

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 10 August 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held in **MAIN HALL - ST JAMES'S URC, POTTERGATE, ALNWICK, NE66 1JW** on **THURSDAY, 18 AUGUST 2022** at **2.00 PM**.

Yours faithfully

Rick O'Farrell
Interim Chief Executive

To North Northumberland Local Area Council members as follows:-

G Castle (Chair), S Bridgett (Vice-Chair), T Thorne, T Clark, G Hill, W Pattison, G Renner-Thompson, C Seymour, J Watson, C Hardy (Vice-Chair (Planning)), I Hunter, M Mather and M Swinbank



Rick O'Farrell, Interim Chief Executive
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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 PLANNING COMMITTEE** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **MINUTES** (Pages 3 - 8)

Minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 23 June 2022, as circulated, to be confirmed as a true record and signed by the Chair.

4. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether

they may remain in the meeting.

- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter. Disclosures at the rear of this agenda letter.

5. DETERMINATION OF PLANNING APPLICATIONS

(Pages 9
- 12)

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

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. 22/02125/FUL

(Pages
13 - 22)

Installation of artwork to new car park development. Artwork measuring 5000mm x 2000mm will be attached to metal posts (Similar to a normal traffic sign) by contractors working on the site. Car Park, Turner Street, Amble, Northumberland, NE65 0DH

7. 21/04958/FUL

(Pages
23 - 32)

Resubmission – Retrospective application for outdoor dining facilities within car parking area to front. Material amendment to roof covering and part timber cladding. Percy Arms, Chatton, Alnwick, Northumberland, NE66 5PS

8. 22/00020/VARYCO

(Pages
33 - 52)

Variation of conditions Variation of Condition 2 (approved plans) and 21 (protected species licence) pursuant to listed building consent 19/00500/FUL to allow amendments to the general site layout, retirement living block, listed building, and mews houses. Former Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland

9. 22/00022/VARYCO

(Pages
53 - 66)

Variation of Condition 11 (Approved Plans) pursuant to listed building consent 19/00501/LBC to allow amendments to the general site layout, retirement living block, listed building, and mews houses.

Former Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland

- 10. 22/01252/FUL** (Pages 67 - 78)
Replace portacabin (office) with permanent residential unit including new site office.
Wingates Sawmill, Wingates, Morpeth, Northumberland, NE65 8RW
- 11. APPEALS UPDATE** (Pages 79 - 88)
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.
- 12. RIVER TWEED COMMISSIONERS**
The North Northumberland Local Area Council are asked to approve the appointment of three new angling club members, for three years to the River Tweed Commissioners.

Mr SJR Innes
Mr E Seymour
Mrs C Foreman
- 13. DATE OF NEXT MEETING**
The next meeting of the North Northumberland Local Area Council is scheduled for Thursday, 22 September 2022, Berwick Leisure Centre, Northumberland Rd, Tweedmouth, Berwick-upon-Tweed TD15 2AS
- 14. URGENT BUSINESS**

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

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

Welcome to also include reference to

- (i) Fact that meeting is being held in a Covid safe environment and available to view on a live stream through You Tube Northumberland TV
- (ii) Members are asked to keep microphones on mute unless speaking

B Record attendance of members

- (i) 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 Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

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 record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)

Agenda Item 3

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At a meeting of the **North Northumberland Local Area Council** held **St James URC, Pottergate, Alnwick** on **Thursday, 23 June 2022** at **2:00 p.m.**

PRESENT

Cllr. G. Castle
Chair, in the Chair

MEMBERS

T. Clark
C. Hardy
G. Hill
I. Hunter

C. Seymour
M. Swinbank
T. Thorne
J. Watson

OFFICERS IN ATTENDANCE

J. Blenkinsopp
V. Cartmell
J. Hudson
R. Little
J. Sharp

Solicitor
Planning Area Manager
Senior Planning Officer
Assistant Democratic Services Officer
Senior Planning Officer

There were 15 members of the public present

Ch.'s Initials.....

20. APOLOGIES FOR ABSENCE

Apologies were received from Councillor S. Bridgett, Councillor M. Mather, Councillor W. Pattison and Councillor G. Renner-Thompson.

21. MINUTES

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 19 May 2022, as circulated, be confirmed as a true record and be signed by the Chair.

22. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Hunter and Councillor Thorne advised the committee that they had personal, but non prejudicial interests in items 5 and 6 of the agenda, 21/03792/FUL and 21/01112/FUL

Councillor Hardy (Vice Chair – Planning), in the Chair.

23. DETERMINATION OF PLANNING APPLICATIONS

The report 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 this was noted.

24. 21/03792/FUL

Retrospective: Construction of outdoor timber serving building and temporary sitting of 4no. all weather restaurant sheds.

Land East of The Craster Arms, The Haven, Beadnell, Chathill, Northumberland, NE67 5AY

J. Sharp – Senior Planning Officer, introduced the application with a PowerPoint Presentation, there had been no updates since the agenda was published.

G. Martindale spoke on behalf of the Beadnell Parish Council and gave the committee the following information:

- The applicant was a Beadnell Parish Councillor but had taken no part in Parish Council deliberations.
- The Parish Council agreed unanimously to support the application.
- No objections had been submitted from the 29 neighbour notifications.

Ch.'s Initials.....

- The popularity of Beadnell as a retirement and holiday village had grown.
- The enhancement of the beer garden provided additional restaurant seating in a secure atmosphere in addition to permanent employment for additional staff.
- The serving building and restaurant sheds allowed the garden to be used in the winter.

C. Scott-Roy spoke in support of the application and gave the following information:

- There had been overwhelming public support, including the local Vicar.
- The Craster Arms was a community pub that had been operating for over 100 years.
- The owner, M. Dawson had provided hot meals for 93 vulnerable and shielding residents for free during the Covid-19 pandemic.
- The pods were intended for temporary use whilst the shed was intended for permanent use.
- Local artists had designed the pods.

Following questions from members to the planning officer, the following information was provided:

- The Built Heritage Officer had observed that there would be less than substantial harm.
- The dining cabin, alone, would be deemed acceptable in a planning application.
- The applicant was seeking temporary planning permission for the pods for three years.

Councillor Castle proposed to grant planning permission, against officer recommendation, (permission for the dining cabin was permanent and permission for the pods to remain for three years temporarily) with delegated authority provided to the Director of Planning in consultation with the Chair of the Planning Committee for conditions to be applied to the permission. This was seconded by Councillor Thorne, stating that the public benefit outweighed the negative impact.

A vote was taken as follows: FOR; 5, AGAINST; 3, ABSTAIN;1

RESOLVED that the application be **GRANTED** with delegated authority to the Director of Planning in consultation with the Chair of the Planning Committee to agree conditions to be attached to the permission.

25. 21/01112/FUL

Replacement of existing store and smoking shelter within the rear car park with a shipping container to provide outdoor food and drink service ancillary to Beadnell Towers Hotel.

Beadnell Towers Hotel, The Wynding, Beadnell, Chathill, Northumberland, NE67 5AY

J. Sharp – Senior Planning Officer, introduced the application with the aid of a PowerPoint presentation and explained that the application was recommended for refusal for Impact on Designated Heritage Assets and Impact on AONB.

G. Martindale spoke on behalf of the Beadnell Parish Council and gave the committee the following information:

- The Beadnell Parish Council had suggested a condition to restrict the opening times from 12:00 to 20:00, daily, to be applied to any granting of planning permission.
- The Beadnell Parish Council had requested that the parking spaces were to be reinstated as soon as practical as parking remained a contentious issue in that part of the village.

D. Puttick spoke on behalf of the applicant, in support to the application, and gave the following information:

- The applicant had been continuing to suffer a financial impact since the start of the Covid-19 pandemic.
- The Beadnell Towers Hotel was significant to the local community and the business had relied on government loans.
- Customers had returned in smaller numbers and the owners of the hotel have had to adapt to change.
- The applicant would welcome planning permission even if only on a temporary basis.

Following questions from members to the planning officers, the following information was provided:

- If members felt that there were sufficient reasons to approve the application, then the amenity of residents could be protected by the imposition of a condition to restrict the opening hours of the outdoor food container.
- There would be the same number of parking spaces as previously, the container would replace the smoking shelter.
- There was significantly less outdoor seating than there was in 2021.
- There was open space on the other side of the Beadnell Towers Hotel, but it was not associated with the building.

Councillor Watson proposed to accept officers' recommendation to refuse the application as outlined in the report, which was seconded by Councillor Castle.

Councillor Hill agreed with the recommendation stating that it tips on the balance of harm and the applicant should look for a better application.

Councillor Thorne explained that he could see the benefit, the industry needed all the help it could get and that he would be supporting the hotel.

A vote was taken as follows: FOR; 7, AGAINST; 1, ABSTAIN;1

RESOLVED that the application be **REFUSED** in line with the officers recommendation, for Impact on Designated Heritage Assets and Impact on AONB

26. **21/04960/FUL**
Resubmission: Rebuilding of Grahamslaw Cottage following significant fire damage. Detached garage.
Grahamslaw Cottage, Priests Moor, Christon Bank, Northumberland

Ch.'s Initials.....

J. Hudson – Senior Planning Officer, introduced the application with the aid of a PowerPoint Presentation.

G. Grahamslaw, applicant and owner of the site, spoke in support of the application and gave the following information:

- In May 2020, a fire destroyed the cottage that was on the site.
- The cottage had been in the family since its original construction.
- The application would sit on the current site, with no changes to the boundary.
- The applicant believed that the application was supported by local planning policy and had the support of the Parish Council.
- The applicant was happy to enter into a section 106 agreement for a Coastal Mitigation payment.

Following questions from members to the planning officers, the following information was provided:

- The planning officer had come to the view that the site was previously abandoned before the fire and not been used for 20 years.
- There was no information available on whether Council Tax had been paid for the property, the applicant did not supply any evidence that Council Tax had been paid.
- The cottage was over 100 years old, but nobody had lived in the dwelling prior to the fire, for 20 years.
- The only image of the cottage prior to the fire damage was from a Google Maps – Street View from 2008, which showed the building to be overgrown by trees and bushes.
- The cottage was not on a farm and was an isolated building.

Councillor Watson proposed to move the recommendation to refuse the application as outlined in the report, which was seconded by Councillor Hill, stating that whilst they had sympathy with the applicant, the policy was very clear.

Councillor Swinbank stated that he believed it was abandoned due to the levels of trees and bushes that had grown over, if the design was of exceptional design and sustainable, the recommendation may have been different.

A vote was taken and it was unanimously:

RESOLVED that the application be **REFUSED** in line with the officers recommendation In the report.

27. APPEALS UPDATE

RESOLVED that this was noted.

28. SECTION 106

RESOLVED that this was noted.

29. DATE OF NEXT MEETING

Ch.'s Initials.....

RESOLVED that this was noted.

CHAIR.....

DATE.....

Ch.'s Initials.....



Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

18 AUGUST 2022

DETERMINATION OF PLANNING APPLICATIONS

Report of the Interim Executive Director of Planning and Local Services

Cabinet Member: Councillor C Horncastle

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.

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 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
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 constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

Important Copyright Notice

- 6 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 ARISING OUT OF THE REPORT

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

Report author : Rob Murfin
Interim Executive Director of Planning and Local Services
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Rob.Murfin@northumberland.gov.uk

APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 10 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

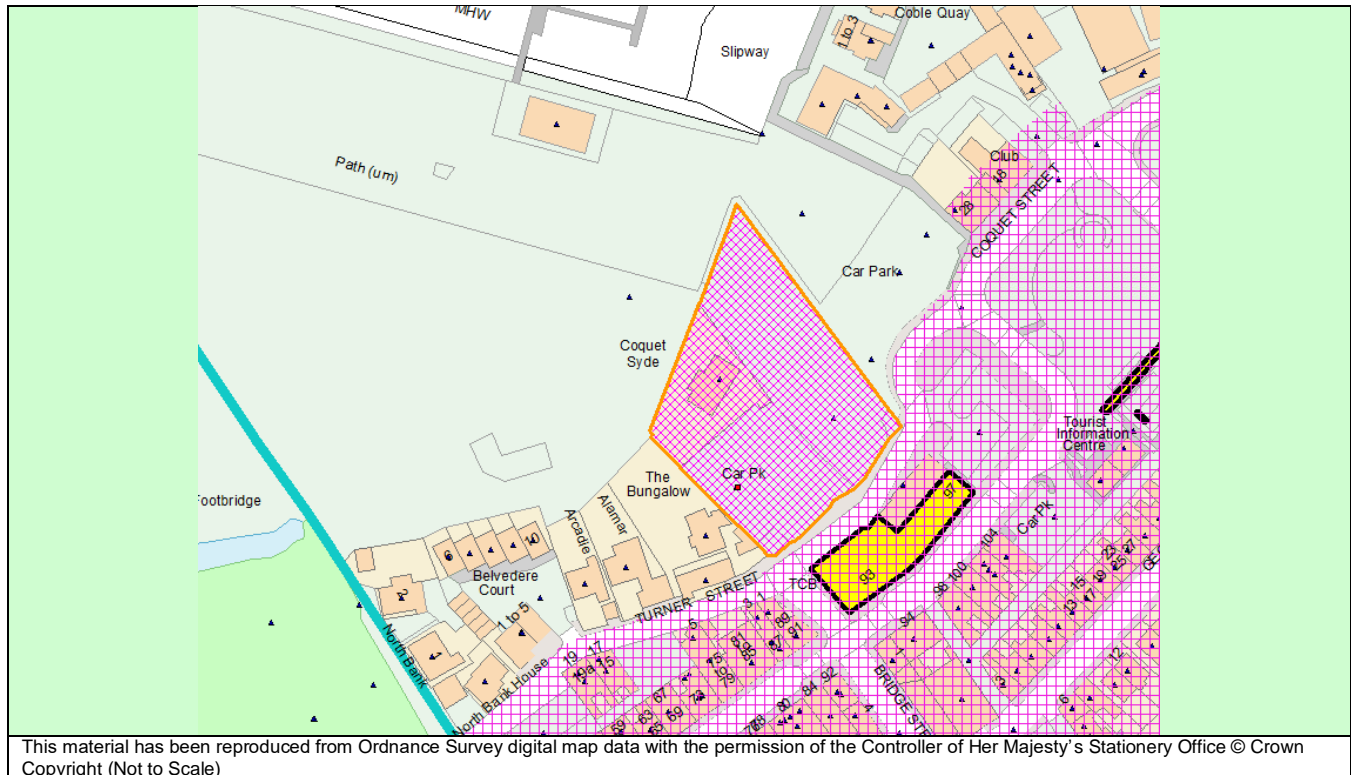


Northumberland County Council

North Northumberland Local Area Council Planning Committee 18th August 2022

Application No:	22/02125/FUL		
Proposal:	Installation of artwork to new car park development Artwork measuring 5000mm x 2000mm will be attached to metal posts (similar to a normal traffic sign) by contractors working on the site.		
Site Address	Car Park, Turner Street, Amble, Northumberland NE65 0DH		
Applicant:	Amble Development Trust Julia Aston 6, Dilston Terrace, Amble, Amble, Amble, NE65 0DT United Kingdom	Agent:	None
Ward	Amble	Parish	Amble By The Sea
Valid Date:	21 June 2022	Expiry Date:	16 August 2022
Case Officer Details:	Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee. In accordance with the current Scheme of Delegation the application has been reviewed by the committee chairs and the Director of Planning due to the application site being on land owned by the County Council. Following this review it was deemed appropriate for the application to be determined by committee.

