heritage assets will be directly affected: 2 Bailiffgate: grade II* listed; 4 Bailiffgate: grade II listed; 6-8 Bailiffgate: grade II listed; Retaining Walls [Walkergate] grade II listed. The red line boundary is wholly within the Alnwick Conservation Area. The development has the potential to affect the setting of further designated heritage assets including some of the highest national importance including Alnwick Castle (grade I listed) and the Alnwick Castle Registered Park and Garden (grade I listed).

7.47 In terms of commentary from the Conservation Area Character Appraisal, the following is offered in terms of townscape

“The area is centred on the Castle, which is experienced in different ways from the various roads leading to it. From The Peth, leading into the Conservation Area from the north, the Castle is viewed as a whole, the open views to the east contrasting with the walls and vegetation to the west side of the road. Baliffgate forms a processional way, focussing on the Castle gatehouse that is visible along its whole length. The tall canyon of Narrowgate forms a surprising contrast to the open space in front of the Castle, which is of similar size and

proportions to the marketplace, but dominated by roads and car parking which give it a diffuse, open character.

High boundary walls are a feature of the area, where the tall facades of the Riding School and Castle Bailey contribute to a strong sense of enclosure, impinging on the streetscape of Narrowgate, Baliffgate and The Peth, and emphasising the separateness and power of the Castle”

In terms of key buildings, the following is offered:

“Apart from the Castle, the key building in Baliffgate is the Museum, whose vertical architectural style and small front yard create an interesting interruption to the horizontal, linear nature of the remainder of the street. The Grade II listed three-storey houses at the east end of Baliffgate emphasise the importance of the Castle”* It is these three storey houses at the east end of Baliffgate that form part of the proposal, and indeed its frontage.

7.48 With specific reference to the host properties the conservation area appraisal states the following *“Baliffgate had always been directly held by the Castle and was traditionally the home of Estate employees; the Duchess’ School building was originally a dwelling for the Duke’s agent, and the house next door for his librarian.”*

7.49 The interiors of 2-8 Bailiffgate have been significantly altered through its period of use as a school with the removal of many internal walls and associated features and the addition of other subdivisions. To some extent the changes proposed allow a better understanding of room proportions and in some cases restore their wholeness allowing a better appreciation of the significance of the heritage asset. Should it be resolved to approve the application it is suggested that in making the planned internal changes appropriate attention is given to the retention of surviving features including doors, architraves and skirtings.

7.50 A further key consideration with regard to the interior is the treatment of dry rot within the zone marked on the proposed plans. The eradication of dry rot which is well established in the building will result in wide scale loss of original plaster and internal timber structure with its important joinery details. Where parts of the existing interior must be discarded to treat the dry rot they must be replaced like for like in matching detail and materials. A suitable condition is appended to the associated LBC report to cater for this requirement.

7.51 Extensive demolition is proposed to the rear of 2-8 Bailiffgate. It is accepted that not all parts of the listed buildings have equal significance. Also, some C20 additions have marginal significance and we do not resist their demolition. While the loss of certain C18 and C19 rear extensions is regrettable it is accepted that their loss is part of a balance required to find a new use compatible with the significant historic fabric of 2-8 Bailiffgate within the terms of the Framework and Planning Practice Guidance.

7.52 It will be prudent to require the submission of a window schedule detailing the windows to be affected and the work proposed to them for the prior approval of the LPA. The proposal to clean the stone of the existing buildings is noted and should be subject to a condition. Building Conservation have raised no objection to the reuse of the gym block.

7.53 The proposal has been examined by both the Building Conservation Officer and the County Archaeologist, and Historic England. The Building Conservation Officer has considered the application to form less than substantial harm (further commentary below) and the County Archaeologist has no objection and has offered the commentary below, subject to conditions. These conditions have been appended to this report. Historic England have no objection to the proposal on heritage grounds, and have offered the following *“A uniform hotel unit plan produces a very regular set of elevations but monotony is avoided through careful detailing of material and texture and inspiration from the town’s simple yet ordered 18th and 19th century town houses. All told the application presents a good balance between finding a new viable use for the listed buildings whilst creating a relatively large new building for this part of Alnwick Conservation Area. It accords with paragraph 193 of the National Planning Policy Framework asks that great weight be given to the conservation of designated heritage assets.”*

7.54 The County Archaeologist has commented *“The proposed development layout is as set on the ‘proposed general arrangement’ plan (added to Public Access website 05 August 2020). Buildings fronting Baliffgate and the existing gymnasium building to the rear of will be retained. Any archaeological remains surviving below the footprint of these buildings will not be affected. Buildings to the rear of 2-8 Baliffgate to be demolished are identified on the ‘Demolition Survey’ (plan added to the Public Access website 10 August 2020). Details of construction methodologies, depths and foundation techniques for the new buildings are not currently available. Development of this scale will typically include site clearance, landscaping, construction activities, construction of temporary compounds, soil storage and service utility connections. The extent of development proposed as part of the present application is illustrated on the ‘proposed general arrangement’ plan. However, the ‘proposed site layout’ plan and red line boundary also includes two areas annotated ‘principle of residential development established by planning permission A/2010/0450’. No detailed proposals are identified in this area as part of the present application, though the areas are included within the proposed development boundary. For the purposes of this response it is therefore assumed that the whole of the site within the red line boundary will be impacted by the proposed development. Given the scale and nature of development proposed, it is assumed that any archaeological remains present within the site will be either wholly destroyed by the development process or truncated to the extent that the significance of any surviving remains is substantially compromised unless the applicant is able to demonstrate otherwise.”*

7.55 Further to the above, the County Archaeologist has commented *“Taking into account the results of archaeological assessments undertaken across the site to date and the impact of the proposed development on the significance of the known and unknown archaeological remains, I recommend that the developer is required to commission a programme of archaeological mitigation work. The required archaeological work can be secured by condition in line with paragraph 199 of the NPPF. In order to ensure that an agreed programme of archaeological work can be effectively implemented it will be necessary for the applicant’s archaeological consultant / contractor to liaise with other members of the project team to ensure that the archaeological works are accommodated in the development programme and budget.”*

7.56 The proposal is therefore deemed to be acceptable from an Archaeological perspective, subject to conditions, according with relevant heritage policy and

legislation in relation to Archaeological matters, appropriate conditions are suggested to the planning officer and have been appended to this report.

7.57 The Building Conservation Officer has provided the following comments

“A significant concern for Building Conservation is the new hotel building. The proposed 33 bed hotel extension over four levels is considerably greater in mass, height and overall impact than the building it would replace. The key concerns are the setting of Alnwick Castle and the adverse impact on The Peth street scene and consequently on the character of the conservation area. The new hotel would be an unusually tall and bulky building travelling along the Peth in a location where the castle walls presently dominate. Its significant height would be underlined by most of its length being on a level platform rather than following the gradient of the Peth.

While we recognise the mitigation through design, stepping down at the north and selection of materials we believe harm within the terms of the Framework would remain by virtue of the overall height of the hotel building.

A further concern is the impact on Walkergate. We found no discussion in the HIA of the direct physical impact on the grade II listed Retaining Wall. At 6.48 we are told: “The retaining wall does make a positive contribution to Walkergate and therefore to the conservation area...” Further, at 6.49 “The high retaining walls along the Peth and Walkergate will be unaffected by the proposals.”

7.58 Given the new exit for traffic from the hotel will be onto Walkergate a significant portion of the listed fabric would have to be removed. While the plans bear a note relating to the 2010 consent for housing and depict it (implying the exit point already enjoys in principle support) it is not clear if A/2010/0450 is extant. This is harm within the terms of the Framework.”

7.59 In terms of a final position Building Conservation offer the following *“While we support necessary measures to find a new use for 2-8 Bailiffgate we suggest all harm should be avoided. However, if harm is demonstrably necessary it should be minimised. There is no evidence that a building on the scale of the proposed hotel is necessary to bring about the reuse of 2-8 Bailiffgate. In order to bring about the necessary traffic circulation around the proposed development a significant length of listed wall would be sacrificed. We consider the development would give rise to less than substantial harm within the terms of paragraph 196 of the Framework and consequently we object.”*

7.60 Therefore the level of harm identified within the scheme (*less than substantial harm*) must be weighed up against the public benefits of the scheme.

7.61 A number of public benefits of the scheme have been identified. These include, but are not limited to:

- The proposed development has been prepared in a holistic manner through a Masterplan for the delivery of the whole site, including the conversion of the former Duchess School alongside the new development. This is a positive approach to planning and encouraged to ensure that the site is delivered in a

holistic manner and all necessary and appropriate mitigation and public benefits are secured.

- The proposed development will bring a currently vacant Grade II Listed Building back into use and prevent it from falling into a further state of disrepair.
- The securing of planning obligations (CMS contribution) associated with the delivery of the accompanying application.

7.62 It is considered that these public benefits as set out above, outweigh the level of harm identified by the Building Conservation Officer and comply with the relevant provisions of the development plan (both ACS and the ADNP) in relation to heritage assets, when balanced with the provisions of the NPPF.

7.63 The proposal is considered to accord with the provisions of ACS policy 15, ADNP policy HD4 & HD5 and the provisions and intentions of the NPPF; and the emerging Local Plan, where this can be given weight. Appropriate Conditions have been appended to this report and the associated LBC report where appropriate, to make the development acceptable in planning terms.

Impact on neighbour amenity (including Noise Matters)

7.64 NPPF Paragraph 127 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. The relevant local policy in relation to this is B8 of the ADWLP, and accompanying Appendix A (design and layout of new dwellings).

7.65 In the context of the above, the proposals are not considered to be in conflict with paragraph 127 of the NPPF.

7.66 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.

7.67 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the proposal and nearby residential occupiers, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF. Northumbria Police have made comment on this application and made some recommendations to the applicant, suitable conditions have been formulated to cater for these requirements, where they are considered to be within the Control of the LPA. This have been appended to either this report or the associated LBC report where appropriate.

7.68 In terms of the policies of the emerging Northumberland Local Plan, policy QOP2 is relevant to this application with respect to the impact on amenity, it is considered that this proposal, subject to conditions, is compliant with this policy.

7.69 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Design and impact on the local area

7.70 The NPPF, ADNP and ACS seek to ensure that development is sited appropriately, without an unacceptable, adverse impact on the local environment. The NPPF's presumption in favour of sustainable development is based on securing a balance between its economic, social and environmental dimensions. The site is set within/adjacent to existing urban development; any new development will be viewed in the context of the existing built form, which will help visually assimilate new development into its surroundings. The visual change of the built form is not considered to have such an adverse, visual impact on the local area as to justify refusal, indeed this is considered to be an improvement on the existing position of the site as a vacant possession of the applicant. The layout, dwelling mix and design of the proposal is considered to be appropriate, and well considered for the site in general design and amenity terms.

7.71 General design matters are covered locally by S16, this states that all development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials.

7.72 Design in the context of the Neighbourhood Plan is set by policy HD7 'Design in the Historic Centre'.

7.73 The NPPF and both the ACS and NCS seek to ensure good design in all development. The proposal seeks to provide a hotel development of 47 rooms.

7.74 It is therefore reasonable to conclude that the development can accord with the design principles of ACS policies BE8 and S16, policy H4 of the ADNP and the provisions and intentions of the NPPF.

7.75 The appropriate policy in the emerging NLP in relation to this matter are Policies QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, which relate to design matters, however weight at this stage can only be apportioned in line with paragraph 48 of the NPPF.

7.76 As mentioned above, concerns have been raised by representors in relation to the massing of the proposal. It is however considered that the design of the proposal has been well thought out, with satisfactory separation distances to nearby residential and non-residential occupiers, with the vegetative coverage around the site also helping to protect amenity, and it is not considered that any amenity issues that may exist are not significant enough as to warrant refusal of the application on these grounds.

7.77 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Highway Safety & Transport Matters

7.78 TRA1 of the ADNP states *“Proposals for development will be required to have safe and convenient pedestrian access. The enhancement of provision for walking including public rights of way will be supported.”*

7.79 TRA2 of the ADNP states *“Proposals for major development will be required to have safe and convenient cycle access. The enhancement of provision for cycling including existing cycle routes will be supported”*

7.80 ENV11 of the ADNP states *“All street lighting in new developments should be designed to be dimmable, capable of part-night operation and to minimise upward light. Where floodlighting is subject to planning permission it will only be permitted where the developer can robustly justify why it is necessary. In rural parts of the plan area, all new street lighting and lighting within new developments should be set at the lowest intensity compatible with community safety in order to preserve dark skies.”*

7.81 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are ‘severe’.

