

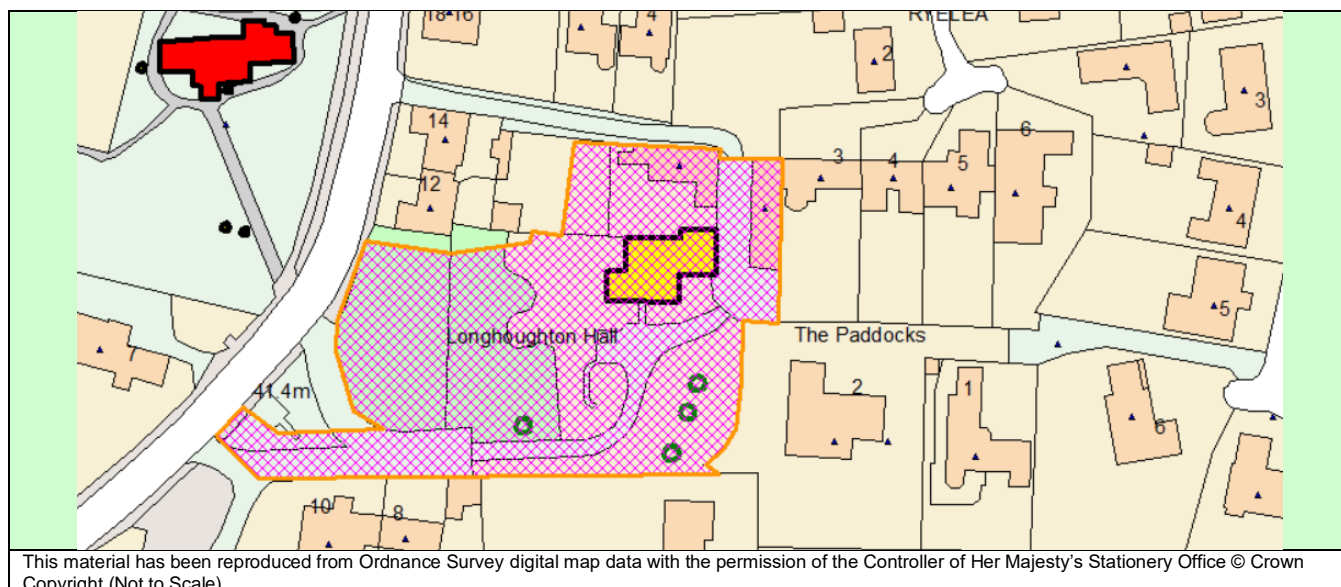


Northumberland County Council

North Northumberland Local Area Council Planning Committee 23rd March 2023

Application No:	22/03383/VARYCO		
Proposal:	Proposed alteration/conversion of 2 outbuildings to the rear of Longhoughton Hall into 2 holiday cottages, to vary condition 2 (approved plans) pursuant to planning application 18/03212/LBC.		
Site Address	Barn B, Longhoughton Hall, North End, Longhoughton Alnwick Northumberland NE66 3AG		
Applicant:	Mr James Souter Longhoughton Hall, North End, Longhoughton, Alnwick Northumberland NE66 3AG	Agent:	Mr David Fleming The Coach House, Longhurst, Morpeth, Northumberland NE61 3LU
Ward	Longhoughton	Parish	Longhoughton
Valid Date:	29 September 2022	Expiry Date:	24 November 2022
Case Officer Details:	Name: Miss Claire Simm Job Title: Planning Officer Tel No: 07592272955 Email: Claire.Simm@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee after it was called in by the Ward Member.

2. Description of the Proposals

2.1 The application seeks Listed Building Consent for the alteration and conversion of 2no outbuildings at Longhoughton Hall to holiday lets within the grounds of the Hall. Currently these outbuildings stand in the form of a disused stable block and garage/storage building. Planning permission is sought to vary condition 2 of application 18/03312/LBC. The variation to the plans includes the increase in height of the eaves and ridge height of the roof, the installation of a new roof structure using Trada roof trusses. The development also seeks to replace the existing glass slates with conservation style rooflights in the north, east and west elevations.