2. Description of the Proposals

2.1 The application proposes the installation of artwork to the new car park at Turner Street, Amble. The proposed artwork would measure 5000mm x 2000mm and would be mounted on metal posts close to the car park's vehicular access. The installation would be similar in appearance to a normal traffic sign and would be installed by contractors currently working on the site.

2.2 The application site consists of part of an existing car park which is currently being upgraded/extended on land to the rear (north) of Queen Street which forms part of the main shopping street in Amble. It is bound to the west by residential development, to the north by Amble Marina and The Braid and to the east by further informal parking associated with the Marina, with Coquet Street and the recent Coble Quays development beyond. The proposed artwork is to be mounted on legs at the front of the car park to the east of the vehicular access between the proposed accessible parking bays and the highway.

2.3 Site constraints include;

Amble Conservation Area,
Coal Authority High Risk Area,
EA Flood Zone 2,
Grade II listed Former Coop Building (Tesco Express),
NCC Land
SSSI Impact Risk Zone

3. Planning History

Reference Number: A/80/A/121

Description: Dwelling

Status: PER

Reference Number: 20/02736/FUL

Description: Extension of existing car park including associated infrastructure and demolition of existing bungalow and associated boundary walls to create additional parking bays, including additional disabled and electric vehicle parking bays.

Status: PER

Reference Number: 21/02568/DISCON

Description: Discharge of conditions 3 (Construction method statement - demolition) and 16 (construction environmental management) on approved planning application 21/02736/FUL

Status: PER

Reference Number: 22/00619/DISCON

Description: Discharge of Condition 12 (Potential Contamination) on approved planning application 20/02736/FUL

Status: PER

Reference Number: A/97/A/107

Description: Formation of temporary car parks,

Status: PER

Reference Number: A/2010/0487

Description: Application for extension to time limit for implementation of application A/2006/0500 for redevelopment of Amble Boatyard and surrounding land to form 127 apartments; 2 retail and 1 office unit; creation of marina walkway together with associated car parking

Status: DISPOS

Reference Number: A/2006/0500

Description: Re-development of Amble Boatyard and surrounding land to form 127 apartments, 2 retail and 1 office unit, creation of Marina walkway together with associated vehicular parking and landscaping

Status: PER

4. Consultee Responses

Amble Town Council	Whilst Amble Town Council are not objecting in principle to the siting of this very large laminated board, it needs to be noted that on the original planning application for the car park, this location is within the area marked as that required for the 'splay of visibility' and it must be ascertained by Highways what impact it will have on that before permission is granted. It may need to be located further back and nearer the disabled parking bays. It is assumed it will be 5m from side to side and 2m from top to bottom but this and the height at which it will be placed also require clarity. Will it be as shown or will there be any indication that it is part of the Board Walk sculpture trail as although mentioned, this is not illustrated in the application?
Highways	The following information will be required to inform a response within a statutory consultation period: Details of how the artwork on the metal posts will be fixed into the ground to ensure that it does not fall towards the highway/footway. Could the artwork be relocated to a more suitable location which will not impact the highway if the above cannot be suitably achieved?
Highways (2)	Following HDM's previous comment on the above application the applicant has provided additional details of how the artwork will be fixed into the ground to ensure that it does not fall towards the highway/footway and whether it could be relocated elsewhere. The submitted information confirms that NCC Technical Services have picked out the sign and will install it as part of the car parking development. Technical Services have

	<p>confirmed that the sign will be moulded into the ground like traffic signs which are designed to withstand wind loads and snow loads. This level of detail is considered acceptable in highway terms.</p> <p>There are no recommended amendments to the scheme to set out.</p>
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5. Public Responses

Neighbour Notification

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

Notices

Site Notice - Conservation & affect LB, 13th July 2022

Press Notice - Northumberland Gazette 7th July 2022

Summary of Responses:

None received

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=RDF5PQQSHFE00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 3 - Public realm design principles

QOP 5 - Sustainable design and construction

TRA 2 - The 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 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

6.2 National Planning Policy

National Planning Policy Framework (2021)

6.3 Other Documents/Strategies

Planning Practice Guidance (2021, as updated)

National Design Guide (2021)

The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)

Planning (Listed Buildings and Conservation Areas) Act (1990)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan (NLP) (2022). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 219 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 policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.3 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

Principle of Development,
Design, Scale & Visual Impact
Amenity
Highway Safety
Impact on Heritage Assets
Other Matters

Principle

7.1 Policy STP 1 of the NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. The Policy sets out a hierarchy of settlements within which development will be supported and identifies Amble as a Main Town which will be the main focus for employment, housing, retail and services.

7.2 Policy STP2 sets out the presumption in favour of sustainable development with STP 3 setting out the principles of sustainable development.

7.3 Policy QOP 3 of the NLP sets out the requirements for new development that incorporates public buildings and spaces and supports the provision of new public art.

7.4 The application site is within the built-up area of Amble, to the rear of the high street in an area characterised by edge of town centre development, including residential, car parking, harbour and leisure related activities. It is considered that the installation of a piece of public artwork within the newly upgraded and extended public car park would be acceptable in accordance with the above policy context.

Scale, Design & Visual Impact

7.5 Policy QOP 1 of the NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness. As noted above, Policy QOP 3 supports the provision of new public art.

7.6 Paragraph 126 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.

7.7 The proposed artwork would have the appearance of a large road sign and its location on the edge of the new Turner Street car park would mean that it would be seen in the context of car park related signage and other upstands such as EV charging points and ticket machines. It would not therefore be seen as an incongruous feature in the townscape and would add visual interest to its immediate surroundings. On this basis the proposal is acceptable in accordance with Policies QOP 1 and QOP 3 of the NLP and the NPPF.

Amenity

7.8 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.9 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.10 Due to the site location and proposed layout of the development, there would not be any substantive impacts on neighbouring amenity resulting from the proposals in terms of loss of light, outlook, overbearing, privacy or noise. Separation distances between the proposed artwork and neighbouring land uses are acceptable and as such the proposal is considered to be in accordance with Policy QOP 2 of the NLP and the NPPF in this respect.

Highway Safety

7.11 Policy TRA 1 of the NLP promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network.

7.12 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.13 The proposed artwork would be erected on a thin strip of verge between the public highway and the new car park and concerns have been raised about the potential for it falling into the highway. The applicant has provided further information to address these concerns, stating that the artwork is to be installed in the same manner as a road sign by the Council's Highway Engineers and the Local Highway Authority has confirmed that this is acceptable. On this basis the proposals are acceptable and in accordance with Policies TRA 1 and TRA 2 of the NLP and the NPPF in this respect.

Heritage Assets

7.14 The application site is adjacent to and within the setting of the Amble Conservation Area and the Grade II listed former Coop building (Tesco Express) and due consideration must be given to these designated heritage assets.

7.15 Policy ENV 1 of the NLP seeks to conserve, protect and enhance the character and/or significance of Northumberland's distinctive and valued natural, historic and built environments. This is backed up by Policies ENV 7 and ENV 9 which relate to heritage assets and conservation areas respectively.

7.16 Section 66(1) 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.

7.17 Section 72(1) of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.18 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.

7.19 The proposed artwork is to be installed on the edge of the car park which is currently undergoing upgrade and extension. The artwork may therefore be seen as part of a wider package of environmental and public realm improvements. Whilst the addition of the artwork may add additional clutter to the immediate streetscape, it is unlikely to have anything more than a neutral impact upon the adjacent designated heritage assets. On this basis the proposal is acceptable, in accordance with Policies ENV 1, ENV 7 and ENV 9 of the NLP, the NPPF and the PLBCAA.

Other Matters

7.20 The concerns raised by the Town Council are noted and have been addressed in the assessment of the application.

Equality Duty

7.21 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

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

Human Rights Act Implications

7.23 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.

7.24 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.

7.25 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 or the amenity of nearby residents, highway safety or heritage assets.

8.2 The concerns raised in respect of highway safety and impact on heritage assets have been addressed and it is therefore considered that the proposal is in accordance with national and local planning policies 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

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. Location Plan
2. Proposed Artwork

Reason: In the interests of good planning and to ensure the development is carried out in accordance with the approved plans.

Background Papers: Planning application file(s) 22/02125/FUL

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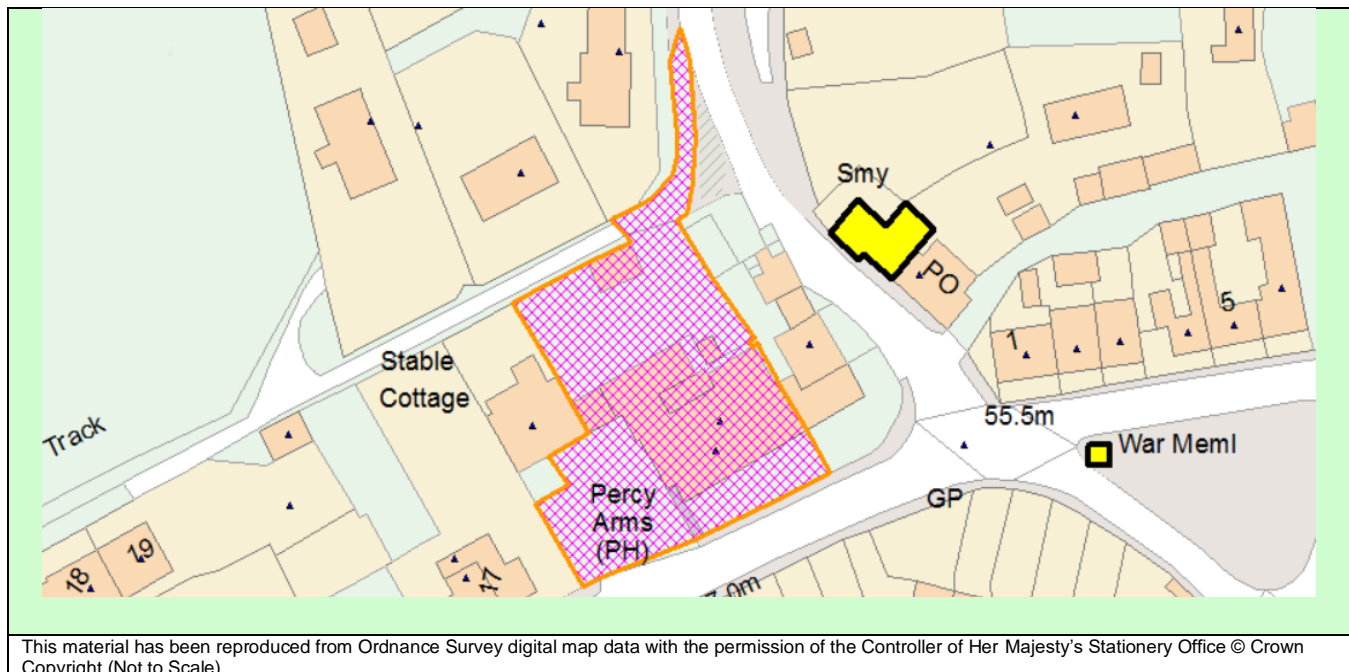


Northumberland
County Council

North Northumberland Local Area Council Planning Committee
18th August 2022

Application No:	21/04958/FUL		
Proposal:	Resubmission - Retrospective application for outdoor dining facilities within car parking area to front. Material amendment to roof covering and part timber cladding.		
Site Address	Percy Arms, Chatton, Alnwick, Northumberland NE66 5PS		
Applicant:	Matt Daniel Percy Arms, Chatton, Alnwick, Northumberland NE66 5PS	Agent:	Mr David Dobson The Crossings, Yeavinger, Kirknewton, Wooler Northumberland NE71 6HG
Ward	Wooler	Parish	Tillside (Chatton)
Valid Date:	20 December 2021	Expiry Date:	28 July 2022
Case Officer Details:	Name: Miss Stephanie Forster Job Title: Development Compliance Officer Tel No: 07966331898 Email: stephanie.forster@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee as it is the Officers recommendation to approve the application, contrary to the views of the parish council.

2. Description of the Proposals

2.1 Planning permission is sought retrospectively for the erection of outdoor dining facilities consisting of 4 individual buildings with external dining and seating at The Percy Arms, Main Street, Chatton, Alnwick, Northumberland, NE66 5PS.