7.82 Policy S11 of the ACS is the key policy in relation to accessibility and maximising accessibility and minimising the impact from travel, and therefore the key local policy in determining whether the proposal is acceptable from a highways standpoint, alongside relevant national policy. Due to the scale of the proposal it is not deemed appropriate to require a transport statement/assessment. In terms of accessibility,

7.83 When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.

7.84 The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle of development on this site in relation to the proposed use, in highways and transport terms, with appropriate conditions suggested, these have been appended to this report.

7.85 The proposed development is to be accessed from a modified site access on to the adopted highway, the B6341, The Peth, to the east and a new site access/egress onto the U3143, Walkergate, to the north of the site. Both of these sections of adopted highway have 30mph speed limits and there are existing double yellow line parking restrictions on the B6341 ‘The Peth’. Given the nature of the proposed development, and the location of the proposals it is advised that the full parking provision for this development is provided prior of first occupation of the proposal.

7.86 Details of the new access/egress point onto the U3143, Walkergate, have been provided as part of this application. This access will provide satisfactory visibility splays and access requirements.

7.87 The needs of servicing and deliveries have been taken into account in the design of the development, and appropriate refuse serving swept paths have been provided at the access/egress points and throughout the development site. With regards to the swept paths, it is noted that the egress movements onto Walkergate are unyielding, and the swept path of the refuse vehicle shows it overrunning the

ensure wide of the carriageway to turn both left and right. To enable unobstructed movement at this egress point, the applicant is therefore advised to provide parking restrictions along this section of highway to reduce obstructions caused by on street car parking. However, an alternative arrangement may be required should restrictions not be invoked due to residential objections. It is noted that the applicant intends to provide a Servicing and Deliveries Management Plan which will restrict the size of vehicles permitted to enter the site, detail appropriate serving times and restrict the access/egress movements. It is considered that the provision of a Servicing Plan would potentially improve road and pedestrian safety at this location, as well as providing an appropriate servicing solution for the whole site. This can be secured by condition, and this approach is considered acceptable. Appropriate conditions have been appended to this report.

7.88 In respect to potential road safety issues on the wider road network, it is considered that the level of additional trip generation from the development site will not result in a material impact upon road safety, and that any residual cumulative impact could not be described as severe.

7.89 It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable albeit for specific concerns and comments regarding the access arrangements and internal layout of the site.

7.90 Discussions have been held, and revised plans have been received, amending the scheme in accordance with the previously raised concerns. There are however minor changes to the scheme that will be required, but these can now be secured by condition, and have been appended to this report.

7.91 Subject to the imposition of the highway conditions on any grant of consent, it is considered that there would be no grounds to refuse the application in relation to highway safety and the proposal would accord with ACS Policy S11.

7.92 The imposition of conditions and informatives with regards to street lighting, refuse storage, car and cycle parking, adoptable roads/footways, travel plan statement, surface water drainage, highway works and the impacts during the construction phase will address any concerns with the proposed development. Appropriate Highways conditions have been appended to this report.

7.93 Concerns have been raised by representors, however it is considered that the proposal's impact on highway and transport matters is not significant enough as to warrant the refusal of the application.

7.94 The appropriate policy in the emerging NLP in relation to this matter are Policies TRA1, TRA2, TRA4 and TRA5, with weight being apportioned in line with paragraph 48 of the NPPF.

7.95 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Drainage, foul sewage and flood risk

7.96 The relevant local plan policy is policy CD37 of the ADWLP and S3 and S16 of the ACS, with Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 'Water Environment' of the emerging Northumberland Local Plan also being relevant to this section.

7.97 Policy ENV9 of the ADNP also states *"All proposals for major development should incorporate Sustainable Drainage Systems (SuDS), unless it is clearly demonstrated the SuDS are not appropriate. Where SuDS are provided, arrangements must be put in place for their whole lifetime management and maintenance."*

7.98 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Drainage and Water Matters, these would be 'Resilience', and 'Resources'.

7.99 Consultation has taken place in relation to drainage and foul sewage with Northumbrian Water (NWL) and the council's Lead Local Flood Authority Officer (LLFA).

7.100 Initially the LLFA raised some concerns over the proposed development from a flood risk and drainage perspective, including further information regarding ground water sources at the site. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter

7.101 The appropriate policy in the emerging NLP in relation to this matter is Policy WAT3 and WAT4. These have been given appropriate weight with regards to paragraph 48 of the NPPF.

7.102 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight.

Ecology and Biodiversity Matters

On Site

7.103 NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 175 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments

7.104 S3 of the ACS sets out sustainability criteria one of which is that there would be no significant adverse effects on the natural resources, environment, biodiversity and geodiversity of the district.

7.105 S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.

7.106 Policy ENV4 of the ADNP *"In considering development proposals where exceptionally loss of biodiversity is unavoidable, provision should be made for creation*

of equivalent areas of habitat in the vicinity of the site, which are equal in size to, or larger than those lost”

7.107 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be *‘Nature’ ‘Context’*, and *‘Resources’*..

7.108 The County Ecologist has raised no objection on issues relating to on-site impacts subject to signing up to the Coastal Mitigation Scheme to cater for off-site matters. As set out within the Coastal Mitigation section of the appraisal (see below), the applicant has agreed to enter into a legal agreement with the Local Planning Authority to pay into the Council's Coastal Mitigation Service which would mitigate the off-site impacts associated with the proposal. Suitable Conditions have been suggested by the County Ecologist, these have been appended to this recommendation report.

7.109 Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF, and other material considerations e.g. NDG.

7.110 The appropriate policy in the emerging NLP in relation to this matter is Policies ENV1 and ENV2 weight has been apportioned with regards to these policies in line with paragraph 48 of the NPPF.

Off-Site Ecological Matters (Coastal Mitigation)

7.111 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC which are internationally designated sites as well as further nationally designated sites which are; Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernoise Point SSSI.

7.112 When developers apply for planning permission for new residential or tourism development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.

7.113 S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.

7.114 There is consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. Recreational pressure is also adversely affected dune grasslands which are also

protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.

7.115 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.

7.116 The applicant has agreed to pay a contribution of £13,537 for coastal wardening work, based on the Council's CMS contributions for tourism development. Secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation and has similarly concluded that there will be no significant harm to any SSSIs. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.117 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed.

Arboricultural Issues (Trees)

7.118 Policy ENV6 of the ADNP states *“Development that damages or results in the loss of ancient trees will not be permitted. Development that damages or results in the loss of trees of good arboricultural and amenity value and which does not replace them with equivalent trees will not be permitted. Proposals affecting ancient trees or trees of good arboricultural and amenity value should be accompanied by a tree survey that establishes the health and longevity of any affected trees and proposals should be designed to retain ancient trees or retain or replace trees of arboricultural and amenity value with equivalent trees.”*

7.119 The Conservation Area Character Appraisal offers the following in respect of arboricultural matters close to this site

“Trees line Baliffgate, showing its suburban character in contrast with the general lack of vegetation elsewhere in the town”

7.120 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be *‘Nature’ ‘Context’*, and *‘Resilience’*. The proposal makes good use of the trees and landscaping within the site, both as a design feature and to protect the amenity, and enhance the enjoyment of the site, only removing trees where they are necessary to provide benefit to the acceptability of the scheme, or where these are suffering from ill health.

7.121 Therefore from an Arboricultural perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Landscaping

7.122 Policy EN7 of the ADNP states *“Major development should include as part of planning applications full landscaping and tree planting proposals to add to the distinctive character of the plan area, including off site structural landscaping where the development is on the urban edge and where a common owner makes this possible. Proposals should consider microclimate and specify a diverse range of species, flowering and fruiting at different periods, which enhance wildlife habitats and contribute to national and local biodiversity targets”*

7.123 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be ‘Nature’ and ‘Context’

7.124 Consideration of these aspects have been, in part, considered by the County Ecologist in their ecological appraisal of the proposal. However, this has been given further consideration by the case officer. The proposal intends to retain the majority of the trees and landscaping features present on the site, only removing aspects which are necessary for the implementation of the proposal and those which are of ill health. The landscaping proposals are shown in full in the Landscaping Plans (which form part of the ‘approved plans’ for the site (as detailed in condition 2).

7.125 It is considered that the landscaping proposed as part of the development relates well to the site and its surroundings, helps to provide wildlife biodiversity as well as helping to maximise the resilience of the proposal.

7.126 Therefore from a landscaping perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Contamination

7.127 Paragraph 178 of the NPPF states *“Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

7.128 Policy S3 of the ACS is relevant to this area as this explains that a number of sustainability criteria must be met, some of these relate to Land Contamination and Land Stability matters.

7.129 Policies POL1 are POL2 from the emerging NLP are relevant to this element of the brief.

7.130 Public Protection have provided comment on the proposal and have advised that Public Health Protection have objected due to a lack of ground gas information. It

is however considered by planning officers that these concerns can be overcome with satisfactorily worded conditions as appended to this report or the associated LBC report where appropriate.

7.131 Therefore from a Contamination perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Climate Change (including Sustainable Design and Construction)

7.132 It is important that any development takes into account the effects of climate change and seeks to mitigate these. NPPF paragraph 150 states that to ensure that risks from climate change can be managed, suitable adaptation measures should be adopted, including through the inclusion of green infrastructure and the use of renewable and low carbon energy where appropriate. Policy STP4 of the emerging Northumberland Local Plan requires proposals to mitigate climate change and contribute to meeting targets to reduce greenhouse gas emissions. Policy STP4 goes on to state that two elements which are taken into consideration are building designs which reduce energy consumption, and the incorporation of decentralised, renewable and low carbon energy in the design and construction of the development. The introduction of a major scheme such as this within the urban fabric and context of Alnwick has significant benefits environmentally and in sustainability terms when compared with schemes on the settlement edge or out with large settlements. These include but are not limited to increased access to sustainable transport modes e.g. bus, walk, cycle; as well as reduced reliance on the private car, due to its location within the urban fabric of Alnwick. Further to this, a proposal such as this benefits from being in a location with green infrastructure already in place on the site and as a more compact development, there are sustainability benefits when compared with a scheme composed entirely of dwellings in terms of the overall land take of the scheme, which would likely be of a lower density.

7.133 Further to the above, it is considered that the proposal satisfies the relevant requirements in terms of climate change matters, when considering the policies of the development plan, and material considerations e.g. NPPF and the Emerging Local Plan, where these can be apportioned weight.

Equality Duty

7.134 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

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

Human Rights Act Implications

7.136 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.

7.137 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.

7.139 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 main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 The technical issues affecting the proposal have been suitably addressed subject to conditions set out in the recommendation.

8.3 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application, which would help to increase the tourism offer in Alnwick, contribute to the local economy, and re-use a currently disused site within the Town's urban fabric. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be GRANTED subject to the following conditions and a legal agreement for a CMS contribution of £13,537.

