

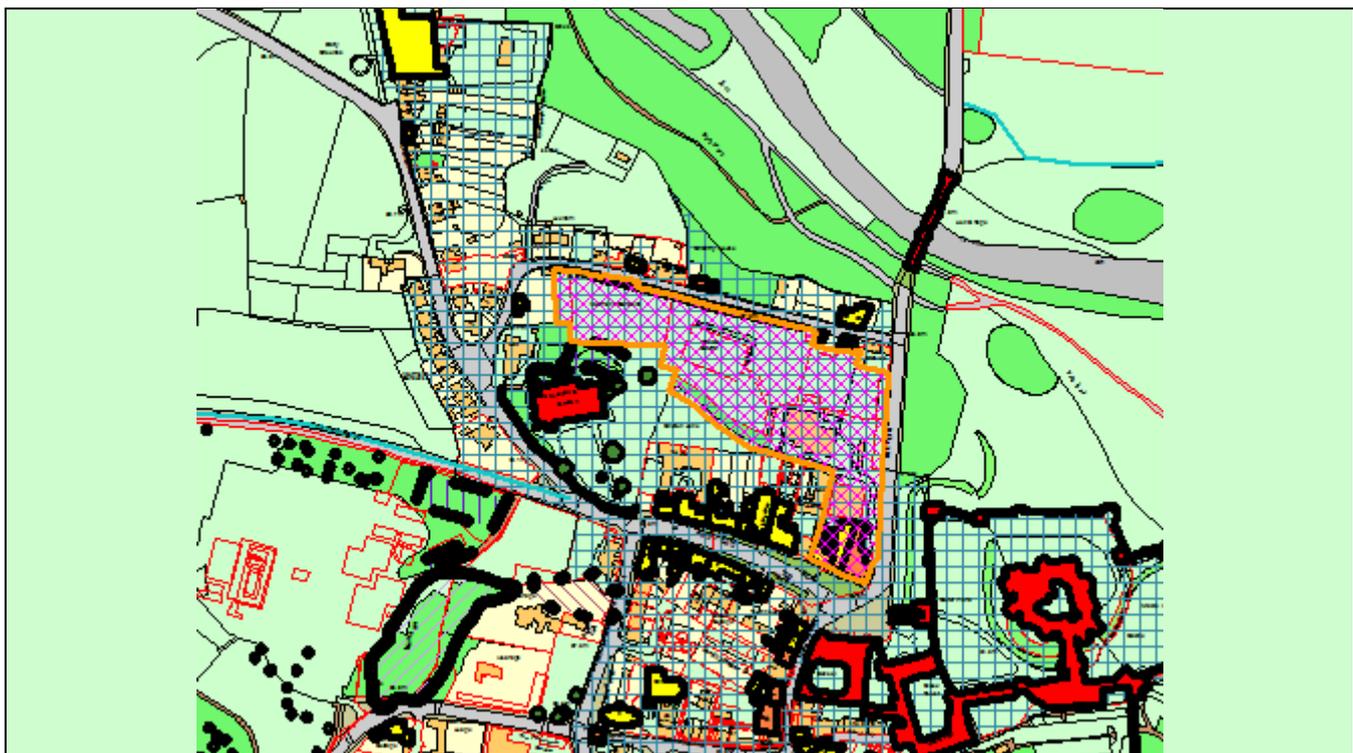


Northumberland County Council

North Northumberland Local Area Council Virtual Planning Committee January 2021

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| Application No: | 20/01238/FUL | | |
| Proposal: | The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works. | | |
| Site Address | Duchess High School Annexe, 2 Bailiffgate, Alnwick, Northumberland NE66 1LZ | | |
| Applicant: | Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX | Agent: | None |
| Ward | Alnwick | Parish | Alnwick |
| Valid Date: | 30 April 2020 | Expiry Date: | 29 th January 2021 |
| Case Officer Details: | Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED, subject to Conditions and Legal Agreement for £13,537 Coastal Mitigation Service Contribution to mitigate for off-site ecological impacts.



1. Introduction

1.1 This application is deemed appropriate for consideration at virtual Strategic Planning Committee following referral through the Virtual Delegation Process.

