

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, 11 January 2023

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, 19 JANUARY 2023** 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. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 1
- 24)

Minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 24 November 2022 and Thursday, 22 December 2022 as circulated, to be confirmed as a true record and signed by the Chair.

3. 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.

4. BUDGET 2023-24 AND MEDIUM-TERM FINANCIAL PLAN?

This presentation will outline the Council's strategy to the 2023-24 Budget within the context of the Corporate Plan. The presentation will provide details of the approach to setting the budget for the next financial year and the broad impact this will have on the delivery of services.

5. DETERMINATION OF PLANNING APPLICATIONS

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. | 21/02292/FUL Conversion of former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended) 5 Palace Street East, Berwick-Upon-Tweed, Northumberland, TD15 1HT | (Pages 25 - 66) |
| 7. | 21/02293/LBC Listed Building Consent: Conversion of former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended) 5 Palace Street East, Berwick-Upon-Tweed, Northumberland, TD15 1HT | (Pages 67 - 86) |
| 8. | 22/01098/FUL Proposed new self/custom build dwelling and annexed accommodation Horncliffe County Firsy School, Tofts Lane, Horncliffe, Berwick-Upon-Tweed, Northumberland, TD15 2XR | (Pages 87 - 98) |

9. **22/03343/FUL** (Pages 99 - 114)
Alteration and refurbishment to accommodate Bailiffgate Museum. Install external access ramp. Remove escape stairs. New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings. Install of a Mezzanine including stair access and lift. Raising of chandeliers. Refurbishment of second floor to create meeting/storage area. Redecorate original entrance. Northumberland Hall, Market Street, Alnwick, Northumberland, NE66 1SS

10. **23/03344/LBC** (Pages 115 - 124)
Listed Building Consent for alteration and refurbishment to accommodate Bailiffgate Museum. Install external access ramp. Remove escape stairs. New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings. Install of a Mezzanine including stair access and lift. Raising of chandeliers. Refurbishment of second floor to create meeting/storage area. Redecorate original entrance. Northumberland Hall, Market Street, Alnwick, Northumberland, NE66 1SS

11. **APPEALS UPDATE**

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. **HIGHWAYS UPDATE**

To receive a presentation on Highways from Hannah Booker - Principal Highways Development Management Officer

13. **PUBLIC QUESTION TIME**

To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)

As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.

Please note however that a question may possibly be rejected if it requires

the disclosure of any categories of confidential or exempt information, namely information:

1. Relating to any individual;
2. Which is likely to reveal the identity of an individual;
3. Relating to the financial or business affairs of any particular person ;
4. Relating to any labour relations matters/negotiations;
5. Restricted to legal proceedings
6. About enforcement/enacting legal orders
7. Relating to the prevention, investigation of prosecution of crime.

And/or:

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

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

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

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

14. PETITIONS

This item is to:

(a) Receive any new petitions: to receive any new petitions. The lead petitioner is entitled to briefly introduce their petition and a response to any petitions received will then be organised for a future meeting.

(b) Consider reports on petitions previously received - None

(c) Receive any updates on petitions for which a report was

previously considered: any updates will be verbally reported at the meeting.

15. LOCAL SERVICES ISSUES

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

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

16. COASTAL SUMMIT FEEDBACK - SUMMER 2022

To receive a presentation on the Coastal Summit Feedback on Visitor Management Arrangements – Summer 2022 from Paul Jones – Service Director, Local Services

17. LOCAL AREA COUNCIL WORK PROGRAMME

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

(Pages
125 -
134)

18. DATE OF NEXT MEETING

The next meeting of the North Northumberland Local Area Council is scheduled for Thursday, 23 February 2023 at St James URC, Pottergate, Alnwick, NE66 1JW

19. URGENT BUSINESS

To consider such other business, as in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

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.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

| Subject | Description |
|--|---|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.] |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land and Property | Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income. |
| Licenses | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer |
| Corporate tenancies | Any tenancy where (to the councillor’s knowledge)— |

| | |
|-------------------|---|
| | <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p> |
| Securities | <p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Public Document Pack Agenda Item 2

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held at Meeting Room 1, Berwick Leisure Centre, Tweedmouth, TD15 2AS on Thursday, 24 November 2022 at 2.00 pm.

PRESENT

C Hardy (Vice Chair - Planning)
(in the Chair)

MEMBERS

| | | |
|-----------------|-------------------|----------|
| | T Thorne | G Hill |
| | G Renner-Thompson | J Watson |
| | I Hunter | M Mather |
| OFFICERS | M Swinbank | |

| | |
|---------------|---------------------------------------|
| J Blenkinsopp | Solicitor |
| G Bucknall | Highways Delivery Area Manager |
| V Cartmell | Planning Area Manager |
| B Hodgson | Neighbourhood Services Area Manager |
| R Kain | Built Heritage and Design Officer |
| R Little | Assistant Democratic Services Officer |
| T Lowe | Principal Planning Officer |
| B Macfarlane | Planning Officer |
| J Stewart | Strategic Housing Manager |
| R Willis | Senior Wildlife Ranger |

Around 10 members of the press and public were present.

69 **NOMINATION OF CHAIR**

In the absence of the Chair and the Vice-Chair, the committee were asked to nominate a member to chair the Local Area Council business of the meeting. Councillor Hunter nominated Councillor Hardy, this was seconded by Councillor Hill and agreed by all members present.

RESOLVED that Councillor Hardy was to chair the Local Area Council meeting.

70 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bridgett, Castle, Clark, Seymour, and Pattison.

71 **MINUTES**

RESOLVED that the minutes of the meeting of the North Northumberland Local Area Council held on Thursday, 20 October 2022, as circulated, were confirmed as a true record and were signed by the Chair.

72 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Renner-Thompson declared that he was a harbour commissioner for the North Sunderland Harbour and had an interest in item 14 on the agenda however following legal advice, it was noted that the interest was not prejudicial. .

Councillors Hardy, Hill and Hunter declared that they were commissioners for the River Tweed Commission and had an interest in item 14 on the agenda however following legal advice, it was noted that he interest was not prejudicial.

Councillor Swinbank explained that he was on the Board of NIFCA (Northumberland Inshore Fisheries and Conservation Authority) and had an interest in item 14 on the agenda however following legal advice, it was noted that he interest was not prejudicial.

Councillor Hunter declared that she was a parish clerk for Beadnell Parish Council and had a personal, but non-prejudicial interest in item 9 of the agenda.

73 **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.

Members were informed that items the following planning applications were withdrawn from the agenda:

- 22/02585/VARYCO
Variation of Condition 2 (Approved Plans) on approved application 20/01238/FUL to allow minor changes to design of windows of the new hotel building and update information to reflect the proposed treatment of windows on existing buildings.
Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland, NE66 1LZ
- 22/02587/VARYCO
Variation of Condition 2 (Approved Plans) on approved application 20/01239/LBC to update approved plans to reflect minor changes to window design of new hotel building and to reflect proposed treatment of existing windows on existing buildings. Removal of condition 3 – to be removed entirely or for wording to be amended to allow the proposed treatment of the existing windows.
Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland, NE66 1LZ

RESOLVED that this was noted.

74

21/04696/FUL

**Relocation of 2 Barns for agricultural storage, workshops and estate office with solar roof panels, new access track, hardstanding and garaging and change of use small agricultural field to garden.
Land West of Barnhill Farm Cottages, Guyzance, Northumberland.**

V. Cartmell - Planning Area Manager, introduced the application with a PowerPoint presentation and gave the following updates:

- Condition 2 - drawing no. 1100 Rev P09 would be substituted with drawing no. 1100 Rev P10.
- Condition 10 – Change the wording from “being prior to the commencement of development” to “prior to occupation”.
- Condition 11 – Change wording to “prior to commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be implemented in full and maintained throughout the construction phase.”
- Condition 12 – Change wording to “prior to first occupation of the development hereby approved, details of the adoption and maintained 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.”

W. Byatt spoke in objection to the application and gave the following information to the committee:

- The application description of relocation of two barns was misleading, when it would be two large new storage sheds of a height suitable for modern farm machinery and the two additional buildings would be built on a ridge and furrow pasture.

- The conservation officer’s analysis of the damage was thorough and unequivocal.
- The planning officer had told the applicants agent “I am anticipating flooding, highways, scale and design, archeology, and principle to be reasons for refusal in addition to conservation and ecology. Even with the consultees concerns addressed, conservation and principle would be difficult to overcome.”
- The report explained that there would be a net increase of 2.5 jobs and secure the future of farming on the estate, as the estate was already farmed on, those jobs would be transferred rather than created.
- The committee was required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Councillor Ingleby spoke on behalf of Acklinton Parish Council and gave the committee the following information:

- It was the firm view of the Parish Council that it could not justify the damage that was identified so clearly by the Council’s Conservation Officer and Historic England.
- The proposal would fail to preserve and enhance the character and appearance of the conservation area.
- The character and appearance of Guyzance Conservation Area was formed by its setting within open fields that surrounded the village to the North and East.
- The ridge and furrow earthworks on the site contributed to the significance of the conservation area, and the settlement boundary was established to specifically include them.
- If the proposal was approved, two large modern storage sheds would be constructed at the eastern end of the village, of a height to house modern farm machinery, and an extensive hard standing, together with other buildings.
- Historic England had described the development as “unsympathetic in its form, scale and detail”.
- The planning report acknowledged that the appearance of the sheds had an unacceptable harmful impact on the character and appearance of the immediate and wider area and landscape.
- The buildings in the immediate area were characterised by their small-scale and low density, the proposal did not respect this firm and would have a greater visual impact.
- The Conservation Officer was reconsulted about the computer-generated images which showed the huge impact the proposed development would have from the east of the village.
- The parish council could not see how the damage would in any way be justified by the creation of 2.5 jobs, mostly in agriculture.
- There was no description in the paperwork of what the jobs consisted of, what new work would result from the application, or whether they would be part-time or full-time roles.
- The public benefit was minimal, but the damage to the conservation area would be significant and permanent. The Parish Council believed that it was unacceptable.

H. Shipley spoke in support of the application and gave the committee the following information:

- The application would be part of a larger project. The centrepiece of the project would be the construction of a hydroelectric plant on the river Coquet, requiring an investment of over £2,000,000, which would produce green energy for the entire estate and beyond, unique to England.
- All objections to the planning application had been addressed and the officers had recommended the application for approval.
- The public benefits were in the report under paragraph 7.33, the applicant considered that there would be further public benefits, including offering schools an opportunity to use the green energy and hydroelectric plant as a learning resource.
- Paragraph 202 in the NPPF, required harm to be weighed against the optimum viable use as part of the public benefit. In hand farming on the estate would be the optimum and was the original viable use for the farm.
- The farm buildings were required to secure the viability of the farm.

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

- The Built Heritage and Design Officer could not recognise a genuine public benefit to the application.
- The hydroelectric plant was not tied in with the scheme and could not be taken into consideration as a public benefit.

Councillor Thorne proposed to accept the officer's recommendation with the updated conditions, stating that he knew Guyzance well however the stone buildings from the Victorian era were incapable of housing modern farming methods and there was a business case which should be supported. This was seconded by Councillor Mather.

Councillor Hill expressed that the committee should take the Conservation Officer's views seriously and that she was against the application, this was agreed by Councillor Hunter and Councillor Swinbank who also had concerns around the comments made by Historic England and the public benefit of 2.5 jobs.

A vote was taken as follows: FOR; 4, AGAINST; 3, ABSTAIN; 1

RESOLVED that the application be **GRANTED** subject to the conditions in the report and the updated conditions of:

- Condition 2 - drawing no. 1100 Rev P09 would be substituted with drawing no. 1100 Rev P10.
- Condition 10 – Change the wording from “being prior to the commencement of development” to “prior to occupation”.
- Condition 11 – Change wording to “prior to commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be implemented in full and maintained throughout the construction phase.”
- Condition 12 – Change wording to “prior to first occupation of the development hereby approved, details of the adoption and maintained 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.”

75

22/02876/FUL

Construction of single storey front extension – resubmission of planning application red: 21/03848/FUL

Beach Lea Bungalow, 67 Longstone Park, Beadnell, Chathill, Northumberland, NE67 5BP

B. Macfarlane – Planning Officer, introduced the application with the aid of a PowerPoint presentation, there were no updates.

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

- The Parish Council were objecting for the same reasons as they did during the first submission of the application in February 2022.
- The application was a chalet which was part of a group of 8 attached properties. There were 36 of the L shaped chalets on Longstone Park, built around 1968.
- The chalets were subject to an agreement dated 25 June 1968 between the estate developers M J Liddell and Son Ltd and the Borough of Berwick Upon Tweed which prohibited the erection of any building or structure on the amenity areas.
- The application was the second planning application to infill the amenity area of the L shaped design on one of the 36 chalets, which would alter the local context and character of the estate.
- The precedent referred to by the applicant for the type of front extension was set when approval was given for Sunrise Cottage, 55 Longstone Park to build on their amenity area.
- The AONB was not consulted on the Sunrise Cottage planning application, but they were consulted on the Beach Lea Bungalow, they did not support the application because the extension was considered too large in terms of the host and would impact on the design of the building group.
- The Parish Council were concerned that the precedent set by Sunrise Cottage was being used.
- Beadnell Parish Council requested that the committee refused the application.

P. Taylor spoke in support of the application and gave the committee the following information:

- Longstone Park was a cul-de-sac with no through visitor traffic and had no distinguishable architectural features and had not been included within the boundary of Beadnell Conservation Area.
- The proposed extension was modest in scale and size and of a design that would reflect the local surroundings.
- A similar extension of the proposed design had been built with planning permission at 55 Longstone Park. The physical presence and design could be seen and was not visually obtrusive nor had an overbearing impact on neighbouring uses.
- The design was of a high quality and was in full accordance with Policy 5 of

Ch.'s Initials.....

- the North Northumberland Coastal Neighbourhood Plan.
- The proposal made great effort to preserve and mirror the character and local vernacular of the area.
- The development was considered to be of an appropriate design which would not have a significant adverse impact on the character or visual amenity of the existing dwellinghouse or the surrounding area.

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

- The extension was considered to be subservient to the bungalow.
- The Parish Council were made aware of the existence of an Agreement between the builder and Local Authority which prohibited the erection of any building or structure on the amenity areas. Any such restrictive covenant was not a material planning consideration.

Councillor Renner-Thompson proposed to refuse the application based on policy 5 of the North Northumberland Neighbourhood Plan. This was seconded by Councillor Hill.

Councillors Watson, Swinbank and Thorne disagreed with the motion and stated that it was a small extension, sympathetic to the host building and there was no planning reasons to refuse the application.

A vote was taken as follows: FOR; 3, AGAINST; 5, ABSTAIN; 0

The motion failed and Councillor Watson proposed to accept the officer's recommendation, this was seconded by Councillor Thorne.

A vote was taken as follows: FOR; 5, AGAINST; 3, ABSTAIN; 0.

RESOLVED that the application was **GRANTED** in line with the conditions set out in the report.

76 **APPEALS UPDATE**

RESOLVED that this was noted.

77 **SECTION 106**

RESOLVED that this was noted.

A comfort break was announced to allow officers to change over.

78 **PUBLIC QUESTION TIME**

No questions had been received.

79 PETITIONS

- (a) No new petitions had been received.
- (b) There were no petition reports for members to discuss.
- (c) No updates on previous petitions.

80 NORTH SUNDERLAND HARBOUR COMMISSION APPOINTMENTS

J. Blenkinsopp – Solicitor, introduced the report, the key issues, and the recommendations to members.

Members agreed that the interview panel should be members that had experience and understood what was required of the role. It was agreed by members that Councillors Hill, Mather and Watson would make up the interview panel.

RESOLVED that:

1. Members received the report.
2. Members agreed an interview panel of Councillor Hill, Councillor Mather and Councillor Watson to interview suitable prospective candidates for the two vacant posts of Harbour Commissioners.
3. Members agreed that the Council’s Monitoring Officer in consultation with the interview panel (as agreed above) would set up the selection and interview process.
4. Members agreed that the interview panel would make the final recommendations for the two Harbours Commissioner’s appointments to the committee for approval.

81 LOCAL SERVICES ISSUES

Highways

Resurfacing

The surfacing gang had completed 14 out of the 18 LTP schemes in the North of the county and had started work on the additional 8 schemes from the 2022 Highways Investment Programme – U and C roads.

Since the last Local Area Council, the following schemes had been completed:

- Fallowden to Rock
- Preston Towers to Ellingham School
- Magdalene Fields, Warkworth
- Harwood Village
- Elyhaugh, near Longframlington

A tender was due to go out regarding the landslip at Todstead near Weldon Bridge with a view to start work in Spring 2023, but temporary repairs would be completed before work commenced proper.

Maintenance

The team was preparing for the winter increase in pothole and flooding complaints but inspectors had been keeping on top of their inspection routes.

The Northumberland County Council Highways Maintenance team had been shortlisted for an award by APSE – Association for Public Service Excellence, as one of the best performers in the Country.

Winter Services

The response team was in place to cover roughly 40% of the network.

Members had received a briefing note from the Highways Delivery Manager on the Winter works scheme prior to the meeting.

Following questions from members, the following information was provided:

- The cost of materials had increased by 25% due to the Cost of Living crisis and were expected to rise again.

Members thanked Graham and the team for their continued hard work.

Local Services

Grass Cutting

Grass cutting had ended for the year and the team had achieved the core cut target of 10 out of 12.

Weed Control

The Local Services team would take the opportunity to review the effectiveness of the 2022 weed control programme with a view to improve on the 2023 season.

Street Sweeping

To prevent localised flooding, leaf hotspot areas had been located and work had commenced. Requests were attended to, over and above the hot spot areas.

Winter Works

The winter works programme had started for the season. Core works were to be carried out first then the team would move onto the prioritised list of requests.

Waste Services

Residual, Recycling and Garden waste collection services were operating well. Garden waste collections would end November/December. Income from garden waste exceeded the target, however demand for the service was slowing. Income from commercial waste and bulk collections were exceeding targets.

Teams would continue to review existing collection rounds in order to cope with

ingoing housing growth as well as continued growth in take up of the garden waste service.

The kerbside glass recycling scheme trial was continuing, allowing more data to be collected on volume, service efficient and participation rates.

A food trial had also started, operated from the Morpeth Depot, which would be a weekly kerbside collection in a small caddy rather than a wheelie bin. A specialist vehicle had been brought in for the trial and it was similar to the glass trial. A compact trial was deliberately designed to keep costs as low as possible while still including the required demographic groups for essential data gathering.

Members thanked Bob and the Local Services team for their continued hard work.

RESOLVED that this was noted.

82 **SPACE FOR SHOREBIRDS**

R. Willis – Senior Wildlife Ranger, introduced himself to members and provided a presentation on the Northumberland County Council’s ranger service protecting the birds and grassland of the Northumberland Coast.

Shorebirds of the Northumberland Coast

Northumberland housed internationally important shorebirds populations, the birds would spend the majority of the year in Northumberland and then travel to the arctic circle to breed, however there had been regional declines since 2000, including the Purple Sandpiper which had had a 39% decline. A few as ten disturbances whilst in roost could result in loss of condition.

Coastal Mitigation Service

Natural England had stressed the need for the Council to address disturbances where they occurred. This was difficult for developers to do themselves and was why there was a need for a Council led strategic approach. Northumberland County Council and Natural England were confident that the service addressed issues at no cost to the council tax payers.

Following feedback from developers, it had provided certainty and a known fixed cost rather than the previous system which did not provide any benefit to the birds.

Space for Shorebirds in Action

The main role of the three Space for Shorebirds officers were to engage and educate the public. The rangers talked to beach users about the birds that were using the shore and use telescopes to engage the public to discuss the birds feeding or roosting which may be in a vulnerable position and at risk of disturbance.

The rangers deployed temporary signage when they were on the site to make the public aware of shorebirds potentially nesting and feeding on the shore and also

hand out leaflets which contained information about the service, guidance and the types of birds most likely to be seen on the Northumberland Coast, it also contained social media and contact details.

The Space for Shorebirds service carried out social media work as part of their engagement and took photos of the birds while on site to tell shorebird stories to a larger audience. The service also engaged the public with their Shorebirds for beginners events, which were held in various locations along the coast, to allow a two-way conversation between beach users and rangers.

Dog Rangers

Approximately 50% of bird disturbances involved a dog.

The Dog Ranger pledge provided a positive way to engage with dog owners and the community of dog owners that also loved nature.

The dog ranger pledge included:

- Give Birds Space, About 40-50m
- Please Dogs, Never Chase the Birds
- Follow Signage and Requests by Rangers
- When Crossing the Dunes Keep to The Main Path to Avoid Getting Tangled in Pirri Pirri Bur

Collaboration

The Space for Shorebird service collaborated with many organisations to discuss various items such as wet grassland mapping, Pirri Pirri bur, disturbance issues and nest protection. The service also worked alongside some Northumberland schools to engage children in the work being undertaken by Rangers.

Breeding Bird Protection

The long-term aim of the Space for Shorebirds programme was to find alternative Little Tern sites with an immediate aim to reduce disturbance to breeding Ringed Plover. The service also took part in coast wide surveys for shore nesting birds and created nest protection areas using netting and signage and had relied on Coast Care volunteers to conduct surveys and assist with the nest protection work.

Dune Grasslands

The Dune grasslands were internationally important, and the service were trying to reduce the spread of Pirri Pirri Bur by people and dogs, by promoting awareness of the County's Dune grassland ecosystems and encouraging people to stay on main paths when crossing Dunes. Volunteers had been removing Pirri Pirri Bur by hand in Cocklawburn, Bamburgh and Duridge Bay.

Following the presentation from R. Willis, members were invited to ask questions of the service. The following information was provided:

- Rangers had enforcement powers but had found that they were not necessary, and the public had been more receptive to rangers asking for

- dogs to put on a lead.
- Temporary signage was used when the team were operational in the area.

Members thanked Richard for attending the meeting and the Space for Shorebirds rangers for their continued hard work.

RESOLVED that the information was noted.

83 **SUSPENSION OF STANDING ORDERS**

As the meeting approached the 3 hour limit Members were asked if they wished to suspend standing orders in order to continue the meeting. Upon being put to the vote it was:

RESOLVED that in accordance with the Council's constitution, standing orders be suspended and the meeting continue over the 3 hour limit.

84 **HOMELESSNESS AND ROUGH SLEEPING**

The report provided information for Members on the service provision for residents who were homeless or at risk of homelessness in Northumberland and provided an outline of the key data and services available for people rough sleeping. J Stewart, Strategic Housing Manager was in attendance to provide an introduction to the report and answer questions from Members.

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

- There was a need for social housing and temporary accommodation in the North and the West of the county.
- There were some people who were known to the housing team but did not want to be accommodated as they felt safer.
- Most cases would be offered temporary accommodation within a few days.
- Mortgage providers had a duty to inform the local authority if a person was in threat of a repossession, the local authority would then contact the person and offer help.
- Northumberland Communities Together could direct people to further support if required.

Members thanked Julie for attending the meeting and for the Housing Services team for their continued hard work.

