



Northumberland

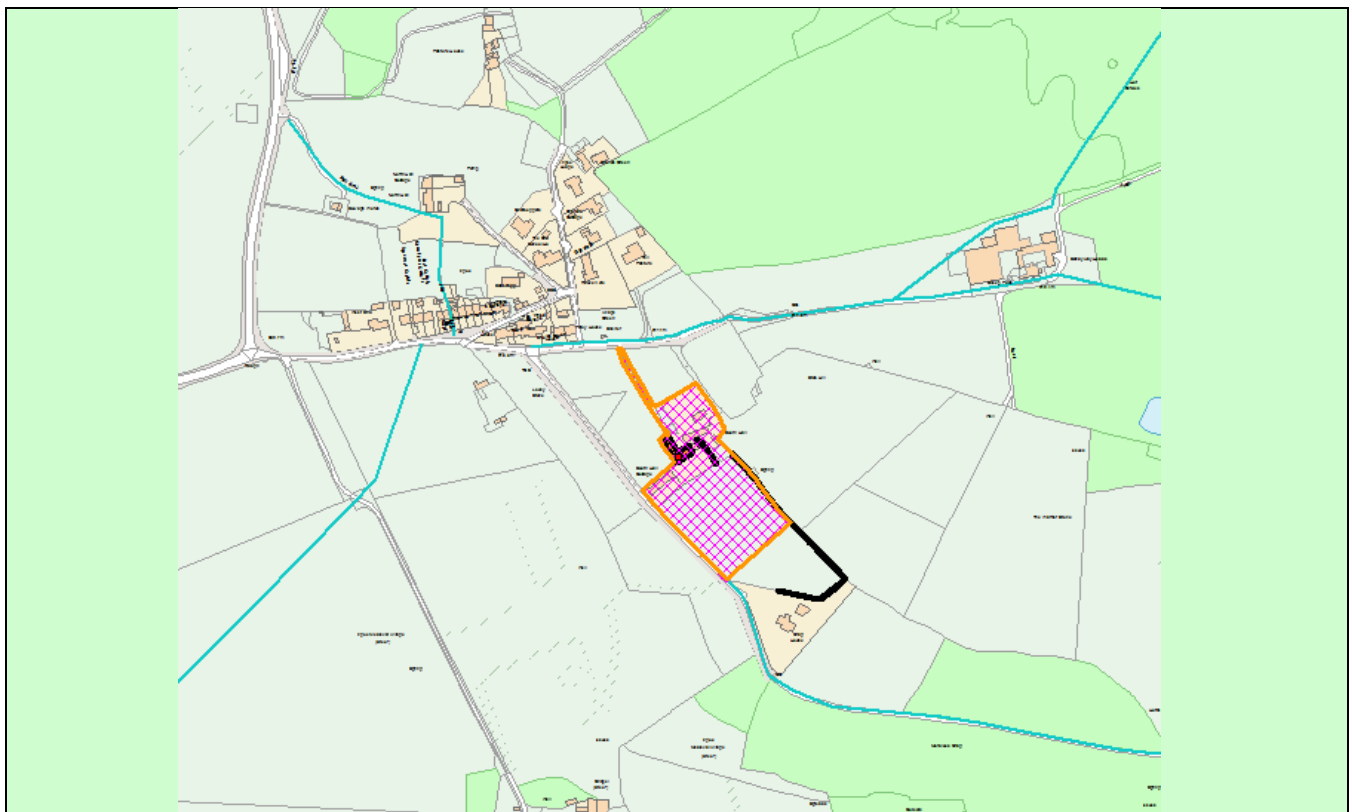
County Council

Castle Morpeth Local Area Council Planning Committee

Monday 12th September 2022

Application No:	21/04413/FUL		
Proposal:	Conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall		
Site Address	South Hall, Ingoe, Newcastle Upon Tyne, Northumberland, NE20 0SR		
Applicant:	Mr Eric Dunmore South Hall, Ingoe, Newcastle Upon Tyne, Northumberland NE20 0SR	Agent:	Miss Kate Wilson 16 Hallstile Bank, Hexham, NE46 3PQ, England
Ward	Ponteland West	Parish	Matfen
Valid Date:	12 November 2021	Expiry Date:	14 September 2022
Case Officer Details:	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 Several representations of objection have been received in relation to this application from local residents and from general members of the public. Therefore, under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the Castle Morpeth Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

2. Description of the Proposals

2.1 Planning permission is sought at South Hall, Ingoe for:

- The conversion and extension of two existing outbuildings into two, one-bedroom holiday let units.
- The repair and reconfiguration of one outbuilding for storage purposes ancillary to the main dwelling of South Hall.
- Change of use of agricultural land into residential curtilage associated with South Hall.
- Creation of a small car parking area within the north eastern corner of the extended residential curtilage.
- External landscaping works.