2. Description of the Site and the Proposal

2.1 The site to which the application relates is located on Bailiffgate, Alnwick and on the land immediately to the North. The listed buildings, 2, 4 and 6-8 Bailiffgate formerly housed the Duchess School. The site is situated on the outskirts of Alnwick town centre, it sits within the Conservation area and immediately to the West of Alnwick Castle. The site is accessed via the public road on Bailiffgate. The north of the site is accessed via a private single carriage road accessed off The Peth. The existing access road tracks to the north and then forms a gravel track towards the West providing some access to the rear of St Michaels Church.

2.3 The terraced buildings on Bailiffgate sit at the top of the slope which forms 'The Peth'. The site slopes gradually down to Walkergate to the North. It is bounded to the East by an existing retaining wall alongside 'The Peth', the West a series of existing stone walls forming the boundary with St Michaels Church. To the north Walkergate forms the boundary with a stone retaining wall alongside the road.

2.4 The proposal to which this application relates is for the conversion of no. 2-8 Bailiffgate to form 14no. hotel suite /apartments, including a new restaurant and bar area. It is proposed that this will be connected by a glazed link to a new-build hotel block extension to the rear, providing 33no. hotel rooms. This totals 47no. hotel rooms.

2.5 The proposed development therefore consists of the conversion of no. 2-8 Bailiffgate, demolition of the rear of 2-8 Bailiffgate and the boundary wall to the east (to allow for vehicular access off The Peth), the refurbishment of the existing gymnasium block and a new build extension.

2.6 It is understood that the gross floor space of the proposal is to be 5630m² with this composed of 4654m² hotel (C1 use) and 976m² (D2 use) Assembly and Leisure use, which is ancillary to the primary function of the proposal as a hotel.

3. Planning History

Reference Number: C/09/00074/CCD

Description: Removal of existing mobile unit and replacement with 2 double mobile units

Status: PER

Reference Number: 13/02288/LBC

Description: Listed Building Consent - Roof repairs to replace stolen lead roof

Status: WDN

Reference Number: 15/00563/VARCCD

Description: Variation of condition 1 from application C/09/00074/CCD (Removal of existing mobile unit and replacement with 2 double mobile units).

Status: APPRET

Reference Number: 18/02544/LBC

Description: Listed Building Consent: General repairs and reinstatement works following cessation of use as school in order to improve aesthetics and make premises wind and watertight. There will also be timber decay repairs, asbestos removal and plaster repairs internally.

Status: PER

Reference Number: 19/04192/LBC

Description: Listed building consent for localised repair of existing pitched roofs, to include replacement of natural slates, lead work, roof lights and cast iron rainwater goods. Install new thermal insulation throughout roof voids at rafter level and removal of existing ceilings throughout the upper floors to expose the roof voids. Redecorate retained existing cast iron rainwater goods.

Status: PCO

Reference Number: 20/01239/LBC

Description: Listed Building Consent: The conversion of no. 2-8 Bailiffgate to hotel (Use Class C1), demolition of rear of no. 2-8 Bailiffgate, construction of new build hotel (Use Class C1), refurbishment works to former gym block (Use Class D2), new vehicular access, landscaping and associated ancillary works.

Status: PCO

4. Consultee Responses

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| Alnwick Town Council | <p>Alnwick Town Council (ATC) believes that the development of hotel, restaurant and gymnasium facilities on the site of the former Duchess High School will bring significant benefits to the town. It will bring back into use buildings which have lain empty since 2016 and provide additional employment opportunities for the residents of the town and its surrounding district. High quality hotel accommodation in the town centre will reinforce Alnwick's stature as one of the premier tourist destinations in Northumberland. As importantly, at a time when the future of the local economy looks uncertain, such a significant investment will signal renewed faith in the future development of the town.</p> <p>For all of these reasons, ATC accepts the general principle of development. ATC has, however, a number of specific concerns and must OBJECT until these are adequately addressed. These fall into three areas; massing, parking and related issues, and access.</p> |
| Highways | No objection, subject to conditions. |
| County Archaeologist | There are no objections to the proposed development on archaeological grounds subject to a programme of archaeological mitigation being undertaken in association with the proposed development. This advice is consistent with paragraph 199 of the NPPF. Conditions suggested. |
| County Ecologist | No objection, subject to conditions and CMS contribution. |