2.2 The application site is the local public house in Chatton, it is situated within the Conservation Area but is not a listed building. 2no listed buildings lie to the east of The Percy Arms and there is the potential for the works to impact on the setting of the listed buildings; notably they are The Smithy and The War Memorial.

2.3 The application site is in an Area of High Landscape Value, the Chatton Conservation Area and a SSSI Impact Risk Zone.

3. Planning History

Reference Number: N/78/B/0073/P

Description: Alterations and extensions to hotel.

Status: PER

Reference Number: N/85/B/0137/P

Description: Proposed extension

Status: PER

Reference Number: N/80/B/152

Description: Proposed illuminated projecting sign

Status: PER

Reference Number: N/79/B/0300/P

Description: Provision of 20 car parking spaces

Status: PER

Reference Number: N/88/B/201

Description: Change of use from storage to residential unit

Status: PER

Reference Number: 21/02060/FUL

Description: Outdoor dining facilities consisting of 4 individual buildings with external dining and seating (retrospective).

Status: WDN

Reference Number: N/79/B/300

Description: Provision of 20 car park spaces at car park attached to

Status: PER

4. Consultee Responses

Tillside Parish Council	Objection received on grounds of impact on conservation area, parking and impact on neighbours.
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Building Conservation	Less than substantial harm. Public benefit test?
Public Protection	No objection subject to conditions.
Highways	No objection subject to conditions.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	49
Number of Objections	8
Number of Support	1
Number of General Comments	0

Notices

Site Notice - Affecting Conservation, posted 22nd July 2022

Press Notice - Northumberland Gazette, published 30th December 2021

Summary of Responses:

5 no objection comments have been received with regard to the proposals they centre on impact on the highway, impact on amenity of local residents and impact on the conservation area.

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=R4GN7JQS0MZ00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

STP 1 - Spatial strategy (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

ENV 2 - Biodiversity and geodiversity

ENV 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

WAT 2 - Water supply and sewerage
MIN 4 - Safeguarding mineral resources (Strategic Policy)

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

PPG - Planning Practice Guidance (2021, as updated)

6.3 Other Documents/Strategies

National Design Guide (2021)

The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (2nd Ed) (2017)

Planning (Listed Building and Conservation Areas) Act (1990)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan 2016-2036 (adopted March 22). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 219 of the NPPF advises that weight should be given to relevant policies in the existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in the local plan accords with the NPPF, the greater the weight that may be given to them. The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.3 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultee. The main issues for consideration in the determination of this application are:

- Principle of the development
- Design and visual impact
- Impact on residential amenity
- Heritage
- Highways

Principle of the development

7.4 Policy STP1 of the NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. The Policy sets out a hierarchy of settlements within which development will be supported. Policy STP1 identifies Chatton as a small village which will support a proportionate level of development subject to Green Belt policy considerations where relevant.

7.5 The proposals seek retrospective planning permission for the erection of outdoor dining facilities consisting of 4 individual buildings with external dining and seating. The application site is in Chatton and forms part of an established Public House business which operates successfully in the local community.

7.6 Paragraph 84 of the NPPF advises that decisions should enable the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well- designed new buildings. Policy ECN 12 states that rural economy will be encouraged through, facilitating the formation, growth and up-scaling of businesses in rural locations. Policy ECN 13 states that development that will generate employment opportunities, proportionate to the rural location, will be supported where extensions contribute positively to the local landscape, is related closely as possible to the existing settlement pattern and will not have an adverse impact on operational aspects of local farming or forestry. Within the above parameters of the above criteria, particular support will be given to d) proportionate well related development, necessary for the continued operation in situ of an existing rural business.

7.7 The development will provide additional seating areas that will enable the continued use of the local public house and will enable the growth and upscaling of this local business. The principle of development is therefore considered to be acceptable in accordance with policy STP 1, ECN12 and ECN13 of the NLP and the NPPF.

Impact on visual amenity

7.8 Policy QOP 1 of the NLP seeks to support development which respects its surroundings and makes a positive contribution to local character and distinctiveness. The design of a development should create or contribute to a strong sense of place and integrate the built form of the development with the site overall, and the wider local area.

7.9 Paragraph 126 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.

7.10 The structures and decking have all been constructed using timber. The roof is proposed to be covered in a mock Welsh slate and the side of the decking would be clad with mock stone, light grey slips and corners.

7.11 It is considered that the applicant has made attempts to ensure that the timber buildings are in keeping with the main public house building and surrounding area, although it is noted that using replica materials will not have the same quality as sourcing original materials, which would provide a better finish.

7.12 The use of materials is considered acceptable for the nature of the development and will be viewed within the context of the existing public house and outdoor sitting area. Furthermore, the scale of the development is considered to be appropriate for its proposed function. It is considered that as the proposals are for outdoor seating, the design and materials are acceptable in this regard.

7.13 In June 2021 new provisions were added to the NPPF in relation to design. Paragraph 129 of the NPPF advises that the guidance contained the National Design Guide, and the National Model Design Code should be used to guide decisions on applications in the absence of locally produced design guides or design codes. Northumberland does not yet have any NPPF-compliant Local Design Guides. Until such time as it does, we must use the National Design Guide and National Model Design Code to guide decisions on applications. In accordance with the new provisions in NPPF, development that is not well designed should be refused, especially where it fails to reflect government guidance on design. Conversely, significant weight should be given development which reflects government guidance on design; and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

7.14 Having assessed the proposal against local and national planning policy and the 10 characteristics outlined in the National Design Guide it is considered that proposal would not have significantly harmful effect on the character and appearance of the of the site and surrounding aesthetic. While the development represents a visual change in appearance and scale from the existing building it is considered that the proposal would accord with the NLP and the NPPF.

Impact on residential amenity

7.15 Policy QOP2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.16 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.17 Given the scale, design, and location of the development within the existing public house courtyard, it is not considered that the development will result in any loss of residential amenity in terms of overlooking, loss of light or visual intrusion to nearby residential properties.

7.18 Several objections have been received in regard to the impact that the proposals will have in relation to the increase in noise levels and anti-social behaviour generated from the erection of the outdoor seating area.

7.19 The development has been considered within the context of the existing use of the site, which is an established public house. This application seeks to create a formal outdoor dining area which will be located within the grounds of the public house and has been situated to the side of the application site in order to reduce the impact on noise and privacy to nearby residential properties.

7.20 Public Protection have also been consulted regarding the proposals and have raised no objection to the proposals subject to a condition being added to any planning permission, relating to the restriction of any sound reproduction equipment being used in the outdoor space. It is therefore considered that the proposed development would not cause any unacceptable adverse noise impact on amenity issues, subject to condition. The development is therefore considered to be in accordance with the NLP and NPPF in this respect.

Impact on the Conservation Area

7.21 The application site is located within the Chatton Conservation Area. As such regard must be had to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act, which require 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 and, in respect of Section 72, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

7.22 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.

7.23 Policy ENV9 of the NLP relates to conservation areas and states that development will be encouraged that will help preserve or enhance the character or appearance of the conservation area and/or reinforce its local distinctiveness and/or better reveal its significance.

7.24 The NCC Building Conservation Officer has been consulted with regard to the proposals and has returned comment stating that the proposals would result in the lower end of less than substantial harm and should be weighed against any public benefit that they would bring. The Building Conservation Officer has stated that: -

“The development, in the context of the local vernacular, specifically the single storey terrace to the west and the single storey stable range to the north side of the application site, has resulted in harm to the character and appearance of the Chatton Conservation Area.

Assessed against the NPPF, the harm is less than substantial and at the lower end of the spectrum. To comply with NPPF (para 202), this level of harm should be assessed against any public benefit in the overall planning balance. If no public benefit results from the proposal the application should be refused due to its impact on the character and appearance of Chatton Conservation Area.”

7.25 It is considered that in this instance there is a public benefit to the proposals. The outside seating will ensure the ongoing viability of the local public house which is used by local residents and visitors to the area alike. It is considered that the benefit brought by ensuring the continued existence of this local community public house outweighs the lower end of less than substantial harm to the Chatton Conservation Area.

Highways

7.26 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.27 Policies TRA1, TRA2 and TRA4 of the Northumberland Local Plan relate to the transport network and seek to ensure sustainable connections, highway safety and appropriate parking provision in new development.

7.28 Several objections have been received with regard to the proposals based on the impact that the proposals will have on parking provision in Chatton.

7.29 The NCC Highways Officer has been consulted regarding the proposals and originally returned comment requiring that additional information be submitted in support of the proposal. On submission of the additional information, it has now been established that all the parking spaces can be retained, including the disabled parking spaces, despite the proposals and no parking will be lost because of the application. The NCC Highways Officer has returned comment stating that they have no objection to the proposals, subject to the imposition of conditions on any planning permission granted relating to car parking and cycle parking. It is considered that the proposals would be acceptable in this regard in accordance with local and national planning policy.

Other Matters

7.30 The concerns raised by the Parish Council and in the representations received are noted and have been addressed in the assessment of the application accordingly.

Equality Duty

7.31 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

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

Human Rights Act Implications

7.33 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.

7.34 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.

7.35 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 the 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 proposal has addressed the main considerations and would accord with relevant policy and is considered acceptable. The proposal is therefore recommended for approval.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following:

Conditions

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 plans hereby approved:-

1. Site Location Plan - 03 A
2. Proposed Elevations - As Built Timber Structure - 21/ 860 - 01
3. Heritage Design and Access Statement amended 12 Jan 2022
4. Highways parking layout (Front Car Park) 02 revision dated 07.06.22
5. Highways parking layout (Rear Car Park Layout) Drawing no. CP

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

03. No Sound Reproduction Equipment is permitted to be used at any time as part of the development hereby approved except with the written permission of the Local Planning Authority. Sound Reproduction Equipment includes but is not limited to Televisions, Radios and Stereo Systems.

Reason: To preserve neighbouring amenity in accordance with the provisions of the NPPF.

04. Within 2 months of the date of this permission the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein shall be hard surfaced, sealed and marked out in parking bays 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 and Policy TRA4 of the Northumberland Local Plan.

05. Within 1 month of the date of this permission the cycle parking shown on the approved plans shall be implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

Background Papers: Planning application file(s) 21/04958/FUL



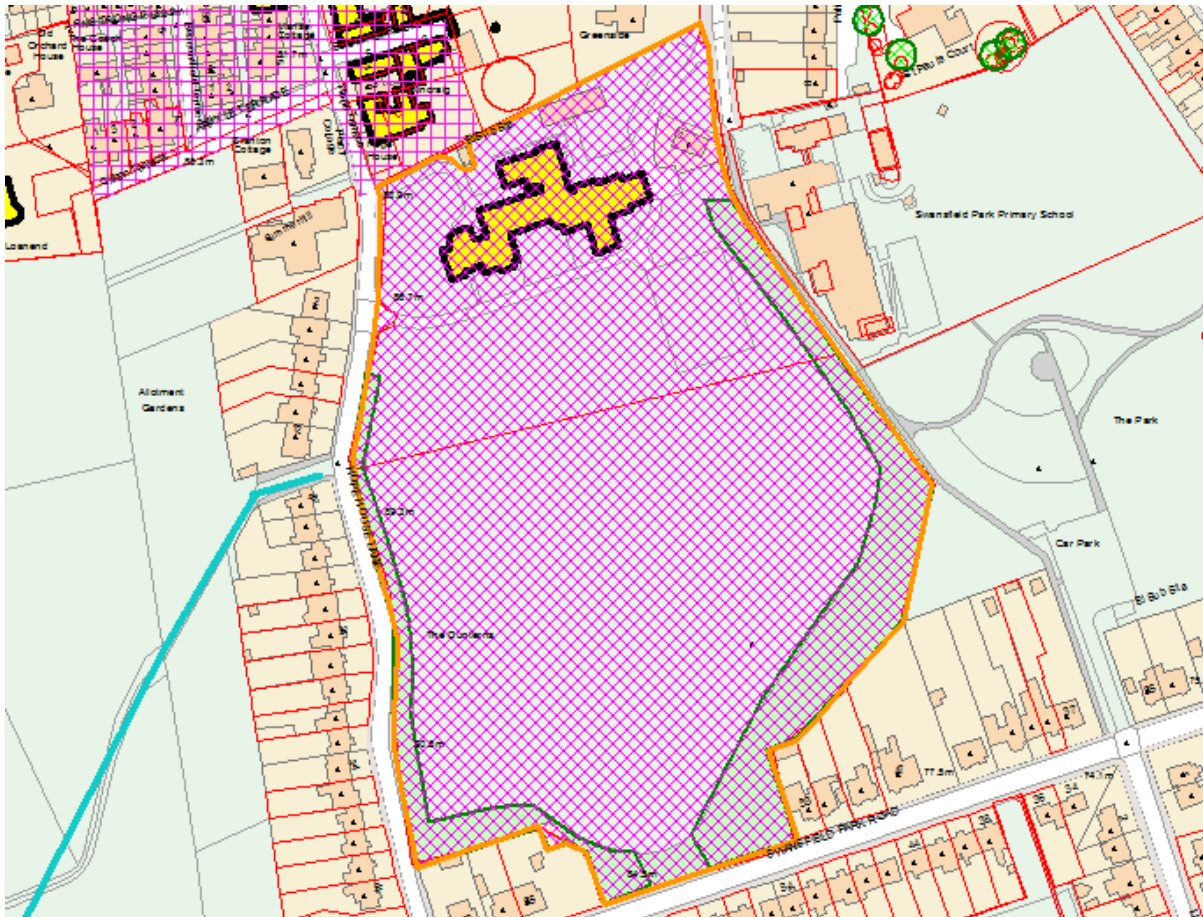
Northumberland

County Council

North Northumberland Local Area Council Planning Committee 18th August 2022

Application No:	22/00020/VARYCO		
Proposal:	Variation of conditions Variation of Condition 2 (approved plans) and 21 (protected species licence) pursuant to listed building consent 19/00500/FUL to allow amendments to the general site layout, retirement living block, listed building, and mews houses.		
Site Address	Former Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland		
Applicant:	Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX United Kingdom	Agent:	None
Ward	Alnwick	Parish	Alnwick
Valid Date:	10 January 2022	Expiry Date:	19 August 2022
Case Officer Details:	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: Email: David.love@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 The application has generated significant public interest and consultee comments. As a result, the proposal has gone through the Chair Referral process with the Head of Planning and Chair and Vice Chair of the planning committee determining that this submission should be determined by the planning committee.