RESOLVED that the information was noted

85 **LOCAL AREA COUNCIL WORK PROGRAMME**

RESOLVED that this was noted.

86 **DATE OF NEXT MEETING**

Ch.'s Initials.....

The next meeting of the North Northumberland Local Area Council was scheduled for Thursday, 22 December 2022 at St James URC, Pottergate, Alnwick, NE66 1JW

RESOLVED that this was noted.

CHAIR.....

DATE.....

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Public Document Pack

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At the meeting of the **North Northumberland Local Area Council** held at Main Hall - St James's URC, Pottergate, Alnwick, NE66 1JW on Thursday, 22 December 2022 at Time Not Specified.

PRESENT

G Castle (Chair) (in the Chair)

MEMBERS

T Thorne
W Pattison
C Seymour
C Hardy
M Swinbank

G Hill
G Renner-Thompson
J Watson
I Hunter

OFFICERS

M Bulman
V Cartmell
R Little
D Love
T Lowe
C Simm

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

Around 10 members of the press and public were present.

87 **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE**

RESOLVED that this was noted.

88 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Bridgett, Clark, and Mather.

89 **DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Renner-Thompson declared that he was a Director of Advance Northumberland and would leave the meeting before item 10 was discussed.

Councillor Hill declared that she had a personal, but non-prejudicial interest in item 7 of the agenda.

Councillor Watson explained that he was no longer a member of Advance Northumberland and would be taking part in the discussion and subsequent vote for item 10.

90 **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.

Members were informed that items the following planning applications were withdrawn from the agenda:

- 21/02292/FUL
Conversion of former community building to creature 9no. flats, with construction of 1no. new house and garage block to rear (as amended)
5 Palace Street East, Berwick Upon Tweed, Northumberland, TD15 1HT
- 21/02293/LBC
Listed Building Consent: Conversion of former community building to creature 9no. flats, with construction of 1no. new house and garage block to rear (as amended)
5 Palace Street East, Berwick Upon Tweed, Northumberland, TD15 1HT

RESOLVED that this was noted.

91 **21/04037/FUL**
Removal of existing reception building and associated structures; erection

**of new reception building with associated parking landscaping and infrastructure; relocated/enlarged play area; sitting of up to 23 static caravans with associated landscaping infrastructure; vehicular access routes and LPG compound; enlarged caravan display area.
Land at South West of Elmbank Caravan Park, Cow Road, Spittal, Northumberland**

T. Lowe – Principal Planning Officer, introduced the application with a PowerPoint presentation and gave the following updates:

- In paragraph 2.4 of the report, it referred to Area A already being in operation. In hindsight the statement may have been ambiguous and while there was a reception building and parking in operation, the proposed development, as set out in the report, was intended to replace that.
- 2 additional objection letters had been received. Issues raised included use of Area B as a public amenity and impact on open space, proximity of caravans to existing housing, impact on views and highways impacts. The matters had been addressed within the report and members had already had the opportunity to view all objections.
- It was confirmed that the notification letters had been posted out on 13th December which was within the statutory timescale.

B. Gowthorpe spoke in objection to the application and gave the following information to the committee:

- The Berwick-Upon-Tweed Civic Society objected to the planning application.
- Any intensification of use on the caravan site would increase traffic on a narrow and bendy country road, originally used to drive cattle to high-level pastures and which was not well adapted to motor vehicles.
- There was no separate footpath or cycleway.
- The site was in the Northumberland Coast Area of Outstanding Natural Beauty.
- The site was extremely prominent on a sloping cliff-top site and was very visible from Spittal Promenade.
- The view was spoiled by the caravan site.

G. Davies spoke on behalf of Berwick Town Council and gave the committee the following information:

- Berwick Town Council were satisfied that the issues of pollution levels within the required drainage system, and foul drainage were no longer an issue.
- The issue of views being effected from within and adjacent to the site due to layout was an issue of amenity.
- The site was an urban location, with a former industrial site adjacent to social housing.
- There were concerns around the A1169 into Cow Road.
- The benefits of the development were overstated and therefore the balance should thereby be tilted towards respecting the amenity of residents.
- Berwick Town Council objected to the application.

M. Bonner spoke in support of the application and gave the committee the following information:

- The sustainable growth of tourism which protected key environmental and historic assets was a strategic objective of the Local Plan.

- The proposals would contribute toward the objective within the boundary of the existing holiday park and was within the settlement boundary. It would provide access to shops and services, minimising the need for car travel, and avoid visual impacts on the AONB.
- The additional pitches could generate between £100,000 - £280,000 of visitor spend for the locality and wider county each year.
- The expanded park as a whole could equate to between £1,000,000 to £2,500,000 of spending per annum, depending on occupancy levels.
- The transport assessment and subsequent updates had demonstrated that Cow Road could accommodate additional traffic and that safe access could be achieved. Additional road markings would be provided.
- New pitches were situated an adequate distance from neighbouring properties and the implementation of existing site rules would ensure that there were no unacceptable impacts on amenity.
- Boundary landscaping would be maintained between 60-90cm to ensure planting did not grow too high.
- The proposals ensured that the LPG tanks were a stand-off distance of at least 11.5 metres, with existing dwellings located further away. The HSE only required a stand-off distance of 7.5 metres. There would be no risk of harm to neighbours and the park had a licence for their use.
- There had been objections to the erection of fencing around the site, however this was erected under permitted development rights to restrict access to private property and had no bearing on the use of any Public Right of Way.
- The applicants had offered to provide additional signage at the top of Cow Road.

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

- The site was not in the AONB.
- There were existing passing places on Cow Road.
- The site had a license for 278 caravans and the site currently held 182.
- The lighting scheme was still to be proposed.
- There was a legal obligation for a financial contribution of £7,949.49 to the Coastal Mitigation Service.
- Issues with Cow Road had been looked at in detail by Highways and the Planning Officer, and the application was deemed acceptable.
- The caravans were to be occupied for holiday purposes only and would not be a person's sole, or main place of residence.
- There was no requirement for EV chargers.

Councillor Watson proposed to accept the officer's recommendation, this was seconded by Councillor Thorne.

Councillor Hill explained that there were 10 houses before the railway on Cow Road, and that she received a huge number of complaints about congestion. The addition of 23 more caravans would increase the problem and she would be voting against the motion.

Councillor Thorne and Councillor Watson stated that the site was already an established Caravan Park, it was a small extension of 23 caravans, and all

authorities were consulted and agreed.

A vote was taken as follows: FOR; 6, AGAINST; 4, ABSTAIN; 0

RESOLVED that the application be **GRANTED** subject to the conditions in the report and a legal obligation for a financial contribution of £7,949.49 to the coastal mitigation service.

92

22/02795/FUL

Demolish conservatory to the side and outbuildings to the near; construct new rear extension.

The Blink Bonny Hotel, Christon Bank, Alnwick, Northumberland, NE66 3ES

D. Love – Senior Planning Officer, introduced the application with the aid of a PowerPoint presentation, there were no updates.

D. Cooper spoke on behalf of Embleton Parish Council and gave the committee the following information:

- The Blink Bonny was the only accessible community facility in the village.
- The Embleton Neighbourhood Plan Vision was “The rural parish of Embleton will continue to be a thriving and sustainable place to live, learn, work and visit.”
- Christon Bank was recognised in the Neighbourhood Plan as a “Local Needs Centre” with limited services and one of the priorities of the centre was to prioritise the satisfaction of resident needs.
- Embleton Parish Council strongly supported the planning application.
- The proposed change would provide extra employment opportunities within the parish whilst offering improved facilities for both tourists and local inhabitants.
- The proposed development at the Blink Bonny Hotel would protect and improve year-round community and recreational facilities for the benefits of residents and visitors.
- Provision of food and drink would enable the facility to cater for community activities, commercial lettings and local bookings.
- The Blink Bonny Public House formed part of the original infrastructure of the village and was a thriving social hub. The application aimed to maintain that appeal and add to its purpose and preserve the building and its social value.

T. Finch spoke in support of the application and gave the committee the following information:

- It was unlikely that the future of the business could be safeguarded without the development.
- There was strong support for the development with Christon Bank as well as the surrounding areas.
- There had been no objections.
- The proposed extension would assist in providing a community hub and would allow the business to be viable.
- The extended areas of the proposal would enable the business to provide quality food and 10 modern ensuite hotel rooms as well as a function room, which would be a valuable asset to the community.

Ch.'s Initials.....

Page 19

- The proposed development would create up to 20 new jobs, which would be a mix of full and part-time roles.
- The case officer agreed that the principle of the development was acceptable and that the developments accorded with the relevant economic development and tourism policies contained within the local plan.
- It was accepted that the proposed extension was large, but it was proportionate in the context of the overall proposals.
- The case officer had wrongly considered, in part, the acceptability of the development by applying part 2 of local plan policy HOU9 which was only relevant to householder proposals.

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

- There would be no harm to the setting of the listed building.
- The application was recommended for refusal due to it being unacceptable in terms of the design, in particular the scale and massing.
- The recommendation was an on-balance decision by the planning officer.
- There had been no financial information submitted by the applicant.

Councillor Pattison proposed to grant the application, contrary to the planning officer's recommendation, stating that since the Post Office closed and the bus service was withdrawn, the Blink Bonny Hotel was the only warm space for the community and stated that by virtue of its design, scale and massing, the proposed development was not considered to significantly detract from the character and distinctiveness of the existing building. The proposals were therefore considered to be acceptable and were in accordance with Policy QOP 1 of the Northumberland Local Plan and the NPPF, with conditions and a S106 Coastal Mitigation to be delegated to the planning officer in conjunction with the Planning Area Manager and the Chair of Planning. This was seconded by Councillor Castle.

Several Councillors agreed with Councillor Pattison's comments and that in the context of the plot, the extension was acceptable and that it would be good for Christon Bank.

A vote was taken as follows: FOR; 7, AGAINST; 3, ABSTAIN; 0

RESOLVED that the application was **GRANTED** with conditions and a S106 Coastal Mitigation to be delegated to the planning officer in conjunction with the Planning Area Manager and the Chair of Planning.

93

22/00666/FUL

New detached house for permanent residence

Land West of Radcliffe Park, Radcliffe Park, Bamburgh, NE69 7AN

C. Simm – Planning Officer, introduced the application with the aid of a PowerPoint presentation, there were no updates.

A. Bardgett spoke on behalf of Bamburgh Parish Council and gave the committee the following information:

- Bamburgh Parish Council supported the application.

Ch.'s Initials.....

Page 20

- The house would integrate into the existing highways.
- The AONB Officers had supported the application.
- Bamburgh Parish Council believed there was no harm to visual amenity.

S. Cole spoke in support of the application and gave the committee the following information:

- The applicant was happy to enter into a Section 106 Agreement for a Coastal Mitigation payment.
- The STP 1 policy allowed the application if it was supported by the Neighbourhood Plan.
- 50% of the plot would be a paddock and wildflower meadow.
- There had been no objections from consultees apart from Highways.
- The application was supported by Bamburgh Parish Council.

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

- The application was in contrary to the new Northumberland Local Plan.

Councillor Renner-Thompson proposed to grant the application, contrary to the planning officer's recommendation, for the following reasons:

1. The site was located in a sustainable location, on the edge of the settlement of Bamburgh and would not be visible from the surrounding area. The site was bounded on two sides by development and would result in a much needed principal occupancy dwelling which would support the village of Bamburgh in accordance with Paragraph 5.45 of The North Northumberland Coast Neighbourhood Development Plan which stated that "Settlement boundaries have been created in the Plan having regard to the planning principles established in NPPF. In particular, they have been defined to ensure recognition of the intrinsic character and beauty of the countryside in the Neighbourhood Area. The settlement boundaries are not intended to stifle development which could still make a positive contribution to sustainable communities in the Neighbourhood Area".
2. By virtue of its design, scale, location and density, the proposed development would not be out of character with and would not have a detrimental visual impact upon the surrounding landscape. As such the proposal would accord with the National Design Guide, Policy QOP1 and QOP2 of the Northumberland Local Plan, Policy 5 of the North Northumberland Coast Neighbourhood Plan and Paragraphs 126 and 127 of the NPPF.
3. This development fell within the 'zone of influence' for coastal sites designated at a national and international level as Sites of Special Scientific Interest and Special Protection Areas/ Special Areas of Conservation/ Ramsar sites and, as such, coastal mitigation measures are required. The applicant had agreed to enter into a legal agreement under Reg 63 (5) of the Habitats Regs 2017. The development would therefore accord with policy ENV2 of the Northumberland Local Plan and the NPPF.
4. The applicant had agreed to enter into a Section 106 Agreement to secure principal occupancy which was considered necessary in order to ensure that new dwellings are occupied only as a Principal Residence. The proposal would therefore accord with Policy 14 of the North Northumberland Coast Neighbourhood Plan.

This was seconded by Councillor Thorne.

A vote was taken as follows: FOR; 5, AGAINST; 3, ABSTAIN; 2

RESOLVED that the application was GRANTED with a S106 to include Coastal Mitigation contribution and principal occupancy requirement and necessary conditions to be delegated to the planning officer in conjunction with the Planning Area Manager and the Chair of Planning.

Councillor Renner-Thompson and Councillor Pattison left the meeting.

94 **SUSPENSION OF STANDING ORDERS?**

As the meeting approached the 3 hour limit Members were asked if they wished to suspend standing orders in order to continue the meeting. Upon being put to the vote it was:

RESOLVED that in accordance with the Council's constitution, standing orders be suspended and the meeting continue over the 3 hour limit.

95 **21/03911/FUL**

Construction of 12 new Dwellings

Land Northeast of 49 Hedgehope Drive, Hedgehope Drive, Kingsmead, Wooler, Northumberland

D. Love – Senior Planning Officer, introduced the application with a PowerPoint presentation and gave the following updates:

- Proposed deletion of conditions 3,4,5,7 & 8 as they were covered by the updated wording under conditions 9, 11, 17, 25 and 26.

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

- There was no policy requirement for an affordable housing contribution.
- There was an error in paragraph 2.1 of the report, and it should have read “The application seeks to provide phase two of the wider Kingsmead development with twelve homes.”
- Phase 1 of the development had at least 15% of affordable housing.
- The flood authority were content that the degree of flood risk was acceptable with the SUDs scheme in place.
- The Woodroad bridge was not within the remit of the application.
- There was no requirement to notify neighbours as there was no houses within 20 metres.
- A site notice was put up on Weet Road.
- Phase 1 over provided for affordable homes.

Councillor Thorne proposed to accept the officers recommendation, stating that he fully supported the development and that it fit in with the Northumberland Local Plan. This was seconded by Councillor Castle.

A vote was taken as follows: FOR; 7, AGAINST; 1, ABSTAIN; 0

RESOLVED that the application was **GRANTED** with the conditions set out in the report and delegated authority over the s106 agreement to secure planning obligation towards health (£8,700) and open space (24,548.50) provision.

96 **DATE OF NEXT MEETING**

The next meeting of the North Northumberland Local Area Council was scheduled for Thursday, 19 January 2023 at St James URC, Pottergate, Alnwick, NE66 1JW

RESOLVED that this was noted.

97 **URGENT BUSINESS**

Councillor Castle explained that Councillor Watson had stepped down from the Amble Development Trust and that the committee was required to appoint a member in his place.

Councillor Watson suggested to members that they should leave the position vacant and follow up in the new year. This was agreed by members of the committee.

CHAIR.....

DATE.....

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Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

19 JANUARY 2023

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.

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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
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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.

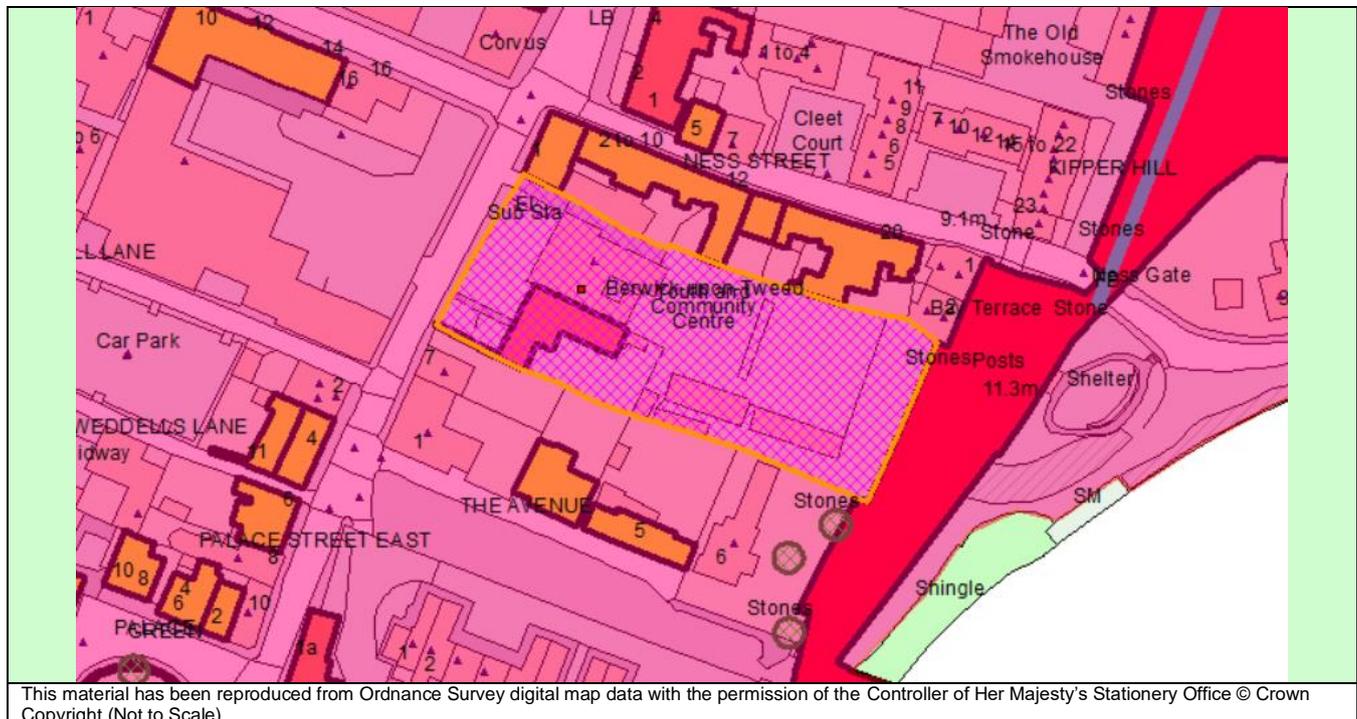


Northumberland
County Council

North Northumberland Local Area Council Planning Committee
19th January 2023

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| Application No: | 21/02292/FUL | | |
| Proposal: | Conversion of former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended) | | |
| Site Address | 5 Palace Street East, Berwick-Upon-Tweed, Northumberland, TD15 1HT | | |
| Applicant: | John Bell 9-12 Golden Square, Berwick Upon Tweed, TD15 1BG, | Agent: | Ninette Edwards 12 Alnside, Whittingham, Alnwick, NE66 4SJ |
| Ward | Berwick North | Parish | Berwick-upon-Tweed |
| Valid Date: | 8 July 2021 | Expiry Date: | 31 May 2022 |
| Case Officer Details: | Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission subject to a S106 legal agreement securing Coastal Mitigation (£6150) and Open Space contributions (12,494.34).



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to concerns raised regarding the impact of the proposals upon designated heritage assets and neighbouring amenity.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 The application seeks planning permission for the conversion of a former community building to create 9no. flats (8no units of 'supported accommodation' plus a caretaker's flat.), with construction of 1no. new house and garage block to rear (as amended) at 5 Palace Street East, Berwick-Upon-Tweed.

2.2 The proposals include the renovation and conversion of the former Georgian Townhouse and associated Victorian school buildings to habitable accommodation, the cantilevering of the north gable wall of the school hall and removal of a stone arch to improve access to the rear of the site and the removal of 2no prefabricated outbuildings within the rear yard to facilitate the construction of a new dwelling and garage block. The refurbishment works include the drylining and thermal insulation of the building, replacement and/or refurbishment of windows and repairs to stonework. Initial proposals to render the front of the building have been removed and the proposed new build elements to the rear yard have been reduced in scale and massing.

2.3 The proposed dwelling would be single storey and would have an L-shaped plan form with accommodation consisting of 2no ensuite bedrooms, living, kitchen/dinner, study, garage and WC/utility room. The footprint of the dwelling would be approximately 205sqm and it would have a maximum height of approximately 6.5 metres. Facing materials would include stone and render under a slate tiled roof.

2.4 The proposed garage block would have a simple plan form with a footprint of approximately 186sqm and a maximum height of 6.4 metres. It would include 4no garage spaces at ground level together with a shower room and kitchenette with stairs providing access to a meeting room and storage space in the roof space. Materials would match those of the house. The proposed use of the garage space has been confirmed by the applicant as being operated by the Berwick Youth Project for community use in line with the charity's objectives.

2.5 The application site is located within the built-up area of Berwick to the south east of the town centre. It is bound to the north and south by residential dwellings, to the east by the historic town walls and ramparts and to the west by public highway from which the site is accessed, with mixed commercial and residential development opposite.

2.6 Site constraints include,

Archaeological Site Centre Point
Article 4 Direction
Coal Advice Low Risk Area
Conservation Area
Coastal Mitigation Zone
Impact Risk Zone - SSSI
Listed Buildings (and Scheduled Monument)
NCC Land

3. Planning History

Reference Number: C/00/00204/CCD

Description: Change of use of first and second floor flat from residential to office use

Status: PER

Reference Number: N/84/B/LB07

Description: Construction of a garage and conservatory

Status: PER

Reference Number: C/84/B/127

Description: Construction of garage

Status: PER

Reference Number: C/89/B/069

Description: Renewal of 84/B/127 for garage

Status: REPLY

Reference Number: C/89/B/009 LBC

Description: Listed Building Consent for the renewal of 84/B/7 for garage

Status: REPLY

Reference Number: C/E/B/072

Description: Conversion of toilets in to shower block and provision of conservatory

Status: REPLY

Reference Number: N/84/B/0127/P

Description: Construction of garage

Status: PER

Reference Number: N/89/B/LB09

Description: Renewal of permission for garage.

Status: WDN

Reference Number: N/89/B/0069/P

Description: Renewal of permission on garage.

Status: WDN

Reference Number: N/00/B/0617

Description: Change of use of first and second floor flat from residential to office use

Status: NOOBJ

Reference Number: 18/04107/TREECA

Description: Trees in a conservation area: Fell Rowan (T1), Cherry (T2), WHitebeam (T3), Sycamore (T4), and Oak (T5).

Status: NOOBJ

Reference Number: 19/04114/LBC

Description: Listed Building Consent: Installation of perma steel boarding to protect building from further break-ins and eradication of dry rot

Status: PER

Reference Number: N/83/B/0179/P

Description: Conversion of outside toilet into shower block & provision of conservatory.