2.2 A Listed Building Consent application (reference: 21/04414/LBC) has been submitted alongside this full planning application and will also be referred to the Committee for determination.

2.3 Full details of the proposed works are set out within the plans and documents submitted with these applications.

2.4 South Hall is a Grade II* listed three storey country house which dates from the early 18th century and is constructed of ashlar stone with a stone slate roof. The two outbuildings proposed to be converted into holiday lets are single storey and of a linear form, orientated in an east-west direction. The outbuilding proposed to be repaired and reconfigured for storage purposes is located within a walled garden to the south east of South Hall, orientated in a north-south direction. All three of the outbuildings are constructed of roughly coursed and/or roughly squared stone with Welsh slate roofs. By virtue of their connection with South Hall, the outbuildings are considered to be curtilage listed.

2.5 The application site is located within the open countryside to the south of the settlement of Ingoe. The application site is within a high-risk coal working referral area and is also located within an area of archaeological interest.

2.6 During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the

Council's Built Heritage and Design team, the Council's Highways team and the Council's Ecology team.

2.7 Following a subsequent site visit on 25th August 2022, it was noted that some walls adjacent to outbuilding 3 had been demolished (as proposed within this application) and works, including re-roofing and the installation of garage doors to the west elevation, to outbuilding 3 had been undertaken. Informal discussions were held with the Council's Built Heritage and Design Officer, and whilst the works undertaken are unauthorised, they raise no concerns. The demolition of some of the walls adjacent to outbuilding 3 and some of the works to outbuilding 3, such as re-roofing, are covered under these current full planning and Listed Building Consent applications. However, some of the alterations to outbuilding 3, such as the installation of garage doors to the western elevation, are not covered under these current applications and the works would need to be regularised via the submission of separate applications.

3. Planning History

Reference Number: 21/04414/LBC

Description: Listed building consent for conversion of outbuildings to two holiday lets, repair/reconfiguring of third outbuilding for storage ancillary to Hall and landscaping including new car park and main entrance to south elevation of Hall

Status: Pending Consideration

Reference Number: 21/02402/LBC

Description: Listed Building Consent for internal alterations including removal of existing staircase to back hall/office and construction of new floor with plaster board ceiling below; replacement of modern timber fireplace to drawing room with new marble fireplace to match study fireplace; removal of existing staircase; new cast iron effect external soil waste pipe; formation of new bathroom within existing bedroom; installation of new soil waste pipe within boxing to ground floor wc. Alterations so some internal walls and doors. Make good plaster to walls and skirting.

Status: Permitted

Reference Number: 21/02401/FUL

Description: Internal alterations including removal of existing staircase to back hall/office and construction of new floor with plaster board ceiling below; replacement of modern timber fireplace to drawing room with new marble fireplace to match study fireplace; removal of existing staircase; new cast iron effect external soil waste pipe; formation of new bathroom within existing bedroom; installation of new soil waste pipe within boxing to ground floor wc. Alterations so some internal walls and doors. Make good plaster to walls and skirting.

Status: Withdrawn

Reference Number: 13/03679/VARYCO

Description: Removal of condition 8 from planning approval CM20090150 (Conversion of redundant building to holiday letting accommodation)

Status: Permitted

Reference Number: 16/03737/LBC

Description: Listed Building Consent: Internal and external alterations

Status: Permitted

Reference Number: 16/04239/FUL

Description: Proposed construction of garden room extension.

Status: Permitted

Reference Number: 16/04240/LBC

Description: Listed building consent for construction of garden room extension.

Status: Permitted

Reference Number: CM/20090153

Description: Proposed erection of a micro-wind generator to provide energy to proposed holiday let (Application ref CM/20090150 & 151LBC)

Status: Application Returned

Reference Number: CM/20090152

Description: Proposed erection of a micro-wind generator to provide energy to proposed holiday let (Application ref CM/20090150 & 151LBC)

Status: Refused

Reference Number: CM/20090151

Description: Conversion of redundant building to holiday letting accommodation

Status: Permitted

Reference Number: CM/20090150

Description: Conversion of redundant building to holiday letting accommodation

Status: Permitted

Reference Number: CM/20090150

Description: Conversion of redundant building to holiday letting accommodation

Status: Permitted

Reference Number: CM/05/D/103/LBC

Description: Internal alterations to create 2 bathrooms, 2 No bedrooms rebuild chimney stack, create link to new study with rooflights over

