

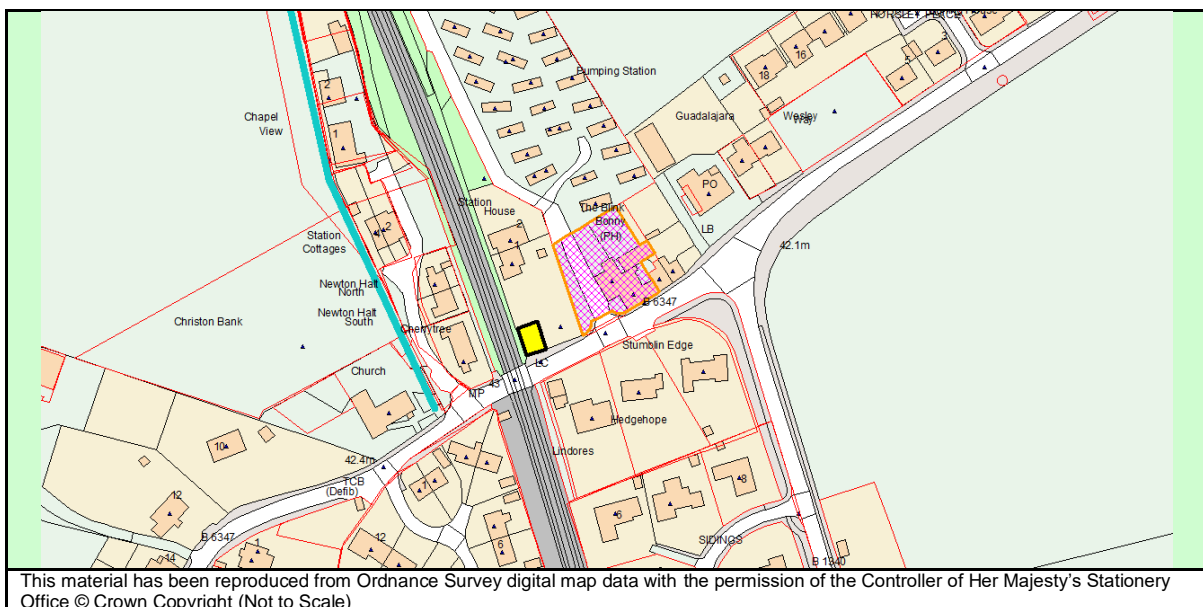


# Northumberland County Council

## DELEGATED REPORT

<b>Application No:</b>	22/02795/FUL		
<b>Proposal:</b>	Demolish conservatory to the side and outbuildings to the rear; construct new rear extension.		
<b>Site Address</b>	The Blink Bonny Hotel, Christon Bank, Alnwick, Northumberland NE66 3ES		
<b>Applicant/ Agent</b>	Mr. Jonathan Barber The Blink Bonny Hotel, Christon Bank, Northumberland, Christon Bank NE66 3ES		
<b>Ward</b>	Longhoughton	<b>Parish</b>	Embleton
<b>Valid Date</b>	22 August 2022	<b>Expiry Date</b>	27 January 2023
<b>Case Officer Details</b>	Name: Mr. Ben MacFarlane Job Title: Planning Officer Tel No: 07814075197 Email: Ben.MacFarlane@northumberland.gov.uk		

**Recommendation:** That this application be REFUSED permission.



## 1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to a comment made in support of the application

received by Embleton Parish Council. This is at odds with the officer recommendation that this application be refused.

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 the proposal 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 construction of a new rear extension to The Blink Bonny in Christon Bank.

2.2 This new extension would replace an existing conservatory on the side of the building and other outbuildings to the rear. The proposed extension would largely consist of an L-shaped two-storey element extending to the rear. A single storey porch would project beyond the western elevation of this new extension. A single storey L-shaped extension would then project beyond the southern elevation of this new extension, projecting back towards the existing building. There would then also be an infill single-storey flat roof extension immediately to the rear of the existing building, featuring a lantern rooflight.

2.3 The application site, The Blink Bonny, is a modest pub located centrally in the settlement of Christon Bank, on the east side of the east coast mainline railway. The application site is adjacent to residential dwellings and sits in front of a caravan park. The application site also affects the setting of a Grade II listed building; a former railway goods shed immediately to the west of the site.