2.2 Longhoughton Hall stands in the village of the same name, and dates from either the late 16th Century or early 17th, with extensive remodelling having been carried out in the 18th Century. The Hall is of two storey rubble construction, with a mixed slate roof and typified by 12-16 panelled sash windows.

2.3 The Hall is Grade II Listed under 'Longhoughton Hall Farmhouse' and is also located within the Northumberland Coast Area of Outstanding Natural Beauty (AONB).

3. Planning History

Reference Number: 17/02180/OUT

Description: Outline permission for conversion of former stables and workshop to provide 2 self-contained 2-bedroom holiday cottages.

Status: APPRET

Reference Number: 18/03212/LBC

Description: Listed Building Consent - Proposed alterations/conversion of 2 outbuildings to 2 holiday lets.

Status: PER

Reference Number: 18/04211/FUL

Description: Proposed alteration of 2 outbuildings to the rear of Longhoughton Hall into 2 self-contained 2 holiday let cottages.

Status: APPRET

Reference Number: 19/02209/FUL

Description: Proposed alteration/conversion of 2 outbuildings to the rear of Longhoughton Hall into 2 holiday cottages (as amended)

Status: PER

Reference Number: 20/01461/DISCON

Description: Discharge of Condition 3 (Protected Species Mitigation), 4 (Archaeological Report) and 5 (Flues, Vents, Pipes, Ducts) on approved planning application 19/02209/FUL

Status: PER

Reference Number: 21/04481/PRUTPO

Description: Tree Preservation Order Application - (Ref 1) Mature sycamore - proposal to reduce some of the branches by (___) so that the crown remains even and balanced throughout; (REF 2/3) Three mature Beech tree's -proposed work to crown raise by (___) to the point of being safe for a bus to pass underneath without touching them
Status: APPRET

Reference Number: 22/02968/VARYCO

Description: Proposed alteration/conversion of 2 outbuildings to the rear of Longhoughton Hall into 2 holiday cottages, to vary condition 2 (approved plans) pursuant to planning application 19/02209/FUL
Status: PDE

Reference Number: A/90/A/550

Description: Create New Window.
Status: PER

Reference Number: A/2002/0112

Description: Tree felling (1 no beech tree)
Status: PER

Reference Number: A/2001/0069

Description: Internal and external works to repair fire damage
Status: WDN

4. Consultee Responses

Longhoughton Parish Council	No objection, however, has questioned the type of application submitted.
Building Conservation	Objection to the scheme, the proposal would result in less than substantial harm.
Northumberland Coast AONB	The AONB partnership is supportive of the conclusions of the Built Heritage and Design officer and raises concerns over the impact of the development on the Grade II listed Longhoughton Hall.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	9
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Listed Building Consent, 21st December 2022

Northumberland Gazette 6th October 2022

Summary of Responses:

A document has been submitted on behalf of the adjoining neighbour in regard to the inaccuracies on what was originally approved compared to what has been built.

The objection to this scheme relates to the insertion of the conservation rooflights, which are overly large giving a feeling of being overlooked and an increase in noise, and the increase in the roof height which has resulted in a loss of light.

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=RI8YEAQS0MK00>

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 7 - Historic environment and heritage assets

ENV 2 - Biodiversity and geodiversity

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

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

6.3 Other Documents/Strategies

7. Appraisal

7.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses. The key issues in the consideration of this application are:

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

The Principle of Development

7.2 The NPPF is a material planning consideration in the assessment of the application. Paragraph 197 of the NPPF states that, in determining applications, Local Planning Authorities should take account of several criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets.

7.3 Paragraphs 199-202 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm' or, 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.4 The proposal has previously been granted listed building consent. This permission is extant. The applicant is seeking to vary the approved details. The principle of providing an appropriate level of sympathetic development to help secure the future and retention of an appropriate use, which will in turn help secure the future of the curtilage listed building, is supported.