Status: Permitted

4. Consultee Responses

<p>Matfen Parish Council</p>	<p>No response received in relation to this full planning application.</p> <p>However, Matfen Parish Council have provided the following comments on the accompanying Listed Building Consent application (reference: 21/04414/LBC):</p> <p>Matfen Parish Council has concerns over the level of objections by residents in Ingoe to this development. Under the Local Plan it states that "Ingoe is a remote hill top village where the Council considers that no change to the settlement pattern and identity is required. The strategy is to maintain and enhance the pleasant rural character and built form of this settlement. No new development is proposed within the village." Due to the strength of feeling from residents the Parish</p>
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	Council would like to suggest the applicant speak to the Parish Council and residents of Ingoe, which the Parish Council would be happy to facilitate, to try and mitigate some of the objections.
County Ecologist	No objection subject to conditions and informatives.
County Archaeologist	No objection from an archaeological perspective and no archaeological work will be required.
Building Conservation	The Built Heritage and Design team are satisfied with the additional information and revised plans and recommend conditions should be attached to any consent granted.
The Coal Authority	No objection. Recommend informative.
Highways	No objection subject to conditions and informatives.
Public Protection	No objection subject to conditions and informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	12
Number of Support	0
Number of General Comments	0

Notices

Site notice affecting Listed Building – Displayed on 23rd December 2021

Press notice in Morpeth Herald – Published on 25th November 2021

Summary of Responses:

12 representations of objection have been received in relation to full planning application reference: 21/04413/FUL. The objections raise concerns on the following issues:

- Impact on the Listed Building/Archaeology/historic environment
- Impact on the amenity of local residents
- Impact on the rural character of the village of Ingoe
- Impact on ecology and trees
- Light pollution
- Noise
- Highway safety
- Traffic
- Car parking

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online->

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

Policy STP 1 – Spatial Strategy (Strategic Policy)
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)
Policy ECN 1 – Planning Strategy for the Economy (Strategic Policy)
Policy ECN 12 – A Strategy for Rural Economic Growth (Strategic Policy)
Policy ECN 15 – Tourism and Visitor Development
Policy HOU 9 – Residential Development Management
Policy QOP 1 – Design Principles (Strategic Policy)
Policy QOP 2 – Good Design and Amenity
Policy QOP 4 – Landscaping and Trees
Policy QOP 5 – Sustainable Design and Construction
Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)
Policy TRA 2 – The Effects of Development on the Transport Network
Policy TRA 4 – Parking Provision in New Development
Policy ENV 1 – Approaches to Assessing the Impact of Development on the Natural, Historic and Built Environment (Strategic Policy)
Policy ENV 2 – Biodiversity and Geodiversity
Policy ENV 3 – Landscape
Policy ENV 7 – Historic Environment and Heritage Assets
Policy WAT 2 – Water Supply and Sewerage
Policy WAT 4 – Sustainable Drainage Systems
Policy POL 1 – Unstable and Contaminated Land
Policy POL 2 – Pollution and Air, Soil and Water Quality

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG) (2021)

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 main considerations in the determination of this application are:

- Principle of the development.
- Design.
- Amenity.
- Impact upon the Listed Buildings.

- Archaeology.
- Highway safety.
- Ecology.
- Environmental Protection.
- Coal mining risk.
- Drainage and sewerage.
- Other matters.

Principle of the Development

7.3 The application site is located within the open countryside to the south of the settlement of Ingoe. As a starting point, Policy STP 1 of the Northumberland Local Plan relates to spatial strategy. This policy sets out the overall approach to the distribution of development across the county. Policy STP 1 indicates that development within the open countryside will be supported where it can be demonstrated that it fulfils one of a number of criteria. Criterion (iii.) is supportive of sustainable rural tourism and leisure developments in accordance with Policy ECN 15.

7.4 Policy ECN 1 of the Northumberland Local Plan, which sets out the planning strategy for Northumberland's economy, is generally supportive of development proposals that support both existing and new businesses and that support and promote tourism and the visitor economy.

7.5 Policy ECN 15 of the Northumberland Local Plan, which relates to tourism and visitor development, states that in the open countryside, visitor accommodation should, wherever possible, be limited to the reuse of buildings that are structurally sound.

7.6 The proposal includes the conversion of two existing outbuildings at South Hall into two, one-bedroom holiday let units. One of the proposed conversions comprises a very modest, single storey extension, on the footprint of a previous extension (now demolished), to allow the holiday let to be habitable through the provision of a bathroom. The existing outbuildings are considered to be of permanent and substantial construction and thus are considered suitable for conversion to two holiday let units. A letter from BT Bell Consulting Engineers has been submitted to accompany this application. The submitted letter concludes that following an inspection of the outbuildings, they are considered to be structurally stable and capable of conversion. The submitted letter acknowledges that the walls of outbuilding 1 are in a reasonable condition, though there are areas where some localised rebuilding is likely to be required, and it is acknowledged the external joinery and roof timbers of outbuilding 1 are in a serviceable condition. The submitted letter acknowledges that similarly to outbuilding 1, the joinery of outbuilding 2 needs refurbishment.