Status: PD

Reference Number: 21/02293/LBC

Description: Listed Building Consent: Conversion of former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended)

Status: PDE

Reference Number: N/84/B/127

Description: Detailed application for construction of garage

Status: PER

4. Consultee Responses

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| Advance Northumberland | No response received. |
| Affordable Housing | Advice provided |
| Berwick-upon-Tweed Town Council | Members had no objections and would like to see the application progress. However, they expressed the wish that the application be considered by the Northumberland County Council Local Area Council due to the technicalities involved. |
| Berwick-upon-Tweed Town Council (2) | <p>Berwick-upon-Tweed Town Council would like to make the following comments on the amended plans for Planning Applications 21/02292/FUL and 21/02293/LBC:</p> <p>Members offered the following observations:</p> <p>Loss of public visual amenity, impact on outlook, concern that listed buildings are being demolished and concern that Conservation Officer has not commented and would draw their attention to the size of the garage and noise.</p> <p>The view was also expressed that the application should be adopted because:</p> <p>The buildings needs to be renovated due to their condition, the view from the walls will not be as bad as feared, the application is for a good cause and the noise will be bearable.</p> |
| Building Conservation | <p>The proposed conversion scheme would not preserve the special interest of the Grade II* listed building. It would result in less than substantial harm to its significance. We would welcome a revised proposal with a lighter touch to the reuse of this important listed building.</p> <p>Likewise, the proposed new build element to the rear of the site would cause less than substantial harm to significance as the scale and design of development does not preserve the open setting of the Grade II* listed building, scheduled ramparts and Conservation Area. The applicant has not put forward an Enabling Development case to justify that the new build element is required to finance the conversion of the listed building.</p> <p>We consider the proposal in its entirety would give rise to less than substantial harm to heritage assets of the highest</p> |

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| | <p>designations within the terms of paragraph 199 of the Framework. Cumulatively, we consider the degree of this harm to be towards the upper end of the scale of less than substantial harm.</p> <p>Built Heritage and Design suggest that the applicant omits the new build element of this proposal to avoid a recommendation for refusal due to the number of concerns we have about the development. This would allow for proactive discussions between applicant and the Council on how to bring the Grade II* listed building back into use as a priority.</p> |
| Building Conservation (2) | <p>In our previous comments submitted 12th November 2021 we raised concerns regarding the following aspects of the proposed development that have not been addressed by the amended plans:</p> <ul style="list-style-type: none"> o Dry lining, noise attenuation and insulation throughout building - cross sections required showing how this related to internal features such as cornices, architraves, panelling and shutters o Replacing Georgian and Victorian timber sliding sashed windows with double glazed sash windows - awaiting window schedule and condition report o Demolition of wall extending from 1836 extension of Georgian house - clear and convincing justification is required for the loss of this early 19th century wall |
| Building Conservation (3) | <p>Subject to the above amendments/ conditions, we consider the amended proposals for the Grade II* listed building to be acceptable to bring it back into use and preserve its special interest in the long term.</p> <p>The proposed development to the rear of the site is much improved and would enhance the setting of the listed building. Its traditional built form and use of local materials would contribute positively to the character and appearance of Berwick Conservation Area.</p> <p>While its scale and design are much more appropriate within the setting of the scheduled ramparts, the development would still present 'less than substantial harm' as it would diminish the site's open character that enhances the setting of the ramparts and views along the promenade. This harm should be weighed against the public benefits of the development.</p> |
| County Archaeologist | <p>Insufficient information has been submitted to enable this application to be determined. A programme of archaeological assessment should be undertaken and submitted to the LPA prior to the determination of this application.</p> |
| County Archaeologist (2) | <p>The scope of an appropriate phased programme of archaeological assessment was set out in my memo response of 05/08/21. To date, the applicant has completed the first stage of the identified assessment process. In order inform an assessment of the significance of the archaeological resource and the impact of the development on that significance, it will be necessary for the applicant to undertake the remaining</p> |

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| | <p>phases of work. It will also be essential for the applicant to provide clarity regarding the type and depth of foundations proposed and of any other proposed groundworks. Without this information it will not be possible to provide updated mitigation advice consistent with the tests and objectives of paragraphs 56 and 205 of the NPPF.</p> |
| County Archaeologist (3) | <p>The proposed development site has been subject to a programme of archaeological assessment including evaluation trenching. The evaluation exercise was limited to a depth of 1.25m below the present ground surface. This was on safety grounds and on the basis that the impact of development was not anticipated to exceed 1.25m below the present ground surface. The development has potential to damage or disturb archaeological deposits within the uppermost 1.25 m of the site (the anticipated maximum impact depth of the development). This risk can be mitigated via a programme of archaeological monitoring (watching brief). This work can be secured by condition.</p> <p>Should the impact of the proposed development exceed 1.25m, a more robust archaeological response may be required.</p> |
| County Ecologist | No objection subject to conditions and contribution to CMS |
| Environment Agency | No response received. |
| Fire & Rescue Service | No objection |
| Highways | <p>Further to HDM's response dated 27th July 2021, the applicant has provided a supporting statement which states the access plan for the proposed works to the side access is on the existing and proposed floor plans BYP/101 and 201B, which is considered acceptable. The applicant has also submitted a revised block plan of the proposed access showing visibility splays of 2.4 x 43 metres however, the visibility sightline is obstructed by the stone pillars and part wall adjacent. The applicant is required to provide a revised block plan showing an unobstructed visibility splay from the site access. Further info also required re number of volunteers, whether use of garages can be restricted and a Stage 1 RSA is also required.</p> |
| Highways (2) | <p>The following information will be required to inform a response within a statutory reconsultation period:</p> <p>A revised block plan is required giving details of the proposed widening works to the access. A revised block plan demonstrating visibility splays of 2.4 x 43 metres can be achieved from the proposed site access Further details of the expected numbers including staff and frequency of use of the proposed garages are required.</p> <p>If the amended / additional materials cannot be provided we would recommend the submission is withdrawn and that a revised application is submitted with the information required at a later date.</p> |
| Highways (3) | <p>Following HDM's previous comment on the application, the applicant has provided additional documentation and plans.</p> |

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| | <p>On the basis of the evidence presented, HDM have major concerns over highway safety implications regarding the width of the access road which would be unable to allow 2-vehicle passage leading to vehicles waiting on the highway and restricting the space allowing for vehicles to egress from the junction. Furthermore, HDM have major concerns regarding vehicle manoeuvrability into and out of the access as demonstrated on the submitted drawings. There is very limited scope for improvements to fix this issue.</p> <p>HDM wishes to object to the development based on TRA 1 and TRA 2 of the Northumberland Local Plan (2022) and the NPPF Paragraphs 110 and 112 (2021).</p> |
| Highways (4) | <p>No objection subject to conditions and informatives and a Road Safety Audit, which will address concerns with the proposed development. All works to the access to the proposed development site must be constructed strictly in accordance with NCC's Specification for Highway Works.</p> <p>It is recognised that the access route is tight, however this is an existing vehicular access and whilst there may be occasions where vehicles may have to wait on the highway for a vehicle to egress the site onto Palace Street East, given the scale of development and number of vehicle flows, which are spread throughout the day, there is unlikely to be a significant impact on highway safety. It is also noted that similar movements will have occurred from previous uses of the site. A Road Safety Audit will ensure a safety check to ensure there are no inherent issues.</p> |
| Historic England | <p>Bringing this important set of buildings back into use is a considerable benefit and as such we are supportive of the proposals in principle. However, in its present form, the proposals contain elements which would cause harm to the significance of this highly graded heritage asset and the character of this part of the conservation area, as discussed above. In that regard, we ask that alternative arrangements or further justification for the proposed solutions is requested from the applicant. These should be discussed and agreed to the satisfaction of your in-house conservation advisers, who will also be able to advise you of any necessary conditions.</p> |
| Lead Local Flood Authority (LLFA) | <p>The FCERM team at Northumberland County Council as the Coastal Protection Authority object to this application on Coastal Erosion Grounds. A Coastal Vulnerability Assessment is required to ensure that the development is appropriate and will be safe for the lifetime of development.</p> |
| Lead Local Flood Authority (LLFA) (2) | <p>A Coastal Vulnerability Assessment is required when a scheme is in a CCMA (Coastal Management Change Area) (Local Plan Policy WAT 5). Our Policy map shows Palace Street to be in a CCMA area. This requirement may be secured by conditions prior to the first occupation of the development.</p> |
| Natural England | <p>No objection subject to appropriate mitigation</p> |
| Northumbria Ambulance Service | <p>No response received.</p> |

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| Northumbrian Water Ltd | No response received. |
| Police Architectural Liaison Officer | <p>We always encourage the refurbishment and re-use of old and derelict buildings and whilst we have no objections for this planning application from a crime prevention viewpoint, there is little information provided with regards to security measures, such as access control for the main building and general physical security measures for the building.</p> <p>All of these measures should be considered with appropriate written policies in place. Please contact us if you require any advice or information in relation to security of the building.</p> |
| Public Protection | <p>The Environmental Protection Team object to the proposed development for the following reasons:</p> <p>No assessment of risks from land contamination as required by paragraphs 183 and 184 of the NPPF. No information submitted to indicate how the required ground gas / radon gas protection will be designed and fitted to the existing buildings to be retained. No information submitted of the potential impacts from the proposed "workshops" upon the residential elements of the proposed development or residential dwellings beyond the site.</p> <p>Without further information about these issues, the Environmental Protection Team will be unable to remove these objections and being in a position to recommend appropriate conditions to the LPA.</p> |
| Public Protection (2) | <p>No objection subject to conditions.</p> <p>The applicant has now submitted a Phase 1 Desk Top Study. Whilst it is acknowledged that the site has been historically a townhouse then school with associated gardens, we would concur with the Phase 1 that the lack of contemporary site investigations and the end use of residential (presumably without homegrown produce) would indicate that further site investigations were required, particularly sampling and testing of the soils in the area where the two new houses are proposed.</p> <p>Therefore, conditions have been recommended to the LPA to secure these further site investigations and for the applicant to address contamination should it be discovered during development.</p> |

5. Public Responses

Neighbour Notification

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| Number of Neighbours Notified | 27 |
| Number of Objections | 25 |
| Number of Support | 1 |
| Number of General Comments | 0 |

Notices

Site Notice - Stat pub & affect listed building & con, 16th July 2021

Press Notice - Berwick Advertiser, 22nd July 2021

Summary of Responses:

25no objections and 1no letter of support have been registered against the full planning application. A number of interested parties have submitted multiple submissions as plans have been amended/additional information added.

Concerns have been raised in respect of the proposed new build elements and their visual impact upon surrounding heritage assets and neighbouring amenity, particularly with regard to the proposed "motorcycle workshop" and the impact on views into and through the site. Concerns also around the proposed rendering of the front elevation of the old school building, wholesale replacement of windows and other works proposed to facilitate the proposed change of use.

The letter of support was submitted by the Berwick Civic Society which qualified its support for the reuse of the building with concerns echoing those made by others regarding the impact of the proposals upon the designated heritage assets.

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=QU6NC7QSGY500>

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)

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

STP 5 - Health and wellbeing (Strategic Policy)

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

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

HOU 5 - Housing types and mix

HOU 6 - Affordable housing provision

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

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 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

WAT 2 - Water supply and sewerage

WAT 3 - Flooding
WAT 5 - Coastal erosion and coastal change management
POL 1 - Unstable and contaminated land
POL 2 - Pollution and air, soil and water quality
INF 6 - Planning obligations

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

N/A

6.4 Other Documents/Strategies

Planning Practice Guidance (2021, as updated)

National Design Guide (2021)

National Model Design Code (2021)

Historic Environment Good Practice Advice in Planning Note 4: Enabling Development and Heritage Assets (2020)

Listed Buildings and Curtilage - Historic England Advice Note 10 (2018)

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

Historic Environment Good Practice Advice in Planning 3: The Setting of Heritage Assets (2017)

Historic England - Understanding Historic Buildings: A Guide to Good Recording Practice (2016)

Berwick Upon Tweed Conservation Area Character Appraisal

Design matters: Berwick-upon-Tweed, Spittal and Tweedmouth Doors and windows in the historic environment

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, 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 (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,
Housing Need,
Design,
Amenity,
Heritage Assets,
Highways,
Ecology,
Environmental Protection,
Water Management,
Sustainable Construction,
ICT,
Healthy Planning,
Planning Obligations,
Coastal Mitigation,
Open Space, and
Procedural Matters.

Principle

7.4 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 settlement hierarchy which identifies Berwick as a "Main Town" which will be the main focus for employment, housing, retail and services within the county.

7.5 Policy STP 2 sets out the presumption in favour of sustainable development, whilst STP 3 defines the principles that development proposals will be expected to adhere to in order to deliver against the economic, social and environmental objectives of sustainable development.

7.6 Policy HOU 2 of the NLP encourages the best and most efficient use of land and buildings, encouraging higher densities in the most accessible locations and the redevelopment of suitable previously-developed 'brownfield' sites wherever possible and viable to do so.

7.7 The site is in a highly sustainable location in terms of accessibility to local amenities, services and transport links, it would provide a type and mix of homes to meet local housing need whilst supporting and providing opportunities to improve health, social and cultural wellbeing. It would also contribute to the conservation and enhancement of Northumberland's natural, historic and built environment assets.

7.8 On the basis of the above policy context the proposals are acceptable in principle.

Housing Need

7.9 Policy HOU 5 of the NLP seeks to ensure the provision of a range of good quality, energy-efficient and affordable homes, including supported specialist housing for vulnerable people, as part of delivering a more balanced mix of tenures, housing types and sizes to meet identified housing needs.

7.10 Together with HOU 5, policy HOU 6 requires development proposals to be assessed in terms of how well they meet the housing needs and aspirations identified in the most up-to-date Strategic Housing Market Assessment (SHMA) or local housing needs assessment.

7.11 The proposed development would provide for 10no dwellings, 80% (8no) of which would be affordable homes. This comfortably meets the requirements of Policy HOU 6 which requires 10% (1no) affordable provision in low value areas. However, as the application is for less than 30 dwellings there is no requirement for affordable housing to be provided or secured by S106 legal agreement in this instance.

7.12 A housing needs survey was carried out in 2020. While it showed no evidence of need for affordable rented tenure over the next 5 years, it did qualify this by saying small amounts of affordable rented housing may need to be built to help social landlords meet individual tenants' specific needs or replace stock with regeneration schemes. This application will provide homes for both a specific need and assists regeneration.

7.13 The Council's Housing Enabler has confirmed that the applicant has made a bid for s106 funding and summarised the proposals (prior to the reduction in numbers) as follows,

"To repair and develop a grade 2 listed former school and community centre to create 8 no. new units of housing for young people and one concierge flat. The 8 no. Units will be flats for affordable rent, the concierge flat will not be for affordable rent and will not be eligible for s106 funding.*

The project also involves the construction of one 2 bed market house and one 3 bed house for market sale, and these too are not eligible for grant funding but the proceeds from them will be used to cross subsidize the project.

The 8 flats will be a next step in the housing pathway for young people in BYP supported housing or by young people with fewer support needs."

7.14 The officer considers that BYP are both an experienced developer and provider of young persons housing with a good track record. BYP have developed similar accommodation previously and they currently own and manage 6 units of accommodation at Golden Square. They have not received funding from the Council's s106 or CHF funds previously.

7.15 The proposed housing mix and tenure breakdown is therefore broadly in line with the area and the county's identified needs and local and national policy requirements. The affordable homes provided together with the support offered by the applicant are a unique opportunity and a valuable steppingstone for young people who require affordable housing. There is strong support from the Housing Enablers. On this basis the proposals are acceptable in accordance with Policy HOU 6.

Impact on Character of Area

7.16 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, incorporate green infrastructure and opportunities to support wildlife and make provision for efficient use of resources, be adaptable to a changing climate and ensure the longevity of buildings and spaces.

7.17 It is clear that the context of the site is important. Leaving aside heritage considerations for the moment, this is a tight-knit location, characterised by a high-density buildings of various vintages within an essentially medieval street pattern. The town walls and ramparts surround this corner of Berwick on three sides, giving the site a 'closed-in feel' in spite of the Tweed estuary foreshore lying just beyond.

7.18 Paragraph 130 of the NPPF requires that developments function well and add to the overall quality of the area. They should be *“sympathetic to local character and history, including the surrounding built environment and landscape setting”* maintaining *“a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”*.

7.19 The redevelopment proposed within the rear yard represents a more intensive use of the site, as well as adding greater scale and massing, as compared with the current position, where the back part of the site could be seen as providing something of a 'breathing space' in a high-density area. Just because the nature of an area is one of high density, however, does not mean that infilling with additional structures would necessarily accord with the character.

7.20 It is noted that the proposed new buildings would be highly visible from the vantage point of the town wall and the tourist route along it. However, the reduction from the 2no bungalows originally proposed and the reduction in scale of the proposed garage/workshop building means that a reasonable level of openness is retained. Overlaying these townscape factors are the conservation considerations discussed in more detail below.

Design

7.21 This section considers the appearance of the proposed development independently and as part of the immediate street scene.

7.22 Policy HOU 9 of the NLP seeks to support residential developments where they contribute to a sense of place, provide functional space and facilities for refuse and recycling storage as appropriate for the development and are constructed to a high quality of design. Policy HOU 11 meanwhile supports the provision of housing that meets the changing needs of older and vulnerable people, including supported housing, as proposed through this application.

7.23 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.

7.24 The National Design Guide also provides guidance on design for those involved in the planning and built environment disciplines and illustrates how well-designed

places that are beautiful, enduring and successful can be achieved. This forms part of the Planning Practice Guidance and should be read alongside other guidance on the design process and tools.

7.25 High quality design supports the creation of good places and has a positive impact on health, wellbeing, and happiness. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe, and pleasant, easy to move around, welcoming, adaptable, and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located.
- demonstrate an understanding of the historical development of the site.
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape.
- provide appropriate densities depending on their existing characteristics; and,
- incorporate and use features worthy of retention, including natural features, buildings, and views.

7.26 The works proposed to the main buildings are acceptable in design terms. The repair and upgrading of stone frontages, windows, doors and roofing and the reinstatement of the railings and town garden to the front of the site are supported, whilst the sympathetic improvements to rear access and small extension to the rear are also acceptable.

7.27 The proposed new build elements to the rear have been amended to be more appropriate in the context of the setting of the surroundings. Scale, design and materials are considered to be acceptable in this respect and the proposed bungalow would provide the high standard of living and amenity that is expected in the current housing market. Conditions are recommended below to secure details of facing materials.

7.28 On the basis of the above the proposals are acceptable and in accordance with Policies QOP 1, QOP 2, QOP 3, HOU 9 and TRA 1 of the NLP and the NPPF.

Amenity

7.29 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.

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

7.31 The site location is such that there would be no substantive concerns regarding neighbouring amenity. The proposal would not give rise to concerns in respect of overlooking, overbearing or loss of light and the comments of the neighbours notwithstanding, there are no significant concerns regarding privacy.

7.32 The comments from neighbours raising concerns about the impacts of noise from the proposed workshop are noted. The applicant has provided additional information in this regard and conditions are recommended below. The proposal is therefore in accordance with Policy QOP 2 of the NLP and the NPPF in this respect.

Heritage Assets

7.33 The legislative framework has regard to Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses and the desirability of preserving or enhancing the character or appearance of the conservation area.

7.34 Policy ENV 1 of the NLP pertains to the natural, historic and built environment and introduces the concept that great weight should be given to the conservation of designated heritage assets and that harm can be caused by development that affects the setting and significance of heritage assets.

7.35 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.36 This is echoed by Policies ENV 7 and ENV 9 of the NLP which state that development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings and ensure that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance.

7.37 The NPPF (para 199) sets out the degrees of harm that can be caused by development affecting the setting and significance of heritage assets. These are 'total loss', 'substantial harm', or 'less than substantial harm' and the need to balance any harm against the benefits of the development is stated.

7.38 The Council's Built Heritage and Design Officer has provided comments raising concerns regarding the proposals and noting that a level of harm would be caused to the listed buildings. The individual elements of the scheme are discussed below, however the overall level of harm identified is "less than substantial" for the purposes of the NPPF.

Conversion of Grammar School Buildings

7.39 The works required to convert the existing building to habitable accommodation include the installation of new partition walls to subdivide the space to create self-contained apartments. The surviving plan form of the 18th century house has considerable historic interest and whilst new partition walls are acceptable to the Victorian rear block, it is important that the historic plan form of the Georgian house is retained as much as possible. To this end the applicant has agreed to the retention of the original internal plan form in the Georgian house. The proposed dry lining and thermal insulation of the building would result in the covering over of some historic features. Original cornicing would be retained and concealed with a new cornice matching its profile installed over the insulation. As there are different cornice mouldings throughout the listed building it is recommended that large scale drawings of the proposed cornicing, together with materials, be secured by condition.

Following receipt of comments from the Georgian Group, the applicant has agreed to remove the dry lining from the Georgian parts of the building.

Cantilevering of north gable of school hall, removal and relocation of stone arch

7.40 It is understood that this part of the proposals has been put forward to minimise the impact on historic fabric while providing sensible and safe vehicular access to the rear. The stone arch is proposed to be removed and relocated to a resident's garden behind the house. The Built Heritage Officer considers the stone arch and the north elevation of the 19th century school extension to have moderate historic and architectural interest. On balance however, if required to provide safe access, the loss of historic fabric would not harm the overall significance of the building.

Replacement of Windows

7.41 The application originally proposed the wholesale removal and replacement of historic windows from building with the exception of the large round headed window to the rear elevation which would be repaired as required. The Built Heritage Officer found this to be harmful to the significance of the building and asked the applicant to submit further justification together with a window schedule prepared by a suitably qualified specialist. Following receipt of this information and negotiations with the applicant, it has been accepted that a number of windows are beyond repair and may be replaced, whilst the remainder of the windows should be repaired/refurbished as required.

Rendering of Front Elevation

7.42 The proposals originally included the rendering of the principal elevation of the building in order to address defects to the existing stonework and to cover holes caused by the historic insertion of flues. The conservation officer considered that this would cause harm to its significance of the building and would neither preserve nor enhance the special interest of Berwick Conservation Area. Following negotiation with the applicant it has been agreed that this element of the proposals should be removed in favour of localised repairs thereby preserving the listed building and preserving or enhancing the character and appearance of the conservation area.

C20th Prefabs

7.43 The proposed removal of the curtilage listed early C20th huts from the rear yard would facilitate the erection of the new bungalow and garage/workshop building. Berwick Civic Society has carried out research into the history and assessed the significance of the two huts. Their significance is derived predominantly from their historic interest but, overall, the Council's Built Heritage Officer finds this to be low based on the research carried out. However, local plan policy seeks to conserve and sustain the significance of heritage assets and it should be clearly demonstrated why the huts cannot be retained and reused by the applicant. Ideally if the huts are no longer required in situ efforts should be made to relocate them, however if the Authority were to consent to demolition, the buildings should be recorded and added to the Historic Environment Record. A condition is recommended below to secure this.

New build bungalow and garage/workshop

7.44 The proposed bungalow and workshop building sit within the immediate setting of the grade II* listed buildings as well as the Berwick Conservation Area and the

Scheduled Ramparts and Town Wall. As noted above these elements would be highly visible from the vantage point of the town wall and would introduce permanent structures into a site which has historically been open space and which, for the last hundred years, has only been host to obviously subservient “temporary” structures.