Impact on Heritage Assets

7.5 Longhoughton Hall Farmhouse is a grade II listed building. The former stables and workshop are curtilage listed buildings and therefore listed building consent and planning permission is required for their conversion to holiday cottages.

7.6 The Council's Conservation Officer has been consulted on the proposed variation to barn B and has expressed concerns in regard to the development and the accuracy of the plans. The plans have subsequently been amended to reflect what has been built on site, with particular attention to the location of the rooflights. Within the 2018 application (18/03312/LBC) it was anticipated that there would be a probable loss of the roof structure due to structural failings. The Conservation Officer has not objected to the use of steel for the full re roof as the scheme is no longer a repair, if the roof was to be retained and repaired then they would request a traditional repair where the element should be "spliced in".

7.7 It is the Conservation Officer's view that the rooflights, by virtue of their frequency and dominance, detract from the simplicity of Barn B prior to its conversion. Also, while loss of the existing roof structure was justified on structural grounds this would not extend to an increase in the roof height.

7.8 The Conservation Officer has assessed the harm as less than substantial within the terms of the Framework.

7.9 Although there has been concerns raised from the neighbouring occupier in relation to the angle of the roof, (as the developer has installed a new roof structure using "Trada" roof trusses set at 45 degrees), the angle structure of the roof, without the broke back rafter feature has been built in accordance with the original permissions as both the 2018 and 2019 permissions showed a 45-degree pitch.

7.10 Information has been provided from both the applicant's agent and the neighbouring occupier in regard to the increase in roof height. After reviewing all the details submitted from both parties, it is agreed that the ridge height and eaves height have increased. The amended scheme has reflected what is built on site and seeks to regularise this. Although the Conservation Officer accepts that the loss of the existing roof structure was justified on structural grounds this would not extend to an increase to the roof height. Although the Conservation officer does not support the increase in roof height, it is the opinion of the Officer that the increase in height would result in a less than substantial harm to the listed building which would need to be balanced against the public benefits of the development.

7.11 The rooflights have been replaced from glass tiles to conservation style rooflights. The Conservation officer has expressed concerns that the replacement of the existing slates with conservation rooflights has resulted in a material change in the character of the roof, by virtue of their frequency, size, design and placement. The Conservation Officer is of the view that the rooflights are significantly more dominant. The frequency of the rooflights has increased from 10 glass slates to 11 rooflights - six to the west elevation, four to the east elevation and two to the northern roof slope.

7.12 The proposed rooflights subject to this variation although not in an identical position are located in a similar position to original glass slates. They are generally located in the middle third of the roof slope, evenly placed and set at the same level, attempting to reflect the original layout. The rooflights are larger than the original glass slates and do protrude slightly from the roof slope, however, on balance and as agreed by the Conservation Officer, it is considered that the scheme submitted results in less than substantial harm. The windows do not dominate the roof slope as most of the roof mass will remain slate.

7.13 Within the NPPF it states that local planning authorities should take account of:

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

7.14 This is reflected in policy ENV7 which states "Where development proposals would cause less than substantial harm to the significance of designated heritage asset, this will be weighed against the public benefits of the proposal, including securing the optimum use that is viable and justifiable.

7.15 It is considered the conversion of the building, has brought a disused stable back into a viable use which makes a positive contribution to the local character and distinctiveness of the area. The use of the development as a holiday let will have economic benefits for the service village of Longhoughton as it will support the provision and retention of local retail and other services in the village. Furthermore, the renovation of a disused storage building, converting it for tourist accommodation will generate income securing an economically viable future for the building.

7.16 It is considered that the conversion of the building as shown on this variation has delivered a more efficient use for the existing building, ensuring it does not fall into disrepair. It should be accepted that some heritage benefit would be delivered, and this would outweigh any harm to the setting of the listed building, Longhoughton Hall. The proposal therefore complies with policy ENV7 of the Northumberland Local Plan and the NPPF.