7.7 This element of the proposal would involve the re-use of two existing outbuildings, which are considered to be of permanent and substantial construction, to provide holiday accommodation. This is considered to be an appropriate and sustainable form of development in this open countryside location. It is also recognised that this element of the proposal would not involve any significant extension or significant rebuilding works. The proposed conversion (with minor extension) of the two outbuildings would be in

accordance with Policies STP 1, ECN 1, ECN 12 and ECN 15 of the Northumberland Local Plan as a matter of principle.

- 7.8 As a material consideration, the NPPF seeks to support a prosperous, rural economy. Paragraph 84 of the NPPF advises that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. The proposed conversion of the existing outbuildings at South Hall to provide two holiday let units would constitute sustainable development that would be acceptable as a matter of principle within this open countryside location in accordance with Paragraph 84 of the NPPF. It is considered that this element of the proposal would respect the character of the countryside, and this issue will be discussed further in the following section of this appraisal.
- 7.9 The application also proposes to repair and reconfigure one of the outbuildings, referred to as outbuilding 3 within this application. This outbuilding would continue to be utilised for storage purposes ancillary to the main dwelling at South Hall. This element of the proposal would be domestic in nature within the residential curtilage of the existing dwelling. Therefore, the principle of this element of the proposed development is acceptable in accordance with Policy HOU 9 of the Northumberland Local Plan, which relates to residential development management, and the principles of the NPPF.
- 7.10 The application also proposed to extend the residential curtilage of South Hall into the adjoining field to the south. Within the proposed extended residential curtilage, it is proposed to create a small car parking area within the north eastern corner (adjacent to the access) and to create a footpath to link this car parking area to the main dwelling of South Hall. The proposed extended curtilage would remain predominantly grassed, although it would be more domestic in appearance than the existing open field due to the proposed soft landscaping. There are no national or local planning policies which specifically cover the extension of residential curtilages into adjacent land. However, in this particular instance, the openness of the site would be retained, and it is proposed that permitted development rights be removed from the extended residential curtilage to ensure the character of the area and the openness of the site is retained and that it respects the wider landscape. This element of the proposal is therefore considered to be acceptable for the reasons set out above.

Design

- 7.11 The proposed conversion of two outbuildings into two holiday let units would re-use the existing buildings, with one of the conversions including a very modest, single storey extension, on the footprint of a previous, historic extension (now demolished), to allow the holiday let to be habitable through the provision of a bathroom within the proposed extension. The proposed extension to Outbuilding 1 would be constructed of stone with Welsh slate roofing tiles, to match the materials of the existing outbuilding. The proposed conversions would predominantly utilise and alter the existing openings of the buildings; however, it also proposes to sensitively install some new openings, including rooflight windows. During the course of the application, the design of the proposed holiday lets has been amended, which included reducing the number of new openings, in line with the Council's Built Heritage and Design Officer's advice.

- 7.12 The proposed repair and reconfiguration of one of the outbuildings, referred to as outbuilding 3 within this application, would involve re-roofing this building by re-using existing Welsh slate roof tiles, wherever possible. This element of the proposal would also involve replacing the existing single door to the south elevation with timber garage doors and would involve blocking up the existing large opening to the west elevation. This outbuilding is in a state of disrepair and the proposed repair works would allow the building to be used again for storage purposes ancillary to the main dwelling at South Hall.
- 7.13 It is acknowledged that the Built Heritage and Design Officer, in which the matter of design falls into their remit, considers that the additional information and revised plans are satisfactory and raises no objection subject to conditions. The proposed conversion and repair work to the three outbuildings are considered to be acceptable and would retain the character of the outbuildings, the wider site and the surrounding landscape.
- 7.14 Landscaping within the site would provide a more domestic arrangement; however, it is considered to maintain the character of the site and the wider rural landscape. The car parking area within the north eastern corner of the proposed extended residential curtilage and the footpath connecting the car parking area to the main dwelling at South Hall would be constructed of gravel. The proposed extended curtilage to the south would remain predominantly grassed, although it would be more domestic in appearance than the existing open field due to the proposed soft landscaping. Patio/garden areas would be provided for both of the proposed holiday let units (to the west of outbuilding 1 and to the east of outbuilding 2). It is considered that the wider design set out in this application is considered to be appropriate and would respond positively to the character of the site and would respect the wider landscape. Overall, it is considered that the proposed development, for the reasons set out above, would accord with Policies HOU 9, QOP 1, QOP 2, QOP 4, ENV 1 and ENV 3 of the Northumberland Local Plan and the principles of Chapter 12 of the NPPF in relation to design.
- 7.15 The representations of objection have made comments in regard to the impact of the proposed development upon the rural character of the area and upon the rural character of the village of Ingoe. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment, it is considered that the proposal as submitted, is acceptable in this respect in planning terms.