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| Building Conservation | <p>While we support necessary measures to find a new use for 2-8 Bailiffgate we suggest all harm should be avoided. However, if harm is demonstrably necessary it should be minimised. There is no evidence that a building on the scale of the proposed hotel is necessary to bring about the reuse of 2-8 Bailiffgate. In order to bring about the necessary traffic circulation around the proposed development a significant length of listed wall would be sacrificed. We consider the development would give rise to less than substantial harm within the terms of paragraph 196 of the Framework and consequently we object.</p> |
| Strategic Estates | <p>No response received.</p> |
| Historic England | <p>Historic England's remit with the application is the impact the proposal would have on the significance of the grade II* listed 2 Bailiffgate and Alnwick Conservation Area where it is defined by the western entrance of Alnwick Castle, itself a grade I listed building. The existing condition of 2 Bailiffgate and its neighbours 4 and 6-8 is of concern since the Duchess High School vacated the buildings. Internally their characters have been much altered by decades of school use but they retain in their layout and some surviving details a sense of their origins as 18th and 19th century town houses. Externally the buildings make a contribution to the historic coherence and appearance of Bailiffgate and the return of No2. Is over looked by the imposing curtain walls of the castle with views of the Lion Bridge and grade II* registered park and garden in the Distance. On the whole their proposed conversion to hotel use is handled with sensitivity, working with historic layout and restoring features. The loss of the rear ranges and a further erosion of the plot boundaries are the most noticeable negative impacts but probably justifiable in the context of creating a viable hotel. The eradication of dry rot should be directed by understanding and stopping the cause of moisture that leads to the environmental conditions necessary for the rot to take hold. I recommend conditioning a methodology for this aspect of the proposal. The new hotel wing is respectfully sited in relation to the rear of No2 and to The Peth, in turn this helps its relationship to the curtain wall of the Castle in that it feels rooted in the town layout and so maintains the distinction between castle and settlement. The size is large for a rear plot development but manages not to dominate No2 or obscure too much of its rear elevation. It is probably of the maximum size that could be respectful here.</p> <p>A uniform hotel unit plan produces a very regular set of elevations but monotony is avoided through careful detailing of material and texture and inspiration from the town's simple yet ordered 18th and 19th century town houses. All told the application presents a good balance between finding a new viable use for the listed buildings whilst creating a relatively large new building for this part of Alnwick Conservation Area. It accords with paragraph 193 of the National Planning Policy</p> |

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| | <p>Framework asks that great weight be given to the conservation of designated heritage assets.</p> <p>Recommendation</p> <p>Historic England has no objection to the application on heritage grounds</p> |
| National Amenity Societies | No response received. |
| Northumbrian Water Ltd | No objection, subject to condition. |
| Tourism, Leisure & Culture | No response received. |
| Architectural Liaison Officer - Police | <ol style="list-style-type: none"> 1. Consideration to be given to reviewing the lighting scheme to achieve a uniformity level of lighting of 0.4uo. 2. Consideration be given to implementing an access control system to prevent non-residents accessing the residential floors. 3. It be conditioned that the development not be brought into use until a lighting scheme for the site and full details of CCTV cameras, their location and the extent of their coverage have been submitted to and approved in writing by the Local Planning Authority in conjunction with Northumbria Police. |
| Public Protection | The Public Health Protection Unit object to this proposal on the grounds of: Lack of clarification or details of the required ground gas / radon gas protection in the conversion of the existing buildings. |
| Lead Local Flood Authority (LLFA) | No objection, subject to conditions |

5. Public Responses

Neighbour Notification

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| Number of Neighbours Notified | 477 |
| Number of Objections | 2 |
| Number of Support | 0 |
| Number of General Comments | 1 |

Notices

Site notice Affecting LB & Conservation, 22nd May 2020

Morpeth Herald 14th May 2020

Summary of Responses:

2 Representations of objection have been received. These raise concerns regarding the following matters:

- Highway and Transport Issues (e.g. access, road safety and parking)
- Impact on Amenity of Nearby Occupiers

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=Q958HTQSFXP00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy 2007

S1 Location and scale of new development -
S2 The sequential approach to development
S3 Sustainability criteria
S8 Economic regeneration
S10 Tourism development
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and enhancing biodiversity and geodiversity
S13 Landscape character
S15 Protecting the built and historic environment
S16 General design principles
S17 Town centres
S19 Redevelopment of existing school sites
S20 Providing for open space, sport and recreation
S23 Planning obligations