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

- Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated Mar 2020 (Rev C 17.008.20)
- Landscape Layout Plan - Former Gardens Dwg. No 1004-8-3 Dated Mar 2020 (Rev D 17/08/20)
- Proposed GF Plan Dwg No. AL(0)21 Date March 2020 (Rev F 27/03/20)
- Landscape Layout Plan - Courtyard Area Dwg No. 1004-8-1 Dated March 2020 (Rev C 03/08/20)
- Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated March 2020 (Rev B 03.08.20)
- Landscape Layout Plan - Former Gardens DWg No. 1004-8-3 Dated March 2020 (Rev C 03/08/20)
- Proposed Site Plan Dwg No. AL(0)20 Dated March 2020 (Rev E 05/08/20)
- Gym Block Proposed Ground Floor Plan Dwg. No. AL(0)40 Dated March 2020 (Rev C 05/08/2020)
- Proposed Road General Arrangement Dwg No. NT14789-006 Dated 30.03.20 (Rev A 13/07/20)
- Gymblock Proposed Roof Plan Dwg No. AL(0)42 March 2020 (Rev C 17/07/20)
- Gym Block Proposed Elevations South and East Dwg. No. AL(0)43 Dated March 2020 (Rev C 17/07/20)
- Gym Block Proposed Elevations North and West Dwg No. AL(0)44 Dated March 2020 (REv C 17/07/20)
- Gym Block Proposed First Floor Plan Dwg No. AL(0) 41 Date March 2020 (Rev B 27/03/20)
- Gym Block Proposed Ground Floor Plan Dwg. No AL(0)40 Dated March 2020 (Rev B 27/03/20)
- Proposed Site Plan Dwg No. AL(0)20 Dated March 2020 (Rev D 27/04/20)
- Location Plan Dwg No. AL(0)01 Dated March 2020 (Rev A 03/04/20)
- Application Form [As uploaded to DMS 21st April 2020]
- Existing Basement Floor Plan - Proposed Demolition Dwg No. AL(0)15 Dated March 2020 (Rev C 14/02/20)
- Existing Elevations 01 - Proposed Demolition Dated March 2020 (Rev B 27/03/20)
- Existing Elevations 02 - Proposed Demolition Dwg. No AL(0)18 Dated March 2020 (Rev B 27/03/20)
- Existing Elevations 03 - Proposed Demolition Dwg No. AL(0)19 Dated March 2020 (Rev B 27/03/2020)
- Existing First Floor Plan - Proposed Demolition Dwg No. AL(0)13 Dated March 2020 (Rev B 27/03/20)
- Existing Ground Floor Plan - Proposed Demolition Dwg No. AL(0)12 Dated March 2020 (Rev B 27/03/2020)
- Existing Roof Plan - Proposed Demolition Dwg No. AL(0)16 March 2020 (Rev B 27/03/20)

- Existing Second Floor - Proposed Demolition Dwg No. AL(0)14 Dated March 2020 (Rev B 27/03/20)
- Existing Site Plan - Proposed Demolition Dwg No. AL(0)11 Dated March 2020 (Rev B 27/03/20)
- Car Park and Gym Block External Lighting Layout DWg No. 2019001-2-96-L002 Date March 2020 (Rev P01 27/03/20)
- Hotel and Courtyard External Lighting Layout Dwg No. 2019001-2-96-L001 Date March 2020 (Rev P01 27/03/20)
- Landscape Layout Plan - Courtyard Area Dwg No. 1004-8-1 Dated March 2020 (Rev B 27/03/20)
- Landscape Layout Plan - Former Gardens Dwg No. 1004-8-3 Dated March 2020 (Rev B 28/03/20)
- Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated March 2020 (Rev A 27/03/20)
- New Build Hotel Long Section Dwg No. AL(0)27 Dated March 2020 (Rev B 27/03/20)
- New Build Hotel Short Section Dwg No. AL(0)28 Dated March 2020 (Rev B 27/03/20)
- Proposed Basement Floor Plan Dwg No. AL(0)25 Dated March 2020 (Rev C 27/03/20)
- Proposed East Elevation (The Peth) Dwg No AL(0)30 Dated March 2020 (Rev B 27/03/20)
- Proposed Baliffgate Elevation Dwg No. AL(0)29 Dated March 2020 (Rev B 27/03/20)
- Proposed 1st Floor Plan Dwg No. AL(0)22 Dated March 2020 (Rev F 27/03/20)
- Proposed GF Plan Dwg No. AL(0)21 Dated March 20 (Rev F 27/03/20)
- Gym Block Proposed Elevations North and West Dwg No. AL(0)44 Dated March 20 (Rev B 27/03/20)
- Proposed North Elevation AA Dwg No. AL(0)31 Dated March 2020 (Rev B 27/03/20)
- Proposed North Elevation BB Dwg No AL(0)32 Dated March 2020 (Rev C 03/04/20)
- Road Cross Sections Dwg No. NT14789-009 Dated 30-03-20 Rev -
- Proposed Road General Arrangement Dwg No. NT-14789-006 Date 30-03-20
- Proposed Road Levels Plan Dwg No. NT14789-007 Dated 30/03/20 Rev -
- Road Longsections Dwg No. NT14789-008 Dated 30.03.20 Rev -
- Proposed Road Plan Dwg No. AL(0)26 Dated March 2020 (Rev C - 03/04/20)
- Gym Block Roof Plan Dwg No AL(0)42 Dated March 2020 (Rev B 27/03/20)
- Proposed 2nd Floor Plan Dwg No AL(0)23 Dated March 2020 (Rev F 03/04/20)
- Gym Block Proposed Elevations South and East Dwg No. AL(0)43 Dated March 2020 (Rev B 27/03/20)
- Proposed South Elevation Dwg No. AL(0)34 Dated March 2020 (Rev B - 27/03/20)
- Proposed 3rd Floor Plan Dwg No. AL(0)24 Dated March 2020 (Rev E 27/03/20)
- Proposed West Elevation (Courtyard) Dwg No. AL(0)33 March 20 (Rev B 27/03/20)
- Arboricultural Method Statement Tree Protection Plan (AMS TPP) Dwg No. AMS TPP Dated 09.04.20 Rev - By All about Trees Ltd.
- Drainage Strategy Drawing Ref NT14789-005 REV A dated 01/09/2020 issue 2
- Drainage Strategy and Flood Risk Assesment Ref NT14789 001 issue 2 Dated Aug 2020 produced by Wardell Armstrong

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

03. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with

Northumbrian Water and the Lead Local Flood Authority. This must include, details of surface water drainage to manage run off from private land. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

04. No dwelling shall be occupied until the car parking area indicated on the approved plans has been 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 the National Planning Policy Framework.

05. Notwithstanding the details submitted, development shall not commence until details of the proposed highway works (construction of the new site access/egress onto the U3143, Walkergate, modifications to the site access onto the B6341, The Peth, together with associated pedestrian connectivity works/dropped kerb crossings on The Peth, Walkergate and Cannongate, as well as parking restrictions on the U3143, Walkergate) have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

06. Notwithstanding the details provided, the development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework

07. Notwithstanding the details submitted, prior to occupation details of Electric Vehicle Charging to incorporate 6% of the total parking with 3.0m wide parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development , in accordance with the National Planning Policy Framework

08. Development shall not 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. 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
- v. 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 prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework

09. No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework

10. The development shall not be brought into use until a Servicing and Deliveries Management Plan has been submitted to and approved in writing by the Local Planning Authority. The document shall include:

- i. details of the access and egress arrangements for delivery and servicing vehicles;
- ii. details of the type and size of delivery and servicing vehicles to be used;
- iii. delivery and servicing times/days;
- iv. general swept path arrangements for delivery and servicing vehicles.

Thereafter, any requirements of the plan shall be strictly adhered to, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to achieve the requirements of the Service Management Plan, and in accordance with the National Planning Policy Framework.

11. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 28/08/20). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

- a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- b) The archaeological recording scheme required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.
- c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest

12. No development shall commence until a demolition method statement including provision for archaeological monitoring of buildings during demolition (at or below ground level) has been submitted to and approved in writing by the LPA.

Reason: The site is of archaeological interest.

13. The programme of historic building recording undertaken as part of the 'Archaeological Desk-based Assessment and Building Recording' report (Report ref 4987; February 2019) should be archived to appropriate professional standards. A copy of the report and archive should be deposited at Northumberland Archives, Woodhorn Museum. The digital archive (including a digital copy of the report and digital images captured during the recording exercise) should be archived via Archaeological Data Services, York. Accession numbers for each deposit should be internally cross-referenced. The required archiving work should be completed, and the LPA notified in writing with accession numbers provided before the condition is discharged.

Reason: The site is of archaeological and historic interest.

14. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (Duchess High School Ecological Assessment, BSG Ecology Ltd., 8.4.20) including, but not restricted to, obtaining a Natural England European Protected Species Development Licence; 4no. bat boxes (as specified) in trees within the ownership/control of the applicant before demolition/development commences with details of locations to be submitted to, and agreed in writing with, the LPA before works commence; inclusion of in-built bat roost and nesting bird features in the new/converted buildings (e.g. bat/bird bricks, clates, ridge tiles) with types, numbers and locations to be submitted to, and agreed in writing with, the LPA before works commence; provision of 2no. hedgehog nest boxes with types and locations to be submitted to, and agreed in writing with, the LPA before works commence; adherence to timing restrictions; adherence to precautionary working methods and bat and hedgehog Method Statements to be submitted to, and agreed in writing with, the LPA before works commence; adherence to external lighting recommendations in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Professionals, 2018; erection of 15no. bird boxes (as specified) within the site boundary and in the ownership/control of the applicant with details of types and locations to be submitted to, and agreed in writing with, the LPA before works commence; any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped; precautionary aerial (climbing) inspection of any trees proposed for felling before felling works begin with the results of any such assessments, together with any avoidance, mitigation or enhancement works as may be required to be submitted to, and agreed in writing, with the LPA before felling works begin; an updating active season bat and bird nesting survey to be carried out in the event that works do not commence before the end of August 2021 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the LPA before works commence.

Reason: To maintain the favourable conservation status of protected species.

15. No development/demolition, removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law.

16. All new boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species.

17. No development shall be carried out other than in accordance with the arboricultural method statement and tree protection plan (Arboricultural Method Statement Tree Protection Plan, AllAboutTrees Ltd., Drawing No.: AMS-TTP, 9.4.20) and guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

18. No development shall commence until the applicant has submitted a detailed landscape planting plan including the planting of locally native species of trees, shrubs and wildflowers of local provenance to be agreed in writing with the LPA and to be fully implemented during the first full planting season (November March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

19. Before construction work commences samples of the main construction materials and window details for the proposed hotel extension and gym refurbishment shall be submitted to and approved in writing by the LPA. Full details of the type and extent of the proposed photovoltaics to the roof of the proposed new build hotel to be submitted and agreed in writing prior to installation.

Reason: To ensure the proposal is completed as anticipated.

20. 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);*

Construction details (component drawings, materials, vegetation);

* Health and Safety file;

* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

21. Prior to first occupation 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 composed 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

Background Papers: Planning application file(s) 20/01238/FUL

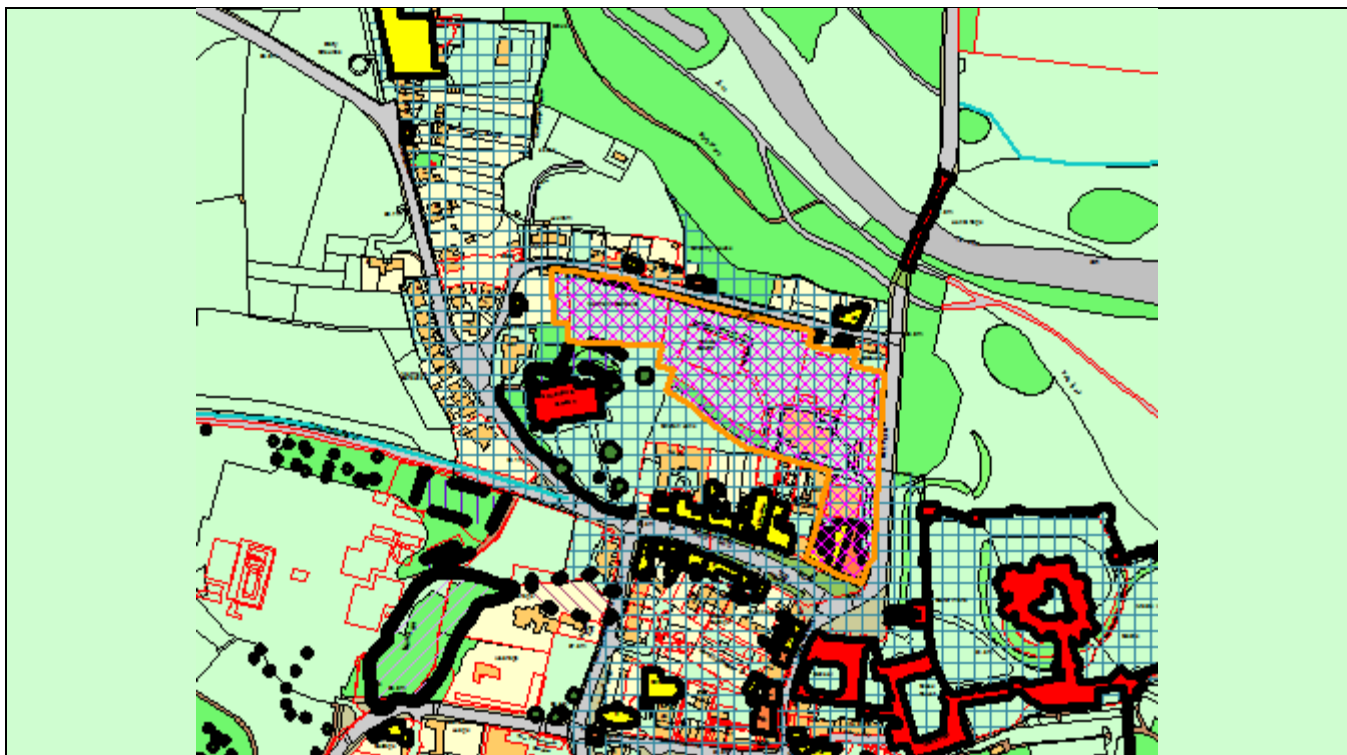


Northumberland
County Council

North Northumberland Local Area Council Planning Committee
January 2020

Application No:	20/01239/LBC		
Proposal:	Listed Building Consent: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.		
Site Address	Duchess High School Annexe, 2 Bailiffgate, Alwick, Northumberland NE66 1LZ		
Applicant:	Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX	Agent:	None
Ward	Alwick	Parish	Alwick
Valid Date:	30 April 2020	Expiry Date:	29 th January 2021
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be GRANTED, subject to conditions.