Amenity

- 7.16 The application proposes to convert two existing outbuildings at South Hall, Ingoe into two, one-bedroom holiday let units. Each unit would have a patio area and grassed garden area. The outdoor amenity space to the west of outbuilding 1 and to the east of outbuilding 2 would provide generous curtilages for the new holiday lets.
- 7.17 South Hall is located within the open countryside, approximately 90 metres to the south of the settlement of Ingoe. South Hall is surrounded to all four sides by open agricultural land. However, directly to the south west of South Hall is a residential property, known as South Hall Cottage, which is within separate ownership and is enclosed by a high boundary wall. This is the only immediate

neighbouring property to South Hall. The outbuildings proposed to be converted and repaired are located to the north east of South Hall and therefore these works would be predominantly screened from South Hall Cottage by the existing three storey country house at South Hall. The separation distance between South Hall Cottage and the outbuildings at South Hall is in excess of 30 metres. It is also noted that the proposed holiday lets would utilise the existing access to the north of the site. Therefore, given the above considerations, the proposed conversion and repair works to the outbuildings at South Hall would not adversely affect this neighbouring property with regard to loss of privacy, outlook or from an overbearing appearance.

7.18 Whilst it is acknowledged that the property of South Hall is within the ownership of the applicant, the impact of the proposed conversion of the two outbuildings into two holiday lets on the amenity of this property must also be carefully considered as part of this application. As aforementioned, the outbuildings are located to the north east of the property at South Hall. Due to their positioning and orientation and due to the careful siting of new openings (predominantly to northern elevations), it is considered that the proposed holiday lets would not adversely affect the existing residential property at South Hall with regard to loss of privacy, outlook or from an overbearing appearance. The amenity spaces which are proposed for the holiday lets would be sited so as to ensure privacy for both the future visitors to the holiday lets and for the existing occupiers of South Hall.

7.19 The proposal also seeks to extend the residential curtilage of South Hall into the adjacent field to the south and to the south of the neighbouring property, South Hall Cottage. It is proposed to create a new, small car parking area within the north western corner of the extended curtilage, adjacent to the access and directly to the south of South Hall Cottage. It is acknowledged that South Hall Cottage is enclosed by high stone boundary walls and the extended curtilage to the south would not have an adverse impact on this neighbour due to the existing boundary treatments and due to the nature of the works within the extended curtilage, which are considered to be minor.

7.20 Overall, the application is considered to be acceptable in respect of the impact of the development on the amenity of local residents and future visitors in accordance with Policies QOP 1 and QOP 2 of the Northumberland Local Plan and the principles of the NPPF.

7.21 Concerns regarding amenity have been raised within the representations of objection. Whilst the concerns raised have been taken into consideration when assessing the impact on amenity, it is not considered they represent an appropriate reason for refusal in this instance. It is therefore considered that for the reasons outlined above, the scheme proposed, represents a proposal which would not adversely impact upon the amenity of neighbouring properties.

Impact upon the Listed Buildings

7.22 As aforementioned, South Hall is a Grade II* listed three storey country house which dates from the early 18th century and is constructed of ashlar stone with a stone slate roof. The two outbuildings proposed to be converted into holiday lets are single storey and of a linear form, orientated in an east-west direction. The outbuilding proposed to be repaired and reconfigured for storage purposes is

located within a walled garden to the south east of South Hall, orientated in a north-south direction. All three of the outbuildings are constructed of roughly coursed and/or roughly squared stone with Welsh slate roofs. By virtue of their connection with South Hall, the outbuildings are considered to be curtilage listed.

7.23 The impact upon these designated heritage assets has been assessed in detail in the Listed Building Consent application (reference: 21/04414/LBC) which was submitted alongside this full planning application. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy ENV 7 of the Northumberland Local Plan, which relates to the historic environment and heritage assets, states *“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”*. The Council’s Built Heritage and Design Officer has been consulted on this application and is satisfied with the additional information and revised plans and recommend conditions should be attached to any consent granted. The proposed development is therefore considered to be appropriate in this instance and would preserve the setting of the Grade II* listed South Hall and its curtilage listed outbuildings. The proposed development would accord with Policies ENV 1 and ENV 7 of the Northumberland Local Plan and the aims of Chapter 16 of the NPPF in this respect.

7.24 The representations of objection have made comments in regard to heritage impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council’s Built Heritage and Design team, it is considered that the proposal as submitted, is acceptable in respect of the heritage impacts of the development.