2.4 Site constraints include:

*Coal Advice Area – Low Risk*  
*Coastal Mitigation Zone 1*  
*Impact Risk Zone SSSI*  
*Affects the setting of a Listed Building*

## **3. Planning History**

**Reference Number:** 15/01225/FUL

**Description:** Proposed construction of annexed accommodation to serve the Blink Bonny Hotel

**Status:** PER

**Reference Number:** 22/02538/FUL

**Description:** Demolition of conservatory, construction of new rear extension to increase the size of the public house and provide tourist accommodation

**Status:** APPRET

**Reference Number:** A/ENQ/2010/0306

**Description:** Telecommunications

**Status:** REPLY

**Reference Number:** A/ENQ/2008/0317

**Description:** Creation 15nos rooms

**Status:** REPLY

**Reference Number:** A/2004/0362

**Description:** Erection of garden room and new parking area (resubmission A/2003/0729)

**Status:** PER

**Reference Number:** A/ENQ/2005/0501

**Description:** Future development

**Status:** REPLY

**Reference Number:** A/2003/0729

**Description:** Provision of new kitchen and disabled toilet

**Status:** PER

#### 4. Consultee Responses

Highways	Imposition and implementation of condition(s) required to ensure acceptability.
Embleton Parish Council	Support this application.
County Ecologist	No objection subject to conditions. A contribution to the Coastal Mitigation Service is required.
Natural England	No response received.
Fire & Rescue Service	No objection.
Architectural Liaison Officer - Police	No objection.
Tourism, Leisure & Culture	No response received.

#### 5. Public Responses

##### Neighbour Notification

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

##### Notices

Site Notice - Affecting Listed Building, 6th September 2022

Press Notice - Northumberland Gazette 1st September 2022

##### Summary of Responses:

None Received.

## **6. Planning Policy**

### 4.1 Development Plan Policy

STP 1 - Spatial strategy (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

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

ECN 12 - A strategy for rural economic growth (Strategic Policy)

ECN 13 - Meeting rural employment needs (Strategic Policy)

ECN 15 - Tourism and visitor development

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

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

ENV 2 - Biodiversity and geodiversity

ENV 7 – Historic environment and heritage assets

### 4.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

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

Wildlife and Countryside Act 1981 (as amended)

Conservation of Habitats and Species Regulations 2017 (as amended)

Planning (Listed Buildings and Conservation Areas) Act 1990

Highways Act 1980

## **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 National Planning Practice Guidance (NPPG) are material considerations in determining this application.

Principle of the development

Design and visual impact

Impact on amenity

Health and wellbeing

Economic growth and tourism

Effects of development on transport network

Biodiversity and geodiversity

Historic environment and heritage assets

### Principle of the development

7.2 This application proposes to significantly enlarge The Blink Bonny Hotel in Christon Bank, so it may expand its offering into visitor accommodation and provision of food. This is considered to be sustainable development which would enhance the vitality of Christon Bank as a community and would support economic growth, both locally and county-wide. The principle of development is therefore acceptable and in accordance with Policy STP 1 of the Northumberland Local Plan and the NPPF.

### Design and visual amenity

7.3 The design of the proposed development is considered to be unacceptable. Aesthetically, the design is acceptable in principle; reclaimed stone, slate and timber windows are proposed to be used in construction. The new windows and doors would be positioned in a manner which respects the fenestration patterns of the existing building and a dual-pitched roof would be used to match the existing.

7.4 The Blink Bonny is a modestly scaled pub, sitting on the end of a terrace row. Unsympathetic development has previously been permitted to the rear and has degraded the visual amenity of the host property. The replacement of the conservatory and outbuildings to the rear is encouraged in principle; but any extension to an existing building must be subservient and subordinate to its host dwelling in its scale and massing, so that it may be easily read and understood as an extension.

7.5 The proposed rear extension would be almost 4 times the length of the original host building and would extend beyond both of its side elevations. It would not be stepped down from the existing roof ridge, nor stepped back from the existing side walls. This, taken together with most of the proposed enlargement being two storey, results in an extension which is neither subservient nor subordinate to the host dwelling which it seeks to extend. Policy QOP 1 of the Northumberland Local Plan has particular regard to building heights, built form, scale and massing and requires that proposals make a positive contribution to local character and distinctiveness. It is considered that the proposals do not achieve this; the extension would dwarf the host property, thereby significantly detracting from its character and distinctiveness.

7.6 The proposals are, by virtue of their excessive scale and massing, unacceptable with respect to their design. Paragraph 134 of the NPPF states that “*development*

*that is not well designed should be refused, especially where it fails to reflect local design policies*". The proposals are not considered to be well designed and do not accord with design policies held within local policy. The proposals are therefore unacceptable in this respect and are not in accordance with Policy QOP 1 of the Northumberland Local Plan nor the NPPF.

### Impact on amenity

7.7 The proposed development has been assessed and is not considered to have a significant impact on amenity. The proposals are therefore considered acceptable in this respect, in accordance with Policy QOP 2 of the Northumberland Local Plan and the NPPF.