7.45 The erection of the proposed buildings in this location would increase the density and permanence of built form and would have a commensurate impact upon the setting of the surrounding heritage assets. The council’s Built Heritage Officer has welcomed the reduction in the number of bungalows and the reduction in scale of the workshop building and finds that the proposed buildings would cause a level of harm to the setting of the designated assets of “less than substantial”. Whilst the harm to the heritage assets would be less than substantial, this does not diminish the great weight that should be given to that harm and the conservation of the designated heritage assets.

Impact on Conservation Area

7.46 It is noted that the Berwick Conservation Area appears on the Heritage at Risk Register where it is described as ‘very bad’, although this observation is tempered by an assessment of ‘low vulnerability’, suggesting that further significant deterioration is not a great danger.

7.47 The Grade II* listing of the former Grammar School building must give the asset a significant status within the conservation area. However, despite deterioration recorded in statements accompanying the application, the building itself is not on the Heritage at Risk Register. Notwithstanding this somewhat paradoxical situation, it can be surmised that allowing the further deterioration of the building would lead to a spiral of decline – something that could contribute to the conservation area remaining on the Register, or even bring the Grade II* building itself onto the Register.

7.48 Paragraph 190 of the NPPF promotes a positive strategy for the conservation of the historic environment, including heritage assets most at risk through neglect, decay or other threats. The Council has sought to set out such a strategy in part 8 of Policy ENV 7. Under this policy, if the development will demonstrably help halt the decline of an asset at risk, then it can receive support. The asset itself, as stated, is not on the ‘at risk’ Register. Nonetheless, bringing it back into beneficial reuse in a manner consistent with its conservation, would undoubtedly help with efforts towards taking the Conservation Area off the ‘at risk’ Register.

7.49 Paragraph 206 of the NPPF states that “*local planning authorities should look for opportunities for new development within Conservation Areas ... to enhance or better reveal their significance.*” Whilst the reuse of the main building, preserving its external features, would undoubtedly help with this aim, the overall scheme, including the new build elements, ought to do so as well.

Public Benefits

7.50 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.51 On balance, whilst some harm is caused to the significance of the listed buildings (and in the case of the C20th outbuildings would amount to total loss), the

works proposed enable the reuse of the heritage asset, thereby helping to secure its future. A secure, appropriate use for the listed buildings will help ensure the continued use, retention and protection of this asset. Concerns with regard to the external finishes and the proposed wholesale replacement of historic windows have been addressed through negotiation with the applicant, who has agreed to remove or amend those elements as noted above.

7.52 The applicant has submitted a statement setting out the benefits arising from the new build elements. In essence the bungalow would finance the building of the workshop, which would allow the Youth Project to consolidate operations on this site. This is noted and whilst the proposals would not amount to an enabling development in respect of the listed buildings, they would cross subsidise the work of the Youth Project and therefore amount to a public benefit for the purposes of the NPPF.

7.53 Subject to appropriate conditions the proposal is considered to accord with local plan policies QOP 1, ENV 7 and ENV 9 of the NLP and the provisions and intentions of the NPPF.

Highways

7.54 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. Policy TRA 4 sets out requirements for parking provision in new development.

7.55 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.

7.56 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.57 The Local Highway Authority responded to initial consultation raising concerns about access and visibility and requested additional information including a Road Safety Audit. Following receipt of additional information, no objections are raised subject to conditions and informatives as set out below. On this basis that proposals are acceptable in highways policy terms.

Ecology

7.58 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon biodiversity and geodiversity, avoiding significant harm through location and/ or design and will secure a net gain for biodiversity through planning conditions or planning obligations. The proposal is in accordance with this policy which is a material consideration in the assessment of the application.

7.59 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.60 The County Ecologist has responded to consultation noting that the buildings are generally in a poor state of repair and the former landscaping appears to have become overgrown and dilapidated and it is unlikely any habitats of value are present. The building has been assessed as being of low risk for bats. The risk of any impact to void roosting bats has been ruled out completely but there is a low risk of crevice dwelling species such as common or soprano pipistrelle bats being present and being impacted by the development. The few available potential roost features (prfs) would only support occasional sporadic day roosting bats, in common with almost all buildings and the dampness of the building, the recent dry rot treatment and the lack of heating in the buildings means the chance of encountering bats is negligible. In addition, the prfs can be surveyed with an endoscope to ensure no bats are present prior to the works being undertaken. A condition is included below to ensure any bats present are fully protected.

7.61 Currently this planning application will result in a net loss for biodiversity, including the loss of some trees to the front aspect (including a cherry tree) and some overgrown formal garden habitats. The landscape plan is lacking in detail to assess whether any enhancements are planned. It is therefore appropriate to secure a landscape and ecological management plan by condition in order to ensure the development results in a net gain for biodiversity.

Environmental Protection

7.62 Policy POL 1 of the NLP states 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.

7.63 Policy POL 2 seeks to ensure that development proposals are not put at an unacceptable risk of harm from or are adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances.

7.64 Paragraph 183 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.65 The Council's Environmental Protection team have raised no objections to the proposals in respect of contamination or ground gas, subject to the conditions set out below, which are required to ensure the risks arising are minimised and are not prejudicial to health and amenity.

7.66 The applicant has provided further details on the proposed use of the workshops. It is noted that the proposed use by a hobbyist motorcycle group has

caused concern among neighbouring residents and the applicant has subsequently confirmed that the garages will be operated by the Berwick Youth Project for community use in line with the charity's objectives. It would appear therefore that the use is not intended to be a commercial one and the site itself would not appear to be impacted by any particular sources of noise which would require assessment or mitigation. The Environmental Protection Team make recommendations to ensure the proposed use of the workshops is not, or does not become, incompatible with the existing and proposed residential receptors nearby. It is recommended that there should be no introduction of an overly intrusive noise in the area affecting residential receptors created by the proposed development outside of normally accepted periods. This may be achieved by restricting the days and times which the workshops can be used with the agreement of the applicant/users of the workshops and a condition is included below in this respect.

7.67 This does not mean that the workshops/garages and storage space could not be used outside these times, but that any noise generated could result in action by the LPA in respect of breach of a planning condition. This would provide a more expedient route to action than could be achieved through "statutory nuisance", although this could still be actioned through this legislation. It is also recommended that the LPA ensure that any planning use class assigned to the proposed workshops would not allow an automatic route to the use of the workshops for a commercial activity (ie "permitted development" or any simplified change of use) and a condition is also recommended in this respect.

7.68 On this basis the proposals are acceptable in accordance with policies POL 1 and POL 2 of the NLP and the NPPF.

Water Management

7.69 Policy WAT 3 of the NLP relates to flooding and states that development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. Policy WAT 4 relates to Sustainable Drainage Systems (SuDS) and states that water sensitive urban design, including SuDS will be incorporated into developments whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local guidance. Policy WAT 5 sets out requirements for development sites located within Coastal Change Management Areas.

7.70 Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

7.71 The LLFA and Flooding and Coastal Erosion Risk Management team responded to initial consultation requesting further information regarding the potential for coastal erosion to impact upon the proposed development. A Coastal Vulnerability Assessment was requested to inform potential mitigation however it was implied that this could be secured by condition. Following further discussions with the FCERM team it is understood that the CVA should have been submitted prior to determination, however, in the circumstances it has been agreed that this may be secured by condition prior to first occupation of the development, as set out below. On this basis the proposals are acceptable in accordance with policies WAT 3 WAT 4 and WAT 5 of the NLP and the NPPF.

Sustainable Construction

7.72 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.

7.73 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.74 Policy QOP 5 relates to sustainable design and construction and states that 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.

7.75 The documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to any granting of permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

ICT

7.76 Policy ICT 2 of the NLP 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.

7.77 Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

7.78 The current application does not state whether full-fibre broadband connections are proposed. It is therefore appropriate that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT 2 of the NLP and Paragraph 114 of the NPPF.

Healthy Planning

7.79 Policy STP 5 of the NLP addresses health and wellbeing and recognises the value of ensuring development has access to a range of facilities. The policy requires that a Healthy Planning Checklist is completed for all major development proposals, to determine whether the potential impact on health resulting from the development warrants any further assessment. The applicant has submitted the required checklist and it is considered that no further assessment is required. The proposals are therefore in accordance with Policy STP 5 of the NLP.

Planning Obligations

7.80 Policy INF 6 of the NLP states that where it is not possible to address any unacceptable impacts of development through the use of planning conditions, planning obligations will be secured to ensure that otherwise unacceptable development can be made acceptable. Planning obligations may be used to secure the timely provision, and/or improvement and maintenance of any physical, social, community and green infrastructure and/or any mitigation and/or compensatory measures reasonably necessary to make a development acceptable in planning terms.

Coastal Mitigation

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

7.82 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service which will be used to fund coastal wardens who will provide the necessary mitigation.

7.83 Contribution to the Coastal Mitigation Service enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly it enables a conclusion of no adverse effect on the interest features of coastal SSSIs.

7.84 The contribution per residential unit in this location would be £615 giving a total for the proposed development of £6,150.

Open Space

7.85 Policy INF 5 of the NLP sets out requirements for open space, sports and recreational land and buildings created as part of a development. Where appropriate open space should:

- be of an appropriate standard and fit for purpose in accordance with relevant recognised standard
- be accessible by sustainable travel;
- maximise multifunctional use, and allow wide community use;
- be designed to include appropriate landscaping and to be safe and secure in accordance with relevant recognised standards;
- take opportunities to improve the Strategic Green Infrastructure Network, including the accessibility and connectivity of the network; and
- include a suitable long-term management and maintenance arrangement.

7.86 The development does not propose any public open space within the site. Having regard to the requirements set out in Appendix H1 of the NLP, it is

considered appropriate to seek a contribution towards the young peoples, amenity green space and parks and gardens elements of the open space requirements.

7.87 The table below sets out the expected contribution.

Young People £4,428

Amenity green space £3,505.50

Parks and gardens £4,560.84

Total £12,494.34

7.88 On this basis the proposals would be acceptable in accordance with Policy INF 5 and Appendix H1 of the NLP.

Procedural Matters

Equality Duty

7.89 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 proposals would potentially have a material impact on individuals or identifiable groups with protected characteristics. Accordingly, changes have been made to the proposals in order to make it acceptable in this regard. Changes include the tightening up of conditions prohibiting noisy working, so they are in line with those recommended during the construction phase. Reference to the specific use of one of the garages as a motorcycle workshop has also been removed from the proposed plans.

Crime and Disorder Act Implications

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

Human Rights Act Implications

7.91 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.

7.92 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.

7.93 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 above, stating accordance with the relevant Development Plan Policies. 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 NLP and the NPPF on the matters of relevance in this case.

8.2 The proposed refurbishment and conversion of the former Berwick Grammer School buildings is supported and the less than substantial harm identified to the listed building is considered to be outweighed by the public benefits of providing much needed sheltered accommodation for vulnerable young people as well as helping to secure an appropriate and viable use for the listed building into the future.

8.3 The proposed removal of the existing early C20th outbuildings is regrettable but will enable the charity to relocate existing activities from elsewhere in the town to a new purpose-built storage and workshop facility, helping to reduce overheads for this well used charitable organisation. The proposed bungalow would facilitate the above and whilst this element of the scheme is less palatable it is recognised that this would contribute towards the ongoing sustainability of the charitable works that the applicant carries out in the area. The design and scale of both the bungalow and the storage/workshop building have been reduced through negotiation with the applicant and it is considered that, on balance, these elements of the scheme may also be supported.

8.4 The proposal has addressed the main considerations, accords with relevant planning policies and legislation and is considered to be acceptable on balance.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following conditions and a S106 legal agreement securing the following:

- A financial contribution of £6,150 towards the Council's Coastal Mitigation Service,
- A financial contribution of £12,494.34 towards Open Space Provision.

Conditions/Reason

Development Management

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. Drawing No 201 Rev F - Proposed Floor Plans
3. Drawing No 202 Rev D - Proposed Elevations
4. Drawing No 203 Rev E - Proposed Site Plan
5. Drawing No 204 Rev F - Proposed New Build Floor Plans
6. Drawing No 205 Rev E - Proposed New Build Elevations

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

03. Materials

Notwithstanding any description of the materials in the application, no development shall be commenced until precise details, to include samples, of the materials to be used in the construction of the external walls and / or roof(s) of the building(s) and including windows and doors have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and / or external facing materials including windows and doors used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development to ensure works are carried out in a manner consistent with the character and setting of the building, in accordance with the provisions of Development Plan policy ENV 7 and the provisions and intention of the NPPF

04. Restriction of use (Use Class)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) (England) Order 2015 (or any other re-enacting or revoking Order with or without modification), the garage/workshop/storage building within the rear yard shall only be used as a garage/workshop/storage facility ancillary to the main use of the site as supported residential accommodation and for no other purpose. For the purposes of the Use Classes Order the building shall be considered to fall within the Sui Generis Use Class.

Reason: In the interests of residential amenity, in accordance with the National Planning Policy Framework and Policies QOP 2 and TRA 2 of the Local Plan.

05. Restriction of use (Hours)

Any noisy use of the garage/workshop building shall not occur outside the following hours:

Mon to Fri – 0800 to 1800hrs
Sat – 0800 to 1600hrs
Sun & Bank Holidays – none permitted

Reason: In the interests of residential amenity, in accordance with the National Planning Policy Framework and Policy QOP 2 of the Local Plan.

06. Site/Finished Floor Levels

Notwithstanding the approved plans the new build elements of the development shall not commence until details of existing and proposed site and finished floor levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy QOP 2 of the Northumberland Local Plan and the NPPF.

07. Sustainable Construction

Notwithstanding the details submitted with the application, prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

08. Broadband Connections

Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection to each property shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order to discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

Highways

09. Demolition/ Construction Method Statement - PRE-COMMENCEMENT

Development shall not commence until a Demolition and Construction Method Statement 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 and shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials; iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

10. Details of car parking to be submitted

The development shall not be occupied until details of the car parking area to accord to NCC parking standards with required dimensions have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

11. Boundary treatment

The development shall not be occupied until details of the proposed boundary treatment, including the height of the boundary wall and new stone pillars have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

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

12. External lighting

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 and Policy TRA1 of the Northumberland Local Plan.

13. Surface water drainage (Private Land)

Prior to occupation, details of surface water drainage to manage run off from private land shall be submitted to and approved in writing 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 highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

14. Implementation of Electric Vehicle Charging

Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented in accordance with the approved plans. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan

15. Implementation of cycle parking

The development shall not be occupied until cycle parking shown on the approved plans has been 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.

Built Heritage

16. Historic Building Recording - PRE-COMMENCEMENT

No development shall commence on site until a Written Scheme of Investigation (WSI) for archaeological work (historic building recording) has been submitted to and approved in writing by the Local Planning Authority and their archaeological advisors. The programme of archaeological (historic building recording) work should be in line with 'Level 2' of Historic England's 2016 Guidance document 'Understanding Historic Buildings: A Guide to Good Recording Practice'. The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

This requirement shall apply to all buildings within the site, including outbuildings and timber buildings.

- a) No development or archaeological mitigation (historic building recording) shall commence on site until a Written Scheme of Investigation (WSI) based on 'Level 2' of Historic England's 'Understanding Historic Buildings' guidance has been submitted to and approved in writing by the Local Planning Authority.
- b) The agreed archaeological recording scheme must be completed in accordance with the approved Written Scheme of Investigation.
- c) The programme of analysis, reporting, publication and archiving must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological and historic interest and the development shall result in the loss of a heritage asset, and a reduction in significance so a historic building record is required in accordance with Policy ENV 7 of Northumberland Local Plan.

17. Structural survey - PRE-COMMENCEMENT

Prior to commencement of development, a structural survey of the listed buildings shall be carried out by a conservation accredited structural engineer, and a report, including details of any structural repair works required to the buildings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter any required works shall be carried out in strict accordance with the details as approved.

Reason: To ensure the integrity of the listed building is not prejudiced thereby preserving its special architectural and historic interest and in accordance with Policy ENV7 of the Northumberland Local Plan.

18. Joinery

Notwithstanding the approved plans, prior to the commencement of works to windows and doors full details of existing and proposed windows and doors, including drawings 1:20 scale and cross sections 1:5 scale, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter all windows and doors shall be installed in accordance with the approved plans.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

19. Stone cornice

Prior to the partial demolition of the north east gable wall of the school hall, large scale drawings of the new stone cornice in 1:20 scale and sections 1:5 scale shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved detail.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

20. Demolition by hand

The partial demolition of the north east gable wall of the former school hall hereby authorised shall be carried out by hand (or by hand-held tools) only.

Reason: To ensure the integrity of the listed building is not prejudiced thereby preserving its special architectural and historic interest and in accordance with Policy ENV7 of the Northumberland Local Plan.

21. Stone arch

The stone archway attached to the gable end wall of the listed building shall be retained and relocated to the resident's garden.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

22. Stonework

Prior to the commencement of works to stonework, a detailed method statement identifying the extent of repair and replacement, including details of proposed natural stone type, sizes, colour, pointing mortar mix, joint thickness and finish profile, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details. For the avoidance of doubt, the use of Lithomex, or other lime based restoration mortars, is not approved and shall not be used.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

23. Repointing

Prior to repointing works being undertaken to any elevation, a method statement, including lime mortar specification, shall be submitted to and approved in writing by the Local Planning Authority. A 1sqm sample panel showing the proposed repointing shall then be prepared in situ for the written approval of the Local Planning Authority. Repointing shall then be carried out in the manner shown on the approved sample panel and in accordance with the approved scheme.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

24. Roof slates

Replacement slates shall be indigenous natural slate matching the dimensions, colour and texture of the slates on the existing building and shall remain as such unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

25. Rooflights

The rooflights hereby approved shall be of 'conservation' design, metal framed with structural glass and central vertical glazing bar and shall be installed flush to the roof and shall thereafter be so retained. Any subsequent replacement rooflight shall be to the same specification and design.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

26. Roofing material

Prior to the construction of the flat roofed single storey extension, specification details of the roofing material and method of connection with the listed building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the extension shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

27. Metal windows

Prior to installation of the lancet windows in the school hall, large scale drawings in 1:20 scale and sections 1:5 scale, including details of the metal and finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

28. Services

Prior to installation of any new services, detailed service plans shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

29. Rainwater goods and pipes

New rainwater goods and soil pipes shall be of cast iron construction, painted black and fixed directly to the walls without fascia boards. Prior to installation, specification details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

30. Cornices

Prior to installation, large scale drawings in 1:20 scale and sections 1:5 scale of new cornices to match the profiles of existing cornices, and details of material and finish shall be submitted to and approved in writing with the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

31. Internal joinery

Prior to removal of window panelling, shutters and surrounds, a method statement for their removal and refixing in front of insulation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

32. Staircase

Prior to installation, large scale drawings in 1:20 scale and sections 1:5 scale of the new timber handrail, posts and spindles, and details of materials and finish shall be submitted to and approved in writing with the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

To preserve and enhance the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

33. Boundary treatments

Prior to installation, full details of the new railings and stone pillars to the front of the listed building, including large scale drawings, shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To preserve the setting of the listed building and the character and appearance of the conservation area and in accordance with Policy ENV7 and ENV 9 of the Northumberland Local Plan

34. New Build Materials

No development shall commence above damp proof course level until precise details, to include samples, of the materials to be used in the construction of the external walls and roof 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.

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan

35. New Build Stonework

Prior to the commencement of stonework, a sample panel shall be made available on site for inspection and approved in writing with the Local Planning Authority and carried out accordingly.

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan

36. New Build PV tiles

Prior to installation, the specification details of the photo voltaic tiles for the garage roof shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the panels shall be installed in accordance with the approved details. Any replacement units shall be to the same specification and design.

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan

37. New Build Rainwater goods

New rainwater goods shall be black painted cast iron fixed directly to the walls without fascia boards.

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan

38. New Build External joinery

Prior to commencement of external joinery work, large scale drawings and sections of windows, doors and garage doors in 1:20 scale and sections 1:5 scale including details of the timber and painted finish, shall be submitted to, and approved in writing by the Local Planning Authority .

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan

39. New Build Rooflights

The rooflights indicated on the approved plans shall be of "conservation" design, metal framed with structural glass and central vertical glazing bar and shall be installed flush to the roof and shall thereafter be so retained. Any subsequent replacement rooflight shall be to the same specification and design.

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan

40. Hard Landscaping

Prior to commencement of landscaping works, full details of boundary treatments and other areas of hard landscaping, including large scale drawings, shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the hard landscaping shall be carried out in accordance with the approved plans.

Reason: To preserve the settings of the listed building and the scheduled monument, and the character and appearance of the conservation area in accordance with Policies ENV7 and ENV9 of the Northumberland Local Plan.

Ecology

41. Landscape and Ecological Management Plan (LEMP) - PRE-COMMENCEMENT

Notwithstanding the approved plans a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed including bird and bat boxes, native to Northumberland trees, shrubs and other habitats.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: to conserve and enhance the natural environment in accordance with the NPPF.

42. Bat Mitigation

The development hereby approved shall be carried out in accordance with the following method statement

A toolbox talk will be undertaken before works commence. All contractors will be informed of the potential presence of bats and will be made aware of the actions they are required to take if bats are found at any time during works on site. The contact numbers for the ecologist, Natural England (0845 6014523) and the Bat Advice Line (0345 1300228) will be left with the contractors on site.

The ecologist will be on site when the roof of the school hall is stripped. The roof covering will be removed under ecological supervision. The removal of ridge tiles, hip ridges, slates and verges will be undertaken carefully by hand, being aware that a bat may be roosting underneath. The ridge tiles/slates will be lifted directly up and will not be slid along the roof line to avoid any harm to any bats that may be roosting under the slates. The slates will be removed by hand, and turned over before they are slid down the roof slope. Any lead flashing or mortar fillets which need to be removed will be removed under ecological supervision. Any bat access points identified will be noted and reinstated when the roof covering is replaced.

Works to remove the wooden window frames will be undertaken by hand, with care, being aware that a bat may be roosting around the wooden frames

Works to repair the movement cracks will only be undertaken if the full extent of the crevice can be seen either by torch light or with an endoscope.

Any essential pointing/mortaring will only be undertaken if the full extent of the crevice can be seen either by torch light or with an endoscope. Any non-essential pointing will not be undertaken.

All structural work will be undertaken by hand, being aware that bats may be present on wall tops, within walls and between loose stones.

Any timber treatments used in the development work will be preparations approved for use where bats may be present. Remedial timber treatments that are toxic to mammals will be avoided. Both pre-treated timbers and timber treatments will use chemicals classed as safe for use where bats may be present, see Timber treatment table 1 of the ecological survey report (Tina Wiffen 2021).

If roosting bats become evident during work, the ecologist will be contacted immediately. Work will stop in the vicinity of the bat and if applicable the cavity the bat is within will be covered over for the safety of the animal. The ecologist will attend site as quickly as possible to assess the situation and move the bat to safety. The bat will be carefully caught by hand or with a static hand net and will be placed in a bat tank and kept in the dark in a quiet place until it can be released at dusk near to where it was found.