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 deemed appropriate for consideration at virtual Strategic Planning Committee following consideration through the Virtual Delegation Process.

2. Description of the Site and the Proposal

2.1 The site to which the application relates is located on Bailiffgate, Alnwick and on the land immediately to the North. The listed buildings, 2, 4 and 6-8 Bailiffgate formerly housed the Duchess School. The site is situated on the outskirts of Alnwick town centre, it sits within the Conservation area and immediately to the West of Alnwick Castle. The site is accessed via the public road on Bailiffgate, the north of the site is accessed via a private single carriage road accessed off The Peth. The existing access road tracks to the north and then forms a gravel track to towards the West providing some access to the rear of St Michaels Church.

2.3 The terraced buildings on Bailiffgate site at the top of the slope which forms 'The Peth'. The site slopes gradually down to Walkergate to the North. It is bounded to the East by an existing retaining wall alongside 'The Peth', the West a series of existing stone walls forming the boundary with St Michaels Church. To the north Walkergate forms the boundary with a stone retaining wall alongside the road.

2.4 The proposal to which this application relates is for listed building consent for the conversion of no. 2-8 Bailiffgate to form 14no. hotel suite /apartments, including a new restaurant and bar area. It is proposed that this will be connected by a glazed link to a new-build hotel block extension to the rear, providing 33no. hotel rooms. This totals 47no. hotel rooms.

2.5 The proposed development therefore consists of the conversion of no. 2-8 Bailiffgate, demolition of the rear of 2-8 Bailiffgate and the boundary wall to the east (to allow for vehicular access off The Peth), the refurbishment of the existing gymnasium block and a new build extension.

2.6 It is understood that the gross floor space of the proposal is to be 5630m² with this composed of 4654m² hotel (C1 use) and 976m² (D2 use) Assembly and Leisure use, which is ancillary to the primary function of the proposal as a hotel.

3. Planning History

Reference Number: C/09/00074/CCD

Description: Removal of existing mobile unit and replacement with 2 double mobile units

Status: PER

Reference Number: 13/02288/LBC

Description: Listed Building Consent - Roof repairs to replace stolen lead roof

Status: WDN

Reference Number: 15/00563/VARCCD

Description: Variation of condition 1 from application C/09/00074/CCD (Removal of existing mobile unit and replacement with 2 double mobile units).

Status: APPRET

Reference Number: 18/02544/LBC

Description: Listed Building Consent: General repairs and reinstatement works following cessation of use as school in order to improve aesthetics and make premises wind and watertight. There will also be timber decay repairs, asbestos removal and plaster repairs internally.

Status: PER

Reference Number: 19/04192/LBC

Description: Listed building consent for localised repair of existing pitched roofs, to include replacement of natural slates, lead work, roof lights and cast iron rainwater goods. Install new thermal insulation throughout roof voids at rafter level and removal of existing ceilings throughout the upper floors to expose the roof voids. Redecorate retained existing cast iron rainwater goods.

Status: PCO

Reference Number: 20/01238/FUL

Description: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PCO

4. Consultee Responses

Alnwick Town Council	<p>Alnwick Town Council (ATC) believes that the development of hotel, restaurant and gymnasium facilities on the site of the former Duchess High School will bring significant benefits to the town. It will bring back into use buildings which have lain empty since 2016 and provide additional employment opportunities for the residents of the town and its surrounding district. High quality hotel accommodation in the town centre will reinforce Alnwick's stature as one of the premier tourist destinations in Northumberland. As importantly, at a time when the future of the local economy looks uncertain, such a significant investment will signal renewed faith in the future development of the town.</p> <p>For all of these reasons, ATC accepts the general principle of development. ATC has, however, a number of specific concerns and must OBJECT until these are adequately addressed. These fall into three areas; massing, parking and related issues, and access.</p>
Building Conservation	<p>While we support necessary measures to find a new use for 2-8 Bailiffgate we suggest all harm should be avoided. However, if harm is demonstrably necessary it should be minimised. There is no evidence that a building on the scale of the proposed hotel is necessary to bring about the reuse of 2-8 Bailiffgate. In order to bring about the necessary traffic circulation around the proposed development a significant length of listed wall would be sacrificed. We consider the development would give rise to less than substantial harm within the terms of paragraph 196 of the Framework and consequently we object.</p>

Historic England	<p data-bbox="552 96 895 129">Historic England Advice</p> <p data-bbox="552 174 1445 1305">Historic England's remit with the application is the impact the proposal would have on the significance of the grade II* listed 2 Bailiffgate and Alnwick Conservation Area where it is defined by the western entrance of Alnwick Castle, itself a grade I listed building. The existing condition of 2 Bailiffgate and its neighbours 4 and 6-8 is of concern since the Duchess High School vacated the buildings. Internally their characters have been much altered by decades of school use but they retain in their layout and some surviving details a sense of their origins as 18th and 19th century town houses. Externally the buildings make a contribution to the historic coherence and appearance of Bailiffgate and the return of No2. Is overlooked by the imposing curtain walls of the castle with views of the Lion Bridge and grade II* registered park and garden in the distance. On the whole their proposed conversion to hotel use is handled with sensitivity, working with historic layout and restoring features. The loss of the rear ranges and a further erosion of the plot boundaries are the most noticeable negative impacts but probably justifiable in the context of creating a viable hotel. The eradication of dry rot should be directed by understanding and stopping the cause of moisture that leads to the environmental conditions necessary for the rot to take hold. I recommend conditioning a methodology for this aspect of the proposal. The new hotel wing is respectfully sited in relation to the rear of No2 and to The Peth, in turn this helps its relationship to the curtain wall of the Castle in that it feels rooted in the town layout and so maintains the distinction between castle and settlement. The size is large for a rear plot development but manages not to dominate No2 or obscure too much of its rear elevation. It is probably of the maximum size that could be respectful here.</p> <p data-bbox="552 1350 1445 1709">A uniform hotel unit plan produces a very regular set of elevations but monotony is avoided through careful detailing of material and texture and inspiration from the town's simple yet ordered 18th and 19th century town houses. All told the application presents a good balance between finding a new viable use for the listed buildings whilst creating a relatively large new building for this part of Alnwick Conservation Area. It accords with paragraph 193 of the National Planning Policy Framework asks that great weight be given to the conservation of designated heritage assets.</p> <p data-bbox="552 1753 799 1787">Recommendation</p> <p data-bbox="552 1832 1445 1895">Historic England has no objection to the application on heritage grounds.</p>
National Amenity Societies	No response received.
County Archaeologist	There are no objections to the proposed development on archaeological grounds subject to a programme of

	archaeological mitigation being undertaken in association with the proposed development. This advice is consistent with paragraph 199 of the NPPF.
	Conditions suggested

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	477
Number of Objections	2
Number of Support	0
Number of General Comments	1

Notices

Site notice - Listed Building Consent, 22nd May 2020

Morpeth Herald 14th May 2020

Summary of Responses:

2 Representations of objection have been received. These raise concerns regarding the following matters:

- Highway and Transport Issues (e.g. access, road safety and parking)
- Impact on Amenity of Nearby Occupiers

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=Q958I9QSFXQ00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy (ACS)

S15 Protecting the built and historic environment

S16 General design principles

Alnwick and Denwick Neighbourhood Plan ('Made' Version 2017) (ADNP)

CF5 - Future Development of the Middle Schools

HD1 -Protecting Landscape SettingHD2 - Heritage Assets at Risk

HD5 - Design in the Wider Town

6.2 National Planning Policy

National Planning Policy Framework (2018)

National Planning Practice Guidance (2018, as updated)

6.3 Other Documents/Strategies

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (January 2019) (NLP)

Policy QOP 1 Design principles (Strategic Policy)
Policy QOP 2 Good design and amenity
Policy QOP 5 Sustainable design and construction
Policy QOP 6 Delivering well-designed places
Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
Policy ENV 7 Historic environment and heritage assets

National Design Guide 2019

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 or its setting or any features of special architectural or historic interest which it possesses. The main issues in the consideration of this application are:

- Principle of Development;
- Impact on Listed Buildings; and,
- Impact on Archaeology.

The Principle of Development

7.2 The NPPF is a material planning consideration in the assessment of the application. Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets.

7.3 Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm' or, 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.3 The Adopted Development Plan where the site is located, comprises the saved policies of the Alnwick and Denwick Neighbourhood Plan ('Made' version 2017) (ADNP), Alnwick District Local Plan 1997 (ADLP) and The Alnwick District local Development Framework Core Strategy 2007 (ACS). ACS Policy S15 seeks to conserve and enhance a strong sense of place by conserving the districts built and historic environment. It requires that all development involving a heritage asset should conserve and, where possible, enhance the asset for the future.

7.4 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. As per Para 48 of the NPPF the amount of weight that can be given to the emerging Local Plan depends upon the stage of the plan, the level of unresolved objections and its consistency with the NPPF.

7.5 The principle of providing an appropriate level of sympathetic development to help secure the future and retention of an appropriate use, which will in turn help secure the future of the listed building, is supported. The proposal would accord with local plan policy S15 and the provisions and intentions of the NPPF.

Heritage Matters

7.6 The NPPF, ADLP and the NCS seek to protect heritage assets within the plan area. The site includes the listed buildings of the former Duchess School and is adjacent to the Conservation Area Boundary to the north of the site.

7.7 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 or its setting or any features of special architectural or historic interest which it possesses.

7.8 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.9 The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.10 Policy S15 of the ACS is the most relevant policy in relation to the Historic Environment in the former Alnwick District Area, and Policies HD2 and HD5 from the ADNP covering specifically the Alnwick, Denwick and Denwick (detached) parishes with NPPF Chapter 16 providing the national context.

7.11 HD2 of the ADNP "*Where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged.*"

7.12 The National Planning Policy Framework (NPPF) is a material Planning consideration in the assessment of the application. Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.13 In terms of significance the following is important to note: Within the given red line are the following designated heritage assets will be directly affected: 2 Bailiffgate: grade II* listed; 4 Bailiffgate: grade II listed; 6-8 Bailiffgate: grade II listed; Retaining Walls [Walkergate] grade II listed. The red line boundary is wholly within the Alnwick Conservation Area. The development has the potential to affect the setting of further designated heritage assets including some of the highest national importance including Alnwick Castle (grade I listed) and the Alnwick Castle Registered Park and Garden (grade I listed).

7.14 In terms of commentary from the Conservation Area Character Appraisal, the following is offered in terms of townscape "*The area is centred on the Castle, which is experienced in different ways from the various roads leading to it. From The Peth,*

leading in to the Conservation Area from the north, the Castle is viewed as a whole, the open views to the east contrasting with the walls and vegetation to the west side of the road. Baliffgate forms a processional way, focussing on the Castle gatehouse that is visible along its whole length. The tall canyon of Narrowgate forms a surprising contrast to the open space in front of the Castle, which is of similar size and proportions to the marketplace, but dominated by roads and car parking which give it a diffuse, open character. High boundary walls are a feature of the area, where the tall facades of the Riding School and Castle Bailey contribute to a strong sense of enclosure, impinging on the streetscape of Narrowgate, Baliffgate and The Peth, and emphasising the separateness and power of the Castle"

7.15 In terms of key buildings, the following is offered: *"Apart from the Castle, the key building in Baliffgate is the Museum, whose vertical architectural style and small front yard create an interesting interruption to the horizontal, linear nature of the remainder of the street. The Grade II* listed three-storey houses at the east end of Baliffgate emphasise the importance of the Castle"* It is these three storey houses at the east end of Baliffgate that form part of the proposal, and indeed its frontage.

7.16 With specific reference to the host properties the conservation area appraisal states the following *"Baliffgate had always been directly held by the Castle, and was traditionally the home of Estate employees; the Duchess' School building was originally a dwelling for the Duke's agent, and the house next door for his librarian."*

7.17 The interiors of 2-8 Bailiffgate have been significantly altered through its period of use as a school with the removal of many internal walls and associated features and the addition of other subdivisions. To some extent the changes proposed allow a better understanding of room proportions and in some cases restore their wholeness allowing a better appreciation of the significance of the heritage asset.