### Health and wellbeing

7.8 The local fire and rescue and police services have been consulted on this application and offer no objection to the proposals. The proposals are considered to promote and support the health and wellbeing of its local community, residents, workers and visitors and are therefore acceptable in this respect, in accordance with Policy STP 5 of the Northumberland Local Plan.

### Economic growth and tourism

7.9 Policy ECN 1 of the Northumberland Local Plan seeks to deliver economic growth, while safeguarding the environment and community well-being. This policy requires proposals to support existing businesses, to assist the regeneration of existing areas through employment-related measures, to support rural enterprise and to support and promote tourism and the visitor economy. Policy ECN 12 seeks to encourage the growth of the rural economy through facilitating the growth and up-scaling of businesses in rural locations while safeguarding rural communities and traditional businesses upon which the rural economy depends.

7.10 Policy ECN 13 lends support to rural development that will generate employment opportunities proportionate to the rural location. Meanwhile, Policy ECN 15 of the Northumberland Local Plan expects planning decisions to facilitate the potential for Northumberland to be a destination for visits, holidays, tourism, events, weddings, out of season offer and food and drink.

7.11 The Blink Bonny Hotel currently does not serve food and does not accommodate guests. The proposals would provide extra dining space and rooms which would allow for the premises to operate fully as a hotel and restaurant, as well as a pub serving drinks. This would certainly facilitate extra jobs and employment opportunities, whilst also offering accommodation for visitors and would attract more tourists to Northumberland.

7.12 Importantly, the works would also safeguard The Blink Bonny, which holds much communal value to residents of Christon Bank as it is the only local service open in the settlement. Seeing investment in this local institution would safeguard it from vacancy or demolition in the future. The proposals are therefore acceptable in this respect, are in accordance with, and are lent support by, Policies ECN 1, ECN 12, ECN 13 and ECN 15 of the Northumberland Local Plan.

### Effects of development on transport network

7.13 Highways Development Management have been consulted on this application and are of the stance that the proposals can be made acceptable through the imposition and implementation of conditions. When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.

7.14 Highways have reviewed the proposals as acceptable in highway and policy terms. The imposition of conditions and informatives will address any concerns with the proposed development and will be attached to any grant of permission. The proposals are therefore acceptable in this respect, in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan.

#### Biodiversity and geodiversity

7.15 This application has been submitted with an Ecological Impact Assessment which has included a bat risk assessment and a single activity survey. The County Ecologist was consulted on this application and has no objection subject to conditions; the proposals may impact on protected or notable species, designated nature conservation sites or priority habitat in the absence of mitigation, which is proposed in the ecological report.

7.16 This mitigation should be secured by condition. The development should provide a net gain for biodiversity which can be achieved through the provision of three bird boxes, also secured by condition. A contribution to the Coastal Mitigation Service is also required. The proposals are considered to be acceptable in this respect, in accordance with Policy ENV 2 of the Northumberland Local Plan.

#### Historic environment and heritage assets

7.17 The application site affects the setting of a Grade II listed building; a former railway goods shed immediately to the west of the site. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special, architectural or historic interest which it possesses.

7.18 While the proposals would impact the setting of this designated heritage asset, by obscuring its gable end from current view to the east from the B1340 approach into Christon Bank, it is not considered that the proposals would present any harm to the setting of this listed building. There is a clear and expansive physical delineation between The Blink Bonny and the Grade II listed building, and the proposals would not detract from its historic or architectural interest. The proposals are therefore acceptable in this respect, in accordance with Policy ENV 7 of the Northumberland Local Plan.

#### Equality Duty

7.19 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

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

### Human Rights Act Implications

7.21 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.

7.22 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.

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

## **8. Conclusion**

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

8.2 While the proposals accord with and are even lent support by many policies of the local development plan, the proposed extension is entirely unacceptable in terms of its design; in particular its scale and massing. This is an on-balance decision, and amendments to the design to offset this major concern have not been forthcoming. Paragraph 134 of the NPPF states that "*development that is not well designed should be refused, especially where it fails to reflect local design policies*". Therefore, it is recommended that this application be refused planning permission.



## **9. Recommendation**

That this application be REFUSED planning permission for the following reason(s):

### Conditions/Reason

01. By virtue of its design, scale and massing, the proposed development is considered to significantly detract from the character and distinctiveness of the existing building. The proposals are not therefore considered to be acceptable and are not in accordance with Policy QOP 1 of the Northumberland Local Plan, nor the NPPF.

**Background Papers:** Planning application file(s) 22/02795/FUL