All contractors shall be made aware of the potential presence of bats, of their legal protection and the requirement to contact the ecologist and Natural England if they are found during works.

If bats are found during the works, work should cease immediately in that area and the ecological consultant should be consulted for further advice. This contact number should be left with the contractors on site.

Reason: To protect bats and their roosts (whether occupied or not) which are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017

43. Nesting Birds

Notwithstanding the approved plans, work shall not be carried out during the breeding season, unless a checking survey is carried out within 5 days of the start of the works. If active nests are encountered during the check (including nest building) then works shall cease in that area until the young birds have fledged.

Reason: To avoid harm to breeding birds which are protected under the Wildlife and Countryside Act 1981 (as amended)

Environmental Protection

44. Ground Gas Protection Proposals

The development shall not commence until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the users/occupants of the proposed building

Validation and Verification of Ground Gas Protection

No building shall not be brought into use or occupied until the applicant has submitted validation and verification report to the approved methodology in Condition 1*, which has been approved in writing by the LPA. * In this list of conditions

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the users/occupants of the proposed building.

45. Potentially Contaminated Land

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing: a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters as indicated by the Phase 1 report (Desk Based Report, Produced by Intersoil Limited, Report Ref 21028x Issue 30 September 2021). It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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.

46. Contaminated Land Verification

The development hereby permitted shall not be brought into use or continue in use until two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

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.

47. Contamination Not Previously Discovered

If during development 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.

LLFA/FCERM

48. Coastal Vulnerability Assessment

Prior to commencement of the new build elements of the development a Coastal Vulnerability Assessment (CVA) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved CVA and the associated maintenance plan.

For the avoidance of doubt the CVA shall include the following details:

- the risk of erosion to the scheme and,
- any associated maintenance requirements for any coastal assets that could be impacted by erosion for the development's lifetime

Reason: To ensure coastal erosion is considered for the development's lifetime in accordance with Policy WAT 5 of the Northumberland Local Plan and the NPPF.

Informatives

1. Alterations to vehicle crossing point (widening driveway) (S184)

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

2. Contact Traffic Management

The applicant is advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period

3. Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

4. Contact Lighting Section

The applicant is advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect to street lighting for the changes to any street lighting and to ensure sufficient illumination levels of the public highway.

5. Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

6. Road Safety Audits

The applicant is advised that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. Please contact highwaysplanning@northumberland.gov.uk or 01670 62297

7. Advisory note: engaging an archaeologist

Northumberland County Council (NCC) Conservation Team would be happy to discuss the scope of an appropriate assessment programme with the applicant or approve specifications for archaeological assessment as necessary. Please note that this may be a chargeable service. A copy of the Conservation Team's charging policy is available to view on the Council's website at:

<https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-andBuilding/Conservation/Archaeology/Charging-Policy.pdf>

NCC Conservation Team is part of the Planning Service within Northumberland County Council. The role of the NCC Conservation Team is to advise the LPA regarding the need for and scope of archaeological work to inform the planning process and to mitigate development impacts to the historic environment. The NCC Conservation Team is an advisory service only and does not undertake archaeological fieldwork.

The Conservation Team does not retain or provide a list of approved archaeological contractors or consultants. Directories of archaeological contractors and consultants are hosted by independent organisations, including:

Chartered Institute for Archaeologists:
<http://www.archaeologists.net/regulation/organisations>
British Archaeological Jobs and Resources:
<http://www.bajr.org/RACSmapp/default.asp>

8. Noisy Working During the Construction Phase

During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours of: Monday to Friday - 0800 to 1800. Saturday 0800 to 1600.

9. Deliveries and Collections During the Construction Phase

During the construction or demolition phase of the development there shall be no deliveries or collections from the site outside the hours of: Monday to Friday - 0800 to 1800. Saturday 0800 to 1600.

10. Ground Gas Protection

The first recommended gas protection condition sets out why gas protection is needed and what is proposed to meet this requirement submitted in the form of a "report": The gas protection proposed should meet a minimum of

Characteristic Situation 2 (CS2) to the level required in BS 8485:2015+A1:2019.

Building Type is Type A - residential dwelling and Type B or C - workshops.

The British Standard requires achieving a score of 3.5 for Building Type A and either 3.5 for Building Type B or 2.5 for Building Type C.

This can be met by a:

- A gas membrane meeting the requirements of Table 7 of BS 8485:2015+A1:2019 (achieving 2.0 points) and a passively-ventilated, sub-floor void of at least good performance (1.5 points) OR well reinforced raft/slab (1.5 points).
- Any proposed gas membrane should also meet the maximum methane gas transmission limit in BS 8485 of 40ml/m²/day/atm and also be suitable to prevent radon as ingress.
- Where a suspended floor is not possible and a cast in situ raft/slab is proposed then this should be "well reinforced" (achieving 1.5 points)
- A technical brochure for the gas membrane to be used and any manufacturer's installation guidance (if available) and that the membrane will be installed following manufacturer guidance (if available).
- That the installation will be carried out by a suitably qualified and experienced installer.
- Proposing what verification of the installation will be; independent verifier, main contractor inspection etc.

SEE APPENDIX 2 OF OUR ADOPTED GUIDANCE FOR A FULL LIST OF ITEMS TO ADDRESS THE FIRST GAS CONDITION (see link below)

For the second gas protection condition this demonstrates that the installation has met what was proposed in the submission for the first one and should be a "report" which should:

- Demonstrate that the floor was of the type required and sufficient air bricks (and telescopic vents if required) were included demonstration of at least good ventilation performance.
- Membrane was installed to a standard following manufacturer's instructions (if available).
- Membrane was installed by a suitably qualified and experienced installer (include any documentation which shows this is the case).
- Installer logs/records (proforma in Appendix 5 of our adopted guidance below).
- Verifier logs/records (proforma in Appendix 5 of our adopted guidance below).
- Any third party inspection(s) to verify installation.
- Details of Building Control inspections
- Photographs
- Plans showing location and number of ventilation bricks to meet very good ventilation performance.

SEE APPENDIX 3 OF OUR ADOPTED GUIDANCE FOR A FULL LIST OF ITEMS TO ADDRESS THE SECOND GAS CONDITION (see link below).

Our adopted guidance YALPAG Technical Guidance Verification Requirements for Gas Protection Systems, is available under the related documents section at:

<https://www.northumberland.gov.uk/Protection/Pollution/Advice.aspx>

The British Geomembrane Association lists approved installers and should be qualified to a minimum of NVQ qualification (NVQ Level 2 membrane installation). The British Geomembrane Association website is:

<http://www.britishgeomembraneassociation.co.uk/>

Guidance on the Design of Gas Protection in Building Conversions Guidance for incorporating gas protection in existing buildings is contained within CIRIA C795 Retrofitting Ground Gas Protection Measures in Existing or Refurbished Buildings, this can be found at:

<https://www.ciria.org/ItemDetail?iProductcode=C795&Category=BOOK>

Sealing of Service Ducts

The applicant should ensure that as well as any “top-hat” around the outside of service ducts being secured to the membrane (tape or weld) that also the internal annulus of the duct holding each of the service pipes and conduits (typically only water) should be filled with a recognised gastight sealant approved by the water supply companies, such as FILOseal+ or FILOseal+HD manufactured by Filoform UK Ltd:

<https://www.filoform.co.uk/catalog/category/view/s/re-enterable-duct-sealingsystems/id/9/>

Evidence of this will be required under the validation/verification of the gas protection.

Sub-Floor Void Ventilation Performance

Should a suspended floor be incorporated in the new dwellings, the specification for a good performance is partly contained within B.6 of BS 8485:2015+A1:2019 and specifies: "The volume flow-through rate is governed by the size and number of side vents; for small to medium width buildings (up to 15 m wide), the minimum area of side ventilation should be 1500 mm²/m run of wall on at least two opposite sides". Very good performance would equate to side ventilation should be 2000 mm²/m run of wall on at least two opposite sides. Also, the void should be at least 150mm deep and internal supporting walls or sleeper walls in the sub-floor area should be adequately cross-ventilated.

Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice.

Failure to address issues of noise, dust and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

Burning Materials Onsite

There shall be no burning of any material associated with the construction phase on the site.

Background Papers: Planning application file(s) 21/02292/FUL

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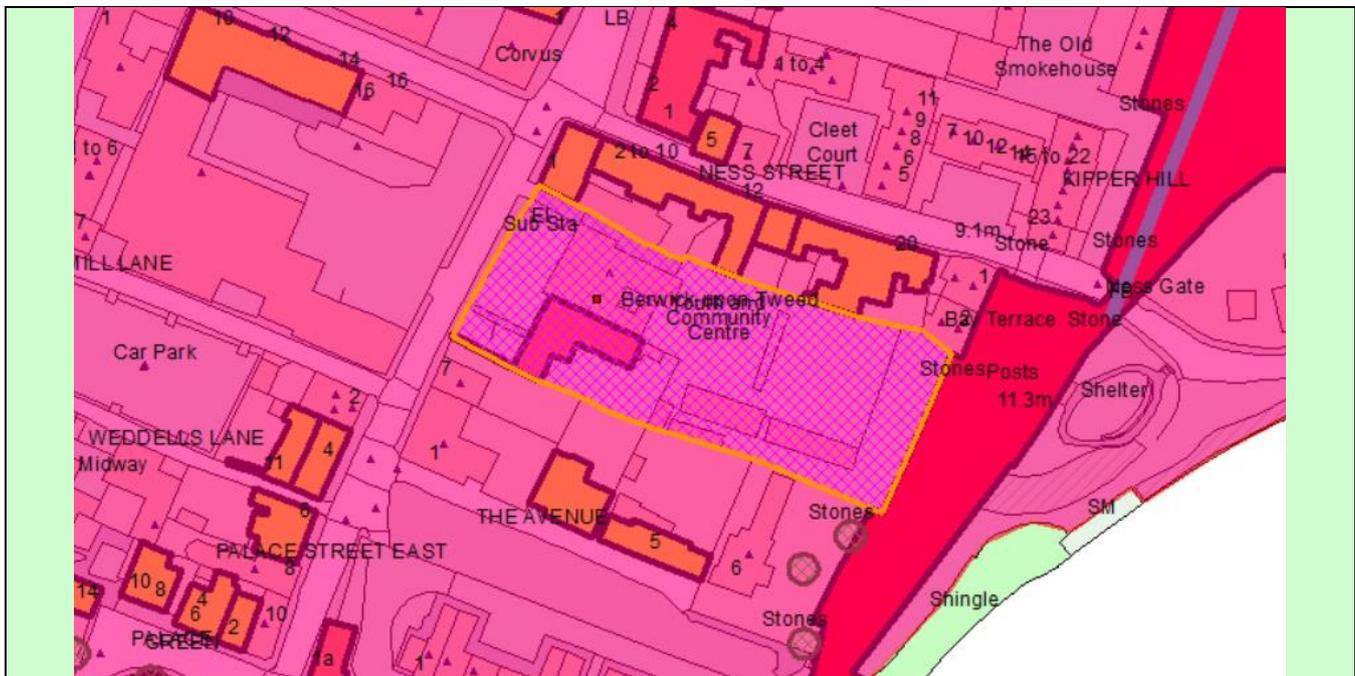


Northumberland County Council

North Northumberland Local Area Council Planning Committee 19th January 2023

| | | | |
|------------------------------|--|---------------------|--|
| Application No: | 21/02293/LBC | | |
| Proposal: | Listed Building Consent: Conversion of former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended) | | |
| Site Address | 5 Palace Street East, Berwick-Upon-Tweed, Northumberland, TD15 1HT | | |
| Applicant: | John Bell 9-12 Golden Square, Berwick Upon Tweed, TD15 1BG, | Agent: | Ninette Edwards 12 Alnside, Whittingham, Alnwick, NE66 4SJ |
| Ward | Berwick North | Parish | Berwick-upon-Tweed |
| Valid Date: | 28 June 2021 | Expiry Date: | 31 May 2022 |
| Case Officer Details: | Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED consent



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to concerns raised regarding the impact of the proposals upon designated heritage assets and neighbouring amenity.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 The application seeks listed building consent for the conversion of a former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended) at 5 Palace Street East, Berwick-Upon-Tweed.

2.2 The proposals include the renovation and conversion of the former Georgian Townhouse and associated Victorian school buildings to habitable accommodation, the cantilevering of the north gable wall of the school hall and removal of a stone arch to improve access to the rear of the site and the removal of 2no prefabricated outbuildings within the rear yard to facilitate the construction of a new dwelling and garage block. The refurbishment works include the drylining and thermal insulation of the building, replacement and/or refurbishment of windows and repairs to stonework. Initial proposals to render the front of the building have been removed. The proposed new build elements to the rear yard are considered in detail under the accompanying full planning application reference 21/02292/FUL.

2.3 The application site is located within the built-up area of Berwick to the south east of the town centre. It is bound to the north and south by residential dwellings, to the east by the historic town walls and ramparts and to the west by public highway from which the site is accessed, with mixed commercial and residential development opposite.

2.4 Site constraints include,

Archaeological Site Centre Point
Article 4 Direction
Coal Advice Low Risk Area
Conservation Area
Coastal Mitigation Zone
Impact Risk Zone - SSSI
Listed Buildings (and Scheduled Monument)
NCC Land

3. Planning History

Reference Number: C/00/00204/CCD

Description: Change of use of first and second floor flat from residential to office use

Status: PER

Reference Number: N/84/B/LB07

Description: Construction of a garage and conservatory

Status: PER

Reference Number: C/84/B/127

Description: Construction of garage

Status: PER

Reference Number: C/89/B/069

Description: Renewal of 84/B/127 for garage
Status: REPLY

Reference Number: C/89/B/009 LBC
Description: Listed Building Consent for the renewal of 84/B/7 for garage
Status: REPLY

Reference Number: C/E/B/072
Description: Conversion of toilets in to shower block and provision of conservatory
Status: REPLY

Reference Number: N/84/B/0127/P
Description: Construction of garage
Status: PER

Reference Number: N/89/B/LB09
Description: Renewal of permission for garage.
Status: WDN

Reference Number: N/89/B/0069/P
Description: Renewal of permission on garage.
Status: WDN

Reference Number: N/00/B/0617
Description: Change of use of first and second floor flat from residential to office use
Status: NOOBJ

Reference Number: 18/04107/TREECA
Description: Trees in a conservation area: Fell Rowan (T1), Cherry (T2), Whitebeam (T3), Sycamore (T4), and Oak (T5).
Status: NOOBJ

Reference Number: 19/04114/LBC
Description: Listed Building Consent: Installation of perma steel boarding to protect building from further break-ins and eradication of dry rot
Status: PER

Reference Number: N/83/B/0179/P
Description: Conversion of outside toilet into shower block & provision of conservatory.
Status: PD

Reference Number: 21/02292/FUL
Description: Conversion of former community building to create 9no. flats, with construction of 1no. new house and garage block to rear (as amended)
Status: PCO

Reference Number: N/84/B/127
Description: Detailed application for construction of garage
Status: PER

4. Consultee Responses

| | |
|---------------------------------|---|
| Berwick-upon-Tweed Town Council | Members had no objections and would like to see the application progress. However, they expressed the wish that |
|---------------------------------|---|

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| | <p>the application be considered by the Northumberland County Council Local Area Council due to the technicalities involved.</p> |
| <p>Berwick-upon-Tweed Town Council (2)</p> | <p>Berwick-upon-Tweed Town Council would like to make the following comments on the amended plans for Planning Applications 21/02292/FUL and 21/02293/LBC:</p> <p>Members offered the following observations:</p> <p>Loss of public visual amenity, impact on outlook, concern that listed buildings are being demolished and concern that Conservation Officer has not commented and would draw their attention to the size of the garage and noise.</p> <p>The view was also expressed that the application should be adopted because:</p> <p>The buildings need to be renovated due to their condition, the view from the walls will not be as bad as feared, the application is for a good cause and the noise will be bearable.</p> |
| <p>Building Conservation</p> | <p>The proposed conversion scheme would not preserve the special interest of the Grade II* listed building. It would result in less than substantial harm to its significance. We would welcome a revised proposal with a lighter touch to the reuse of this important listed building.</p> <p>Likewise, the proposed new build element to the rear of the site would cause less than substantial harm to significance as the scale and design of development does not preserve the open setting of the Grade II* listed building, scheduled ramparts and Conservation Area. The applicant has not put forward an Enabling Development case to justify that the new build element is required to finance the conversion of the listed building.</p> <p>We consider the proposal in its entirety would give rise to less than substantial harm to heritage assets of the highest designations within the terms of paragraph 199 of the Framework. Cumulatively, we consider the degree of this harm to be towards the upper end of the scale of less than substantial harm.</p> <p>Built Heritage and Design suggest that the applicant omits the new build element of this proposal to avoid a recommendation for refusal due to the number of concerns we have about the development. This would allow for proactive discussions between applicant and the Council on how to bring the Grade II* listed building back into use as a priority.</p> |
| <p>Building Conservation (2)</p> | <p>Built Heritage and Design has reviewed the documents submitted. We welcome the retention of the original internal plan form in the Georgian house, and support amended plans for the caretakers flat with mezzanine level which will allow most of the roof structure to be appreciated.</p> |

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| | <p>The submitted front elevation stone condition report fails to provide the clear and convincing justification required for us to support the rendering of the Grade II* listed building's principal elevation, which would harm its significance.</p> <p>Rendering the principal elevation of the building would cause harm to its significance and would neither preserve nor enhance the special interest of Berwick Conservation Area. The submitted report does not provide the clear and convincing justification for this harm so we cannot support this aspect of the proposed development.</p> <p>Further concerns regarding drylining, noise attenuation and insulation throughout the building, replacement of windows and demolition of wall to rear of building have not been addressed by the amended plans.</p> |
| Building Conservation (3) | <p>Subject to the above amendments/ conditions, we consider the amended proposals for the Grade II* listed building to be acceptable to bring it back into use and preserve its special interest in the long term.</p> <p>The proposed development to the rear of the site is much improved and would enhance the setting of the listed building. Its traditional built form and use of local materials would contribute positively to the character and appearance of Berwick Conservation Area.</p> <p>While its scale and design are much more appropriate within the setting of the scheduled ramparts, the development would still present 'less than substantial harm' as it would diminish the site's open character that enhances the setting of the ramparts and views along the promenade. This harm should be weighed against the public benefits of the development</p> |
| Historic England | <p>Bringing this important set of buildings back into use is a considerable benefit and as such we are supportive of the proposals in principle. However, in its present form, the proposals contain elements which would cause harm to the significance of this highly graded heritage asset and the character of this part of the conservation area. In that regard, we ask that alternative arrangements or further justification for the proposed solutions is requested from the applicant. These should be discussed and agreed to the satisfaction of your in-house conservation advisers, who will also be able to advise you of any necessary conditions.</p> |
| County Archaeologist | <p>The proposed development site has been subject to a programme of archaeological assessment including evaluation trenching. The evaluation exercise was limited to a depth of 1.25m below the present ground surface. This was on safety grounds and on the basis that the impact of development was not anticipated to exceed 1.25m below the present ground surface. The development has potential to damage or disturb archaeological deposits within the uppermost 1.25 m of the site (the anticipated maximum impact depth of the development).</p> |

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| | <p>This risk can be mitigated via a programme of archaeological monitoring (watching brief). This work can be secured by condition.</p> <p>Should the impact of the proposed development exceed 1.25m, a more robust archaeological response may be required.</p> |
| National Amenity Societies | <p>No responses received from The Ancient Monuments Society, The Council for British Archaeology, The Society for the Protection of Ancient Buildings, the Victorian Society or the C20th Society.</p> <p>The Georgian Group responded as summarised below.</p> <p>The Group raises no objection in principle to the proposed scheme to renovate the building and we recognise that there is a considerable benefit to be had in bringing it back into use as supported residential apartments. We further recognise that this scheme has already undergone several revisions in response to comments from consultees. The Group however registers significant concerns with the scheme. The Group must advise that the proposed works have the potential to cause harm. The works of particular concern to The Group include replacing historic windows, rendering the principal façade and drylining internal walls. The Group echoes and supports the concerns and objections already raised by Historic England and Northumberland CC Built Heritage and Design Officer. We would be happy to attend any site meetings with the applicant to discuss our objections further in the interest of developing a sustainable plan for the future of Grammar School, 5 Palace Street, East as a grade II* listed heritage asset within the Berwick-upon-Tweed Conservation Area. The Georgian Group therefore strongly recommends that the applicant withdraws this proposal and revises it to address the concerns raised.</p> |

5. Public Responses

Neighbour Notification

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| Number of Neighbours Notified | 27 |
| Number of Objections | 22 |
| Number of Support | 1 |
| Number of General Comments | 0 |

Notices

Site Notice - Listed Building Consent, 16th July 2021

Press Notice - Berwick Advertiser, 15th July 2021

Summary of Responses:

22no objections and 1no letter of support have been registered against the Listed Building Consent application. A number of interested parties have submitted multiple submissions as plans have been amended/additional information added.

Concerns have been raised in respect of the proposed new build elements and their visual impact upon surrounding heritage assets and neighbouring amenity, particularly with regard to the proposed "motorcycle workshop" and the impact on views into and through the site. Concerns also around the proposed rendering of the front elevation of the old school building, wholesale replacement of windows and other works proposed to facilitate the proposed change of use.

The letter of support was submitted by the Berwick Civic Society which qualified its support for the reuse of the building with concerns echoing those made by others regarding the impact of the proposals upon the designated heritage assets.

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=QU6NCCQSGY600>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

QOP 1 - Design principles (Strategic Policy)

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

6.2 National Planning Policy

National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

N/A

6.4 Other Documents/Strategies

Planning Practice Guidance (2021, as updated)

Listed Buildings and Curtilage - Historic England Advice Note 10 (2018)

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

Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets (2017)

Historic England - Understanding Historic Buildings: A Guide to Good Recording Practice (2016)

Berwick Upon Tweed Conservation Area Character Appraisal

Design matters: Berwick-upon-Tweed, Spittal and Tweedmouth Doors and windows in the historic environment

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, 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 (NLP) (2022). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

Principle of Development
Impact on Listed Buildings
Impact on Conservation Area
Ecology

Principle

7.2 The legislative framework has regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.3 Policy ENV 1 of the NLP pertains to the natural, historic and built environment and introduces the concept that great weight should be given to the conservation of designated heritage assets and that harm can be caused by development that affects the setting and significance of heritage assets.

7.4 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.5 This is echoed by Policy ENV 7 of the NLP which states that development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings.

7.6 The principle of the renovation and conversion of the property to bring it back into a viable use is supported. The proposal would therefore accord with local plan policy ENV 7 and the provisions and intentions of the NPPF.

Impact on the Listed Buildings

7.7 The NPPF sets out the degrees of harm that can be caused by development affecting the setting and significance of heritage assets. These are 'total loss', 'substantial harm', or 'less than substantial harm' and the need to balance any harm against the benefits of the development is stated.

7.8 The Council's Built Heritage and Design Officer has provided comments raising concerns regarding the proposals and noting that a level of harm would be caused to the listed buildings. The individual elements of the scheme are discussed below, however the overall level of harm identified is "less than substantial" for the purposes of the NPPF.