Archaeology

7.25 The Council’s Archaeologist has been consulted on this application and has assessed the application from an archaeological perspective. Following a review of LiDAR data, it is acknowledged that curved ridge and furrow earthworks and the remains of field boundaries and landscape divisions survived well on land around South Hall. These earthworks preserve evidence of cultivation and land management in the medieval and post-medieval period and are associated with the deserted medieval village of Ingoe. Some traces of ridge and furrow earthworks survive in the immediate vicinity of South Hall but are only faintly visible. The application site is therefore less sensitive to development impact than the surrounding areas. Taking account of the relatively localised nature of landscaping proposed and the already denuded condition of archaeological earthworks within the application site, the Council’s Archaeologist concludes that the risk of significant archaeological remains being substantially harmed by the proposed development is low. Therefore, the Council’s Archaeologist concludes that they have no objection to the application from an archaeological perspective and no archaeological work will be required. It is therefore considered that the proposed development would adhere to Policies ENV 1 and ENV 7 of the Northumberland Local Plan and the principles of the NPPF in this respect.

7.26 The representations of objection have made comments in regard to archaeological impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's Archaeologist, it is considered that the proposal as submitted, is acceptable in respect of the archaeological impacts of the development.

Highway Safety

7.27 The Council's Highway Development Management (HDM) team has been consulted on this application and having reviewed the additional information and revised plans, considers technical highway matters, such as access and parking, are acceptable. The revised plans now clearly showcase that the southwestern access would be upgraded to Type A specification and that the northern access would be upgraded to Type B specification. Therefore, the Council's HDM team conclude that they have no objection to the application subject to conditions and informatives. The recommended conditions relate to the implementation of the car parking area, the means of vehicular access to be constructed, the implementation of cycle parking, details of surface water drainage and details of electric vehicle charging points. Subject to accordance with the recommended conditions, the application is considered to be acceptable in this respect and thus the proposal is in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the principles of Chapter 9 the NPPF.

7.28 The representations of objection have made comments in regard to highway safety, traffic and car parking. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's HDM team, it is considered that the proposal as submitted, is acceptable in respect of highway safety, traffic and car parking.

Ecology

7.29 An Ecological Impact Assessment and Bat Survey has been submitted to accompany this application. The Council's Ecologist has been consulted on this application and raises no objection subject to conditions and informatives.

7.30 Recent case law has shown that where a planning application is likely to have implications for European protected species, explicit consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017. The three tests are:

1. The proposal must be required for imperative reasons of overriding public interest or for public health and safety;
2. There must be no satisfactory alternative to the proposal; and
3. The proposal will not be detrimental to the maintenance of the favourable conservation status of the species in its natural range.

7.31 Regarding the first of these, the test of imperative reasons of overriding public interest seems to be considered to have been satisfied if a proposal meets an identified development need. In this case the proposed development is considered to be acceptable and in accordance with the development plan and the NPPF. The second concerns whether the development need which the

application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. There are two strands to this second test:

- A) whether the development need could be met in a different way than through this particular application.
- B) whether the development proposal itself could be re-configured or undertaken in such a way that it meets the same development need while having a lower impact on the population of protected species concerned.

The proposal would involve re-using and extending the existing, redundant outbuildings, by converting two of them into holiday let units and by repairing and reconfiguring one of them to use for storage purposes ancillary to South Hall. The proposal would secure an economically viable future for the outbuildings. It is considered the extensive works required will allow the retention or restoration of the roost potential of the site, therefore the second test is considered to have been met.

7.32 The third of these is examined in terms of the mitigation proposals submitted by the applicants.

7.33 The Council's Ecologist raises no objection to the proposed development on ecological grounds subject to conditions to ensure the mitigation and enhancement measures detailed in the report are carried out in full and to ensure a Natural England licence is sought.

7.34 Subject to accordance with the recommended conditions, the proposed development is considered to be in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the NPPF in this respect.

7.35 The representations of objection have made comments in regard to ecological impacts. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's Ecology team, it is considered that the proposal as submitted, is acceptable in respect of the ecological impacts of the development.

Environmental Protection

7.36 The Council's Environmental Protection (EP) team have been consulted on this application and conclude that they have no objection subject to conditions (relating to land contamination and ground gas protection) and informatives. The recommended conditions are considered to be necessary in order to protect public health and to prevent loss of amenity. Subject to accordance with these conditions, the application is considered to be acceptable in accordance with Policy POL 1 of the Northumberland Local Plan and the aims of the NPPF in this respect.

7.37 The representations of objection have made comments in regard to noise and light pollution. These comments have been taken into account when compiling this section of the appraisal. The matters of noise and lighting fall within the remit of the Council's EP team, who raise no concerns. Following an assessment in consultation with the Council's EP team, it is considered that the proposal as

submitted, is acceptable in respect of contamination, ground gas protection, noise, lighting and other matters within the Council's EP teams' remit.