7.18 A further key consideration with regard to the interior is the treatment of dry rot within the zone marked on the proposed plans. The eradication of dry rot which is well established in the building will result in wide scale loss of original plaster and internal timber structure with its important joinery details. Where parts of the existing interior must be discarded to treat the dry rot they must be replaced like for like in matching detail and materials. A suitable condition is appended to the associated LBC report to cater for this requirement.

7.19 Extensive demolition is proposed to the rear of 2-8 Bailiffgate. It is accepted that not all parts of the listed buildings have equal significance. Also, some C20 additions have marginal significance and their demolition is not resisted. While the loss of certain C18 and C19 rear extensions is regrettable their loss is accepted as part of a balance required to find a new use compatible with the significant historic fabric of 2-8 Bailiffgate within the terms of the Framework and Planning Practice Guidance.

7.20 It will be prudent to require the submission of a window schedule detailing the windows to be affected and the work proposed to them for the prior approval of the LPA. It is noted that it is proposed to clean the stone of the existing building and this will be conditioned. Building Conservation have raised no objection to the reuse of the gym block.

7.21 A suitable materials condition has been attached to this report to ensure the quality of the materials used in the final proposal are satisfactory, and as anticipated.

7.22 The proposal has been examined by both the Building Conservation Officer and the County Archaeologist, and Historic England. The Building Conservation Officer has considered the application to form less than substantial harm (further commentary below) and the County Archaeologist has no objection and has offered the commentary below, subject to conditions. These conditions have been appended to this report. Historic England have no objection to the proposal on heritage grounds, and have offered the following *“A uniform hotel unit plan produces a very regular set of elevations but monotony is avoided through careful detailing of material and texture and inspiration from the town’s simple yet ordered 18th and 19th century town houses. All told the application presents a good balance between finding a new viable use for the listed buildings whilst creating a relatively large new building for this part of Alnwick Conservation Area. It accords with paragraph 193 of the National Planning Policy Framework asks that great weight be given to the conservation of designated heritage assets.”*

7.23 The County Archaeologist has commented *“The proposed development layout is as set on the 'proposed general arrangement' plan (added to Public Access website 05 August 2020). Buildings fronting Baliffgate and the existing gymnasium building to the rear of will be retained. Any archaeological remains surviving below the footprint of these buildings will not be affected. Buildings to the rear of 2-8 Baliffgate to be demolished are identified on the 'Demolition Survey' (plan added to the Public Access website 10 August 2020). Details of construction methodologies, depths and foundation techniques for the new buildings are not currently available. Development of this scale will typically include site clearance, landscaping, construction activities, construction of temporary compounds, soil storage and service utility connections. The extent of development proposed as part of the present application is illustrated on the 'proposed general arrangement' plan. However, the 'proposed site layout' plan and red line boundary also includes two areas annotated 'principle of residential development established by planning permission A/2010/0450'. No detailed proposals are identified in this area as part of the present application, though the areas are included within the proposed development boundary. For the purposes of this response it is therefore assumed that the whole of the site within the red line boundary will be impacted by the proposed development. Given the scale and nature of development proposed, it is assumed that any archaeological remains present within the site will be either wholly destroyed by the development process or truncated to the extent that the significance of any surviving remains is substantially compromised unless the applicant is able to demonstrate otherwise.”*

7.24 Further to the above, the County Archaeologist has commented *“Taking into account the results of archaeological assessments undertaken across the site to date and the impact of the proposed development on the significance of the known and unknown archaeological remains, I recommend that the developer is required to commission a programme of archaeological mitigation work. The required archaeological work can be secured by condition in line with paragraph 199 of the NPPF. In order to ensure that an agreed programme of archaeological work can be effectively implemented it will be necessary for the applicant's archaeological consultant / contractor to liaise with other members of the project team to ensure that the archaeological works are accommodated in the development programme and budget.”*

7.25 The proposal is therefore deemed to be acceptable from an Archaeological perspective, subject to conditions, according with relevant heritage policy and legislation in relation to Archaeological matters, appropriate conditions are suggested to the planning officer and have been appended to this report.

7.26 The Building Conservation Officer has provided the following comments *"A significant concern for Building Conservation is the new hotel building. The proposed 33 bed hotel extension over four levels is considerably greater in mass, height and overall impact than the building it would replace. The key concerns are the setting of Alnwick Castle and the adverse impact on The Peth street scene and consequently on the character of the conservation area. The new hotel would be an unusually tall and bulky building travelling along the Peth in a location where the castle walls presently dominate. Its significant height would be underlined by most of its length being on a level platform rather than following the gradient of the Peth. While we recognise the mitigation through design, stepping down at the north and selection of materials we believe harm within the terms of the Framework would remain by virtue of the overall height of the hotel building. A further concern is the impact on Walkergate. We found no discussion in the HIA of the direct physical impact on the grade II listed Retaining Wall. At 6.48 we are told: "The retaining wall does make a positive contribution to Walkergate and therefore to the conservation area..." Further, at 6.49 "The high retaining walls along the Peth and Walkergate will be unaffected by the proposals. Given the new exit for traffic from the hotel will be onto Walkergate a significant portion of the listed fabric would have to be removed. While the plans bear a note relating to the 2010 consent for housing and depict it (implying the exit point already enjoys in principle support) it is not clear if A/2010/0450 is extant. This is harm within the terms of the Framework."*

7.27 In terms of a final position Building Conservation offer the following is offered *"While we support necessary measures to find a new use for 2-8 Bailiffgate we suggest all harm should be avoided. However, if harm is demonstrably necessary it should be minimised. There is no evidence that a building on the scale of the proposed hotel is necessary to bring about the reuse of 2-8 Bailiffgate. In order to bring about the necessary traffic circulation around the proposed development a significant length of listed wall would be sacrificed. We consider the development would give rise to less than substantial harm within the terms of paragraph 196 of the Framework and consequently we object."*

7.28 Therefore the level of harm identified within the scheme (less than substantial harm) must be weighed up against the public benefits of the scheme.

Public Benefits (In relation to Heritage Matters)

7.29 A number of public benefits of the scheme have been identified. These include, but are not limited to:

- The proposed development has been prepared in a holistic manner through a Masterplan for the delivery of the whole site, including the conversion of the former Duchess School alongside the new development. This is a positive approach to planning and encouraged to ensure that the site is delivered in a holistic manner and all necessary and appropriate mitigation and public benefits are secured.
- The proposed development that it will bring a currently vacant Grade II Listed Building back into use and prevent it from falling into a further state of disrepair.

- The addition of further hotel in Alnwick to allow the General Public to enjoy Alnwick, Northumberland, and the wider region, as well as providing accommodation from which the county's historic environment can be experienced.
- The proposal will provide a welcome boost to the local economy, through the provision of new jobs.
- The securing of planning obligations (CMS contribution) associated with the delivery of the accompanying application.

7.30 It is considered that these public benefits as set out above, outweigh the level of harm identified by the Building Conservation Officer and comply with the relevant provisions of the development plan (both ACS and the ADNP) in relation to heritage assets, when balanced with the provisions of the NPPF.

7.31 The proposal is considered to accord with the provisions of ACS policy 15, ADNP policy HD4 & HD5 and the provisions and intentions of the NPPF; and the emerging Local Plan, where this can be given weight. Appropriate Conditions have been appended to either this LBC report or the associated report relating to the full planning permission, where appropriate, to make the development acceptable in planning terms.

Other Matters

7.32 Conditions in relation to safeguarding the public against potential pollution sources have been appended to this 'LBC' report, rather than the 'Full' application. This is to ensure that these are taken into full consideration during the conversion of the existing buildings and the construction of new structures/buildings within the site curtilage.

Equality Duty

7.33 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

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

Human Rights Act Implications

7.35 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.

7.36 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.

7.37 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 has been considered against the relevant policies and accord is considered to accord with the development plan and the relevant sections within the NPPF. On balance, the less than substantial harm on the setting of the listed building is considered to be outweighed by the public benefit of helping to secure an appropriate and viable use for the listed building into the future.

9. Recommendation

That this application be GRANTED subject to the following conditions:

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

02. 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:

Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated Mar 2020 (Rev C 17.008.20)

Landscape Layout Plan - Former Gardens Dwg. No 1004-8-3 Dated Mar 2020 (Rev D 17/08/20)

Proposed GF Plan Dwg No. AL(0)21 Date March 2020 (Rev F 27/03/20)

Landscape Layout Plan - Courtyard Area Dwg No. 1004-8-1 Dated March 2020 (Rev C 03/08/20)

Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated March 2020 (Rev B 03.08.20)

Landscape Layout Plan - Former Gardens DWg No. 1004-8-3 Dated MArch 2020 (Rev C 03/08/20)

Proposed Site Plan Dwg No. AL(0)20 Dated March 2020 (Rev E 05/08/20)

Gym Block Proposed Ground Floor Plan Dwg. No. AL(0)40 Dated March 2020 (Rev C 05/08/2020)

Proposed Road General Arrangement Dwg No. NT14789-006 Dated 30.03.20 (Rev A 13/07/20)

Gymblock Proposed Roof Plan Dwg No. AL(0)42 March 2020 (Rev C 17/07/20)

Gym Block Proposed Elevations South and East Dwg. No. AL(0)43 Dated March 2020 (Rev C 17/07/20)

Gym Block Proposed Elevations North and West Dwg No. AL(0)44 Dated March 2020 (REv C 17/07/20)

Gym Block Proposed First Floor Plan Dwg No. AL(0) 41 Date March 2020 (Rev B 27/03/20)

Gym Block Proposed Ground Floor Plan Dwg. No AL(0)40 Dated March 2020 (Rev B 27/03/20)

Proposed Site Plan Dwg No. AL(0)20 Dated March 2020 (Rev D 27/04/20)

Location Plan Dwg No. AL(0)01 Dated March 2020 (Rev A 03/04/20)

Application Form [As uploaded to DMS 21st April 2020]

Existing Basement Floor Plan - Proposed Demolition Dwg No. AL(0)15 Dated March 2020 (Rev C 14/02/20)

Existing Elevations 01 - Proposed Demolition Dated March 2020 (Rev B 27/03/20)

Existing Elevations 02 - Proposed Demolition Dwg. No AL(0)18 Dated March 2020 (Rev B 27/03/20)

Existing Elevations 03 - Proposed Demolition Dwg No. AL(0)19 Dated March 2020 (Rev B 27/03/2020)

Existing First Floor Plan - Proposed Demolition Dwg No. AL(0)13 Dated March 2020 (Rev B 27/03/20)

Existing Ground Floor Plan - Proposed Demolition Dwg No. AL(0)12 Dated March 2020 (Rev B 27/03/2020)

Existing Roof Plan - Proposed Demolition Dwg No. AL(0)16 March 2020 (Rev B 27/03/20)

Existing Second Floor - Proposed Demolition Dwg No. AL(0)14 Dated March 2020 (Rev B 27/03/20)

Existing Site Plan - Proposed Demolition Dwg No. AL(0)11 Dated March 2020 (Rev B 27/03/20)

Car Park and Gym Block External Lighting Layout DWg No. 2019001-2-96-L002 Date March 2020 (Rev P01 27/03/20)

Hotel and Courtyard External Lighting Layout Dwg No. 2019001-2-96-L001 Date March 2020 (Rev P01 27/03/20)

Landscape Layout Plan - Courtyard Area Dwg No. 1004-8-1 Dated March 2020 (Rev B 27/03/20)

Landscape Layout Plan - Former Gardens Dwg No. 1004-8-3 Dated March 2020 (Rev B 28/03/20)

Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated March 2020 (Rev A 27/03/20)

New Build Hotel Long Section Dwg No. AL(0)27 Dated March 2020 (Rev B 27/03/20)

New Build Hotel Short Section Dwg No. AL(0)28 Dated March 2020 (Rev B 27/03/20)

Proposed Basement Floor Plan Dwg No. AL(0)25 Dated March 2020 (Rev C 27/03/20)

Proposed East Elevation (The Peth) Dwg No AL(0)30 Dated March 2020 (Rev B 27/03/20)

Proposed Baliffgate Elevation Dwg No. AL(0)29 Dated March 2020 (Rev B 27/03/20)

Proposed 1st Floor Plan Dwg No. AL(0)22 Dated March 2020 (Rev F 27/03/20)

Proposed GF Plan Dwg No. AL(0)21 Dated March 20 (Rev F 27/03/20)

Gym Block Proposed Elevations North and West Dwg No. AL(0)44 Dated March 20 (Rev B 27/03/20)

Proposed North Elevation AA Dwg No. AL(0)31 Dated March 2020 (Rev B 27/03/20)

Proposed North Elevation BB Dwg No AL(0)32 Dated March 2020 (Rev C 03/04/20)

Road Cross Sections Dwg No. NT14789-009 Dated 30-03-20 Rev -

Proposed Road General Arrangement Dwg No. NT-14789-006 Date 30-03-20

Proposed Road Levels Plan Dwg No. NT14789-007 Dated 30/03/20 Rev -

Road Longsections Dwg No. NT14789-008 Dated 30.03.20 Rev -

Proposed Road Plan Dwg No. AL(0)26 Dated March 2020 (Rev C - 03/04/20)

Gym Block Roof Plan Dwg No AL(0)42 Dated March 2020 (Rev B 27/03/20)

Proposed 2nd Floor Plan Dwg No AL(0)23 Dated March 2020 (Rev F 03/04/20)

Gym Block Proposed Elevations South and East Dwg No. AL(0)43 Dated March 2020 (Rev B 27/03/20)

Proposed South Elevation Dwg No. AL(0)34 Dated March 2020 (Rev B - 27/03/20)

Proposed 3rd Floor Plan Dwg No. AL(0)24 Dated March 2020 (Rev E 27/03/20)

Proposed West Elevation (Courtyard) Dwg No. AL(0)33 March 20 (Rev B 27/03/20)

Arboricultural Method Statement Tree Protection Plan (AMS TPP) Dwg No. AMS TPP Dated 09.04.20 Rev - By All about Trees Ltd.