Conversion of Grammar School Buildings

7.9 The works required to convert the existing building to habitable accommodation include the installation of new partition walls to subdivide the space to create self-contained apartments. The surviving plan form of the 18th century house has considerable historic interest and whilst new partition walls are acceptable to the Victorian rear block, it is important that the historic plan form of the Georgian house is retained as much as possible. To this end the applicant has agreed to the retention of the original internal plan form in the Georgian house. The proposed dry lining and thermal insulation of the building would result in the covering over of some historic features. Original cornicing would be retained and concealed with a new cornice matching its profile installed over the insulation. As there are different cornice mouldings throughout the listed building it is recommended that large scale drawings of the proposed cornicing, together with materials, be secured by condition. Following receipt of comments from the Georgian Group, the applicant has agreed to remove the dry lining from the Georgian parts of the building.

Cantilevering of north gable of school hall, removal and relocation of stone arch

7.10 It is understood that this part of the proposals has been put forward to minimise the impact on historic fabric while providing sensible and safe vehicular access to the rear. The stone arch is proposed to be removed and relocated to a resident's garden behind the house. The Built Heritage Officer considers the stone arch and the north elevation of the 19th century school extension to have moderate historic and architectural interest. On balance however, if required to provide safe access, the loss of historic fabric would not harm the overall significance of the building.

Replacement of Windows

7.11 The application originally proposed the wholesale removal and replacement of historic windows from the building with the exception of the large round headed window to the rear elevation which would be repaired as required. The Built Heritage Officer found this to be harmful to the significance of the building and asked the applicant to submit further justification together with a window schedule prepared by a suitably qualified specialist. Following receipt of this information and negotiations with the applicant, it has been accepted that a number of windows are beyond repair and may be replaced, whilst the remainder of the windows should be repaired/refurbished as required.

Rendering of Front Elevation

7.12 The proposals originally included the rendering of the principal elevation of the building in order to address defects to the existing stonework and to cover holes caused by the historic insertion of flues. The conservation officer considered that this would cause harm to the significance of the building and would neither preserve nor enhance the special interest of Berwick Conservation Area. Following negotiation with the applicant it has been agreed that this element of the proposals should be removed in favour of localised repairs thereby preserving the listed building and preserving or enhancing the character and appearance of the conservation area.

C20th Prefabs

7.13 The proposed removal of the curtilage listed early C20th huts from the rear yard would facilitate the erection of new buildings being considered under application ref 21/02292/FUL. The Berwick Civic Society has carried out research into the history and assessed the significance of the two huts. Their significance is derived predominantly from their historic interest but, overall, the Council's Built Heritage Officer finds this to be low based on the research carried out. However, local plan policy seeks to conserve and sustain the significance of heritage assets and it should be clearly demonstrated why the huts cannot be retained and reused by the applicant. Ideally if the huts are no longer required in situ, efforts should be made to relocate them. However, if the Authority were to consent to demolition, the buildings should be recorded and added to the Historic Environment Record. A condition is recommended below to secure this.

Public Benefits

7.14 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7.15 On balance, whilst some harm is caused to the significance of the listed buildings (and in the case of the C20th outbuildings would amount to total loss), the works proposed enable the reuse of the heritage asset, thereby helping to secure its future. A secure, appropriate use for the listed buildings will help ensure the continued use, retention and protection of this asset. Concerns with regard to the external finishes and the proposed wholesale replacement of historic windows have been addressed through negotiation with the applicant, who has agreed to remove or amend those elements as noted above. It is considered that the reuse of the heritage asset is an acceptable public benefit which will outweigh any harm caused.

7.16 Subject to appropriate conditions the proposal is considered to accord with local plan policies QOP 1 and ENV 7 of the NLP and the provisions and intentions of the NPPF.

Ecology

7.17 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon biodiversity and geodiversity, avoiding significant harm through location and/ or design and will secure a net gain for biodiversity through planning conditions or planning obligations. The proposal is in accordance with this policy which is a material consideration in the assessment of the application.

7.18 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.19 The County Ecologist has responded to consultation noting that the buildings are generally in a poor state of repair and the former landscaping appears to have become overgrown and dilapidated and it is unlikely any habitats of value are present. The building has been assessed as being of low risk for bats. The risk of any impact to void roosting bats has been ruled out completely but there is a low risk of crevice dwelling species such as common or soprano pipistrelle bats being present and being impacted by the development. The few available potential roost features (prfs) would only support occasional sporadic day roosting bats, in common with almost all buildings and the dampness of the building, the recent dry rot treatment and the lack of heating in the buildings means the chance of encountering bats is negligible. In addition, the prfs can be surveyed with an endoscope to ensure no bats are present prior to the works being undertaken. A condition is included below to ensure any bats present are fully protected.

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 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.

7.23 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 as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The application has been considered against local development plan policies and the relevant sections of the NPPF. On balance, the less than substantial harm identified to the listed building is considered to be outweighed by the public benefit of helping to secure an appropriate and viable use for the listed building into the future.

9. Recommendation

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

Conditions/Reason

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. Approved Plans

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

1. Location Plan
2. Drawing No 201 Rev F - Proposed Floor Plans
3. Drawing No 202 Rev D - Proposed Elevations
4. Drawing No 203 Rev E - Proposed Site Plan

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

3. Materials

Notwithstanding any description of the materials in the application, no development shall be commenced until precise details, to include samples, of the materials to be used in the construction of the external walls and / or roof(s) of the building(s) and including windows and doors have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and / or external facing materials including windows and doors used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development to ensure works are carried out in a manner consistent with the character and setting of the building, in accordance with the provisions of Development Plan policy ENV 7 and the provisions and intention of the NPPF

4. Joinery

Notwithstanding the approved plans, prior to the commencement of the development full details of existing and proposed windows and doors, including drawings 1:20 scale and cross sections 1:5 scale, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter all windows and doors shall be installed in accordance with the approved plans.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

5. Historic Building Recording

No development shall commence on site until a Written Scheme of Investigation (WSI) for archaeological work (historic building recording) has been submitted to and approved in writing by the Local Planning Authority and their archaeological advisors. The programme of archaeological (historic building recording) work should be in line with 'Level 2' of Historic England's 2016 Guidance document '*Understanding Historic Buildings: A Guide to Good Recording Practice*'. The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

This requirement shall apply to all buildings within the site, including outbuildings and timber buildings.

a) No development or archaeological mitigation (historic building recording) shall commence on site until a Written Scheme of Investigation (WSI) based on 'Level 2' of Historic England's 'Understanding Historic Buildings' guidance has been submitted to and approved in writing by the Local Planning Authority.

b) The agreed archaeological recording scheme must be completed in accordance with the approved Written Scheme of Investigation.

c) The programme of analysis, reporting, publication and archiving must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological and historic interest and the development shall result in the loss of a heritage asset, and a reduction in significance so a historic building record is required in accordance with Policy ENV 7 of Northumberland Local Plan.

6. Structural survey

Prior to commencement of development, a structural survey of the listed buildings shall be carried out by a conservation accredited structural engineer, and a report, including details of any structural repair works required to the buildings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter any required works shall be carried out in strict accordance with the details as approved.

Reason: To ensure the integrity of the listed building is not prejudiced thereby preserving its special architectural and historic interest and in accordance with Policy ENV7 of the Northumberland Local Plan.

7. Stone cornice

Prior to the partial demolition of the north east gable wall of the school hall, large scale drawings of the new stone cornice in 1:20 scale and sections 1:5 scale shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved detail.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

8. Demolition by hand

The partial demolition of the north east gable wall of the former school hall hereby authorised shall be carried out by hand (or by hand-held tools) only.

Reason: To ensure the integrity of the listed building is not prejudiced thereby preserving its special architectural and historic interest and in accordance with Policy ENV7 of the Northumberland Local Plan.

9. Stone arch

The stone archway attached to the gable end wall of the listed building shall be retained and relocated to the resident's garden.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

10. Stonework

Prior to the commencement of stonework, a detailed method statement identifying the extent of repair and replacement, including details of proposed natural stone type, sizes, colour, pointing mortar mix, joint thickness and finish profile, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details. For the avoidance of doubt, the use of Lithomex, or other lime based restoration mortars, is not approved and shall not be used.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

11. Repointing

Prior to repointing works being undertaken to any elevation, a method statement, including lime mortar specification, shall be submitted to and approved in writing by the Local Planning Authority. A 1sqm sample panel showing the proposed repointing shall then be prepared in situ for the written approval of the Local Planning Authority. Repointing shall then be carried out

in the manner shown on the approved sample panel and in accordance with the approved scheme.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

12. Roof slates

Replacement slates shall be indigenous natural slate matching the dimensions, colour and texture of the slates on the existing building and shall remain as such unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

13. Rooflights

The rooflights hereby approved shall be of 'conservation' design, metal framed with structural glass and central vertical glazing bar and shall be installed flush to the roof and shall thereafter be so retained. Any subsequent replacement rooflight shall be to the same specification and design.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

14. Roofing material

Prior to the construction of the flat roofed single storey extension, specification details of the roofing material and method of connection with the listed building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the extension shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

15. Metal windows

Prior to installation of the lancet windows in the school hall, large scale drawings in 1:20 scale and sections 1:5 scale, including details of the metal and finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be constructed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

16. Services

Prior to installation of any new services, detailed service plans shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

17. Rainwater goods and pipes

New rainwater goods and soil pipes shall be of cast iron construction, painted black painted and fixed directly to the walls without fascia boards. Prior to installation, specification details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development and to preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

18. Cornices

Prior to installation, large scale drawings in 1:20 scale and sections 1:5 scale of new cornices to match the profiles of existing cornices, and details of material and finish shall be submitted to and approved in writing with the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

19. Internal joinery

Prior to removal of window panelling, shutters and surrounds, a method statement for their removal and refixing in front of insulation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To preserve the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

20. Staircase

Prior to installation, large scale drawings in 1:20 scale and sections 1:5 scale of the new timber handrail, posts and spindles, and details of materials and finish shall be submitted to and approved in writing with the Local Planning

Authority. Thereafter the works shall be implemented in accordance with the approved details.

To preserve and enhance the special architectural and historic interest of the listed building and in accordance with Policy ENV7 of the Northumberland Local Plan.

21. Boundary treatments

Prior to installation, full details of the new railings and stone pillars to the front of the listed building, including large scale drawings, shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details.

Reason: To preserve the setting of the listed building and the character and appearance of the conservation area and in accordance with Policy ENV7 and ENV 9 of the Northumberland Local Plan

22. Landscape and Ecological Management Plan (LEMP)

Notwithstanding the approved plans a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed including bird and bat boxes, native to Northumberland trees, shrubs and other habitats.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: to conserve and enhance the natural environment in accordance with the NPPF.

23. Bat Mitigation

The development hereby approved shall be carried out in accordance with the following method statement

A toolbox talk will be undertaken before works commence. All contractors will be informed of the potential presence of bats and will be made aware of the actions they are required to take if bats are found at any time during works on

site. The contact numbers for the ecologist, Natural England (0845 6014523) and the Bat Advice Line (0345 1300228) will be left with the contractors on site.

The ecologist will be on site when the roof of the school hall is stripped. The roof covering will be removed under ecological supervision. The removal of ridge tiles, hip ridges, slates and verges will be undertaken carefully by hand, being aware that a bat may be roosting underneath. The ridge tiles/slates will be lifted directly up and will not be slid along the roof line to avoid any harm to any bats that may be roosting under the slates. The slates will be removed by hand, and turned over before they are slid down the roof slope. Any lead flashing or mortar fillets which need to be removed will be removed under ecological supervision. Any bat access points identified will be noted and reinstated when the roof covering is replaced.

Works to remove the wooden window frames will be undertaken by hand, with care, being aware that a bat may be roosting around the wooden frames

Works to repair the movement cracks will only be undertaken if the full extent of the crevice can be seen either by torch light or with an endoscope.

Any essential pointing/mortaring will only be undertaken if the full extent of the crevice can be seen either by torch light or with an endoscope. Any non-essential pointing will not be undertaken.

All structural work will be undertaken by hand, being aware that bats may be present on wall tops, within walls and between loose stones.

Any timber treatments used in the development work will be preparations approved for use where bats may be present. Remedial timber treatments that are toxic to mammals will be avoided. Both pre-treated timbers and timber treatments will use chemicals classed as safe for use where bats may be present, see Timber treatment table 1 of the ecological survey report (Tina Wiffen 2021).

If roosting bats become evident during work, the ecologist will be contacted immediately. Work will stop in the vicinity of the bat and if applicable the cavity the bat is within will be covered over for the safety of the animal. The ecologist will attend site as quickly as possible to assess the situation and move the bat to safety. The bat will be carefully caught by hand or with a static hand net and will be placed in a bat tank and kept in the dark in a quiet place until it can be released at dusk near to where it was found.

All contractors shall be made aware of the potential presence of bats, of their legal protection and the requirement to contact the ecologist and Natural England if they are found during works.

If bats are found during the works, work should cease immediately in that area and the ecological consultant should be consulted for further advice. This contact number should be left with the contractors on site.

Reason: To protect bats and their roosts (whether occupied or not) which are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017

24. Nesting Birds

Notwithstanding the approved plans, work shall not be carried out during the breeding season, unless a checking survey is carried out within 5 days of the start of the works. If active nests are encountered during the check (including nest building) then works shall cease in that area until the young birds have fledged.

Reason: To avoid harm to breeding birds which are protected under the Wildlife and Countryside Act 1981 (as amended)

Background Papers: Planning application file(s) 21/02293/LBC

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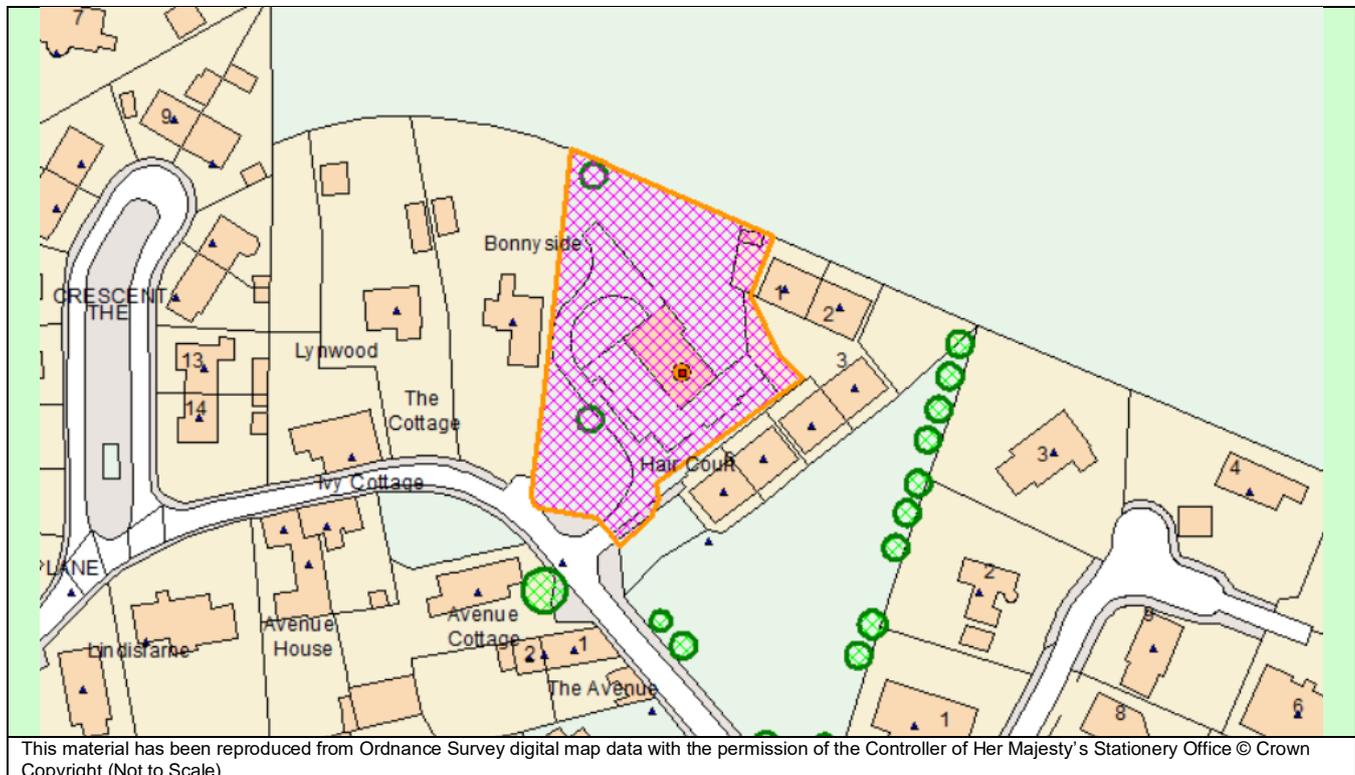


Northumberland County Council

North Northumberland Local Area Council Planning Committee 19th January 2023

| | | | |
|------------------------------|---|---------------------|---|
| Application No: | 22/01098/FUL | | |
| Proposal: | Proposed new self/custom build dwelling and annexed accommodation | | |
| Site Address | Horncliffe County First School, Tofts Lane, Horncliffe, Berwick-Upon-Tweed Northumberland TD15 2XR | | |
| Applicant: | Mr Peter Greenwood 37 Cornhill Road, Tweedmouth, Berwick upon Tweed, TD15 2DR | Agent: | Mr Michael Rathbone 5 Church Hill, Chatton, Alnwick, NE66 5PY |
| Ward | Norham And Islandshires | Parish | Horncliffe |
| Valid Date: | 25 March 2022 | Expiry Date: | 30 November 2022 |
| Case Officer Details: | Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk | | |

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that the proposal does raise issues of strategic, wider community or significant County Council Interest.

1.2 Officers have attempted to work with the applicant to secure a positive outcome in order to secure the removal of the derelict school building, however, following concerns raised about the design of the proposed replacement dwelling and its potential impact on neighbouring amenity, no substantive amendments have been received and the application is therefore recommended for refusal.

2. Description of the Proposals

2.1 The application seeks planning permission for the demolition of the former Horncliffe County First School and the erection in its place of 1no new self/custom build dwelling and annexed accommodation on land at Tofts Lane, Horncliffe.

2.2 The proposed dwelling would comprise a large two storey element with attached single storey which would contain part of the annexe accommodation. It would have an overall footprint of approximately 265sqm for the two storey section and 75sqm for the single storey section. Overall heights would be approximately 8.4 metres for the two storey section and 5.4 metres for the single storey element. Materials as described in the application documents include a mix of stone and render under a metal profiled roof for the main building and buff brick and render under a slate tiled roof for the annexe.

2.3 The application site is located within the settlement of Horncliffe and is surrounded on three sides by residential development with open agricultural land to the north.

3. Planning History

Reference Number: 15/00102/FUL

Description: Deconstruction of existing pre-fab former school building and erection of 6no. single storey dwellings for affordable rent.

Status: Permitted

4. Consultee Responses

| | |
|---------------------------|--|
| Horncliffe Parish Council | Horncliffe Parish Councillors have considered the above application and agreed to object to this application on the following grounds: Old school buildings should be removed first A full survey for asbestos should be carried out first The proposal is not in keeping with its surroundings The proposed dwelling will cause overlooking and loss of privacy to neighbouring properties Access and parking arrangements are inadequate HPC would support an appropriate single storey solution on the site HPC would like the application to be determined by committee |
|---------------------------|--|

| | |
|---------------------|---|
| Highways | No objection. The proposed development will not impact on protected or notable species, designated nature conservation sites or priority habitat. In accordance with planning policy the development should provide a net gain for biodiversity which can be achieved through the provision of a landscape plan secured through a planning condition. |
| Forestry Commission | No response received. |
| Natural England | NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. |
| County Ecologist | No objection. The proposed development will not impact on protected or notable species, designated nature conservation sites or priority habitat. In accordance with planning policy the development should provide a net gain for biodiversity which can be achieved through the provision of a landscape plan secured through a planning condition. |

5. Public Responses

Neighbour Notification

| | |
|-------------------------------|----|
| Number of Neighbours Notified | 11 |
| Number of Objections | 0 |
| Number of Support | 15 |
| Number of General Comments | 0 |

Notices

General site notice, posted 13th April 2022
No Press Notice Required.

Summary of Responses:

15no letters of support received summarised as follows

Appropriate design
Removal of derelict school building
No amenity issues
No access issues
PC objection position not supported by neighbours
Proposal would enhance and improve the area
Beneficial to amenity of existing Hair Court residents and more visually appealing than the existing derelict school building

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=R98XAAQSFO500>

6. Planning Policy

6.1 Development Plan Policy

TRA 2 - The effects of development on the transport network

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 2 - Provision of new residential development (Strategic Policy)

HOU 9 - Residential development management

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

TRA 1 - Promoting sustainable connections (Strategic Policy)

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

INF 1 - Delivering development related infrastructure (Strategic Policy)

INF 6 - Planning obligations

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

N/A

6.4 Other Documents/Strategies

National Design Guide (2021)

National Model Design Code (2021)

Planning Practice Guidance (2021, as updated)

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,
Amenity,
Highways,
Ecology,
Climate Change,
Broadband Connections, and
Other Matters.

Principle of Development

7.4 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 settlement hierarchy which identifies Horncliffe as a "Small Village" which will support a proportionate level of development.

7.5 Policy STP 3 sets out the principles of sustainable development and at sub-section 1.h. states that development proposals should be expected to make efficient use of land including through the re-use of brownfield sites.

7.6 Paragraph 119 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 goes on to say that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, and appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land should be supported.

7.7 On the basis of the above the proposal to remove the remains of the former school buildings and replace them with a single detached dwelling is supported in principle.

Design

7.8 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.

7.9 Policy QOP 2 goes on to say that the physical presence and design of development proposals should preserve the character of the area and not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development should not be oppressive and the best outcomes for outlook are achieved wherever possible.

7.10 Policy HOU 9 of the NLP seeks to support residential developments where they contribute to a sense of place, provide functional space and facilities for refuse and recycling storage as appropriate for the development and are constructed to a high quality of design.

7.11 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.

7.12 The National Design Guide also provides guidance on design for those involved in the planning and built environment disciplines and illustrates how well-designed places that are beautiful, enduring and successful can be achieved. This forms part of the Planning Practice Guidance and should be read alongside other guidance on the design process and tools.

7.13 High quality design supports the creation of good places and has a positive impact on health, wellbeing, and happiness. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe, and pleasant, easy to move around, welcoming, adaptable, and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located.
- demonstrate an understanding of the historical development of the site.
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape.
- provide appropriate densities depending on their existing characteristics; and,
- incorporate and use features worthy of retention, including natural features, buildings, and views.

7.14 The proposed demolition of the former school building is welcomed as it has become a negative influence upon the immediate environment, especially following the construction of the adjacent bungalows at Hair Court, which are in close proximity to it. However the desire to remove a building which has become an

eyesore should not be a material factor in the assessment of the scale, design and visual impact of its proposed replacement.

