



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, Alwick, Northumberland NE66 1SS		
Applicant:	Bailiffgate Museum and Gallery 14 Bailiffgate, Alwick , NE66 1LX,	Agent:	Mosedale Gillatt Architects East Lodge Jesmond Old Cemetery Jesmond Road Newcastle Upon Tyne NE2 1NL
Ward	Alwick	Parish	Alwick
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