Drainage Strategy Drawing Ref NT14789-005 REV A dated 01/09/2020 issue 2

Drainage Strategy and Flood Risk Assesment Ref NT14789 001 issue 2 Dated Aug 2020 produced by Wardell Armstrong

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

03. Prior to the commencement of work to windows a detailed schedule and annotated plan shall be submitted showing the type and condition of all existing windows. The schedule shall show which windows are to be retained and details of the windows that are to be replaced. No window shall be removed or replaced other than in accordance with the approved schedule. New or replacement windows shall match exactly the form, proportions and details of the originals in every respect including the design and profile of glazing bars and other mouldings.

New or replacement roof lights shall be flush fitting and metal framed.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

04. All existing internal decorative features including fireplaces, doors, architraves, skirtings, decorative plaster work and panelling shall be retained in situ unless expressly specified in the Mawson Kerr Internal Features Survey dated February 2019. No additional such features may be removed or altered without the prior written consent of the LPA. Any further features, being removed, or removed and replaced will be submitted to and agreed in writing by the LPA.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

05. Before masonry cleaning begins any proposals must be approved in writing by the LPA. Prior to cleaning a test panel shall be undertaken in an inconspicuous area for inspection by the LPA and the work executed only in accordance with the written the approval.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

06. Before the installation of services begins the position and type of all new and relocated services shall be specified and agreed in writing with the LPA wherever such installations are to be externally visible. No new plumbing, ducts, pipes, flues, extracts or vents shall be fixed to the external faces of the building other than with the prior written consent of the LPA.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

07. Prior to the commencement of development the applicant must either:

a) Investigate the site for ground gases to the satisfaction of the Local Planning Authority (LPA), to ascertain whether gas protection measures are required. Where measures are required, the details shall be submitted to, and approved by, the LPA. or, b) The applicant shall install gas protection measures as a precautionary measure without first investigating the site. The details of these measures shall be submitted to, and approved by, the LPA.

In either circumstance all required measures shall be installed before the development is first occupied and a building surveyor's certification that the work has been done will need to be supplied to the LPA.

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.

08. 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.

09. Prior to the commencement of development above damp proof course level samples of the proposed facing and external materials (including roof materials) of the new build element of proposal shall be submitted to and approved by the Local Planning Authority. This can either be in the form of a physical submission, or in the form of a materials board provided on the site. The materials as approved shall be used in the construction of the extension hereby approved.

Reason: To ensure satisfactory preservation of the Listed Building.

Background Papers: Planning application file(s) 20/01239/LBC



Northumberland
County Council

North Northumberland Local Area Virtual Committee 21st January 2021

Application No:	20/02159/COU		
Proposal:	Change of use to storage facility to be used for container, boat and caravan storage		
Site Address	Land North East Of Chathill Station, Chathill, Northumberland,		
Applicant:	Mr M Worthington C/o Hedley Design Ltd	Agent:	Mr S Hedley Hedley House, Meadowfield, Ponteland, Northumberland NE20 9SD
Ward	Longhoughton	Parish	Ellingham
Valid Date:	29 July 2020	Expiry Date:	29 January 2021
Case Officer Details:	Name: Mr Jon Sharp Job Title: Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@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

This application falls to be determined by the North Northumberland Local Area Council following receipt of a valid objection from Chathill Parish Council. The application has been reviewed by the Director of Planning and the Committee Chair and Vice Chair who considered that the application raises issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 The application seeks permission for the change of use of former railway land to boat and caravan storage. The application also seeks permission for the erection of storage compounds.

2.2 The land would be divided into 10no storage compounds ranging in size from approximately 135sqm to 250sqm, each of which would include a single shipping container and an area of hardstanding. The proposed containers would each have a footprint of approximately 15sqm and height of approximately 2.6 metres. The compounds would be arranged along the north eastern boundary of the site with an access road separating them from the listed station buildings to the south west.

2.3 The application site is located adjacent to the settlement of Chathill and consists of an area of former railway land that was originally part of the station goods yard and bay platform for the Seahouses branch line. The land is currently laid to a combination of concrete and crushed hardcore surfacing having previously been overgrown with scrub like vegetation. The site is located adjacent to Chathill Station and is bound to the north east by a Northumbrian Water pumping station and open agricultural fields, by the station platform and railway lines to the south west and by highway, from which the site is accessed, to the south east.

3. Planning History

Reference Number: 13/02735/FUL

Description: Proposed 6no. (3 bedroom) affordable houses with associated garden and parking provision

Status: Withdrawn

Reference Number: 13/03392/FUL

Description: Proposed 6no. (2 bedroom) affordable houses are proposed with associated garden and parking provision

Status: Refused

Reference Number: N/86/B/LB44

Description: Erection of electrification masts within station limits.

Status: Permitted

Appeals

Reference Number: 14/00032/REFUSE

Description: Proposed 6no. (2 bedroom) affordable houses are proposed with associated garden and parking provision

Status: Dismissed

4. Consultee Responses

Building Conservation	The proposed storage facility has potential to create an incongruous feature in the predominantly open countryside to the east of the designated assets. Such a feature might be expected trackside in the approach to an industrial city but it would be harmful to setting here.
-----------------------	--

	We therefore object to the proposal, which would give rise to less than substantial harm within the terms of paragraph 196 the Framework. It should be noted that Paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight [emphasis added] should be given to the asset's conservation.
County Archaeologist	No objections to the proposed development on archaeological grounds. The railway infrastructure previously on the site has been removed. No archaeological recording work is therefore recommended.
County Ecologist	Further information required prior to determination
County Ecologist (reconsult)	No objection subject to condition securing biodiversity enhancement
Ellingham Parish Council	The Parish Council objects on the grounds the proposal would represent inappropriate industrialisation of the site, detrimental impact on the setting of adjacent listed buildings, access, impact on wildlife, impact on AONB and confusion of purpose.
Highways	Further information required
Highways (reconsult)	Further to highway's response dated 19th August 2020 the applicant was asked to provide further information. Whilst some of the information submitted is acceptable, the applicant is required to provide a revised plan giving details of swept path analysis and upgraded access to progress this application further.
Highways (reconsult 2)	Further to highway's response dated 21st October 2020, the applicant was asked to provide further information. The further information provided addresses the highway safety concerns outlined in our previous responses and there are no other highway safety concerns arising from the proposed development.
Network Rail	No objection subject to conditions and informatives
Public Protection	No objection providing that the measures detailed in the application documents are implemented as stated. Informative recommended.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	5
Number of Objections	2
Number of Support	4
Number of General Comments	2

Notices

Site Notice - Affecting Listed Building, posted 24th August 2020

Press Notice - Berwick Advertiser, published 6th August 2020

Summary of Responses:

8no representations have been received, 2no neutral, 2no objections and 4no in support.

The neutral representations raise concerns about access to the site, visual impact and impact on the listed station buildings Concerns also raised about the operation of the site, external lighting and highway safety,

The objections raise similar concerns regarding the operation of the proposed storage yard and the impact on ecology arising from the pre-emptive clearance of the site. (Both objections were submitted by the same people who had previously submitted the neutral comments).

The supporters consider that the proposal would provide much needed storage space for businesses in the area and indeed the storage needs of second homes and holiday homes. Furthermore, provision of additional storage facilities closer to the coast than those currently available elsewhere would be a great opportunity to develop and reduce overheads for local businesses. The site is outside the AONB, the proposal would reuse existing derelict brownfield land, previously identified as needing regeneration, access is within a 30 mph speed zone and utilises an existing access point. No permanent structures are proposed and they would be viewed against the backdrop of the railway line.

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=QDEAJZQS0CS00>

6. Planning Policy

6.1 Development Plan Policy

Berwick upon Tweed Local Plan (1999)

F1 Environmental Wealth
F4 Intermediate Areas of Landscape Value
F10 Protected Species
F31 Social and Economic Welfare
W6 Bad Neighbour Uses

6.2 National Planning Policy

National Planning Policy Framework (2019)

Planning Practice Guidance (2019, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan Publication Draft Plan and Proposed Minor Modifications (Reg 19), as submitted 29th May 2019

STP 1 Spatial Strategy (Strategic Policy)

ECN 12 A strategy for rural economic growth (Strategic Policy)
ECN 13 Meeting rural employment needs (Strategic Policy)
QOP 1 Design Principles (Strategic Policy)
QOP 2 Good Design and Amenity
TRA 1 Promoting Sustainable Connections (Strategic Policy)
TRA 2 Effects of Development on the Transport Network
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and Geodiversity
ENV 3 Landscape
ENV 4 Tranquillity, dark skies and a sense of rurality
ENV 7 Historic environment and heritage assets
WAT 2 Water supply and sewerage
WAT 4 Sustainable Drainage Systems

6.4 Other Documents/Strategies

National Design Guide (2019)

Planning (Listed Buildings and Conservation Areas) Act 1990

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are;

Principle of Development,
Emerging Policy,
Scale, Design & Visual Impact,
Amenity,
Impact on Highways,
Impact on Railway,
Heritage Assets, and
Ecology.

Principle of the development

7.2 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the saved policies of the Berwick Local Plan (1999) (BLP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F4 of the same document seeks to ensure that any development within the Intermediate Areas of Landscape value accords with its surroundings, in terms of scale, mass, materials etc. and sets out locational requirements for development. Policy F31 of the same document seeks to ensure that, in applying Framework policies, appropriate 'weight' is given to the degree to which proposals enhance the quality of life of communities or complement the range of their social and economic functions.

7.5 Paragraph 83 of the NPPF supports economic growth in rural areas. As the proposal seeks to create a sustainable rural business which would potentially help to support the storage needs of other rural businesses, the provision of a storage facility and associated infrastructure in this location is acceptable in accordance with the provisions of the BLP and the NPPF.

Emerging Policy

7.6 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Reg 19) and proposed minor modifications was submitted for examination on 29th May 2019. The policies contained within this document carry some weight in the determination of planning applications at this stage.

7.7 Policy STP1 of the emerging NLP seeks to ensure that development in the open countryside is sensitive to its surroundings, does not have an unacceptable impact upon the local road network and uses previously developed land where opportunities exist.

7.8 Policy ECN 13 of the emerging plan states that in the countryside, development that will generate employment opportunities, proportionate to the rural location, will be supported where it is related as closely as possible to the existing settlement pattern, existing services and accessible places and will not have an adverse impact on the operational aspects of local farming or forestry. These policies are a material consideration in the determination of this planning application, although they may be afforded little weight at this stage.

Scale, Design & Visual Impact

7.9 Policy F4 of the BLP sets out the criteria against which new development shall be assessed. This includes the impact on adjacent land uses in terms of scale, massing, materials, etc and sets out locational requirements for development.