7.15 The proposal at hand does not respond well to the local vernacular and appears to take inspiration from the former school building or be an attempt to make it look like it has been converted from a workshop or similar non-domestic building. The scale of the proposal is at odds with the compact bungalows which have been built around it and also with the existing dwelling stock in the surrounding area. Whilst sufficient amenity space would be retained within the site, the massing of the proposed building in close proximity to the bungalows would produce a form of development that is incongruous in its setting.

7.16 Officers have encouraged the applicant to make amendments to the proposals, however, with the exception of some cursory changes to facing materials and the removal of the proposed balcony to the north-east elevation, no substantive changes have been put forward. On the basis of the above the proposals would not be acceptable in design terms and would therefore be contrary to Policies QOP 1, QOP 2 and HOU 9 of the NLP and the NPPF.

Amenity

7.17 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.

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

7.19 Due to the site location and proposed layout of the development, there are concerns regarding the separation distances between the proposed dwelling and the existing bungalows (approximately 13 metres to the north east elevation and 6 metres to the south east elevation) and consequent issues around overlooking, privacy, overbearing and loss of light.

7.20 It is understood that the applicant wishes to utilise the footprint of the old school as the basis for the new dwelling, however the bungalows that have been built since the closure of the school (by the same developer) now form a material consideration in terms of neighbouring amenity and must be accounted for in the assessment of the application. Proposals that may have been acceptable had the bungalows not been present, may not be acceptable with them in situ. It is noted that some residents of Hair Court have submitted representations saying this would not be an issue and that it would be an improvement on the existing situation, however, the removal of the old school should be the catalyst for substantive change and not simply swapping one form of development for another.

7.21 As with concerns noted above in respect of design, officers have encouraged the applicant to make substantive amendments to address concerns in respect of neighbouring amenity with little success. Separation distances between the proposed and existing dwellings are not acceptable and as such the potential impacts on residential amenity resulting from the proposals in terms of loss of light, outlook, overbearing, privacy or noise are contrary to Policy QOP 2 of the NLP and the NPPF in this respect.

Highways

7.22 Policies TRA 1, TRA 2 and TRA 4 of the NLP relate to highway safety and parking provision within new developments.

7.23 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.

7.24 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.25 The Local Highway Authority responded to consultation objecting to the proposed development on the basis that the application site is not in a sustainable location for the purposes of the NPPF or Policy TRA 1 of the Local Plan as occupiers would be reliant upon private vehicles to gain access to local amenities and services. A technical assessment of the proposals raised no issues subject to conditions securing a demolition/construction method statement, details of cycle storage and EV charging.

7.26 The position of the Highway Authority in respect of sustainability is noted, however the Planning Authority has to balance this against other material considerations. As noted above the principle of development in this location is acceptable and therefore, whilst noting the concerns of the Highway Authority, the proposals are considered to be acceptable in highways terms, subject to the requested conditions and informatives. On this basis the proposals are acceptable in accordance with highways policy.

Ecology

7.27 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.28 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on details principles.

7.29 The County Ecologist has responded to consultation raising no objections subject to a condition securing biodiversity net gain in accordance with planning

policy. On this basis the proposals are acceptable in accordance with Policy ENV 2 of the NLP and the NPPF.

Climate Change

7.30 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.

7.31 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.32 Policy QOP 5 relates to sustainable design and construction and states that 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.

7.33 The documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to any granting of permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

Broadband Connections

7.34 Policy ICT 2 of the NLP 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.

7.35 Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

7.36 The current application does not state whether full-fibre broadband connections are proposed. It is therefore appropriate that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT 2 of the NLP and Paragraph 114 of the NPPF.

Other Matters

7.37 The comments received in the letters of support are noted and where appropriate have been taken into consideration in the assessment of the application.

Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

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

Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 In general terms the principle of new housing on a brownfield site within the settlement of Horncliffe would be in accordance with the first and second objectives (economic and social) of sustainable development. However, whilst the proposed removal of the former school building is welcomed, the design of the proposed replacement dwelling is such that it would represent an incongruous feature within the streetscape, would not respect the character of the surrounding area and would not integrate well into the existing settlement. Furthermore the siting, scale and

massing of the proposed dwelling would have a negative impact on the amenity of neighbouring land uses.

8.2 The LPA has encouraged the applicant to make substantive changes to the proposals, however only minor amendments to facing materials and the removal of a balcony have been brought forward, which do not fully address the concerns raised. In light of these concerns the proposal is not in accordance with national and local planning policies and accordingly planning permission should not be granted.

9. Recommendation

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

Conditions/Reason

1. Design

By virtue of its design, massing and scale the proposal would result in an incongruous and inappropriate form of development that would not make a positive contribution to local character and distinctiveness and would not integrate well into the surrounding area. The proposal would therefore be contrary to Policy QOP 1 of the Northumberland Local Plan and the National Planning Policy Framework.

2. Impact on Amenity

By virtue of its scale, design and close location to existing properties at Hair Court, the proposed development would have a detrimental impact upon neighbouring amenity. The proposed development would therefore not accord with Policy QOP 2 of the Northumberland Local Plan or the National Planning Policy Framework.

Background Papers: Planning application file(s) 22/01098/FUL

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Northumberland
County Council
L.A.C - North (2pm), 19 January 2023

| | | | |
|------------------------------|--|---------------------|---|
| Application No: | 22/03343/FUL | | |
| Proposal: | Alteration and refurbishment to accommodate Bailiffgate Museum. Install external access ramp. Remove escape stairs. New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings. Installation of a Mezzanine including stair access and lift. Raising of chandeliers. Refurbishment of second floor to create meeting/storage area. Redecorate original entrance. | | |
| Site Address | Northumberland Hall , Market Street, Alnwick, Northumberland NE66 1SS | | |
| Applicant: | Bailiffgate Museum and Gallery 14 Bailiffgate, Alnwick, NE66 1LX, | Agent: | Mosedale Gillatt Architects East Lodge, Jesmond Old Cemetery, Jesmond Road, Newcastle Upon Tyne NE2 1NL |
| Ward | Alnwick | Parish | Alnwick |
| Valid Date: | 4 October 2022 | Expiry Date: | 25 January 2023 |
| Case Officer Details: | Name: Mrs Hannah Nilsson Job Title: Planning Officer Tel No: 07966329496 Email: hannah.nilsson@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application is brought to the North Northumberland Local Area Council Planning Committee as the building is owned by the Council.

2. Description of the Proposals

2.1 Planning permission is sought for the alteration and refurbishment to accommodate Bailiffgate Museum at Northumberland Hall, Alnwick. This proposed works include:

- Install external access ramp;
- Remove escape stairs;
- New main entrance to North with new stair;
- new platform lift and glazed infills to enclose the arched openings;
- Installation of a Mezzanine including stair access and lift;
- Raising of chandeliers;
- Refurbishment of second floor to create meeting/storage area;
- Redecorate original entrance.

2.2 The building subject to this application is Grade I Listed and is located within the Alnwick Conservation Area. A separate application for Listed Building Consent which links with this application is pending consideration.

3. Planning History

Reference Number: 11/03007/LBC

Description: Listed Building Consent for the installation of 2no signs

Status: PER

Reference Number: 13/00972/LBC

Description: Listed Building Consent: Proposed surface mounted plastic signs, staircase barrier (loose at one end), existing contemporary escape lighting maintenance, anti slip nosings to concrete escape stairs

Status: PER

Reference Number: 16/00686/CCD

Description: Replacement of first floor windows, ground floor fire exit and external stonework repairs

Status: WDN

Reference Number: 16/00687/LBC

Description: Listed Building Consent: Replacement of first floor windows, ground floor fire exit and external stonework repairs

Status: PER

Reference Number: 16/00091/LIC

Description: Premises licence application

Status: NOOBJ

Reference Number: 16/02570/DISCON

Description: Discharge of Condition 3 (Character) for Planning Permission 16/00687/LBC - Listed Building Consent: Replacement of first floor windows, ground floor fire exit and external stonework repairs

Status: PER

Reference Number: 21/01652/LBC

Description: Listed Building Consent for repairing damage caused by dry rot. Remove plaster and affected wood, treat masonry and reattach skirtings, architrave and joinery fixings.

Status: APPRET

Reference Number: A/LBC 87/A/30

Description: Repairs to stone leadwork, gutters, timber and the clock tower

Status: PER

Reference Number: A/82/A/346

Description: Extension (into adjoining shop)

Status: PER

Reference Number: A/79/A/247

Description: Improvements

Status: PER

Reference Number: A/81/A/47

Description: Fire escape

Status: PER

Reference Number: 22/03344/LBC

Description: Listed Building Consent for alteration and refurbishment to accommodate Bailiffgate Museum. Install external access ramp. Remove escape stairs. New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings. Installation of a Mezzanine including stair access and lift. Raising of chandeliers. Refurbishment of second floor to create meeting/storage area. Redecorate original entrance.

Status: PDE

Reference Number: A/91/A/438

Description: Alterations,

Status: NOOBJ

Reference Number: A/91/A/437

Description: Alterations,

Status: NOOBJ

Reference Number: A/2005/0537

Description: Re-roofing of Northumberland Hall and installation of brass studs to steps

Status: PER

Reference Number: A/2004/0571

Description: Alterations to 3 no existing first floor doors

Status: PER

Reference Number: A/2001/0368

Description: Provision of disabled ramp access
Status: WDN

Reference Number: A/2001/0367

Description: Provision of disabled ramp access, lift with alterations

Status: PER

4. Consultee Responses

| | |
|--|---|
| County Ecologist | No objection, informative regarding protected species recommended. |
| County Archaeologist | No objection. |
| National Amenity Societies | No comment to offer. |
| Building Conservation | Amendment to omit the timber fins to three external arches, this would harm architectural interest, alternatives should be considered such as reinstating the cast iron railings. Subject to this one minor amendment, and the conditions recommended below, the 'less than substantial harm' identified in this assessment should be weighed against the heritage / public benefit of bringing the Assembly Hall back into active use as a museum. |
| Alnwick Town Council | Support, but request that public access is maintained around the building. |
| Strategic Estates | No response received. |
| Historic England | No objection. |
| Public Protection | No comments/objections. |
| Architectural Liaison Officer - Police | No objections in relation to this proposal, there was a crime recorded in 2021 for Criminal Damage, where a glass door panel was smashed. Can it be clarified what type of glazing would be used for both the ground floor and glazed balustrades and if this would be laminated glass? |
| Highways | Amended plans and/or additional information required: Insufficient information has been provided at this time to make a suitable and substantive response within the defined consultation period. |
| Following reconsulation | Amended plans and/or additional information required: Insufficient information has been provided at this time to make a suitable and substantive response within the defined consultation period. |
| Following reconsulation | Imposition and implementation of condition (s): Required to ensure acceptability. |

5. Public Responses

Neighbour Notification

| | |
|-------------------------------|----|
| Number of Neighbours Notified | 59 |
| Number of Objections | 0 |
| Number of Support | 0 |
| Number of General Comments | 0 |

Notices

Conservation & affect LB,

Northumberland Gazette 13th October 2022

Summary of Responses:

No representations have been received.

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)

ECN 1 - Planning strategy for the economy (Strategic Policy)

ECN 15 - Tourism and visitor development

TCS 1 - Hierarchy of centres (Strategic Policy)

TCS 2 - Defining centres in Main Towns (Strategic Policy)

TCS 3 - Maintaining and enhancing the role of centres (Strategic Policy)

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 7 - Historic environment and heritage assets

ENV 9 - Conservation Areas

MIN 4 - Safeguarding mineral resources (Strategic Policy)

Alnwick & Denwick NP Policy E 1 : Providing for economic growth

Alnwick & Denwick NP Policy E 2: Location of economic growth

Alnwick & Denwick NP Policy E 5: Tourism development

Alnwick & Denwick NP Policy HD 1: Protecting landscape setting

Alnwick & Denwick NP Policy HD 2: Heritage assets at risk

Alnwick & Denwick NP Policy HD 5: Design in the wider town

Alnwick & Denwick NP Policy TCR 4: Market Place

Alnwick & Denwick NP Policy CF 1: Protecting key community facilities

ICT 2 - New developments

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

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) and the Alnwick and Denwick Neighbourhood Plan (ADNP).

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

- Principle of development
- Design, Scale and Visual Impact
- Residential Amenity
- Impact on Heritage Assets
- Ecology

- Highways Access and Safety
- Broadband Connectivity
- Other Issues

Principle of Development

7.3 Policy STP 1 of the NLP sets the spatial strategy for the County. Alnwick is defined as a Main Town, which will be the main focus for employment, housing, retail and services. The proposal is within Alnwick and is therefore supported by policy STP1.

7.4 Policy STP 2 explains how the presumption in favour of sustainable development will be applied overall. In addition, Policy STP 3 identifies a number of sustainable development principles to which development proposals will be expected to adhere to where appropriate. It is considered that whilst the development accords with the majority, or failing that, through appropriate conditions and mitigation the criteria can be achieved.

7.5 Under policy ECN 15 of the NLP, Northumberland will be promoted and developed as a destination for tourists and visitors, while recognising the need to sustain and conserve the environment and local communities. ECN 15 sets out that this will be achieved through the development of new visitor attractions and facilities with the Main Towns and Service Centres prioritised for the development of significant new facilities and accommodation.

7.6 Policy E5 of the ADNP provides further support for tourism development subject to a range of criteria:

- i) Development is located where it will complement business and services in the town and will not adversely impact on the vitality and viability of the town centre;
- ii) Development will contribute positively to the weekend and evening economy of the town;
- iii) The scale and character of development will not have an unacceptable adverse impact upon the natural and historic environment;
- iv) Development can be accommodated within the physical infrastructure of the town;
- v) Development will not have adverse impacts on living conditions in residential areas;
- vi) Development will not have a significantly detrimental impact on the transport network and travel patterns.

7.7 Policy CF1 of the ADNP identifies Northumberland Hall as a key community facility which needs to be protected and developed as key community facilities and redevelopment for other uses will be refused unless appropriate alternative provision is made. It is considered that the proposal for the change of use is in accordance with this policy and will retain the building as a key community facility.

7.8 It is considered redevelopment of the existing building is supported in principle and would result in a development that would be compatible with the existing, surrounding town centre uses. Having regard to the development plan, the proposal would accord with national and local policy, which aims to ensure that new tourism development takes place in sustainable locations.

Design, Scale and Visual Impact

7.9 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.

7.10 Local Plan Policy QOP1 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.

7.11 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.

7.12 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to the permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

7.13 Policy QOP 1 of the NLP also sets out a number of design principles. Policy ENV 1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource.

7.14 Policy TRC4 of the ANDP advises:

Proposals which improve the functionality, viability and vitality of Alnwick Market Place and its frontage buildings throughout the year, including new uses, renovation and refurbishment and associated lighting schemes and signage will be supported where they are designed to further the following principles:

- the primary uses of the Market Place for shops and markets, food and drink outlets, entertainment, community events, informal meeting and commercial business is developed and strengthened; and
- the historic character and significance of the Market Place, Northumberland Hall and Town Hall and other frontage buildings is respected and is preserved and enhanced.

7.15 It is considered that the proposed works would be acceptable and appropriate in all regards and would not have an unacceptable harmful impact upon the character and appearance of the immediate or wider area. It is therefore considered that the proposal is in accordance with Policies QOP 1 and ENV 1 of the NLP, Policy TRC 4 of the ADNP and the NPPF.

Residential Amenity

7.16 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.

7.17 It is considered that given the location and existing use of the building, there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook or privacy. As such, the proposal is considered to be in accordance with the NPPF in this respect.

7.18 The proposals are therefore considered to be in accordance with Policies QOP 1 and QOP 2 of the NLP and the principles of the NPPF in relation to impact upon residential amenity.

Impact on Heritage Assets

7.19 Under Policy ENV7 of the NLP, decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance. Policy ENV 9 of the same document seeks to ensure that development within conservation areas should help to preserve or enhance the character or appearance of that area.

7.20 Policy HD2 of the Alnwick and Denwick Neighbourhood Plan (ADNP) states that where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged. Policy HD7 of the same document sets out design criteria for new development within the historic centre of Alnwick.

7.21 In response to the initial consultation on this application, the Council's Conservation Officer has outlined that subject to an amendment and their recommended conditions, the proposal would result in 'less than substantial harm' which should be weighed against the heritage/public benefit of bringing the Assembly Hall back into active use as a museum.

7.22 In this case, it is considered that the 'less than substantial harm' both individually and cumulatively has been clearly justified and any harm kept to the minimum necessary. It is therefore considered that the public benefits, including securing the optimum viable use, is necessary to deliver the proposed museum use to bring the historic Assembly Hall back into active use as a publicly accessible building. It is also considered reasonable and necessary to attach the conditions put forward by the Conservation officer to ensure the 'less than substantial harm' that has been identified.

7.23 In conclusion, the less than substantial harm that has been identified is considered to be outweighed by these public benefits. It is therefore considered that

subject to such, the proposed development is acceptable in relation to Policies ENV 7 and ENV 9 of the NLP and the NPPF.

Ecology

7.24 Policy ENV 1 of the NLP sets out an approach to assessing the impact of development on the natural, historic and built environment. 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.

7.25 In response to the consultation on this application, the Council's Ecology Advisor has raised no objection and has recommended an informative regarding protected species.

7.26 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 and the NPPF.

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 During the course of this application, the Councils' Highways Advisor has been consulted and following the submission of additional information by the agent, have responded that they have no objection subject to conditions and informatives which it is proposed to attach to the permission.

7.29 It is therefore considered that subject to such, the proposal would be acceptable in relation to Policies TRA 1, TRA 2 and TRA 4 of the NLP and the NPPF.

Broadband Connectivity

7.30 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.

7.31 The current application does not state whether full-fibre broadband connections are proposed. It is therefore recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Other issues

7.32 It is noted that Alnwick Civic Society have submitted a response in support of the proposal, however, they have commented that because the development involves the loss of a number of small retail units, the authority may also want to consider compensatory measures that could help maintain Alnwick's retail mix, and

encourage a variety of independent traders. Whilst this loss is acknowledged, it is not considered reasonable to require the applicant to provide any compensatory measures in this instance.

7.33 In response to the Civic Society's suggestion that suitable conditions may be necessary to ensure that the commercial life of the town is not disrupted during construction, whilst there may be disruption, it is for a relatively limited period of time and will be conditioned in certain regards (construction method statement for highways purposes).

7.34 In response to the Designing Out Crime Officer's response, who has asked if it can be clarified what type of glazing would be used for both the ground floor and glazed balustrades, the agent has confirmed that they will be specifying laminated glass for both and it is considered that this is acceptable.

Equality Duty

7.35 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

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

Human Rights Act Implications

7.37 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.

7.38 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.

7.39 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 acceptable.

8.2 The proposed development would be acceptable in relation to design and appearance, residential amenity, impact on heritage assets, ecology, highways access and safety and broadband connectivity subject to conditions and informatives.

8.3 The development would be in conformity to the policies of the Development Plan and the National Planning Policy Framework.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

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

1. Drawing no 1024 104 Rev B titled Proposed External elevations as submitted 07 Dec 2022
2. Drawing no 1024 101 Rev B titled Site plan proposed as submitted 07 Dec 2022
3. Drawing no 1024 300 Rev First issue title proposed cycle shelter details as submitted 07 Dec 2022
4. Design and access statement as submitted 13 Sep 2022
5. Heritage statement as submitted 13 Sep 2022
6. Drawing no 1024 001 rev first issue titled site location plan as submitted 13 Sep 2022
7. Drawing no 1024 026 rev first issue titled third floor, roof & ceiling repair & alteration plans as submitted 13 Sep 2022
8. Drawing no 1024 025 rev first issue titled ground, first & second floor repair and alteration plans as submitted 13 Sep 2022
9. Drawing no 1024 027 rev first issue titled external elevations repair and alteration plans as submitted 13 Sep 2022
10. Drawing no 1024 106 rev first issue titled proposed main hall sections as submitted 13 Sep 2022

11. Drawing no 1024 103 rev first issue titled proposed third floor, roof & ceiling plans as submitted 13 Sep 2022
12. Drawing no 1024 102 rev first issue titled proposed floor plans as submitted 13 Sep 2022
13. Application form as submitted 13 Sep 2022

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

03. Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement 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;
- 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 and Policy TRA2 of the Northumberland Local Plan.

04. The development shall not be brought into final use 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 and Policy TRA4 of the Northumberland Local Plan.

05. The development shall not be brought into final use until cycle parking shown on the approved plans has been 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.

06. Prior to completion of the works, details of electric vehicle charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging point shall be implemented before the development is occupied. Thereafter, the electric vehicle charging point shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

07. No external refuse or refuse containers 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 and Policies TRA1 and TRA2 of the Northumberland Local Plan.

Informatives

01. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a good chance of encountering protected species during works.

Care should be taken when removing any roof coverings, window frames or other external features which may support bats or nesting birds.

If protected species such as bats or nesting birds are encountered during development then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice on bats by telephoning the National Bat Helpline on 0345 1300 228 <https://www.bats.org.uk/advice/bat-found-during-building-works>

The Chartered Institute of Ecology and Environmental Management (CIEEM) has an online professional directory should assistance be required.
<https://cieem.net/i-need/finding-a-consultant/>

Further information about protected species and the law can be found on the government website
<https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

02. This is a planning permission granted under the Town and Country Planning Act. It does not convey any other form or consent that may be required from the Council. In particular building works may require approval under the Building Regulations and works affecting listed buildings may well require Listed Building Consent. Further information on these approvals can be obtained from the planning department at Northumberland County Council.

03. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

04. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

05. You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

Background Papers: Planning application file(s) 22/03343/FUL

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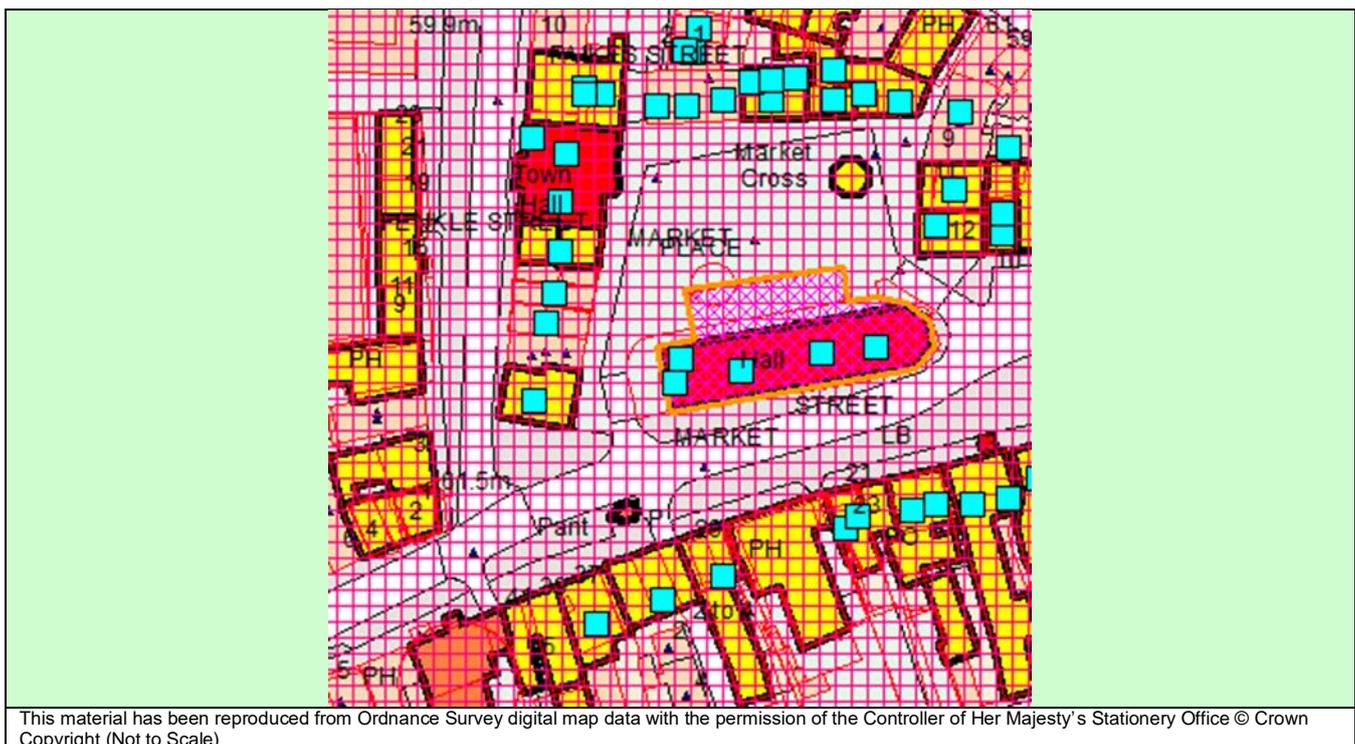


Northumberland County Council

North Northumberland Local Area Council 19 January 2023

| | | | |
|------------------------------|--|---------------------|---|
| Application No: | 22/03344/LBC | | |
| Proposal: | Listed Building Consent for alteration and refurbishment to accommodate Bailiffgate Museum. Install external access ramp. Remove escape stairs. New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings. Installation of a Mezzanine including stair access and lift. Raising of chandeliers. Refurbishment of second floor to create meeting/storage area. Redecorate original entrance. | | |
| Site Address | Northumberland Hall , Market Street, Alnwick, Northumberland NE66 1SS | | |
| Applicant: | Bailiffgate Museum and Gallery 14 Bailiffgate, Alnwick , NE66 1LX, | Agent: | Mosedale Gillatt Architects East Lodge Jesmond Old Cemetery Jesmond Road Newcastle Upon Tyne NE2 1NL |
| Ward | Alnwick | Parish | Alnwick |
| Valid Date: | 4 October 2022 | Expiry Date: | 25 January 2023 |
| Case Officer Details: | Name: Mrs Hannah Nilsson Job Title: Planning Officer Tel No: 07966329496 Email: hannah.nilsson@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission



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1. Introduction

This application is brought to the North Northumberland Local Area Council Planning Committee as the building is owned by the Council.

2. Description of the Proposals

2.1 Listed Building Consent is sought for the alteration and refurbishment to accommodate Bailiffgate Museum at Northumberland Hall, Alnwick. This proposed works include:

- Install external access ramp;
- Remove escape stairs;
- New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings;
- Installation of a Mezzanine including stair access and lift;
- Raising of chandeliers;
- Refurbishment of second floor to create meeting/storage area;
- Redecorate original entrance.

2.2 The building subject to this application is Grade I Listed and is located within the Alnwick Conservation Area. A separate application for Planning Permission which links with this application is pending consideration.

3. Planning History

Reference Number: 11/03007/LBC

Description: Listed Building Consent for the installation of 2no signs

Status: PER

Reference Number: 13/00972/LBC

Description: Listed Building Consent: Proposed surface mounted plastic signs, staircase barrier (loose at one end), existing contemporary escape lighting maintenance, anti slip nosings to concrete escape stairs

Status: PER

Reference Number: 16/00686/CCD

Description: Replacement of first floor windows, ground floor fire exit and external stonework repairs

Status: WDN

Reference Number: 16/00687/LBC

Description: Listed Building Consent: Replacement of first floor windows, ground floor fire exit and external stonework repairs

Status: PER

Reference Number: 16/00091/LIC

Description: Premises licence application

Status: NOOBJ

Reference Number: 16/02570/DISCON

Description: Discharge of Condition 3 (Character) for Planning Permission 16/00687/LBC - Listed Building Consent: Replacement of first floor windows, ground floor fire exit and external stonework repairs
Status: PER

Reference Number: 21/01652/LBC

Description: Listed Building Consent for repairing damage caused by dry rot. Remove plaster and affected wood, treat masonry and reattach skirtings, architrave and joinery fixings.

Status: APPRET

Reference Number: A/LBC 87/A/30

Description: Repairs to stone leadwork, gutters, timber and the clock tower

Status: PER

Reference Number: A/82/A/346

Description: Extension (into adjoining shop)

Status: PER

Reference Number: A/79/A/247

Description: Improvements

Status: PER

Reference Number: A/81/A/47

Description: Fire escape

Status: PER

Reference Number: 22/03343/FUL

Description: Alteration and refurbishment to accommodate Bailiffgate Museum. Install external access ramp. Remove escape stairs. New main entrance to North with new stair, new platform lift and glazed infills to enclose the arched openings. Installation of a Mezzanine including stair access and lift. Raising of chandeliers. Refurbishment of second floor to create meeting/storage area. Redecorate original entrance.

Status: PCO

Reference Number: A/91/A/438

Description: Alterations,

Status: NOOBJ

Reference Number: A/91/A/437

Description: Alterations,

Status: NOOBJ

Reference Number: A/2005/0537

Description: Re-roofing of Northumberland Hall and installation of brass studs to steps

Status: PER

Reference Number: A/2004/0571

Description: Alterations to 3 no existing first floor doors

Status: PER

Reference Number: A/2001/0368

Description: Provision of disabled ramp access

Status: WDN

Reference Number: A/2001/0367

Description: Provision of disabled ramp access, lift with alterations

Status: PER

4. Consultee Responses

| | |
|----------------------------|---|
| County Ecologist | No objection, advisory note regarding protected species is recommended. |
| County Archaeologist | No objection. |
| Building Conservation | Amendment to omit the timber fins to three external arches, this would harm architectural interest, alternatives should be considered such as reinstating the cast iron railings. Subject to this one minor amendment, and the conditions recommended below, the 'less than substantial harm' identified in this assessment should be weighed against the heritage / public benefit of bringing the Assembly Hall back into active use as a museum. |
| Alnwick Town Council | Support but request that public access is maintained around the building. |
| Historic England | No objection. |
| National Amenity Societies | No comment to offer. |

5. Public Responses

Neighbour Notification

| | |
|-------------------------------|----|
| Number of Neighbours Notified | 57 |
| Number of Objections | 0 |
| Number of Support | 1 |
| Number of General Comments | 0 |

Notices

Listed Building Consent, 19th October 2022

Northumberland Gazette 13th October 2022

Summary of Responses:

In total, one representation has been received, which supports the proposal for the following reasons:

The loss of the graceful assembly hall, and open fish market is regrettable but well handled. Providing any structural changes are reversible, we believe this proposal deserves support for the economic and social benefits that it promises, including the potential contribution to the vitality of the town centre. In that context, suitable conditions may be necessary to ensure that the commercial life of the town is not disrupted during construction. Because this development involves the loss of a number of small retail units at the heart of Alnwick, the authorities may also want to consider compensating measures that could help maintain Alnwick's retail mix, and encourage a variety of independent traders.

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=RI3TZAQSJL600>

6. Planning Policy

6.1 Development Plan Policy

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

Alnwick & Denwick NP Policy HD 2: Heritage assets at risk

Alnwick & Denwick NP Policy HD 7: Design in the historic centre

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

NPPG - National Planning Practice Guidance (2021, as updated)

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.

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

- Principle of development
- Impact upon the Grade I Listed Building
- Other Issues

Principle of Development

7.3 The principle of owners undertaking appropriate and sympathetic alterations to listed buildings, subject to them receiving the necessary consents and permissions is accepted.

Impact upon a Listed Building

7.4 Under Policy ENV7 of the NLP, decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance. Policy ENV 9 of the same document seeks to ensure that development within conservation areas should help to preserve or enhance the character or appearance of that area.

7.5 Policy HD2 of the Alnwick and Denwick Neighbourhood Plan (ADNP) states that where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged. Policy HD7 of the same document sets out design criteria for new development within the historic centre of Alnwick.

7.6 Under Policy ENV7 of the NLP, decisions affecting a heritage asset will be based on a sound understanding of the significance of that asset and the impact of any proposal upon that significance. Policy ENV 9 of the same document seeks to ensure that development within conservation areas should help to preserve or enhance the character or appearance of that area.

7.7 Policy HD2 of the Alnwick and Denwick Neighbourhood Plan (ADNP) states that where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged. Policy HD7 of the same document sets out design criteria for new development within the historic centre of Alnwick.

7.8 In response to the initial consultation on this application, the Council's Conservation Officer has outlined that subject to an amendment and their recommended conditions, the proposal would result in 'less than substantial harm' which should be weighed against the heritage/public benefit of bringing the Assembly Hall back into active use as a museum.

7.9 In this case, it is considered that the 'less than substantial harm' both individually and cumulatively has been clearly justified and kept to the minimum necessary. It is therefore considered that the public benefits, including securing the optimum viable use, is necessary to deliver the proposed museum use to bring the historic Assembly Hall back into active use as a publicly accessible building. It is also considered reasonable and necessary to attach the conditions put forward by the Conservation officer to ensure the 'less than substantial harm' that has been identified.

7.10 In conclusion, the less than substantial harm that has been identified is considered to be outweighed by these public benefits. It is therefore considered that subject to such, the proposed development is acceptable in relation to Policies ENV 7 and ENV 9 of the NLP and the NPPF.

Other issues

7.11 It is noted that Alnwick Civic Society have submitted a response in support of the proposal, however they have commented that because the development involves the loss of a number of small retail units, the authorities may also want to consider compensatory measures that could help maintain Alnwick's retail mix, and encourage a variety of independent traders. Whilst this loss is acknowledged, it is not considered reasonable to require the applicant to provide compensatory measures.

7.12 In response to the Civic Societies suggestion that suitable conditions may be necessary to ensure that the commercial life of the town is not disrupted during construction, whilst there may be disruption, it is for a relatively limited period of time and will be conditioned in certain regards (construction method statement for highways purposes).

Equality Duty

7.13 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

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

Human Rights Act Implications

7.15 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.16 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.17 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The principle of the development is acceptable.

8.2 The proposals do not harm the special character of the Grade I Listed building.

8.3 The development would be in conformity to the policies of the Development Plan and the National Planning Policy Framework.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

1. Drawing no 1024 104 Rev B titled Proposed External elevations as submitted 07 Dec 2022
2. Drawing no 1024 101 Rev B titled Site plan proposed as submitted 07 Dec 2022
3. Drawing no 1024 300 Rev First issue title proposed cycle shelter details as submitted 07 Dec 2022
4. Design and access statement as submitted 13 Sep 2022
5. Heritage statement as submitted 13 Sep 2022
6. Drawing no 1024 001 rev first issue titled site location plan as submitted 13 Sep 2022
7. Drawing no 1024 026 rev first issue titled third floor, roof & ceiling repair & alteration plans as submitted 13 Sep 2022
8. Drawing no 1024 025 rev first issue titled ground, first & second floor repair and alteration plans as submitted 13 Sep 2022
9. Drawing no 1024 027 rev first issue titled external elevations repair and alteration plans as submitted 13 Sep 2022
10. Drawing no 1024 106 rev first issue titled proposed main hall sections as submitted 13 Sep 2022
11. Drawing no 1024 103 rev first issue titled proposed third floor, roof & ceiling plans as submitted 13 Sep 2022
12. Drawing no 1024 102 rev first issue titled proposed floor plans as submitted 13 Sep 2022
13. Application form as submitted 13 Sep 2022

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

03. Prior to the commencement of development, a repair methodology shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

04. Notwithstanding the details shown on the approved plans, prior to the installation of the ramp and glazing balustrade, large scale details of such including a stone sample to be agreed on site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

05. Notwithstanding the details shown on the approved plans, prior to the installation of the glazed infill to the external arches and glazed doors, large scale details, including sections, of the such shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

06. Prior to the installation of any new timber doors, large scale details of such shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

07. Notwithstanding the details shown on the approved plans, prior to the installation of the timber staircase and lift, large scale details of such shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

08. Prior to the commencement of development, large scale internal elevations of the second-floor arch, cornicing and a section showing the relationship with the extended lift shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

09. Prior to the commencement of development, large scale details and method statement for the treatment of the masonry walls revealed in the 1830 octagonal extension shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.

Reason: To ensure the character of the building is maintained and in accordance with Policy ENV7 of the Northumberland Local Plan and the NPPF.

Informatives

01. This is a Listed Building Consent and does not convey any other form or consent that may be required from the Council. In particular building works may require approval under the Building Regulations and new signage may require Advertisement Consent. Further information on these approvals can be obtained from the planning department at Northumberland County Council.

02. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). Similarly, all wild birds and their nests are protected whilst in use and it is an

offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a good chance of encountering protected species during works.

Care should be taken when removing any roof coverings, window frames or other external features which may support bats or nesting birds. If protected species such as bats or nesting birds are encountered during development then works should cease immediately and professional advice should be sought straight away.

Applicants and contractors can obtain advice on bats by telephoning the National Bat Helpline on 0345 1300 228 <https://www.bats.org.uk/advice/bat-found-during-building-works>

The Chartered Institute of Ecology and Environmental Management (CIEEM) has an online professional directory should assistance be required. <https://cieem.net/i-need/finding-a-consultant/>

Further information about protected species and the law can be found on the government website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

Background Papers: Planning application file(s) 22/03344/LBC



Northumberland County Council

Appeal Update Report

Date: January 2023

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? |
|--------------|---|-----------------|
| None | | |

Planning Appeals Split Decision

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

Planning Appeals Dismissed (permission refused)

| Reference No | Proposal and main planning considerations | Award of costs? |
|--------------|--|-----------------|
| 2102377/FUL | <p>Retrospective: Construction of carport in existing car park to provide cover for three car parking spaces and provide shelter for diners during COVID – Feathers Inn, Hedley, Stocksfield</p> <p>Main issues: inappropriate development in the Green Belt; and the design and materials adversely impact on the character of the site and its surroundings.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> | No |
| 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>Delegated Decision - Officer Recommendation: Refuse</p> | No |

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|--------------|---|----|
| 20/02026/COU | <p>Change of use of 8no. Holiday cottages to residential dwellings – 1 - 4 Bamburgh Cottages and 5 - 8 Craster Cottages, Northumbrian Hills, Burgham Park, Felton</p> <p>Main issues: unnecessary and unjustified residential development in the open countryside.</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</p> | <p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |

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|-----------------|---|---|
| | <p>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> | |
| 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> |
| 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> |
| 21/03532/FUL | <p>Restore and re-build existing derelict dwellings to create single dwelling house with attached holiday-let and erection of ancillary workshop/agricultural storage building – land south west of Woodbine Cottage, Carrshield</p> <p>Main issues: significant works required to existing structure therefore conversion is unacceptable as a matter of principle; design would not respect historic character of the building and would affect the character of the North Pennines AONB; new outbuilding would be inappropriate in size and scale in the open countryside with impacts on the landscape and the AONB; insufficient information to assess ecological impacts of the proposals; and insufficient information to assess archaeological impacts.</p> | <p>16 August 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 20/02094/FUL | <p>Remove green keepers compound and erection of 48 dwellings (including 10 affordable houses) plus upgrade of access road, electric substation, SUDs, domestic package treatment works and domestic gas storage.- Amended description – land north west of Burgham Park Golf Club, Felton</p> <p>Main issues: inappropriate development in</p> | <p>17 August 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p> |

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| | the Green Belt; unnecessary and unjustified development in the open countryside and unsustainable location; and lack of completed S106 Agreement in respect of affordable housing, education, health and a Habitat Maintenance and Management Plan | |
| 22/00042/LBC | Listed building consent to replace 6 windows with similar casement windows with wooden rather than plastic dividers – Broomhaugh Farm, Broomhaugh, Riding Mill Main issues: would result in loss of historic fabric and fail to preserve the special historic interest of the building, and would cause less than substantial harm to the listed building. | 26 September 2022 Delegated Decision - Officer Recommendation: Refuse |
| 22/01413/FUL | Dormer window to roof slope on principal (south) elevation – 3 Dene Park, Darras Hall, Ponteland Main issues: design, scale and massing would not be subordinate to the dwelling and would be out of character in the street scene. | 27 September 2022 Delegated Decision - Officer Recommendation: Refuse |
| 19/04687/OUT | Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham Main issues: inappropriate development in the Green Belt; lack of information in relation to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education. | 27 September 2022 Delegated Decision - Officer Recommendation: Refuse |
| 22/01100/FUL | Timber shed for storage of tools and equipment required to maintain the woods and culverts. (Retrospective application) - Ochre Wood, Corbridge Main issues: inappropriate development within the open countryside and Green Belt; and insufficient information on access and car parking arrangements. | 31 October 2022 Delegated Decision - Officer Recommendation: Refuse |
| 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 | 31 October 2022 Committee Decision - Officer Recommendation: |

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| | <p>Wynding, Beadnell</p> <p>Main issues: harm to the setting of the listed building and Conservation Area; and fails to conserve or enhance the Northumberland Coast AONB.</p> | Refuse |
| 21/04958/FUL | <p>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</p> <p>Main issues: development results in harm to the character and appearance of the Conservation Area; and substandard access to rear car park.</p> | <p>1 November 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p> |
| 21/03396/FUL | <p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.</p> | <p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 21/03397/LBC | <p>Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.</p> | <p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p> |
| 22/00393/FUL | <p>Siting of 'Timber Living Trailer' - land south of</p> | <p>3 November 2022</p> |

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| | Jubilee Cottages, West Woodburn Main issues: site is in the open countryside and not in a sustainable or accessible location; and adverse impacts on the open countryside and landscape. | Delegated Decision - Officer Recommendation: Refuse |
| 21/02696/S106A | Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area. | 7 November 2022 Delegated Decision - Officer Recommendation: Refuse |
| 22/00749/OUT | Outline application for demolition of existing garage and stable block and construction of new dwellinghouse (all matters reserved) - building and land west of Roecliffe, Ladycutter Lane, Corbridge Main issues: appeal against imposition of a condition in the decision notice that limits the siting and scale of the new dwelling. | 9 November 2022 Delegated Decision - Officer Recommendation: Approve |
| 21/04002/FUL | Proposed 6no. Yurts and associated structure for holiday and tourism – land south-east of Alnham House, Alnham Main Road, Alnham Main issues: the site is not in an accessible location; and results in incursion into the open countryside and fails to respect the intrinsic character and beauty of the area. | 17 November 2022 Delegated Decision - Officer Recommendation: Refuse |

Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

| Reference No | Description and address | Award of costs? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Dismissed

| Reference No | Description and address | Award of costs? |
|--------------|-------------------------|-----------------|
| None | | |

Enforcement Appeals Received

Appeals Received

| Reference No | Description and address | Appeal start date |
|-----------------|---|--|
| 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: 22 November 2022 |
| 22/00023/NOTICE | Unauthorised stable buildings – Horsley Banks Farm, Horsley | 6 April 2022 Hearing date: 22 November 2022 |
| 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, Kiln Pit Hill, Consett | 29 April 2022 |
| 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 - | 29 June 2022 |

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| | land south east of Closehead, Otterburn | |
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Inquiry and Hearing Dates

| Reference No | Description and address | Inquiry/hearing date and decision level |
|--------------|-------------------------|---|
| None | | |

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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Northumberland County Council
North Northumberland Local Area Council
Work Programme 2022/23

Rebecca Little : 01670 622611 : Rebecca.Little@northumberland.gov.uk

UPDATED: 11 January 2023

January 2023

TERMS OF REFERENCE

- (a) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (b) To advise the Cabinet on budget priorities and expenditure within the Area.
- (c) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (d) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (e) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (f) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (g) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (h) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (i) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (j) To make certain appointments to outside bodies as agreed by Council.
- (k) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.
- (l) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.
- (m) To exercise the following functions within their area:-

January 2023

- (i) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
- (ii) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.
- (iii) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
- (iv) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007).
- (v) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Public question time (bimonthly, not at planning only meetings), petitions, Members' Local Improvement Schemes (bimonthly, not at planning only meetings)

To be listed:

Digital Connectivity Infrastructure Acceleration Project

Northumberland County Council
North Northumberland Local Area Council
Work Programme 2022-23

19 January 2023

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- Budget and Medium-Term Financial Plan
- Planning
- Highways Update
- Local Services Update
- Budget and Medium-Term Financial Plan

23 February 2023

- Planning
- Local Transport Plan Programme 2023/24

January 2023

23 March 2023

- Neighborhood Policing Update
- Planning
- Local Services Update
- Fostering

20 April 2023

- Planning

**NORTHUMBERLAND COUNTY COUNCIL
LOCAL AREA COUNCIL - NORTH NORTHUMBERLAND
MONITORING REPORT 2022/23**

| Ref | Date | Report | Decision | Outcome |
|-----|----------|--|---|---------|
| 1 | 19.05.22 | Presentation – Tweed Valley Railway Campaign. | Information was noted. | |
| | 19.5.22 | Appointments to Outside bodies | <p>The following changes were made to the outside body appointments:</p> <ul style="list-style-type: none"> •Glendale Gateway Trust no longer required a NCC appointment. •North Sunderland Harbour Commission were weeks away from signing a new Harbour Order which would no longer require a NCC representative. The committee declined to appoint a member. | |

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|---|----------|--------------------------------------|--|--|
| | | | <ul style="list-style-type: none"> •Councillor Nick Morphet had been allocated to sit on Northumberland National Park Joint Local Access Forum. | |
| 3 | 18.08.22 | River Tweed Commissioners | <p>The North Northumberland Local Area Council were asked to approve the appointment of three new angling club members, for three years to the River Tweed Commissioners.</p> <p>Mr SJR Innes Mr E Seymour Mrs C Foreman</p> | |
| 4 | 22.09.22 | Rural Business Growth Service | Information was noted | |

| | | | | |
|---|----------|---|--|--|
| 5 | 24.11.22 | North Northumberland Harbour Commission Appointments | RESOLVED that: <ol style="list-style-type: none">1. Members received the report.2. Members agreed an interview panel of Councillor Hill, Councillor Mather and Councillor Watson to interview suitable prospective candidates for the two vacant posts of Harbour Commissioners.3. Members agreed that the Council's Monitoring Officer in consultation with the interview panel (as agreed above) would set up the selection and interview process.4. Members agreed that the interview panel would make the final recommendations for the two Harbours Commissioner's appointments to the committee for approval. | |
| | 24.11.22 | Space for Shorebirds | Information was noted. | |
| 7 | 24.11.22 | Homelessness and Rough Sleeping Report | Information was noted. | |

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