Alnwick and Denwick Neighbourhood Plan 'Made' Version 2017

E1 - Providing for Economic Growth
E5 - Tourism Development
E6 - Employment and Tourism for Young People
CF2 - Outdoor Sports and Leisure
TRA1 - Walking
TRA2 - Cycling
ENV1 - Providing New Green Space Through Development
ENV4 - Protecting Biodiversity
ENV6 - Protecting Trees
ENV7 - Landscaping of New Developments
ENV9 - Sustainable Drainage Systems
ENV11 - Reducing Light Pollution
HD1 - Protecting Landscape Setting
HD2 - Heritage Assets at Risk
HD4 - The Approaches to the Town
HD5 - Design in the Wider Town
HD6 - Protecting Town Gateways
HD7 - Design in the Historic Centre

6.2 National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance (2019, as updated)
National Design Guide (2019)

4.4 Emerging Planning Policy

Northumberland Local Plan Regulation 19 version with minor modifications as submitted for examination (May 2019)

STP1, STP2, STP3, STP4, STP5, STP6, ECN1, ECN15, TCS1, TCS4, QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT2, ENV1, ENV2, ENV3, ENV4, ENV7, ENV9, WAT1, WAT2, WAT3, WAT4, POL1, POL2, INF1, INF5, INF6

7. Appraisal

Development Plan and Material Considerations

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick and Denwick Neighbourhood Plan 'made' version 2017, Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

7.3 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. As per Para 48 of the NPPF the amount of weight that can be given to the emerging Local Plan depends upon the stage of the plan, the level of unresolved objections and its consistency with the NPPF.

7.4 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- The Principle of the Development;
- Development of the Former Duchess' School Site;
- Heritage Matters (*including Public Benefits*);
- Amenity Impacts;
- Landscape/Townscape Matters;
- Design and impact on the local area;
- Highway Safety and Transportation Matters;
- Flood Risk and Drainage;
- Ecology and Biodiversity Matters (*on and off site*);
- Arboricultural Matters (*trees*);
- Contamination;
- Planning Obligations.

Principle of Development

7.5 Policy S1 of the Alnwick Core Strategy (ACS) identifies Alnwick as a Main Rural Service Centre and a main focus for new development. These settlements offer the greatest range of housing, employment and service opportunities, have links to the

transport network, public transport systems and serve wide rural hinterlands. ACS policy S2 provides for a sequential test for new development however, whilst the NPPF encourages the use of previously developed land it does not set a strict hierarchy therefore ACS policy S2 is afforded little weight in the determination of the application. ACS policy S3 outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops services, the transport network and modes of transport other than the private car; that there is adequate existing or planned capacity in the physical and community infrastructure and environmental needs can be mitigated; potential implications of flood risk have been assessed. It is considered that the proposal in principle, complies with these policies. Having regard to Policies S1, S2 and S3 of the Core Strategy, the site is considered to be a sustainable location for new development. The site is located within the Main Rural Service Centre of Alnwick and is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car.

7.6 The ACS acknowledges the economic benefits that tourism brings to the area, but also requires that such development is as sustainable as possible with development such as hotels more appropriate for urban areas. Policy S10 ADNP reflects this requirement. ADNP policy E5 provides support for tourism development subject to a range of criteria.

7.7 The ADNP forms part of the Development Plan for the site. Policy E1 is the main policy with regards to economic development in Alnwick. This states *“Development proposals which support provision of job opportunities and the sustainable development and economic growth of Alnwick as a major service centre will be supported where they can be achieved without significant impact on the environment.”* Policy E5 of the ADNP is also relevant to this proposal. This states *“New tourism development in or adjacent to the town, particularly that which will help grow Alnwick and Denwick as a year round tourism destination, will be supported subject to all of the following being met: i) Development is located where it will complement business and services in the town and will not adversely impact on the vitality and viability of the town centre; ii) Development will contribute positively to the weekend and evening economy of the town; iii) The scale and character of development will not have an unacceptable adverse impact upon the natural and historic environment; iv) Development can be accommodated within the physical infrastructure of the town; v) Development will not have adverse impacts on living conditions in residential areas; vi) Development will not have a significantly detrimental impact on the transport network and travel patterns.”* The proposal will encourage economic development, and see inward investment into the town, further to this, this will help to grow Alnwick as a year round tourist destination, complement existing business and services, and not impact adversely on the vitality and viability of the town centre. The proposal will therefore help contribute to the aims of this policy in principle. Detailed matters e.g. impact on character, historic environment, and highway impacts will be explored elsewhere in this report.