2. Description of the Site and Proposal

2.1 The site to which the application relates is approximately 4.73ha hectares and is located on land to the south of Alnwick Town Centre. The existing site consists of the former Duke's School building and former playing field, which are now vacant due to the closure of the school in 2016.

The site is bounded by:

- To the east is Swansfield Park Primary School, Swansfield Park and an area of new housing development;
- To the west is Hope House Lane which is lined with residential properties;
- To the south by Swansfield Park Road, which is lined with residential properties, with the former Lindisfarne Middle School beyond; and,
- to the north by residential properties, including several Listed Buildings such as Hope House and Kinraig (Grade II), and several Grade II Listed Buildings clustered around South Street.

2.2 The site is currently accessed via The Avenue, with a former vehicle access leading from Hope House Lane along with a minor service vehicle access to the existing sub-station. The site has strong pedestrian connections to the whole of

Alnwick, with the main Town Centre being approximately a 0.3 mile walk to the north, and Willowburn Retail and Leisure facilities approximately a 1 mile walk to the south.

2.3 The application is a variation of a consent already granted which covered the conversion of Duke's School to residential apartments (27no.), change of use and development of specialist elderly accommodation (49no. units), along with the development of residential dwellings (22no.). The development also includes an extensive area of landscaping between the Duke's School and development in the southern area of the grounds, equating to the creation of 1.9ha (4.9 acres) of publicly accessible open green space.

2.4 The total site area is approximately 4.73ha in size. The built area for development in the southern area measures 0.4ha. The area proposed for public open green space is approximately 1.9ha. There is approximately 2.4ha of other uses including the tree belt around the site boundaries, footpaths, private gardens, roads, and car parking. Works will include a new vehicle access from Swansfield Park Road, along with an upgrading of the existing access from The Avenue. Car parking, gardens, drainage, and extensive landscaping of the newly formed public open green space will also be included.

2.5 Planning permission already exists for:

- Retirement Living Block: 1-bed: 23no. apartments, 2-bed: 26no. apartments, Total: 49no. apartments
- Duke's School Conversion: 1-bed: 9no. apartments; 2-bed: 14no. apartments; 3-bed: 4no. apartments; Total: 27no. apartments
- Residential Housing: 2-bed bungalow: 5no. 2-bed house: 17no. Total: 22no. dwellings

2.6 This permission seeks to:

- General Site Layout
 - Refinement of the drainage strategy to provide a more comprehensive and simplified drainage solution, including integrating the approved landscape strategy into this design and layout
- Retirement Living Block
 - Addition of winter gardens and balconies to provide outside amenity space to the apartments
 - Simplification to the roof design to allow for potential PV panels on the south facing roof pitch to enhance the building's sustainability
 - Additional area for air source heat pumps at lower ground level, sited in a discrete area with timber loggia cladding, again to enhance the building's sustainability
 - Addition of external electricity intake room at ground floor
 - Refinement of the landscape strategy around the perimeter of the building to accommodate the sloping site levels
 - Location for an electricity substation near the southern site entrance near the Gate House dwelling
- Duke's School Listed Building

- Retention of more of the existing Listed Building at the intersection with the new northern extension, retaining more of the original roof structure and finishes
 - Making good the 1970s central chimney flue, removal of the redundant roof lights
 - Minor updates to the northern extension including revised fenestration, finished floor heights, and introducing slope to the mansard roof
 - Opening windows added to the new apartments at first floor level on the western elevation
- Mews Houses
 - Amendment to the eaves height, removal of rooflights and replacement with bathroom windows

2.7 Furthermore, the applicant believes condition 21 attached to the extant consent is unenforceable as it requires approval from a separate body under different legislation from the planning process. They have requested that the condition is either removed or re-worded.

2.5 It is important that any re-wording of condition 21 ensures that it is not capable of being discharged until the licence is secured. This is because the Natural England licence application form requires the applicant to confirm that all wildlife-related conditions that are capable of being discharged have been discharged. Otherwise, a loop is created whereby condition 21 cannot be discharged and neither can the licence be secured to discharge the condition.

3. Planning History

Reference Number: C/75/A/018

Description: Acquisition of 'Kincraig' as additional teaching accommodation

Status: PER

Reference Number: C/10/00148/CCD

Description: Construction of a bike shed at Dukes Middle School, Hope House Lane, Alnwick

Status: PER

Reference Number: 12/03257/LBC

Description: Upgrade structural reinforcement of fire escape 1 which is currently supported temporarily with scaffolding, provide additional railings and lighting to all fire escapes, replacement of existing external doors with FD30 rated fire doors, replacement of 2no. windows to fire escape 2 with emergency egress window and replacement of windows with fire rated glazing

Status: PER

Reference Number: 17/02422/LBC

Description: Listed Building Consent for retrospective installation of permasteel to all windows and doors (temporary) and 4 bastion cameras on stands.

Status: PER

Reference Number: 19/00500/FUL

Description: Conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly

living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access, and drainage.

Status: PER

Reference Number: 19/00501/LBC

Description: Listed Building Consent for conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access, and drainage.

Status: PER

Reference Number: 22/00022/VARYCO

Description: Variation of Condition 11 (Approved Plans) pursuant to listed building consent 19/00501/LBC to allow amendments to the general site layout, retirement living block, listed building, and mews houses

Status: PCO

Reference Number: 22/01414/NONMAT

Description: Non-material amendment to planning permission 19/00500/FUL to amend the description of development to increase the number of apartments in the specialist elderly living accommodation to 52no to reflect the plans submitted with application 22/00020/VARYCO

Status: REF

Reference Number: 22/02101/S106A

Description: Variation of S106 Agreement on approved application 19/00500/FUL (in conjunction with 22/00020/VARYCO) dated 24.02.21.

Status: PCO

Reference Number: A/ENQ/2008/0318

Description: Residential Development

Status: REPLY

Reference Number: A/ENQ/2006/0745

Description: Care Home and Housing

Status: REPLY

4. Consultee Responses

Alnwick Town Council	<p>The scale and nature of the changes requested raise several specific concerns (the relevant Alnwick & Denwick Neighbourhood Plan policy references are given in brackets:</p> <ol style="list-style-type: none">1. the proposed changes do not respect the character of the street scene and are out of keeping with all the surrounding buildings. Any proposed changes must be in keeping with the original Listed building and its setting (ADNP H5b, HD5e)2. the proposed changes to some of the materials will not be sympathetic to the surrounding suburban townscape. The historic nature of the setting must ensure that stone walls and slate roofs are used (ADNP H5f)3. the proposed changes would not respect the privacy or amenity of the adjoining properties as the proposed viewing
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	platforms on the retirement block will overlook neighbouring gardens and properties. (ADNP H5c, HD5)
Building Conservation	For 22/00020/VARYCO BH&D does not support the use of render, brick and upvc door and window frames in the mews houses and retirement living block in the absence of a clear and convincing justification. We consider the remaining changes proposed do not increase the level of harm to the setting of the listed building already identified in our comments to the 2019 application.
County Ecologist	No objection and suggested an updated wording for condition 21.
County Archaeologist	There are no objections to the present application on archaeological grounds. No archaeological work is recommended.
Historic England	No comment.
Natural England	Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.
Public Protection	No comment.
Alnwick Town Council	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	93
Number of Objections	8
Number of Support	0
Number of General Comments	0

Notices

Dep, affect LB & Con Area 10th February 2022

Northumberland Gazette 20th January 2022

Summary of Responses:

There have been eight representations raising several objections. These are detailed below:

- The development should retain the original materials
- The solar panels should be installed with the original build

- The noise from the sub-station could be a nuisance for those nearby properties
- There are no details of acoustic mitigation for the air source heat pumps
- The winter gardens / balconies are not a positive addition and will cause privacy issues with existing houses
- Concerns that the solar panels will be reflective

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=R58SIVQSLMG00>

6. Planning Policy

6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)
 STP 2 - Presumption in favour of sustainable development (Strategic Policy)
 STP 3 - Principles of sustainable development (Strategic Policy)
 STP 4 - Climate change mitigation and adaptation (Strategic Policy)
 HOU 1 - Making the best use of existing buildings (Strategic Policy)
 HOU 2 - Provision of new residential development (Strategic Policy)
 HOU 3 - Housing requirements for neighbourhood areas (Strategic Policy)
 HOU 5 - Housing types and mix
 HOU 6 - Affordable housing provision (Strategic Policy)
 HOU 9 - Residential development management
 HOU 11 - Homes for older and vulnerable people (Strategic Policy)
 QOP 1 - Design principles (Strategic Policy)
 QOP 2 - Good design and amenity
 QOP 3 - Public realm design principles
 QOP 4 - Landscaping and trees
 QOP 5 - Sustainable design and construction
 QOP 6 - Delivering well-designed places
 TRA 1 - Promoting sustainable connections (Strategic Policy)
 TRA 2 - The effects of development on the transport network
 TRA 4 - Parking provision in new development
 ICT 2 - New developments
 ENV 1 - Approaches to assessing the impact of development on the natural, historic, and built environment (Strategic Policy)
 ENV 2 - Biodiversity and geodiversity
 ENV 4 - Tranquillity, dark skies, and a sense of rurality
 ENV 7 - Historic environment and heritage assets
 ENV 9 - Conservation Areas
 WAT 1 - Water quality
 WAT 2 - Water supply and sewerage
 WAT 3 - Flooding
 WAT 4 - Sustainable Drainage Systems
 POL 1 - Unstable and contaminated land
 POL 2 - Pollution and air, soil, and water quality
 INF 1 - Delivering development related infrastructure (Strategic Policy)
 INF 2 - Community services and facilities
 INF 5 - Open space and facilities for sport and recreation
 INF 6 - Planning obligations

Alnwick and Denwick Neighbourhood Plan 'made' 2017 (ADNP)

H1 - Quantity of Housing
H2 - Location of Housing Development
H3 - Ensuring a Choice of Housing
H4 - Housing Design
CF5 - Future Development of the Middle Schools
TRA1 - Walking
TRA2 - Cycling
ENV1 - Providing New Green Space through Development
ENV2 - Protecting Green Space
ENV3 - Local Green Space
ENV6 - Protecting Trees
ENV7 - Landscaping of New Developments
ENV8 - Protecting Green Infrastructure
ENV9 - Sustainable Drainage Systems
ENV11 - Reducing Light Pollution
HD1 - Protecting Landscape Setting
HD2 - Heritage Assets at Risk
HD5 - Design in the Wider Town

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)
PPG - Planning Practice Guidance (2021, as updated)
NDG - National Design Guide (2019)
NMDC - National Model Design Code (2021)

6.3 Other Documents

Traditional Windows Their Care Repair and Upgrading (2017), Historic England

7. Appraisal

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 Northumberland Local Plan and the Alnwick and Denwick Neighbourhood Plan 2017.

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 particularly relevant to this application.

7.3 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:-

- Principle of development
- Design Changes
- Ecology

- Planning Obligations
- Other Matters

Principle of Development

7.4 The principle of the development has been firmly established through the grant of consent reference 19/00500/FUL. This permission remains extant and was assessed against the provisions of the current local plan and the neighbourhood plan.

7.5 The principle of the proposal is consistent with the provisions of the development plan with the current approval still live.

Design Changes and Heritage Impacts

7.6 The Duke's School is a grade II listed building dating from 1904 built in ashlar with a slate roof. There are some later additions dating to c1960 which are not considered to be of intrinsic significance although legally they are part of the listed building. There are some later structures adjacent but not attached to the main school dating from c1960. Their dates preclude them from being considered curtilage listed. The site is out with the Alwick Conservation Area. The development has the potential to impact on the setting of the listed school, the Alwick Conservation Area, and certain listed buildings within it.

Retirement living block:

7.7 Council officers consider that the proposed changes to the retirement living block will result in less than substantial harm within the terms of the National Planning Policy Framework. Condition 28 was imposed on 19/00500/FUL requiring the LPA to approve the main construction materials.

7.8 The original submission included a change to the external materials to include elements of brick and render. This has now been removed following discussions between officers and the applicant.

7.9 Considering this change and the use of the original conditions this element of the proposal is consistent with policies ENV 7 and 9.

Duke's School Listed Building

7.10 The following is taken from the council's Built Heritage and Design Officer's comments:

"We have no in principle objections to the four bullet points set out. However, on a practical note plan 252-P2 uses colour coding with several variations of red to brown which is difficult to read. As BH&D has had the benefit of looking closely at the windows this does not inhibit our understanding of the proposal, but others less used to the building could struggle.

A key part of the how the windows will be addressed is in the Heritage Impact Assessment (HIA). It would be prudent if this document were brought within the list of approved documents. In assessing window proposals BH&D refers to Historic England guidance Traditional Windows Their Care Repair and Upgrading (2017). The first position is to repair and retain the existing traditional windows. However, the guidance

sets out at p54 the circumstances in which double glazing may be acceptable. The approach set out in the HIA is broadly in line with the HE guidance. However, the circumstances of the Dukes School fenestration is complicated by several factors. First, given it has only been listed in recent years there is a legacy of some existing timber framed double glazed windows. Some windows have been replaced in white UPVC much to the detriment of the special interest of the listed building. Some surviving traditional timber framed windows have been altered with inferior quality inserts. While a solution for the surviving windows in the listed building (and the new additions) are still emerging through the developer's project team we are satisfied that 252-P is a broadly acceptable strategy subject to the continued application of relevant window conditions as set out in 19/00500/FUL & 19/00501/LBC."