Coal Mining Risk

7.38 The application site is located within a high-risk coal working referral area. The Coal Authority have therefore been consulted on this application. The Coal Authority's general approach to development in high-risk coal working referral areas is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application. However, when considering the nature of this particular development, The Coal Authority note that the conversion of the two existing outbuildings to two holiday lets, the repair and re-configuration of one existing outbuilding, and the creation of a new car parking area and main entrance to South Hall, are all categorised as exemptions. With regard to the extension to Outbuilding 1, due to it being a small single storey extension and due to it being constructed on the site of a previous extension to the outbuilding, it does not appear to require substantial foundations or earthworks. On this basis, The Coal Authority do not consider that a Coal Mining Risk Assessment is required, nor would it be proportionate to the nature of the development proposed in this particular case. The Coal Authority therefore conclude that they raise no objection and recommend an informative containing standard advice be added to any permission granted. The application is therefore considered to be acceptable in this respect in accordance with Policy POL 1 of the Northumberland Local Plan and the aims of the NPPF.

Drainage and Sewerage

7.39 The application form states that foul sewerage would be disposed of by septic tank and that surface water would be disposed of by soakaway. During the course of the application, a Foul Drainage Assessment Form and additional drainage information has been submitted, as requested by the Council's Ecologist and as required for this type of application. The additional information indicates that the proposal would connect to the existing septic tank which currently serves South Hall and South Hall Cottage. The additional information also indicates that the existing septic tank has sufficient capacity to accommodate the increase in units at South Hall. Therefore, the application is considered to be acceptable in accordance with Policies WAT 2 and WAT 4 of the Northumberland Local Plan and the principles of the NPPF.

Other Matters

Equality Duty

7.40 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

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

Human Rights Act Implications

7.42 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.

7.43 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.

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

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above indicating accordance with the relevant development plan policies. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local planning policies and the NPPF on the matters of relevance in this application.

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

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

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/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 91 of the Town and Country Planning Act 1990 (as amended).

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

- Outbuilding 1 Proposed Floor Plans and Elevations, Drawing No: PP03 Revision: A
- Outbuilding 2 Proposed Floor Plans and Elevations, Drawing No: PP04 Revision: A
- Outbuilding 3 Proposed Floor Plans and Elevations, Drawing No: PP05
- Untitled Location Plan, Dated: 10/11/2021(Received on: 15/12/2021)
- Proposed Block Plan, Drawing No: PP01 Revision: B
- Proposed Site Plan, Drawing No: PP02 Revision: B
- Method Statement for New Opening in Outbuilding 2, Dated: 12/05/2022
- Concept Design Report – South Hall, Ingoe, Northumberland Revision: H
- Structural Survey Letter from BT Bell Consulting Engineers Dated 13/01/2022
- Design, Access and Heritage Statement – South Hall, Ingoe, Northumberland produced by Doonan Architects
- Historic Building Assessment – South Hall, Ingoe, Northumberland Dated: June 2016 Produced by Peter F. Ryder
- Ecological Impact Assessment and Bat Survey – South Hall, Ingoe, Northumberland Summer 2021 Produced by Ruth Hadden of Ryal Soil and Ecology
- Foul Drainage Assessment Form (received: 02/02/2022)
- Additional Highways and Ecology Information, Dated: 31.01.2022

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

3. The two holiday let units hereby permitted shall be implemented and occupied in accordance with the following:

- The accommodation shall be occupied for holiday purposes only;
- The accommodation shall not be occupied as a person's sole, or main place of residence;
- The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the accommodation, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To avoid the creation of two permanent residential dwellings in a location where this would be inappropriate and in the interests of amenity, in accordance with Policies QOP 1 and ECN 15 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

4. The development shall not be brought into use until the car parking area indicated on the approved plans, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Policy TRA 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

5. The development shall not be brought into use until a means of vehicular accesses (both southern and northern access, including the first 6m from the highway to be hard surfaced) has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

6. The development shall not be brought into 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 Policies TRA 1 and QOP 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

7. 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.

8. Prior to occupation, details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of sustainable development, in accordance with Policy TRA 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

9. Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
 - b) Confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or
 - c) Written justification by a suitably qualified ecologist confirming why a licence is no longer required.

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Ecological Impact Assessment and Bat Survey South Hall Ingoe (Ruth Hadden, October 2021) and as shown on the Proposed Elevations plans, which detail the methods for maintaining the conservation status of bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The measures specified include:

- All works will follow the approved Natural England licence, including careful removal of roof coverings by hand, with high-risk areas undertaken under ecological supervision. Works to other buildings will be undertaken to a precautionary bat method statement.
- Crevice roosting opportunities will be retained/reinstated or incorporated into the completed development in the form of crevices within the stonework and/or integrated bat boxes.
- Lighting around the site will be low level and low lumen.