7.8 Policy E6 is also relevant to the proposal. This states *“Development proposals that provide opportunities for the training, employment and retention of young people within the plan area will be supported subject to local character and residential amenity being protected from significant harm.”* As a development that is likely to provide training employment opportunities in Alnwick, the proposal is will comply with this policy in principle.

7.9 ACS policy S8 provides support for high quality development and services which would support economic regeneration through a range and choice of local job opportunities. It is considered that the proposal complies with this policy.

7.10 NLP policy STP 1 sets out a spatial strategy for development seeking to provide development that will enhance the vitality of communities across Northumberland. The NLP identifies Alnwick as a Main Town to deliver sustainable development. Policy STP2 sets out the presumption in favour of sustainable development with STP3 setting out the principles of sustainable development.

7.11 NLP policy ECN 15 provides support for tourism and visitor development subject to a set of principles and which includes prioritising the siting of such developments, in Main Towns and Service Centres.

7.12 NPPF Chapter 6 sets out the government's aim of building a strong economy with paragraph 83 c, providing support for sustainable rural tourism. Paragraph 117 and 118 include the requirement for planning authorities to promote the effective use of land and encourage multiple benefits from land, including through mixed use schemes. It is considered that although the scheme is an urban scheme, this proposal would help tourism in both rural and urban settings.

7.13 The proposal will result in improved tourist facilities in Alnwick in accordance with Policies S8, S9 and S10 of the Alnwick Core Strategy (2007) which support economic regeneration and tourism development in sustainable locations.

7.14 The proposal is considered to be in compliance '*in principle*' with the relevant policies in the Development Plan and when balanced against the appropriate material considerations '*in principle*' e.g. NPPF and the Emerging Northumberland Local Plan, where this can be given weight, as a site, for hotel development, within the built up area of Alnwick.

Development of the Former Duchess' School Site

7.15 The need for the redevelopment of the former Duchess' School site was envisaged when the Alnwick and Denwick Neighbourhood Plan was being prepared as a housing site. This therefore includes the following policy H2

"Housing provision will be made on the sites allocated on the Proposals Map and follow the guidelines in Table HSG2. In respect of the major greenfield allocations, (H2-1 and H2-2) planning applications should be accompanied by a master plan or development brief that demonstrates how the new development integrates with the town and respects the living conditions of existing residents on the urban edge."

7.16 In terms of the site's potential contribution to the housing land supply, this is estimated to be 60 dwellings, however, given the delivery on other sites allocated in the plan, and the housing delivery from non-allocated sites within the urban area of Alnwick this means that this site is no longer fully required to deliver the housing aspirations of the plan.

7.17 Whilst the plan anticipated the site would come forward for housing development, and it is understood that the site partially has an extant permission for housing on some of the site, it is considered that the proposed use would be a more

suitable use of the site, allowing more people to enjoy the site and its setting, experiencing the local historic environment, which is considered to be a public benefit of the scheme.

7.18 The table detailing guidelines for the site states *“Design for this site must take into account important inward views of the town from the north, the Wash Burn corridor on the east side of the site, specimen trees and the future of the greenfield part of the site for recreation.”* It is considered that these guidelines are still relevant to the site and proposal despite the change in the proposed use.

7.19 The ability for the proposal to respect the architectural and historic character of the listed building and its setting is discussed within the heritage section of this report.

7.20 Therefore it is considered that the site will help to achieve the high level aspirations set out in the Neighbourhood Plan, despite the proposal being contrary to allocations in the plan, as set out in paragraph 7.17.

Town Centre Uses

7.21 Overlaying settlement policy is the policy area relating to town centres. Under the NPPF, hotels are clearly within the definition of *'main town centre uses'*, a definition that is carried over into the emerging Local Plan. The town centre boundary was defined through the Alnwick and Denwick Neighbourhood Plan. While it does not cover the whole application site, the town centre does appear to include the main hotel elements of the proposal. The gym building sits out with the boundary. The gym use was ancillary to the former school use and would be ancillary to the hotel use. As a stand-alone use it may have been considered a main town centre use in an edge-of centre location but the ancillary nature and the history of a gym on this site is probably sufficient to avoid any need to carry out sequential testing. The emerging Local Plan makes clear the policy direction intended in this respect in Policy ECN 15 part 2b: *“Where hotel development of over 2,500 square metres gross floorspace, proposed outside a defined town centre, meets the tests set out in Policy TCS 4 and can therefore be supported, other Main Town Centre Uses that are truly ancillary to the hotel, will not themselves be subject to the sequential test.”* It is noted that the car parking area would also be out with the town centre boundary, which seems reasonable. In summary, it is appropriate that the main hotel, especially given the scale involved, sits within the town centre; at the same time, it is acceptable that ancillary elements spill over into the edge-of-centre area.