7.11 In line with these comments this element of the submission is considered acceptable, and the list of approved documents has been updated.

Mews Houses

7.12 The proposed changes to the Mews Housing is result in a less than substantial harm outcome as per the criteria of the NPPF. Council officers are content to support this element of the proposals so long as the relevant conditions remain in place.

Summary

7.13 The council's Built Heritage and Design Officer has summarised their position as follows:

We suggest conditions in force on the 2019 applications relevant to materials and fenestration remain in place subject to the substitution of relevant plan reference numbers. The HIA should be added to the list of approved documents. References to slate must refer to natural slate. References to stone must relate to natural stone.

7.14 Taking these comments on board the conditions list has been updated to reflect their input. The proposal is considered consistent with the relevant provisions of the development plan.

Ecology

7.15 The applicant is seeking to vary condition 21 which requires confirmation of a species license from Natural England or that one is not required. The issue here is the wording of the condition, and its requirements could end up putting the applicant in an unending loop without being able to either achieve a license or discharge the condition. The applicant does not consider the condition to meet the necessary tests in that it is potentially unenforceable.

7.16 The County Ecologist has commented that following wider discussions this standard condition has been amended and therefore can be updated to reflect the recent changes. This is included in the proposed list of conditions and replaces the original condition 21.

Planning Obligations

7.17 The extant s106 agreement contains a clause that ensures it is carried forward to any subsequent permissions. Furthermore, it is written in such a manner that does not allow it to be revisited by either party.

7.18 To summarise the S106A has agreed the following:

- Education Contribution (£306,000 (Primary Education £162,000, Secondary Education £144,000))
- Healthcare Contribution (£40,200)
- Affordable Housing Contribution (equivalent to 17% of the site following reduction for Vacant Building Credit)
- Coastal Mitigation Contribution (£58,800 (98 dwellings x £600))
- Replacement Playing Pitch (2.74 Hectares @ Greensfield)

Other Matters

7.19 It should be noted that the objections all raised the issue of materials and impact on the listed Duke's Middle School. The materials have now been altered to revert to the original stone finish. The proposal is seeking to utilise alternative energy sources to improve the sustainability of the applications including solar panels and air source heat pumps. Solar panels are matt finished so will not cause a reflective glare impacting on adjacent properties. There are no concerns from Public Protection regarding noise from the substation or the air source heat pumps. Such elements are regular in modern housing developments and founded complaints are not common. Finally, the winter gardens / balconies are a substantial distance (some 40m plus between elevations) from extant properties and officers do not consider that they will cause any undue impact on privacy beyond that already experienced in residential areas.

Equality Duty

7.20 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

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

Human Rights Act Implications

7.22 The Human Rights Act requires the County Council to consider 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.

7.23 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.

7.24 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, 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 the level of accordance with relevant Development Plan Policy (NLP and ADNP). The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF)

8.2 The principle of the development has been firmly established through the grant of consent currently extant. There are no objections from the consultees and council officers consider the proposed changes acceptable in terms of design and the historic environment.

8.3 Objections have been raised primarily against the change of materials. This has been resolved by removing it from the proposals. Other objections including concerns over privacy from the winter gardens / balconies, glint and glare from the solar panels and noise from air source heat pumps and the sub-station cabinet. These have all been addressed in the assessment and considered by consultees through the determination process.

8.4 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions

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. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

Retirement Living

311-P4 Proposed LG Layout
312-P4 Proposed GF Layout
313-P4 Proposed FF Layout
321-P5 Proposed Elevations
113-P8 RL Site Layout
300-P2 Proposed Sections
314-P3 Proposed Roof Plan
322-P2 Coloured Elevations

Alms houses

114-P9 Alms houses Site Layout
402-P2 Alms houses Streetscenes
401-P6 House type booklet
PL39-B Proposed Streetscene Mews Houses

School

112-P6 School Proposed Layout
201-P2 - Overall demolition plan
211-P2 Proposed LG Plan
212-P3 Proposed GF Plan
213-P3 Proposed FF Plan
214-P2 Proposed SF Plan
215-P2 Proposed Roof Plan
221-P2 Proposed Elevations
231-P2 Proposed Sections
241-P2 LGF Demolished Plan
242-P2 GF Demolished Plan
243-P2 FF Demolished Plan
244-P2 SF Demolished Plan
245-P2 Roof Demolished Plan
246-P2 Demolition Elevations
251-P2 Fire Strategy Plan
252-P2 Proposed window strategy

Layout drawings

111-T1 Proposed Site Layout
121-P3 Proposed Site Sections
131-P12 Proposed Boundary Treatment Plan
133-P3 Existing and Proposed Wall elevations access point
134-P7 Vehicular access proposals (south)

Drainage

140895 MD Output North 010422

140895 MD Output South 010422

140895-2050-C

140895-2051-D

140895-04-Flood Risk Assessment and Drainage Strategy Issue 4

Heritage Impact Assessment

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

03. The development shall not be occupied until a scheme for parking management measures, including School Keep Clear restriction/prohibition of parking, on The Avenue, have been implemented, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

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

04. Development shall not commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

Reason: In the interests of visual amenity of the area, in accordance with the National Planning Policy Framework.

05. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

06. 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.

07. The development shall not be occupied until the vehicular accesses to the site from The Avenue and Swansfield Park Road, have been constructed, in accordance with Type 'C' of Northumberland County Council specifications and the accesses from Hope House Lane have been upgraded and resurfaced in accordance with Type 'B'.

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

08. No residential unit shall be occupied unless works to provide dropped kerb crossing points and footway resurfacing and alterations to existing accesses along Hope House Lane, reinstatement of kerbs and footway at redundant access on The Avenue and footway resurfacing along Swansfield Park Road within 20m either side of new site access, have been completed, 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 pedestrian safety, in accordance with the National Planning Policy Framework.

09. 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.

10. Prior to occupation, details of surface water drainage to manage run off from private land onto the highway have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

11. 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

12. No development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

13. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework.

14. Development shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Demolition and Construction Method Statement and plan shall, where applicable, provide for:

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

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

15. Prior to commencement 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 ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

16. Prior to commencement details of the SuDS Basin Maintenance Track shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase by providing access to the basin for maintenance

17. Prior to the first use 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.

18. Prior to first occupation an assessment into the structural integrity of the proposed SuDS basins shall be undertaken. This assessment shall ensure the structural integrity of the drainage system and any adjacent structures or infrastructure

under anticipate loading conditions over the design life of the development considering the requirement for reasonable levels of maintenance.

Reason: To ensure the basin is structurally secure, limiting the possibility of any breaching.

19. 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 disposal of surface water operates at its full potential throughout the development's lifetime.

20. Prior to construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. 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.

21. Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:

- licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or
- written justification by a suitably qualified ecologist confirming why a licence is no longer required

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report (BSG Ecology, January 2019 (revised June 2019) which details the methods for maintaining the conservation status of bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report (BSG Ecology, January 2019 (revised June 2019) which details the methods for maintaining the conservation status of protected species unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

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

22. No development shall take place unless in accordance with the (bat) mitigation detailed within the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report. BSG Ecology, January 2019 (revised June 2019) , including, but not restricted to adherence to timing constraints and working methods; retention of external roasts on Building 1, and provision of boxes during construction. Only Bitumen type 1F roofing felt with a hessian matrix will be installed in roofs used by bats.

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

23. Nest sites for swift will be marked up and retained during construction, with details of how the species will be accommodated during construction (e.g. by timing restrictions) forwarded to the LPA for approval in writing prior to development commencing. Alternative nesting provision for house martin will also be included. The mitigation will be fully implemented as approved.

Reason: to maintain nesting sites for swift and house martin, amber listed birds of conservation concern.

24. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

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

25. No tree works on site will commence unless in strict accordance with the measures in the report Arboricultural Impact Assessment, and associated Tree Protection Plan and Arboricultural Method Statement. (May 2019, All About Trees). A checking survey should be completed prior to the commencement of works affecting trees within the Site to determine whether any red squirrel dreys or bat roosts are present. If red squirrels are found to be present within the Site, the qualified ecologist will liaise with the contractor to ensure that measures are adopted to avoid impacts on red squirrels and bats.

Reason: to maintain the landscape and biodiversity value of the site and avoid harm to protected species.

26. Any trenches or deep excavations are covered at the end of each working day or ramps installed to provide exit routes for any animals that fall in.

Reason: to ensure that protected species are not harmed during construction.

27. Prior to development reaching damp-proof course level a Biodiversity Enhancement Plan will be provided to the LPA for approval in writing, and should include clearly marked-up plans showing:

4 bat boxes (2FR Schwegler Bat Tube or equivalent) incorporated into gable ends on the east and west elevations of new buildings in the southern part of the Site;
Gaps in all external and internal boundaries measuring 13cm x 13cm at the base of fences or walls to allow movement through the site by hedgehog;
Detailed planting and management scheme for the Landscape Strategy including creation of species rich native grassland (use locally sourced Northumberland Meadow Mix) and planting of wildflowers and native scrub planting;
Details of SUDS design and planting, maximising biodiversity gain;
Position of 14 bat boxes (2FR Schwegler Bat Tube or equivalent) incorporated into gable ends on the east and west elevations of new buildings in the southern part of the Site;
Position of 52 swift bricks incorporated into new buildings within the southern part of the Site, in clusters of 4 per building on northern elevations away from windows, facing onto greenspace within the Site; and,
Position and design of two habitat piles within areas of woodland in the south of the site to provide additional opportunities for shelter for hedgehog.

The approved plan will be fully implemented as approved.

Reason: to maintain the landscape and biodiversity value of the site.

28. Prior to the commencement of development above damp proof course level and notwithstanding the approved details in the application particulars of all construction materials for the new buildings within the scheme shall be submitted to, and approved in writing by the Local Planning Authority. Samples of the proposed materials shall be made available on site for inspection and retrained for the duration of the works. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

29. Prior to the installation of the windows, window frames, doors, and door frames within the new build elements of the scheme, details (including plans, elevations) regarding windows, window frames, doors and door frames shall be submitted and approved in writing by the LPA. This should include details relating to their design, materials, and colour. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

30. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no;

Extensions;
Outbuildings;
Porches;

Roof Openings;
Cladding/Rendering; or
Roof extensions.

Shall be added to or constructed within the curtilage of the resulting property hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: In the interests of visual and residential amenity and in accordance with the development plan, neighbourhood plan and the National Planning Policy Framework.

31. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: To ensure that risks from 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.

32. 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.

33. Prior to the first occupation of the development a long term tree management strategy will be agreed in writing by the Local Planning Authority. The trees and vegetation on the site will be maintained in accordance with the agreed strategy thereafter.

Reason: To ensure the protection of the trees and vegetation included in the development.

Background Papers: Planning application file(s) 22/00020/VARYCO

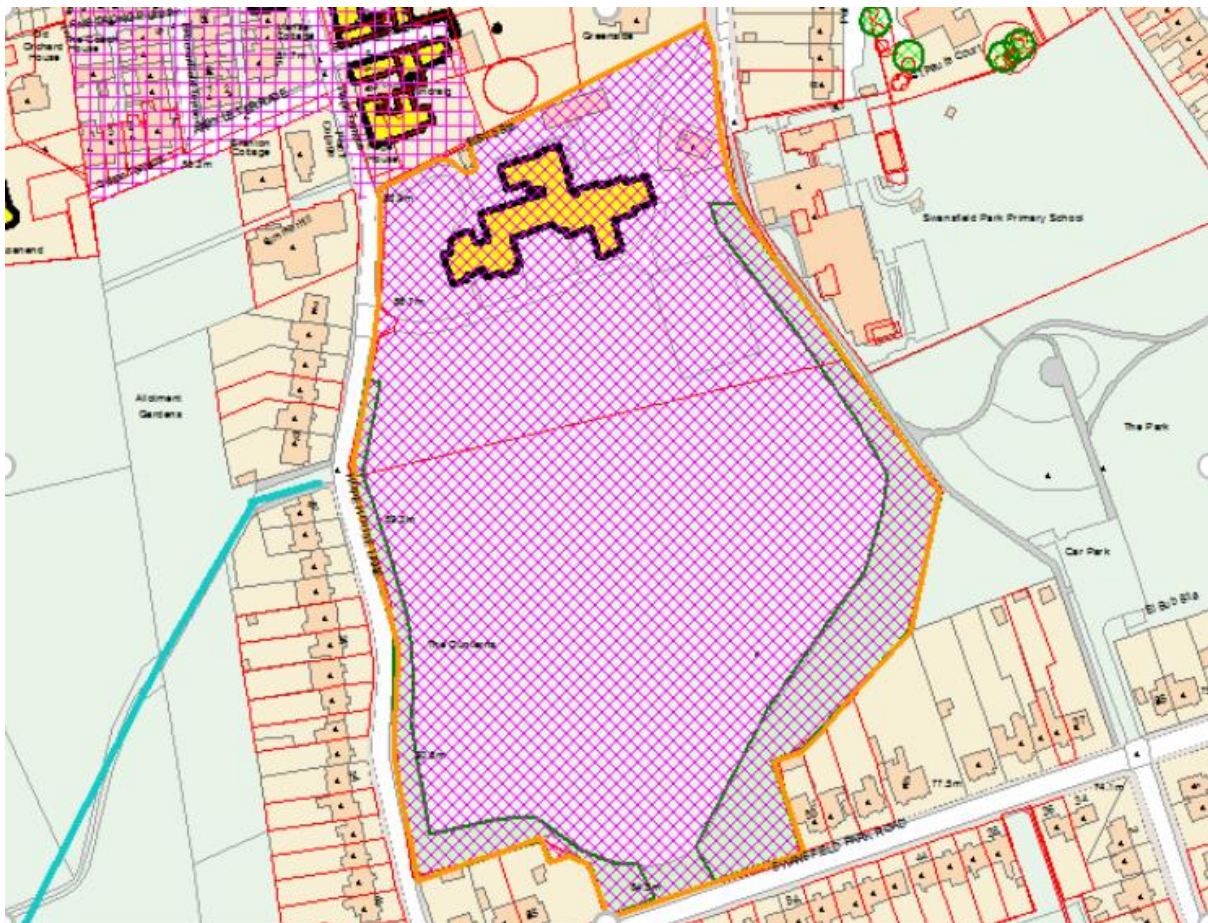


Northumberland County Council

North Northumberland Local Area Council Planning Committee 18th August 2022

Application No:	22/00022/VARYCO		
Proposal:	Variation of Condition 11 (Approved Plans) pursuant to listed building consent 19/00501/LBC to allow amendments to the general site layout, retirement living block, listed building, and mews houses,		
Site Address	Former Alwick the Dukes Middle School, The Dunterns, Alwick, Northumberland		
Applicant/ Agent	Guy Munden Quayside House, 110 Quayside, Newcastle Upon Tyne, NE1 3DX		
Ward	Alwick	Parish	Alwick
Valid Date	10 January 2022	Expiry Date	19 August 2022
Case Officer Details	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: Email: David.love@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 The application has generated significant public interest and consultee comments. As a result, the proposal has gone through the Chair Referral process with the Head of Planning and Chair and Vice Chair of the planning committee determining that this submission should be determined by the planning committee.