7.10 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.11 The proposed development would be characterised by temporary structures and would be of a scale that would be appropriate to its surroundings. In terms of visual impact, the primary views of the development would be on approach to the

village from the east, where it would be seen against the backdrop of the railway station and associated infrastructure. Views across the site to the railway station have been opened up as a result of the removal of vegetation from the site, however the applicant has agreed to incorporate boundary planting along the north eastern boundary to lessen the impact of the development and a condition is included below in this respect. On this basis the proposal is acceptable in accordance with Policy F4 of the BLP and the NPPF.

7.12 Policy QOP 1 of the emerging NLP echoes this and seeks to support development which respects its surroundings. Policy ENV 1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character. Policy ENV4 seeks to limit the urbanising effects on open countryside landscapes. The proposal is considered to be in general accordance with these policies, however little weight can be attributed to them at this time.

Amenity

7.13 Policy W6 of the BLP seeks to ensure that development that could be reasonably expected to adversely affect surrounding land uses can be suitably mitigated in order to safeguard other land users and the wider community. Meanwhile, Policy R9 seeks to ensure that a high standard of amenity will be provided for visitors to the site.

7.14 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.15 Due to the site location, it is considered that there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook, overbearing or privacy. The application has been reviewed by the Council's Public Health Protection team and no objections have been raised nor conditions requested. Concerns raised in respect of external lighting are noted and a condition is recommended in this respect. As such the proposal is in accordance with Policy W6 of the BLP and the NPPF in this respect.

7.16 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy.

Highways

7.17 Policy M14 of the BLP sets out parking criteria for new development within the plan area.

7.18 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.19 The Local Highway Authority responded to initial consultation requesting additional information. Following receipt of this no objections are raised subject to conditions in respect of vehicular access and parking. As such the proposal is in accordance with highways policy in this respect.

7.20 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Impact on railway

7.21 The application site lies adjacent to Chathill Railway Station and the East Coast Main Line (ECML) and the access to the site is within 10 metres of Chathill level crossing. As such issues of railway safety must be taken into account in the determination of the application.

7.22 Network Rail has responded to consultation raising no objection but have requested a number of conditions and informatives as set out below. On this basis the application is acceptable in respect of potential impacts on railway safety and integrity.

Heritage Assets

7.23 The application site lies adjacent to the grade II listed Waiting Shed and Up Platform at Chathill Station and is also within the setting of Chathill Station and Downhill Platform and Signal Box at Chathill Station (both also grade II listed) and as such due consideration must be given to the impact of the proposals on these designated heritage assets.

7.24 The legislative framework has regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.25 Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.26 The Council's Building Conservation Officer responded to consultation raising concerns about the potential impact of the proposals on the setting of the listed assets and finding that the proposal would give rise to less than substantial harm within the terms of paragraph 196 the Framework. Whilst noting that it is for the decision maker to give due weight to any public benefits arising, the Conservation Officer notes that paragraph 193 of the NPPF states 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.

7.27 The public benefits arising would include the support of a rural business (in accordance with para 83 of the NPPF) the nature of which is characterised by temporary structures which may be mitigated to reduce visual impact. The reuse of previously developed land is also encouraged by the NPPF and the proposal would not have a significant detrimental impact upon the designated assets.

7.28 On the basis of the above the proposal is acceptable in accordance with the NPPF and the PLBCAA.

Ecology

7.29 Policy F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species protection provisions which apply.

7.30 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.31 The County Ecologist responded to initial consultation noting that the site had been cleared of vegetation and requesting further information. Following receipt of this no objections have been raised subject to the securing of biodiversity uplift. On the basis of the above the proposal is acceptable and in accordance with Policy F10 of the BLP and the NPPF.

7.32 Policy ENV2 of the emerging Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Other Matters

7.33 The concerns raised in the parish council objection and neighbour representations are noted and have been addressed in the preceding paragraphs.

Equality Duty

7.34 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

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

Human Rights Act Implications

7.36 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.

7.37 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.

7.38 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 proposal is of an appropriate design and represents an appropriate form of development that would not have a significant adverse impact on the street scene, heritage assets, highways, or the amenity of nearby residents. It is therefore considered that the proposal is in accordance with national and local planning policies and the emerging Local Plan and accordingly it would be unreasonable to withhold planning permission.

9. Recommendation

9.1 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. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved plans:

1. Drawing No HD355-2001-P01 - Location Plan,
2. Drawing No HD355-2004-P01 - Proposed Site Plan;

3. Drawing No HD355-2007-P02 - Proposed Car Parking and Visibility;
4. Drawing No HD355-2008-P00 - Swept Path Analysis,
5. Specification Sheet for 20' Shipping Container (recd 05/01/21).

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

03. Means of vehicular access to be constructed

Notwithstanding the details submitted, the development shall not be occupied until the means of vehicular access has been constructed in accordance with Type 'B' of Northumberland County Council specifications, incorporating a minimum entry width of 6 metres and 6m radii, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

04. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been 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 the National Planning Policy Framework.

05. External Lighting

Notwithstanding the approved plans, details of any proposed external lighting must be submitted to and approved in writing by the Local Planning Authority prior to being brought into use. Thereafter the lighting shall be erected and maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

06. Construction Method Statement to be submitted - Pre-commencement

Prior to commencement of works on site a construction method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall be developed in accordance with the approved methodology.

The Construction Method Statement should include the following information;

- an outline of the proposed method of construction,
- risk assessment in relation to the railway, and

- a construction traffic management plan.

For the avoidance of doubt, it is imperative that no vehicles associated with the site are parked on the approaches to the adjacent railway crossing, or in a position where they may block or obscure crossing warning signage and equipment from approaching road users. Delivery of containers to the site should be discussed with Network Rail's Asset Protection Team to ensure that this can be undertaken safely, given proximity to the level crossing and overhead line equipment.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

07. Surface Water Drainage

Notwithstanding the approved plans, all surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

08. Landscape Planting

Prior to the development being brought into use, a plan for the landscape planting of the site to include a native hedgerow along the north-eastern boundary, shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall detail the species to be used, numbers of plants, density of planting, rates of sowing and means of protection and use only species native to Northumberland with implementation in full during the first planting season (November - March inclusive) following the commencement of development.

Reason: To enhance the biodiversity value of the site, in accordance with the NPPF.

09. Colour of storage units

Notwithstanding the approved plans, the storage containers hereby approved shall be of a uniform colour to ensure that they do not stand out against the surrounding natural and built environment. Prior to first use of the development, details of the colour of the units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the units shall be retained as such for the lifetime of the development.

Reason: In the interests of visual amenity, in accordance with Policy F4 of the BLP and the NPPF.

Informatives

1. Alterations to vehicle crossing point (widening driveway) (S184) -Type B Specification

The developer should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) please contact the Highways Area Office at: northernareahighways@northumberland.gov.uk

2. 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.

3. 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

4. Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants.

Applicants / Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

5. Access to Network Rail Assets

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail's ability to inspect and maintain its assets must not be impacted by the scheme. Access to and from the adjacent railway level crossing and any access points/railway equipment should remain clear and unobstructed at all times.

6. Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land

ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

7. Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

8. Network Rail Asset Protection

The developer is advised that Network Rail will be unable to agree to discharge of a method statement condition without direct discussion and agreement with their Asset Protection Team and the developer entering into a Basic Asset Protection Agreement (where appropriate). The applicant is advised to discuss the proposals with Asset Protection prior to applying for the discharge of condition. Contact details for Asset Protection are below.

Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 3B
George Stephenson House
Toft Green
York
Y01 6JT

Email: assetprotectioneastern@networkrail.co.uk

Date of Report: 04.01.2021

Authorised by:

Date:

Background Papers: Planning application file(s) 20/02159/COU



Northumberland County Council

Appeal Update Report

Date: January 2021

Planning Appeals

Report of the **Executive Director of Regeneration, Commercial and Economy**

Cabinet Member: Councillor JR Riddle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.



Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
20/01111/FUL	<p>To provide loft room in existing roof and associated internal and external modifications – 17 West Road, Prudhoe</p> <p>Main issues: inappropriate scale and design that would be out of scale and character with the property and surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/00272/FUL	<p>Replacement of front door and windows, creation of under-croft leading from front to rear, insertion of two conservation roof-lights to front roof slope, rear two-storey extension, construction of new boundary treatments to southern and western boundaries - Town View Cottage, West End, Holy Island</p> <p>Main issues: inappropriate scale, mass and design and harmful impact on residential amenity; and would fail to sustain or enhance the environment.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/01094/CLPROP	<p>Lawful development certificate for proposed erection of 1.8m high wooden fence – land south-east of 28</p>	No – claim

	<p>Cuthbert Way, Collingwood Manor, Morpeth</p> <p>Main issues: the proposed development would conflict with the approved landscaping plan for the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	refused
19/04971/FUL	<p>Change of use to Sui Generis Hostel providing short to medium term lodging includes some internal demolition - Wellington House, Wolsley Road, Blyth</p> <p>Main issues: inadequate parking provision and impact on highway safety; fails to address concerns in relation to gas protection measures; and no satisfactory mitigation has been provided in respect of protected bird species.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/01408/OUT	<p>Outline application for erection of 4 no. dwellinghouses (C3 use) plus new access road - (All Matters Reserved) - land north of 31 Station Road, Station Road, Stannington</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; harmful impact on the rural character of the area, open countryside and Green Belt; insufficient information to assess the significance of any archaeological heritage assets; insufficient information to assess impacts upon ecology; and insufficient information to assess impacts on hydrology and flood risk.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
19/01055/FUL	<p>Proposed erection of rural worker's dwelling - land south of Woodside Cottage, Bardon Mill</p> <p>Main issues: lack of justification of essential need for new dwelling in the open countryside and concerns over location of new dwelling</p> <p>Appeal against non-determination.</p>	Yes - partial award allowed
20/01324/FUL	<p>Proposed construction of swimming pool outbuilding within the residential curtilage – Clontibret, Allendale</p>	No

	<p>Road, Hexham</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
--	---	--

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
19/00716/HED	<p>High Hedge Complaint: Problems with the height of neighbouring hedge, with no action from neighbour following requests - The Haven, Back Crofts, Rothbury</p> <p>Main issues: impact of the hedge on the site and wider area</p>	<p>3 September 2019</p> <p>Delegated Decision: remedial notice issued requiring reduction in height of hedge</p>
19/03930/FUL	<p>Demolition of redundant agricultural sheds and storage bay, with development of 4no. holiday cottages including access road, car parking, private garden areas, and other ancillary works - land south-west of Carterside Farm, Whitton</p> <p>Main issues: development in the open countryside in an unsustainable location; and unacceptable impact on landscape character and rural setting.</p>	<p>23 June 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/03973/FUL	<p>Outline permission for up to 18 dwellings (including 7 self-build plots), including affordable housing and access - land west of</p>	<p>10 July 2020</p> <p>Delegated Decision - Officer</p>

	<p>Westacres, Wark</p> <p>Main issues: development in the open countryside; harmful impact on the character and rural setting of Wark; and insufficient information to assess impact on protected species.</p>	<p>Recommendation: Refuse</p>
19/05017/OUT	<p>Outline permission for change of use of agricultural land and construction of 9 no. residential dwellings (including 22% affordable housing) - land east of Greycroft, West Thirston</p> <p>Main issues: development in the open countryside; adverse impact upon the historic character of the village; and would fail to preserve the West Thirston Conservation Area.</p>	<p>27 August 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/00173/OUT	<p>Outline application for development of 18 dwellings, including access road, car parking, landscaping, gardens and all other ancillary works (Some Matters Reserved) - land north-east of Scout Centre, The Green Mile, Barrasford</p> <p>Main issues: encroachment into the open countryside with harmful impact upon the character and appearance of the site and surrounding area; and location of site is not considered to be sustainable for a development of this scale.</p>	<p>28 August 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01221/FUL	<p>Proposal for construction of 1no. dwelling with associated access, car parking and landscaping - land north east of The Shires, Great North Road, Clifton</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; and fails to address concerns in respect of land contamination.</p>	<p>4 September 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
18/04221/OUT	<p>Development of a single residential dwelling, including car parking, access and garden area - land north of The Crest, Alnwick Road, Lesbury</p> <p>Main issues: development in the open</p>	<p>4 September 2020</p> <p>Delegated Decision - Officer Recommendation:</p>