Reason: To maintain the favourable conservation status of a European protected species, in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

10. An Amphibian Method Statement will be submitted to the Local Planning Authority for approval in writing prior to the commencement of development and fully implemented as approved.

Reason: To maintain the favourable conservation status of a European protected species, in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

11. A detailed landscape planting plan, including the planting of locally native trees and shrubs of local provenance, shall be submitted to and agreed in writing with the Local Planning Authority with the planting to be fully implemented during the first full planting season (November – March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with Policies ENV 1,

ENV 2, ENV 3 and QOP 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

12. No development shall be carried out other than in accordance with the guidance set out in 'BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations' British Standards Institution, 2012. A Tree Protection Plan shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of development and fully implemented as approved.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policies ENV 1, ENV 2, ENV 3 and QOP 4 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

13. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Please note that some birds will nest outside of this period depending on species and temperatures and as such care should be taken to assess the building for nesting birds and stop work should any active nests be found.

Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting shall be agreed in writing with the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policies ENV 1 and ENV 2 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

14. No foundation works shall be commenced until a report detailing the proposed protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard required in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), or to a Characteristic Situation 2 level of protection, whichever is the highest, has been submitted to and approved in writing by the Local Planning Authority.

The report shall also specify to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling.

The report shall also contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may be prejudicial to the health and amenity, in accordance with Policy POL 1 of the

Northumberland Local Plan and the principles of the National Planning Policy Framework.

15. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 14, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may be prejudicial to the health and amenity, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

16. The development hereby permitted shall not be commenced until a scheme to deal with contamination of land or controlled waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be undertaken by a competent and qualified consultant. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

- A) A desk-top study (Phase 1 or Preliminary Risk Assessment) carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). The desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
- B) If identified as being required following the completion of the desk-top study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. 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.
- C) 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 are minimised, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

17. Prior to the development being brought into use or continuing in use the applicant shall submit a full closure (Verification Report) report to the Local

Planning Authority for its written approval. 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. 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 are minimised, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

18. If during redevelopment contamination not previously considered is identified within any statement / report that has received the approval of the Local Planning Authority, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. The written method statement must be written by a 'competent person'. 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 are minimised, in accordance with Policy POL 1 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent Order amending, revoking or re-enacting that Order), there shall be no further building or structure placed within the extended curtilage hereby permitted unless an application for planning permission has first been submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers that any further development would prejudice a satisfactory layout and would have a harmful effect upon the amenity of the area in accordance with Policy QOP 1, QOP 4 and ENV 3 of the Northumberland Local Plan and the principles of the National Planning Policy Framework.

Informatives

1. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the

foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/coalauthority

2. You 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) you should contact the Highways Area Office at: westernareahighways@northumberland.gov.uk
3. 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. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
5. 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.

Amphibians, reptiles and mammals such as hedgehog and red squirrel also have legal protection, with great crested newt afforded additional protection under the Conservation of Habitats and Species Regulations 2017 (as amended).

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>

6. The applicant should note that where sites are very overgrown or have features such as log piles or piles of stones there may be risk of causing harm to species protected under law from killing or injury such as reptiles, or species of principal importance such as hedgehogs. Any vegetation or materials clearance be carried out gradually and with due care and attention.
7. All works on sites close to watercourses will follow the guidance contained in the Pollution Prevention Guidelines: Works and maintenance in or near water. Further information can be found at this link:
<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

All fuel and chemicals used on site should be kept on an impervious base within a secondary containment system such as a bund, not within 10m of any watercourse, and above flood water level.

8. 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.

The British Standard requires achieving a score of 3.5 for Building Type A. This may be met by a:

A well-reinforced raft/slab with minimal penetrations (scoring 1.0 or 1.5 in Table 5 of BS 8485:2015+A1:2019), and;

A gas membrane (scoring 2.0) and meeting the requirements of Table 7 of BS 8485:2015+A1:2019.

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 membrane installation will be carried out by a suitably qualified and experienced installer.

Propose what verification of the install will be Building Control, independent verifier, main contractor inspection etc.

SEE APPENDIX 2 OF OUR ADOPTED GUIDANCE FOR A FULL LIST OF ITEMS TO ADDRESS THE FIRST 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 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/>

Retrofitting Gas Protection

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 (water, gas, electric etc.) should be filled with a 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-ductsealingsystems/id/9/>

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

9. 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.
10. The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

Date of Report: 26.08.2022

Background Papers: Planning application file(s) 21/04413/FUL