2. Description of the Site and Proposal

2.1 The site to which the application relates is approximately 4.73ha hectares and is located on land to the south of Alnwick Town Centre. The existing site consists of the former Duke's School building and former playing field, which are now vacant due to the closure of the school in 2016.

The site is bounded by:

- To the east is Swansfield Park Primary School, Swansfield Park and an area of new housing development;
- To the west is Hope House Lane which is lined with residential properties;
- To the south by Swansfield Park Road, which is lined with residential properties, with the former Lindisfarne Middle School beyond; and,
- to the north by residential properties, including several Listed Buildings such as Hope House and Kinraig (Grade II), and several Grade II Listed Buildings clustered around South Street.

2.2 The site is currently accessed via The Avenue, with a former vehicle access leading from Hope House Lane along with a minor service vehicle access to the existing sub-station. The site has strong pedestrian connections to the whole of Alnwick, with the main Town Centre being a 0.3 mile walk to the north, and Willowburn Retail and Leisure facilities approximately a 1 mile walk to the south.

2.3 The proposal is for the variation of an existing consent which permits the conversion of Duke's School to residential apartments (27no.), change of use and development of specialist elderly accommodation (49no. units), along with the development of residential dwellings (22no.). The development also includes an extensive area of landscaping between the Duke's School and development in the southern area of the grounds, equating to the creation of 1.9ha (4.9 acres) of publicly accessible open green space.

2.4 The total site area is approximately 4.73ha in size. The built area for development in the southern area measures 0.4ha. The area proposed for public open green space is approximately 1.9ha. There is approximately 2.4ha of other uses including the tree belt around the site boundaries, footpaths, private gardens, roads, and car parking. Works will include a new vehicle access from Swansfield Park Road, along with an upgrading of the existing access from The Avenue. Car parking, gardens, drainage, and extensive landscaping of the newly formed public open green space will also be included.

2.5 Planning permission already exists for:

- Retirement Living Block: 1-bed: 23no. apartments, 2-bed: 26no. apartments, Total: 49no. apartments

- Duke's School Conversion: 1-bed: 9no. apartments; 2-bed: 14no. apartments; 3-bed: 4no. apartments; Total: 27no. apartments
- Residential Housing: 2-bed bungalow: 5no. 2-bed house: 17no. Total: 22no. dwellings

2.6 This permission seeks to:

General Site Layout

- Refinement of the drainage strategy to provide a more comprehensive and simplified drainage solution, including integrating the approved landscape strategy into this design and layout

Retirement Living Block

- Addition of winter gardens and balconies to provide outside amenity space to the apartments
- Simplification to the roof design to allow for potential PV panels on the south facing roof pitch to enhance the building's sustainability
- Additional area for air source heat pumps at lower ground level, sited in a discrete area with timber loggia cladding, again to enhance the building's sustainability
- Addition of external electricity intake room at ground floor
- Refinement of the landscape strategy around the perimeter of the building to accommodate the sloping site levels
- Location for an electricity substation near the southern site entrance near the Gate House dwelling

Duke's School Listed Building

- Retention of more of the existing Listed Building at the intersection with the new northern extension, retaining more of the original roof structure and finishes
- Making good the 1970s central chimney flue, removal of the redundant roof lights
- Minor updates to the northern extension including revised fenestration, finished floor heights, and introducing slope to the mansard roof
- Opening windows added to the new apartments at first floor level on the western elevation

Mews Houses

- Amendment to the eaves height, removal of rooflights and replacement with bathroom windows

3. Planning History

Reference Number: C/75/A/018

Description: Acquisition of 'Kincraig' as additional teaching accommodation

Status: PER

Reference Number: C/10/00148/CCD

Description: Construction of a bike shed at Dukes Middle School, Hope House Lane, Alnwick

Status: PER

Reference Number: 12/03257/LBC

Description: Upgrade structural reinforcement of fire escape 1 which is currently supported temporarily with scaffolding, provide additional railings and lighting to all fire escapes, replacement of existing external doors with FD30 rated fire doors, replacement of 2no. windows to fire escape 2 with emergency egress window and replacement of windows with fire rated glazing

Status: PER

Reference Number: 17/02422/LBC

Description: Listed Building Consent for retrospective installation of permasteel to all windows and doors (temporary) and 4 bastion cameras on stands.

Status: PER

Reference Number: 19/00500/FUL

Description: Conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access, and drainage.

Status: PER

Reference Number: 19/00501/LBC

Description: Listed Building Consent for conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access, and drainage.

Status: PER

Reference Number: 22/00020/VARYCO

Description: Variation of conditions Variation of Condition 2 (approved plans) and 21 (protected species licence) pursuant to listed building consent 19/00500/FUL to allow amendments to the general site layout, retirement living block, listed building, and mews houses.

Status: PDE

Reference Number: 22/01414/NONMAT

Description: Non-material amendment to planning permission 19/00500/FUL to amend the description of development to increase the number of apartments in the specialist elderly living accommodation to 52no to reflect the plans submitted with application 22/00020/VARYCO

Status: REF

Reference Number: 22/02101/S106A

Description: Variation of S106 Agreement on approved application 19/00500/FUL (in conjunction with 22/00020/VARYCO) dated 24.02.21.

Status: PCO

Reference Number: A/ENQ/2008/0318

Description: Residential Development

Status: REPLY

Reference Number: A/ENQ/2006/0745

Description: Care Home and Housing

Status: REPLY

4. Planning Policy

4.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)

HOU 1 - Making the best use of existing buildings (Strategic Policy)

HOU 2 - Provision of new residential development (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

QOP 6 - Delivering well-designed places

ENV 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

4.2 National Planning Policy

NDG - National Design Guide (2019)

NMDC - National Model Design Code (2021)

NPPF - National Planning Policy Framework (2021)

PPG - Planning Practice Guidance (2021, as updated)

4.3 Other Documents/Strategies

Traditional Windows Their Care Repair and Upgrading (2017), Historic England

5. Consultee Responses

Alnwick Town Council	The scale and nature of the changes requested raise several specific concerns (the relevant Alnwick & Denwick Neighbourhood Plan policy references are given in brackets: 1. the proposed changes do not respect the character of the street scene and are out of keeping with all the surrounding buildings. Any proposed changes must be in keeping with the original Listed building and its setting (ADNP H5b, HD5e)
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	<p>2. the proposed changes to some of the materials will not be sympathetic to the surrounding suburban townscape. The historic nature of the setting must ensure that stone walls and slate roofs are used (ADNP H5f)</p> <p>3. the proposed changes would not respect the privacy or amenity of the adjoining properties as the proposed viewing platforms on the retirement block will overlook neighbouring gardens and properties. (ADNP H5c, HD5)</p>
Building Conservation	<p>For 22/00022/VARYCO BH&D raises no objection to the proposed changes.</p> <p>We suggest conditions in force on the 2019 applications relevant to materials and fenestration remain in place subject to the substitution of relevant plan reference numbers. The HIA should be added to the list of approved documents. References to slate must refer to natural slate. References to stone must relate to natural stone.</p>
National Amenity Societies	No response received.
Historic England	Based on the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	93
Number of Objections	7
Number of Support	0
Number of General Comments	0

Notices

Listed Building Consent, 10th February 2022

Northumberland Gazette 20th January 2022

Summary of Responses:

There have been seven objections. The matters material to this determination are summarised below:

- The proposal should use the original finishing materials to ensure a high-quality finish
- The balconies / winter gardens will cause undue privacy and overlooking issues
- The solar panels will cause glare
- There will be intrusive noise coming from the substation and air source heat pumps

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=R58SIVQSLMG00>

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 key issues in the consideration of this application are:

- Principle of Development; and
- Impact on Listed Building;

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 several 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.

7.4 The proposal has previously been granted listed building consent. This permission is extant. The applicant is seeking to vary the approved details.

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 STP 1 and the provisions and intentions of the NPPF.

Impact on Heritage Assets

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

7.7 The Duke's School is a grade II listed building dating from 1904 built in ashlar with a slate roof. There are some later additions dating to c1960 which are not considered to be of intrinsic significance although legally they are part of the listed building. There are some later structures adjacent but not attached to the main school dating from c1960. Their dates preclude them from being considered curtilage listed. The site is out with the Alwick Conservation Area. The development has the potential to impact on the setting of the listed school, the Alwick Conservation Area, and certain listed buildings within it.

7.8 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.

7.9 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.

7.10 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.

7.11 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 several 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.

7.12 The proposal has been examined by both the Building Conservation Officer and the County Archaeologist. The Building Conservation Officer has considered the application to form less than substantial harm and the County Archaeologist has no objection. Both have commented that the proposed alterations will not result in a greater degree of harm than that already assessed, in respect of the relevant heritage assets.

7.13 Considering the above the proposal is consistent with the relevant provisions of the NPPF, neighbourhood plan and the local plan. The degree of harm has been measured as less than substantial and the public benefit has already been assessed as a part of the original consent.

Retirement living block:

7.14 Council officers consider that the proposed changes to the retirement living block will result in less than substantial harm within the terms of the National Planning Policy Framework. Condition 28 was imposed on 19/00500/FUL requiring the LPA to approve the main construction materials.

7.15 The original submission included a change to the external materials to include elements of brick and render. This has now been removed following discussions between officers and the applicant.

7.16 Considering this change and the use of the original conditions this element of the proposal is consistent with policies ENV 7 and 9.

Duke's School Listed Building

7.17 The following is taken from the council's Built Heritage and Design Officer's comments:

"We have no in principle objections to the four bullet points set out. However, on a practical note plan 252-P2 uses colour coding with several variations of red to brown which is difficult to read. As BH&D has had the benefit of looking closely at the windows this does not inhibit our understanding of the proposal, but others less used to the building could struggle.

A key part of the how the windows will be addressed is in the Heritage Impact Assessment (HIA). It would be prudent if this document were brought within the list of approved documents. In assessing window proposals BH&D refers to Historic England guidance Traditional Windows Their Care Repair and Upgrading (2017). The first position is to repair and retain the existing traditional windows. However, the guidance sets out at p54 the circumstances in which double glazing may be acceptable. The approach set out in the HIA is broadly in line with the HE guidance. However, the circumstances of the Dukes School fenestration is complicated by several factors. First, given it has only been listed in recent years there is a legacy of some existing timber framed double glazed windows. Some windows have been replaced in white UPVC much to the detriment of the special interest of the listed building. Some surviving traditional timber framed windows have been altered with inferior quality inserts. While a solution for the surviving windows in the listed building (and the new additions) are still emerging through the developer's project team we are satisfied that 252-P is a broadly acceptable strategy subject to the continued application of relevant window conditions as set out in 19/00500/FUL & 19/00501/LBC."

7.18 In line with these comments this element of the submission is considered acceptable, and the list of approved documents has been updated.

Mews Houses

7.19 The proposed changes to the Mews Housing will result in a less than substantial harm outcome as per the criteria of the NPPF. Council officers are content to support this element of the proposals so long as the relevant conditions remain in place.

Summary

7.20 The council's Built Heritage and Design Officer has summarised their position as follows:

We suggest conditions in force on the 2019 applications relevant to materials and fenestration remain in place subject to the substitution of relevant plan reference numbers. The HIA should be added to the list of approved documents. References to slate must refer to natural slate. References to stone must relate to natural stone.

7.21 Taking these comments on board the conditions list has been updated to reflect their input. The proposal is considered consistent with the relevant provisions of the development plan.

Equality Duty

7.22 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

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

Human Rights Act Implications

7.24 The Human Rights Act requires the County Council to consider 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.

7.25 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.

7.26 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, 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 outweighed by the public benefit of helping to secure an appropriate and viable use for the listed building into the future.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following:

Conditions

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. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

Retirement Living

311-P4 Proposed LG Layout
312-P4 Proposed GF Layout
313-P4 Proposed FF Layout
321-P5 Proposed Elevations
113-P8 RL Site Layout
300-P2 Proposed Sections
314-P3 Proposed Roof Plan
322-P2 Coloured Elevations

Almshouses

114-P9 Almshouses Site Layout
402-P2 Almshouses Streetscenes
401-P6 House type booklet
PL39-B Proposed Streetscene Mews Houses

School

112-P6 School Proposed Layout
201-P2 - Overall demolition plan
211-P2 Proposed LG Plan
212-P3 Proposed GF Plan
213-P3 Proposed FF Plan
214-P2 Proposed SF Plan
215-P2 Pro

Heritage Impact Assessment

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

03. Prior to the commencement of development, notwithstanding details in the application particulars of all construction materials for the proposed extensions to the listed building shall be submitted to and approved in writing by the Local Planning Authority. Samples of the proposed materials shall be made available on site for inspection and retrained for the duration of the works. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

04. Prior to the commencement of work to windows, including sashes, casements, and doors a detailed schedule [and annotated plan] shall be submitted showing the type and condition of all existing windows. Prior to the installation of any new windows, sashes, casements, and doors drawings to a scale of not less than 1:5 fully detailing new or replacement windows, sashes, casements, and doors shall be approved in writing by the LPA and installed in accordance with the approved details. All new window frames, sashes and doors shall be timber only and recessed in the wall to match the existing. The detailed window schedule shall show which windows are to be retained and details on the windows which are to be replaced. No window shall be removed or replaced other than in accordance with the approved schedule. A method statement and section drawings detailing how the existing single glazing will be removed and how the proposed slim double glazing is to be inserted in the existing frames shall be submitted to the LPA for prior written approval. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

Full details of all windows and doors including colour finish in the extensions to the listed buildings shall be submitted to and agreed in writing with the LPA prior to their installation on site.