	<p>countryside; the proposal fails to protect and enhance the distinctive landscape character of Lesbury and the wider area; fails to compensate for the loss of a pond that is a Habitat of Principal Importance; and no suitable mitigation to address recreational disturbance with adverse effect on the Northumbria Coast SPA and Ramsar Site and North Northumberland Dunes SAC.</p>	<p>Refuse</p>
19/04903/FUL	<p>Proposed development of nine self-build dwellings, along with associated highways access, vehicle parking and landscaping - land west of Westacres, Wark</p> <p>Main issues: development in the open countryside; harmful impact on the character and rural setting of Wark; fails to provide an acceptable scheme for the provision of affordable housing; and insufficient information to assess impact surface water drainage and flood risk.</p>	<p>4 September 2020</p> <p>Appeal against non-determination</p>
19/00072/VARYCO	<p>Removal of condition 21 (footway and lighting) on approved planning application 18/01245/OUT - Southcroft Stables, The Croft, Ulgham</p> <p>Main issues: the applicant fails to convincingly demonstrate that there is no longer the need for a footway connection on Ulgham Lane and this requirement remains relevant with respect to highway and pedestrian safety concerns.</p>	<p>7 September 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01756/CLPROP	<p>Certificate of Lawful Proposed Development: Proposed change of use from agricultural building to dwellinghouse (Class C3) – land west of Hague Cottage, Wylam Wood Road, Wylam</p> <p>Main issues: the proposal is not permitted development.</p>	<p>16 September 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01800/AGRGO	<p>Prior notification for a proposed new building to provide storage for forestry tools – land south-east of Hyons East Wood, Moor Road, Prudhoe</p>	<p>23 September 2020</p> <p>Delegated Decision - Officer</p>

	Main issues: the proposed development is not reasonable necessary for the purposes of forestry and is therefore not permitted development.	Recommendation: Refuse
20/01188/OUT	Outline application for erection of single dwelling house, all matters except access are reserved – land to south-west of Kirkheaton Farm, Kirkheaton Main issues: development in the open countryside; would not be sympathetic to the local character of the village; and the proposal would have a harmful impact upon the setting of heritage assets.	29 September 2020 Delegated Decision - Officer Recommendation: Refuse
19/04938/FUL	Resubmission of approved planning application 17/02932/FUL Erection of new building comprising of 12 self-contained 1 bedroom apartments (use class C3) for specialised independent supported living with associated external works and car parking – land between 86-90, Front Street East, Bedlington Main issues: appeal against non-determination due to invalid application (no fee paid).	29 September 2020 Appeal against non-determination
19/01312/FUL	Proposed dwelling for use by rural worker ancillary to Apperley Dene – land east of Apperley Dene, Stocksfield Main issues: inappropriate development in the Green Belt; and application has not demonstrated an essential need for a rural worker's dwelling in the open countryside.	20 October 2020 Delegated Decision - Officer Recommendation: Refuse
20/01697/FUL	Construction of new rear two storey extension – 9 Longhirst Village, Longhirst Main issues: siting, scale and design result in less than substantial harm to the Conservation Area; harm to residential amenity of neighbouring dwelling; and lack of ecological survey.	26 October 2020 Delegated Decision - Officer Recommendation: Refuse
20/01814/FUL	Proposed alterations to site layout with parking changes, secure tool (and nursery	2 November 2020 Delegated

	<p>materials) store position, hardstanding and size amended, new security gates and polytunnel amended – The Coop, Eachwick</p> <p>Main issues: inappropriate development in the Green Belt; store building is harmful to the rural character of the area; and fails to address concerns raised in respect of land contamination.</p>	<p>Decision - Officer Recommendation: Refuse</p>
20/01233/VARYCO	<p>Removal of Condition 3 (holiday use) pursuant to planning permission 16/03879/COU in order to allow use as principle dwellinghouse – The Coach House, Fenwicks Close Farm, Earsdon</p> <p>Main issues: would result in an isolated home in the countryside and would not be sustainable development.</p>	<p>3 November 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01940/FUL	<p>Construction of single-storey dining room within courtyard – The Hemmel, Beal Bank, Warkworth</p> <p>Main issues: harm to the character and appearance of the existing building.</p>	<p>11 November 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/00853/FUL	<p>Proposed single storey flat roof extension to rear (Amended description 07/05/2020) - 5 Dene Terrace, Riding Mill</p> <p>Main issues: unacceptable impact upon residential amenity.</p>	<p>17 November 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/00581/VARYCO	<p>Variation of conditions 2 (approved plans) and 4 (materials) pursuant to planning permission 17/03658/FUL in order to amend the flue position (to the front) and window materials (to be UPVC) and to remove the shutters. Removal of conditions 5 (landscape planting), 8 (boundary treatments) and 9 (refuse strategy) - land south east of Lifeboat House, Haven Hill, Craster</p> <p>Main issues: design and materials are out of character with the streetscene; and harm to the character and appearance of historic buildings and the Northumberland Coast AONB.</p>	<p>10 December 2020</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

20/00450/FUL	Retrospective: External display area for temporary timber summer house including local landscaping (amended description) - In-House Inspired Room Design Ltd, Global House, Bridge End Industrial Estate, Hexham Main issues: harmful impact upon the character and appearance of the area and detrimental to visual amenity.	10 December 2020 Delegated Decision - Officer Recommendation: Refuse
--------------	--	---

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
18/01524/LISTED	Church View, Slaley Main issues: solar panels installed in 2006 without planning permission - requests for removal have been unsuccessful.	2 December 2019
18/01344/ENDEVT	Bridgend Caravan Park, Wooler Main issues: one Enforcement Notice appealed by three parties in respect of operational development to provide extra	3 December 2019

	bases for residential static caravans with associated services	
18/00033/NOAPL	98 Millerfield, Acomb Main issues: development has been undertaken based on plans refused under planning application 17/00072/FUL	3 December 2019
18/00489/ENDEVT	Land at Moor Farm Estate, Station Road, Stannington Main issues: unauthorised waste reclamation yard and siting of multiple shipping containers	9 March 2020

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
19/00247/FUL	Construction of a publicly accessible landmark, commissioned to commemorate Queen Elizabeth II and the Commonwealth - land at Cold Law, Kirkwhelpington Main issues: development in the open countryside which fails to recognise the intrinsic character and nature of the countryside.	Inquiry date: 9 March 2021 Committee Decision - Officer Recommendation: Approve
18/03407/FUL	Construction of five new build two storey detached dwellings with three detached garages and associated access – land west of Brewery Close, Stamfordham Main issues: development in the open countryside; harmful impact on the character of the landscape and the area; overbearing impact on existing dwellings; out of keeping with surrounding properties; and no satisfactory mitigation has been secured resulting in harm to the ecological value of	Hearing date: 15 December 2020 (virtual hearing) Delegated Decision - Officer Recommendation: Refuse

	the site and surrounding grassland.	
--	-------------------------------------	--

Implications

Policy	Decisions on appeals may affect future interpretation of policy and influence policy reviews
Finance and value for money	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
Legal	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	Each application/appeal may have an impact on the local environment and have been assessed accordingly
Wards	All where relevant to application site relating to the appeal

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

Elizabeth Sinnamon
Senior Planning Manager - Development Management

01670 625542
Elizabeth.Sinnamon@northumberland.gov.uk



Northumberland

County Council

S106 Agreements Update Report

November 2020

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor JR Riddle

Purpose of report

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

Recommendations

To note the contents of the report in respect of agreement monitoring and collection of s106 contributions.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of November 2020. Information is also given on funds available and where this information is displayed on the Council's website.



New Agreements

November	New Agreements completed
20/00701/VARYCO	Land North East of Bridgeford View, Bellingham
20/01514/S106a	Blyth Golf Club
20/01451/ful	West Street Berwick
17/02588/FUL	Former Police Station Morpeth
20/01948/NONMAT	Beachway Blyth
2001767ful	Farley Cottage Ellington
20/01175/ful	Land East of Home Farm Cottages, Crag Mill Road, Belford

Contributions Received November

Development	Type of Contribution	Amounts Received
15/00901/out SWS	Planning Co-ordinator	£5000
20/00174/ful ,	Coastal Mitigation Service,	£6900

Awards Paid Out November	Project	Amount Paid
Humshaugh Cricket	Mower equipment	£4727

Funds Available

Members are advised that full details of all S106 funding held and received by the Council is available for viewing on the Council's website.

Please see the link below.

<https://www.northumberland.gov.uk/Planning/Section106.aspx#section106contributions>

This table is updated quarterly. The payments are a mixture of commuted sums, site specific amounts and infrastructure amounts to mitigate the impact on the development. Financial contributions are made at different stages of a development, often upon commencement and/or phased at different 'trigger' points

The list shows the breakdown of funds in their various ringfenced categories and amounts identified with an Asterix* are available for external organisations to apply for. This applies specifically to affordable housing funds or sport and play funding.

Any queries on this please contact the Council's S106 Officer

heather.proudlock@northumberland.gov.uk

Implications

Policy	Section 106 obligations are in line with policy unless other stated in individual applications.
Finance and value for money	As stated on individual applications
Legal	Legal Services will be instructed to assist with the preparation and monitoring of the obligations
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Each application will have regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	As set out in individual reports and decisions
Wards	All

Background papers

Planning applications and 106 Agreements

Report author and contact details

Elizabeth Sinnamon
 Senior Planning Manager - Development Management
 01670 625542
 Elizabeth.Sinnamon@northumberland.gov.uk



Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

21 JANUARY 2021

iNORTHUMBERLAND UPDATE

Report of: Director of Information and Technology

Cabinet Member: Councillor N Oliver

Superfast Broadband Rollout

The NCC contract with BT to rollout superfast broadband across the county came to an end during 2020 and has seen around 94% of properties in Northumberland able to access superfast speeds (30 Mbps or above). Take up of services by residents/businesses across the county is 73.24% which is significantly higher than the original expectation of 20-30%, resulting in over £4m being returned to date to Northumberland County Council to be re-invested in further fibre roll out.

Rural Gigabit Voucher Funding – ends March 2021

In line with national policy, our priority now is to connect as many properties across the county to gigabit capable broadband connections (1,000 Mbps or above). The team are currently working with almost 40 local communities to help them get full fibre connections via Openreach or one of the other 7 fibre suppliers currently active in Northumberland.

Funding is available to rural properties with connections slower than 100 Mbps via the national Rural Gigabit Voucher Scheme and, for those with speeds lower than 30 Mbps, there is top-up funding available through the Digital Borderlands voucher scheme (part of the Borderlands Inclusive Growth Deal). Both these funds have a commitment deadline of 31st March 2021, so it is vital that as many registrations as possible are completed during January and February. Once vouchers are committed, suppliers will have up to 12 months to deliver the service.

	Department for Digital, Culture, Media & Sport GIGABIT BROADBAND VOUCHER SCHEME		Borderlands Inclusive Growth Deal		Total Available Funding
Business	Up to £3500	+	Up to £3500	=	Up to £7000
Residential	Up to £1500	+	Up to £1500	=	Up to £3000

If members are aware of any communities that may want to benefit from this funding please get in touch with one of the iNorthumberland team.

Northumberland was one of 4 areas chosen to take part in a pilot campaign to raise awareness of funding for Broadband and to encourage new suppliers to come to Northumberland. At the end of October there were over 2000 properties who registered interest. The team is working through the data and liaising with suppliers to help communities progress to delivery.

Local Full Fibre Network

Following on from the Rural Schools pilot that saw fibre broadband installed in 18 rural schools across the county, gigabit capable fibre broadband is being rolled out to over 260 public buildings across Northumberland.

The project will install full fibre broadband to schools, libraries, NHS buildings, and more. The contract was awarded to BT and will be delivered in 6 phases, the first having been completed in December 2020 and the sixth delivered by March 2022.

In parallel, work is underway to ensure homes and businesses surrounding these buildings can benefit from the installation of fibre to these locations.

Future funding

DCMS is continuing to develop plans for the next stages of fibre roll out across the UK. An announcement in early December, following the Chancellor's Spending Review, reduced the national target for gigabit capable coverage to a minimum of 85% of properties by 2025, and the Government has committed to investing £5 billion to bring gigabit coverage to the hardest to reach areas.

This investment is expected to include three key areas of relevance to Northumberland:

- **Vouchers** – building on the existing voucher schemes
- **Public sector hubs** – building on work such as LFFN and the need for the Council to re-procure its Wide Area Network in the near future
- **Outside In procurement** – DCMS is looking to allocate funding via a competitive procurement process currently known as 'Outside In'. This mechanism will launch in 2021 and will build on lessons from the Superfast Programme.

Northumberland County Council is currently involved in discussions with DCMS as to how to shape these programmes locally. Further details will be made available when known.

Author and Contact Details

John Cooper
iNorthumberland Strategic Lead
John.Cooper@northumberland.gov.uk
07854 575 513