Ecology and Coastal Mitigation Scheme

7.17 The Council's Ecologist has been consulted on the scheme and has no objection to the variation of the scheme subject to conditions. The work carried out under the previous consent had led to the destruction of a bat roost. An alternative roost has been created under ecological advice. The mitigation agreed and the alternative roost is detailed in the report Longhoughton Hall, Longhoughton,

Development, Addendum To Ecology and Bat Report- Summer 2019 (Ruth Hadden, November 2022). The mitigation roost (with some modification) is acceptable and is an improved situation to that previously on the site. Therefore, on balance, there is no objection to the proposed variation. This mitigation is to be secured by condition.

7.18 A maternity roost has also been identified elsewhere on the site. Bat licences may not be granted retrospectively, but for completeness the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended), have been considered below.

7.19 The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended), contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species (EPS).

7.20 The "derogation tests" which must be applied for an activity which would harm a European Protected Species (EPS) are contained within the species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended) are as follows:

1. that the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
2. that there is no satisfactory alternative; and
3. that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

7.21 This application is to restore a disused storage building, converting it for tourist accommodation which will generate income therefore securing an economically viable future for the building, therefore test 1 is met. In terms of test 2, as the development has already occurred it is difficult to assess this test.

7.22 With regards to test 3, the building supported a small number of roosting brown long eared bats (maximum of 1-2 in a day roost) which are common and widespread throughout the UK and classed as a species of 'least' conservation concern. The replacement roost recommended by the ecologist is acceptable and will maintain the roost potential of the site. Therefore, the third test for maintenance of favourable conservation status is met. Subject to conditions, the application is considered to comply with policy ENV2 of the Northumberland Local Plan and the NPPF.

Other matters

7.23 A neighbouring resident and the Parish Council have queried whether a variation of plans can be submitted for a listed building. The mechanisms under s19 of the Planning (Listed Building and Conservation Areas) Act 1990 allows for any person interested in a listed building with respect to which listed building consent has been granted subject to conditions may apply to the local planning authority for the variation or discharge of the conditions.

Equality Duty

7.24 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

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

Human Rights Act Implications

7.26 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.

7.27 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.

7.28 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 relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be carried out in complete accordance with the approved plans and documents. The approved plans and documents for this development are: -

1. Location plan; Drawing ref: L (9-)01
2. Proposed site plan; Drawing ref: L (9-)02
3. Proposed floor plan buildings A& B; Drawing ref: L (2-)20
4. Proposed floor plan building A; Drawing ref: L (2-)22
6. Proposed elevations; Drawing ref: L (2-)24
7. Proposed sections; Drawing ref: L (2-)27
8. Proposed door and window schedule; Drawing ref: L (-31)27
9. Elevations proposed as built 2022 2743L (2-) 33E
10. Elevations as built, barn B 2743L (2-) 38E
11. Elevations as built west facing 2743L(2-)37 E

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

02. Materials

The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: To ensure that the character, appearance and integrity of the listed building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Sections 16 and 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and the National Planning Policy Framework.

03. Rainwater goods

Notwithstanding details contained within the approved plans, all new external rainwater goods/pipework shall be cast iron to be retained in perpetuity.

Reason: To ensure that the character, appearance and integrity of the listed building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Sections 16 and 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and the National Planning Policy Framework.

Informatives

1. As bat roosts are present on the site, in most cases a Natural England Licence will be required before the development can proceed.
Pre-commencement works may also require a licence and it must be noted that any noisy or disturbing works during May to August should not take place without first taking advice from the project ecologist. Bats in maternity roosts

are extremely sensitive to disturbance and may abort or abandon their young if disturbed.

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, eggs 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 small chance of encountering protected species during works.

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.

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

Background Papers: Planning application file(s) 22/03383/VARYCO