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

05. Prior to the commencement of development Notwithstanding the approved plans all details and locations of new pipes, vents and ducts shall be submitted to, and approved in writing by the Local Planning Authority. This should include a clear justification for their inclusion within the proposal. The proposal shall then be implemented in accordance with the approved details. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

06. Prior to their installation the position, type and method of installation shall be submitted for the written approval of the LPA describing the principles guiding the integration of ducts, pipes, and other services (including, heating/cooling/ventilation, telecommunications, information technology servicing and meter boxes) within the listed building. The development shall take place in accordance with the approved details and thereafter retained throughout the lifetime of the development.

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 internal works a detailed methodology for the introduction of fire separation, noise suppression and thermal upgrading measures throughout the listed building shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

08. Prior to development/work commencing in the Examination Hall the developer shall submit a schedule of proposed works and marked up elevations and floor plans

of the interior at a scale of not less than 1:50 to the Local Planning Authority. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

09. All new and replacement rainwater goods shall be in cast iron unless otherwise agreed in writing with the LPA.

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

10. The rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

11. 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.

12. 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.

Informative

In the interests of clarity, the applicant should be aware that external materials should be of natural providence.

Background Papers: Planning application file(s) 22/00022/VARYCO

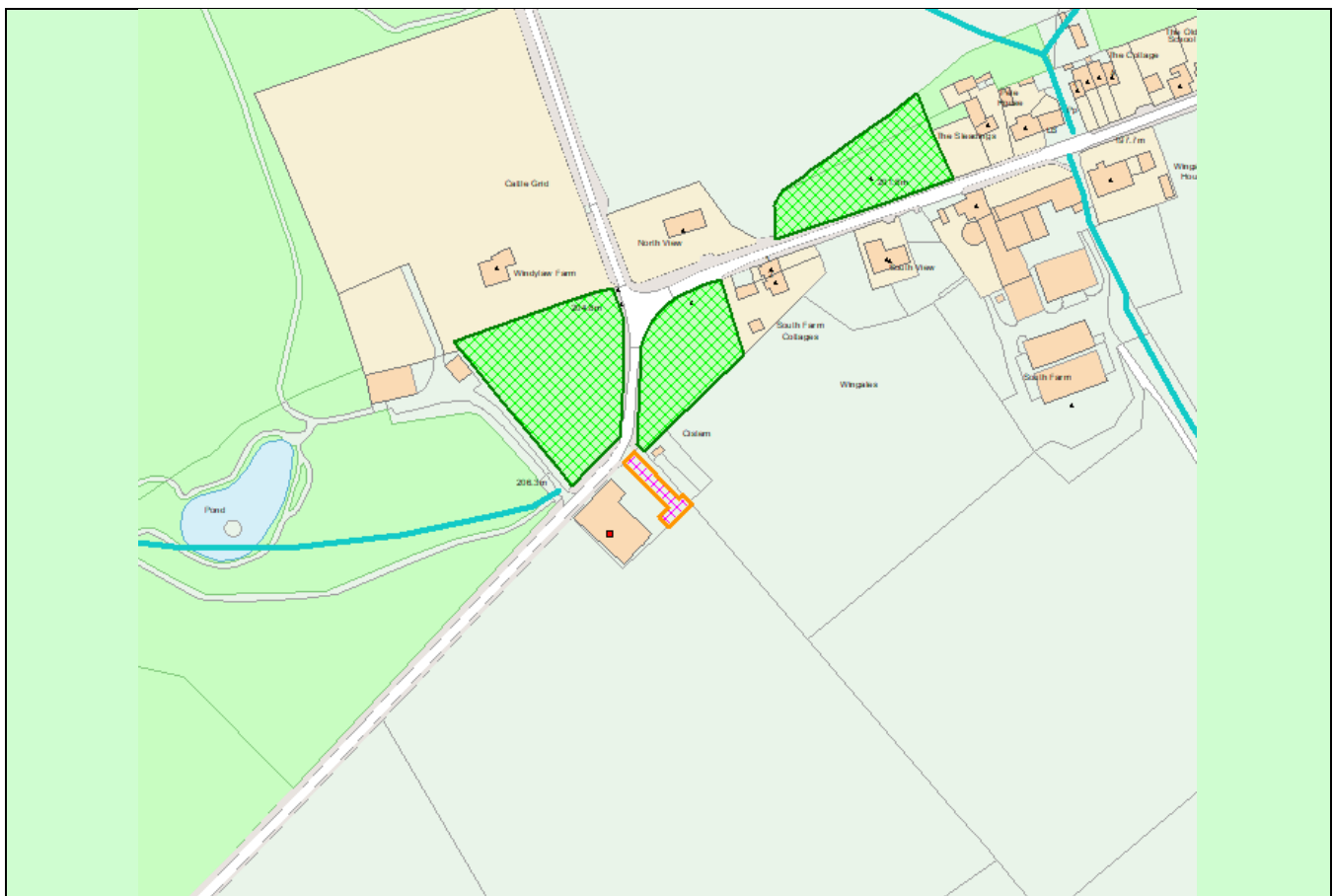


Northumberland County Council

North Northumberland Local Area Council Planning Committee 18th August 2022

Application No:	22/01252/FUL		
Proposal:	Replace portacabin (office) with permanent residential unit including new site office		
Site Address	Wingates Sawmill, Wingates, Morpeth, Northumberland NE65 8RW		
Applicant:	Mr David Troup Wingates Sawmill, Wingates, Morpeth, Northumberland NE65 8RW	Agent:	Mr Stephen Thompson The Letch, Gorfenletch, Morpeth, Northumberland NE61 3DW
Ward	Longhorsley	Parish	Nunnykirk
Valid Date:	16 May 2022	Expiry Date:	11 July 2022
Case Officer Details:	Name: Mrs Hannah Nilsson Job Title: Planning Officer Tel No: 01670 620332 Email: hannah.nilsson@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 This application falls to be determined by North Northumberland Local Area Council Planning Committee due to recommendation for refusal contrary to parish council support.

1.2 In accordance with the Council's Scheme of Delegation the application has been reviewed by the Committee Chairs and the Director of Planning who requested that the application be determined by committee for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 Planning permission is sought for the replacement of a portacabin (office) with permanent residential unit including new site office at Wingates Sawmill, Wingates, Northumberland.

3. Planning History

Reference Number: A/88/A/74

Description: Sawmill development

Status: REF

Reference Number: A/2003/0146

Description: Sawmill and woodstore replacement of building

Status: PER

4. Consultee Responses

Nunykirk Parish Council	Support but ask whether any extra parking provision would be available for staff parking within the site.
Highways	Object, concerns so significant that no reasonable action is likely to address the concern.
County Ecologist	No objection subject to a condition.
Public Protection	No response received.

5. Public Responses

Neighbour Notification

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

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

Notices

General site notice, 7th June 2022
No Press Notice Required.

Summary of Responses:

No representations have been received.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=R9VJCEQS0MZ00>

6. Planning Policy

6.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

HOU 2 - Provision of new residential development (Strategic Policy)

HOU 5 - Housing types and mix

HOU 8 - Isolated residential development in the open countryside

HOU 9 - Residential development management

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 5 - Sustainable design and construction

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

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

WAT 2 - Water supply and sewerage

INF 1 - Delivering development related infrastructure (Strategic Policy)

INF 6 - Planning obligations

ICT 2 - New developments

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

PPG - Planning Practice Guidance (2021, as updated)

6.3 Other Documents/Strategies

N/A.

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, and following its recent adoption by the council, the development plan comprises policies in the Northumberland Local Plan (NLP).

7.2 The key planning issues raised by the proposal include:-

- Principle of the development
- Design, Scale and Visual Impact
- Impact upon residential amenity
- Highway Access and Safety
- Ecology
- Sewage
- Noise/Contamination
- Broadband Connectivity

Principle of the Development

7.3 Policy STP 1 of the NLP sets the spatial strategy for the county. Part d. of Policy STP 1 sets out that in order to support the social and economic vitality of rural areas and recognising that development in one village can support services and facilities in other nearby villages, Small Villages listed in Appendix A will support a proportionate level of development subject to Green Belt policy considerations where relevant. Wingates is defined as a Small Village in Appendix A.

7.4 Notwithstanding this, it is considered that the application site is clearly separate from the built form of the village. It is therefore considered that the application site would fall within the definition of open countryside, as set out in paragraph 4.48 of the preamble to Policy STP 1 of the NLP "Land not within, or immediately adjacent to the built up form of Main Towns, Service Centres, Service Villages or Small Villages..." Therefore Part 1 (g) of Policy STP 1 applies.

7.5 Part 1 (g) lists forms of development that will be supported in countryside locations. The most relevant of these criteria is part i. which supports the sustainable growth and expansion of existing businesses or the formation of new businesses in

accordance with Policy ECN 13, as the proposal includes a small office for the site and part iv. Which provides for residential development in accordance with Policies HOU 7 or HOU 8 as the proposal is for a new dwelling.

7.6 Turning to Policy ECN 13, this sets out that in the countryside development that will generate employment opportunities, proportionate to the rural location, will be supported where all of the specified criteria apply. The second part of this policy outlines that particular support will be given to (amongst other things) d. proportionate well related development, necessary for the continued operation in situ of an existing rural business.

7.7 Whilst it is considered that the proposed office element of the proposed building would meet with part d of this policy, this is only a small element of the proposed building and as such is considered to be ancillary. As the new buildings use would primarily be residential, the main issue therefore is whether the proposal would comply with part iv. of STP 1.

7.8 As outlined part iv. of STP 1 provides for residential development in accordance with Policy HOU 8 of the NLP. HOU 8 sets out that the development of isolated homes in the open countryside will only be supported where: a. there is an essential and clearly established need for a full-time rural worker to live permanently at or near their place of work; or b. represents the optimal viable use of a heritage asset; or c. re-uses redundant or disused buildings; or d. involve the appropriate sub-division of an existing residential dwelling; or e. the design is of exceptional quality.

7.9 Turning to each of these criteria in turn, with regards the need for an essential full-time rural worker to live permanently at or near the site, as part of this, it has to be demonstrated that i. the business is financially sound and viable and ii. that the functional need could not be fulfilled by an existing dwelling on the landholding unit or any other existing accommodation in the immediate area.

7.10 There has been no evidence submitted with this application that demonstrates the business is financially sound and viable. Similarly, no evidence that there is a lack of other available suitable dwellings in the immediate or wider local area that could be purchased or rented by the applicant and the applicant could not be accommodated in such has been submitted with this application. Given that proposals have to meet both tests to demonstrate a need for an essential full time rural worker and this proposal has demonstrated neither, it is considered that the proposal would not meet with criteria a. of Policy HOU 8. Furthermore, the proposal would not meet with any of the remaining criteria of Policy HOU 8.

7.11 Whilst it is noted that the applicant has put forward that the proposal would remove the need for travel to and from the site and increase security with a permanent resident, it is considered that the needs of the business outlined by the applicant, particularly given the small scale of the business, are not such that they would warrant a need for a permanent presence on the site. In addition, it is considered that the number of trips that would be generated to and from the site in connection with the needs of the business would not be such that the sustainability of the business would be greatly improved by the granting of a permanent dwelling on the site.

7.12 Notwithstanding the concerns regarding security and travel outlined by the applicant, it is not outlined why the proposed scheme is necessary now and was not before and is not backed up by evidence of any thefts etc. It is also notable that there are no details of why any alternative security arrangements that could be/have been

put in place would not be workable in securing the site to an acceptable level. In any event, even if this could be further detailed with reliable evidence this wouldn't address the criteria set out within Policy HOU 8 of the NLP.

7.13 The proposed development would also set an unnecessary precedent, making it more difficult for the council to resist similar residential development proposals, the cumulative impact of which would be to undermine the objectives of the councils' adopted policies. Consequently, there is a soundly based policy objection to the proposal.

7.14 Policy STP 3 of the NLP identifies a number of sustainable development principles to which development proposals will be expected to adhere to where appropriate. Whilst the proposal would meet with the majority of the principles outlined in Policy STP 3 of the NLP, it would not adhere to part e. and part j. due to its location not being accessible other than by private car both of which will be further detailed below.

7.15 Given the above, it is therefore considered that the proposal would be contrary to Policies STP 1, STP 2 and STP 3 of the NLP and the aims of the NPPF as a matter of principle.

Design, Scale and Visual Impact

7.16 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.17 Local Plan Policy QOP 1 sets out a number of design principles. Proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.18 Local Plan Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.19 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. Should the application have been recommended for approval, a condition would have been attached to in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

7.20 Policy HOU 9 of the NLP supports residential development that contributes to a sense of place, functions well, and is of a high quality of design.

7.21 Wingates is characterised by traditional stone cottages which are a combination of terraced, semi-detached and detached. It is considered that the proposed design and materials would be appropriate and in-keeping with the existing dwellings in the locale. Furthermore, the proposed dwelling would be seen in the context of the existing buildings at the sawmill and there would therefore be no additional impact on the immediate or wider landscape as a result. It is therefore considered that the proposed dwelling would be acceptable with regards Policy HOU 9. Whilst the proposal would meet with some of the design principles outlined in Policy QOP 1, it would not meet with part i. in terms of amenity which will be further detailed below.

7.22 It is therefore considered that overall the proposal would be contrary to Policy QOP 1. Notwithstanding this it is considered that the proposal would be acceptable in relation to HOU 9 of the NLP and would be acceptable in relation to Policy QOP 5 subject to a condition should the application have been recommended for approval.

Impact upon Residential Amenity

7.23 Policy QOP 1 of the NLP sets out a number of design principles, one of which is that development proposals should not cause unacceptable harm to the amenity of existing and future occupiers of the site and its surroundings. Policy QOP 2 of the NLP seeks to ensure that new development has a positive impact on amenity.

7.24 Given the distance between the proposed development and the existing residents of Wingates, there would not be an unacceptable impact on amenity on such.

7.25 However, there are a number of factors which means that the proposed dwelling would not have an acceptable level of amenity. The first of these is that there would be no private amenity space within the site for the occupants of the proposed dwelling and it is considered that this would lead to unacceptable living conditions.

7.25 Furthermore, the application site is part of the Wingates Sawmill and there are two industrial buildings for the sawmill outwith the redline but within the ownership of the applicant which are sited in close proximity to the proposed house. These would have an unacceptable overbearing impact on the proposed dwelling. In addition, the proposed dwelling would share an access with the sawmill, and it is considered that this would result in a lack of privacy and amenity as there would be no segregation between deliveries to the site and employees of the sawmill from residents of the proposed dwelling. Furthermore, the day-to-day operation of the sawmill in itself involves the use of noisy machinery and operations which would again lead to an unacceptable level of amenity.

7.26 As such, the proposal is considered to be contrary to Policies QOP 1 and QOP 2 of the NLP and the principles of the NPPF in relation to impact upon residential amenity.

Highways Access and Safety

7.27 Policies TRA 1, TRA 2 and TRA 4 of the NLP relate to the transport network and seek to ensure sustainable connections, highway safety and appropriate parking provision in new development.

7.28 In response to the consultation on this application, the councils Highways Advisor has raised an objection to the proposed development as the development is

considered to be in an unsustainable location for travel due to the lack of choice of transport and the development would solely rely on private vehicle use to access the property contrary to Paragraph 112 of the NPPF and Policy TRA 1 of the NLP.

7.29 The Highways Advisor has also confirmed that the submitted plans fail to show existing and proposed parking spaces on the plans, details of cycle parking nor EV charging. Should the application have been acceptable in all other regards these details would have been requested during the course of the application or where appropriate conditions attached to any permission.

7.30 It is therefore considered that the proposed development would be unacceptable in relation to Policies TRA 1 and TRA 4 of the NLP and the aims of the NPPF.

Ecology

7.31 Policy ENV 2 of the NLP seeks to minimise the impacts of development on biodiversity and geodiversity and to secure net biodiversity gains and /or wider ecological enhancements through new development.

7.32 In response to the consultation on this application, the councils Ecology advisor has confirmation they have no objection subject to a condition which would have been attached and sought should the application have been recommended for approval.

7.33 It is therefore considered that subject to such, the proposed development would be acceptable in relation to the NPPF and Policies ENV 1 and ENV 2 of the NLP.

Sewerage

7.34 Under Policy WAT 2, non-mains drainage should only be employed where the development is sufficiently remote from sewered areas. The policy also sets out that where non-mains drainage systems meet the "very exceptional circumstances" and are the only solution, careful consideration of their precise siting and design will be required to ensure that there is no adverse impact upon groundwater, water quality or existing ecosystems.

7.35 The application proposes that foul sewage will be disposed of via a new cess pit, however no information via an FDA 1 form has been submitted with this application and no information has been provided to demonstrate suitable disposable of sewerage in accordance with the drainage hierarchy. Furthermore, Policy WAT 2 sets out that the construction of infrastructure must be to the British Standard BS EN 12566 or any future issues of that standard and information demonstrating this has not been submitted with this application.

7.36 It is therefore considered that the proposed development would be contrary to Policy WAT 2 of the NLP and is unacceptable in these regards.

Noise/Contamination

7.37 Policy POL 1 of the NLP sets out that development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts.

7.38 Policy POL 2 of the NLP aims to protect new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of pollution.

7.39 As set out above, the application site is currently a sawmill and it is therefore considered that given this use, it is considered that there is great potential for the site to have experienced some form of contamination. No information regarding this has been submitted during the course of this application and given this, it is considered that there is insufficient information with regards to unknown contamination on the site.

7.40 It is also considered that the proposed dwelling would be put at an unacceptable risk of harm from pollution by virtue of the noise and particles from the operations on the site and would also be unacceptable for this reason.

7.41 It is therefore considered that the proposed development would be contrary to Policies POL 1 and POL 2 of the NLP.

Broadband Connectivity

7.42 Policy ICT2 of the Northumberland Local Plan requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The Policy states that where no broadband provision is included, developers will be required to demonstrate, including through consultation with broadband providers, that connections are not deliverable, and/or viable.

7.43 The current application does not state whether full-fibre broadband connections are proposed. Should the application have been recommended for approval, further details of the proposed broadband connectivity for the development would have been secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Equality Duty

7.44 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

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

Human Rights Act Implications

7.47 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.

7.48 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.

7.49 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 principle of the development is unacceptable.

8.2 The proposed development would result in an unacceptable level of amenity for future occupiers of the proposed dwelling. It would also involve the disposal of foul sewage via a new cess pit which would be unacceptable. In addition it would have the potential to be affected by noise and contamination from the existing sawmill operations at the site.

8.3 The proposed development would be acceptable in relation to broadband connectivity and ecology subject to conditions which would have been imposed should the application have been recommended for approval.

8.4 The development would be contrary to the policies of the Development Plan and the National Planning Policy Framework.

9. Recommendation

That this application be REFUSED permission subject to the following:

Conditions

1. The proposal by virtue of its location in the open countryside, would result in the construction of a new unrestricted dwelling in an unsustainable location and outside of any settlement identified within the Northumberland Local Plan. There has been no demonstrated need, justification or other material consideration that would justify the construction of new dwelling in this unsustainable location. The proposal would therefore be contrary to Policies STP 1, STP 2, STP 3 and HOU 8 of Northumberland Local Plan and paragraph 78 of the NPPF.
2. Due to the siting of the proposed dwelling at an operational sawmill, future occupants would be exposed to an unacceptable level of noise and

disturbance. It would thus fail to provide an acceptable level of amenity and be contrary to Policies QOP 1 and QOP 2 of the NLP.

3. The proposed development fails to provide sufficient private outdoor amenity space for a two bedroom dwelling house. It would thus result in unacceptable living conditions for future occupants and be contrary to Policy QOP 1 of the Northumberland Local Plan.
4. The proposed development has been used for operations that have the potential to result in contaminated land. The applicant has provided insufficient information to assess the risk of potentially contaminated land on future residential occupiers. The proposal is therefore contrary to the advice in paragraph 185 of the NPPF and policies POL 1 and POL 2 of the Northumberland Local Plan.
5. The proposed development would dispose of foul sewage via a cess pit. Insufficient information has been submitted to demonstrate suitable disposal of sewerage in accordance with the drainage hierarchy and that this would not result in pollution in accordance with BS EN 12566 contrary to Policy WAT 2 of the Northumberland Local Plan and the NPPF.

Background Papers: Planning application file(s) 22/01252/FUL

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Northumberland County Council

Appeal Update Report

Date: August 2022

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

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?
21/04803/FUL	<p>Resubmission: Second storey extension above garage and extension to front to increase garage. Internal alterations. - 9 Crofts Close, Corbridge</p> <p>Main issues: fails to demonstrate that required parking can be provided with resultant impacts on amenity of neighbouring properties.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

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?
21/04877/FUL	<p>Proposed garden summerhouse to rear garden – 62 Swansfield Park Road, Alnwick</p> <p>Main issues: significantly detracts from the character and appearance of the dwelling and immediate area; and significant harm to residential amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02853/FUL	<p>Retrospective: first floor balcony to rear elevation – 28 Arkle Court, Alnwick</p> <p>Main issues: significant loss of privacy to neighbouring residents; and design and size of balcony is an overly dominant feature on the rear elevation.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

21/01136/FUL	<p>Construction of 1no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington</p> <p>Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03167/FUL	<p>Utility, store, bedroom, studio and playroom extension – 1 Cottingvale, Morpeth</p> <p>Main issues: significant detrimental impact on the character, appearance and visual amenity of the dwelling and surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/04062/FUL	<p>Two storey extension protruding from Western side to provide 2no. additional bedrooms, dining area and gym – Heighley Wood, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02183/FUL	<p>Proposed conversion of self contained house to create an additional 2 bedroom dwelling – 1-2 South Road, Longhorsley</p> <p>Main issues: intensification of use of a sub-standard access and fails to demonstrate appropriate car parking provision.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

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
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: development would appear as an incongruous and over dominant addition to the street scene resulting in significant harm to the visual amenity of the locality.</p>	<p>4 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04982/FUL	<p>Resubmission: Erection of 5no. custom self build homes, with associated garages, car parking and landscaping – land north of 30 Longhirst Village, Longhirst</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact on the rural character of the site and wider landscape; harm to the setting and significance of the Conservation Area; insufficient information to assess archaeological impacts; insufficient information to assess impacts on protected species; and fails to address disposal of surface water.</p>	<p>7 April 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/01668/LBC	Listed Building Consent for replacement of	20 April 2022

	<p>sash windows throughout and replacement of front door – Brockburn, Monkshouse, Seahouses</p> <p>Main issues: harm to the listed building with no public benefits to outweigh the harm</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03400/OUT	<p>Outline with all matters reserved for the construction of eight dwellings consisting of 8 x Dormer Bungalows – land east of Ashcroft Guest House, Lantys Lonnen, Haltwhistle</p> <p>Main issues: development on protected open space, harm to designated and non-designated heritage assets and currently objections and insufficient information to assess noise, highway safety, flood risk and drainage and ecological impacts.</p>	<p>21 April 2022</p> <p>Appeal against non-determination</p>
21/04426/CLEXIS	<p>Certificate of lawful development of existing vehicular access from the B6318 – land on Hadrian's Wall remains south of Black Pasture Cottage, Brunton Bank, Wall</p> <p>Main issues: lack of information and evidence as submitted to grant certificate.</p>	<p>28 April 2022</p> <p>Appeal against non-determination</p>
21//02591/FUL	<p>Installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no justifiable public benefits to outweigh the harm.</p>	<p>10 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02592/LBC	<p>Listed building consent for installation of a glass pane to former door entrance and installation of artwork panels – Town Hall Office, Fenkle Street, Alnwick</p> <p>Main issues: harm to the Grade I listed building with no public benefits to outweigh the harm.</p>	<p>10 May 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01687/FUL	<p>Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping. Archaeological report received 09.2.2021 and amended site location plan received 26.02.21 - land north west of Springwood, Coast View, Swarland</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting and visual relationship between Swarland and wider countryside setting.</p>	<p>1 June 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/03297/FUL	<p>Change of use: Retail to holiday accommodation on first floor with associated</p>	<p>14 June 2022</p>

	<p>internal and external alterations to the building – Amberley House, Stocksfield Post Office, Main Road, Stocksfield</p> <p>Main issues: lack of information to assess noise from air conditioning units and impacts on residential amenity; lack of information to assess impacts on bats or nesting birds; and lack of information to demonstrate adequate car parking provision can be achieved.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01188/FUL	<p>Two-storey extension at the front of the house – 13 Church Avenue, West Sleekburn</p> <p>Main issues: unduly prominent and incongruous addition to the property.</p>	<p>17 June 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04527/FUL	<p>Construction of 3 bungalows – land south of Leylen House, Main Street, Red Row</p> <p>Main issues: unacceptable in principle due to development in the open countryside beyond the settlement boundary and affecting protected open space.</p>	<p>22 June 2022</p> <p>Appeal against non-determination</p>
21/04587/FUL	<p>Proposed construction of a first floor dormer extension to the rear elevation and installation of rooflights to the front and rear elevations – 29 Leazes Street, Amble</p> <p>Main issues: incongruous and inappropriate form of development that would be out of scale and character with the existing property and would have a harmful impact upon the character and appearance of the site and surrounding Conservation Area.</p>	<p>24 June 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00078/FUL	<p>Construction of a single storey detached garage – Shield Law, Bellingham</p> <p>Main issues: appeal against imposition of condition 6 on the grant of permission that removes permitted development rights for further outbuildings.</p>	<p>29 June 2022</p> <p>Delegated Decision - Officer Recommendation: Approve</p>
21/04673/FUL	<p>Resubmission: Single-storey, flat-roofed, garage to rear of back garden (revised to now be 3 metres high) - 7 First Avenue, Blyth</p> <p>Main issues: incongruous addition to the rear garden of the property, represent an addition that is neither subordinate nor well related to the subject property and would have a negative impact on visual amenity.</p>	<p>7 July 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
19/00170/ENDEVT	Construction of an access track – School House Farm, Kiln Pit Hill, Consett	No

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
20/01383/ENDEVT	Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).	9 February 2022
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022 Hearing date to be confirmed.
22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022 Hearing date to be confirmed.
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm,	29 April 2022

	Kiln Pit Hill, Consett	
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	29 April 2022
19/01230/ENDEVT	Material change of use of the land from agricultural use for the siting of a shepherd's hut for use as holiday let accommodation - land south east of Closehead, Otterburn	29 June 2022

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/04423/OUT	<p>Outline application seeking approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping – Essendene, Kenilworth Road, Ashington</p> <p>Main issues: would prevent the reintroduction of facilities in connection to the passenger rail services on the Ashington Northumberland Line; and lack of information concerning off-site highway works, manoeuvrability within the site, parking provision and conflict between all modes of transport and pedestrians.</p>	<p>Hearing: 28 July 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

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

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