Links to other NCC Corporate Policy

7.22 Major step changes in provision for visitors have formed a key element of economy and tourism strategies in Northumberland over a long period. The development of visitor attractions, including at the heart of Alnwick and along the nearby north Northumberland coast, has been highly successful. Planning strategies reflect this: Alnwick Core Strategy Policy S8 gives overarching support for development that will regenerate the economy through (inter alia) the provision of jobs. Policy S10 directs tourism development in a way that will boost rural service centres.

7.23 The emerging Local Plan places great emphasis on sustainable economic and tourism development, seeking, in Policy ECN-1 (part 2e), to make decisions that

will support and promote tourism and the visitor economy. The next part of the policy (2f) recognises that the historic environment is a key driver in this effort.

In some respects, the level of growth in visitor attractions has not been matched by the pace of change in the quantity and quality of visitor accommodation. Further development of visitor accommodation, while supported in the existing development plan, is given additional emphasis in emerging development plan approaches.

Locating a large hotel in this prime position in relation to the historic environment will be consistent with this.

7.24 The main tourism policy in the emerging Local Plan, Policy ECN 15, lists (at the start) aspects of tourism that Northumberland is in a good position to capture and seeks to build upon. A large new hotel in the proposed location can be seen as helping in some of these aspirations - notably the potential to provide for heritage and cultural visits, weddings, out of season visits and food and drink tourism. The central Alnwick location is supported by part 2a of the policy, which prioritises Main Towns and Service Centres for the development of significant new accommodation.

7.25 Overall, it is considered, from an *'in principle'* perspective, and more generally in terms of strategies supported by the Council, that the proposal would bring substantial public benefits to the community of Alnwick and the County of Northumberland in economic and tourism terms, as well as keeping listed buildings in beneficial use.

Landscape/Townscape Matters

7.26 The site is located within the town of Alnwick, so the matters to be considered in relation to landscape are minimal, with the proposal appearing within the town from long range views and viewpoints, with the proposal being more related to townscape matters in terms of its contextual appearance. The proposal is therefore deemed to be in compliance with Landscape policies such as S13 in the ACS. This is therefore appraised in Townscape terms as such within this section.

7.27 Policy HD1 of the ADNP is relevant to this section of the report *"Development proposed in the Parishes of Alnwick and Denwick will be expected to be designed to avoid: visual harm to the landscape character and setting of town and village; the loss of landscape features that contribute to local distinctiveness or historic elements that contribute to landscape character and quality and to the health and well-being of residents and visitors. Development proposals that would have an effect on the important views identified in Table HD1 should demonstrate that they do not harm the distinctive landscape or historic character of Alnwick."*

7.28 Policies STP3, HOU9, QOP1, QOP2, QOP6, ENV1, ENV3, ENV7, ENV9 are relevant to matters relating to townscape and the context in which a proposal will be viewed.

7.29 The National Design Guide (September 2019) (NDG) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to townscape, these would be 'Context', 'Identity' and 'Built Form'.

7.30 The first of the ten characteristics is *'Context'*. The NDG clarifies that *"Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and*

improves negative ones". It is considered that this proposal enhances the positive qualities of the heritage assets in question, with the proposal ensuring the conservation of the heritage asset (the former Duchess School Building), providing a new permanent use for the building. Although there is some harm to the structure and the setting. It is deemed acceptable from a contextual perspective as this will improve the site from its current position as a closed school, and provide a well considered scheme a large area of open space, albeit private and a mix of accommodation types in the site, complementing the mix in the surrounding area (either already developed or consented).

7.31 *'Identity'* is also a key characteristic. It is considered that well designed new development is influenced by an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents; the characteristics of the existing built form; the element of a place or local places that make it distinctive; and other features of the context that are particular to the area. Further to this the NDG states *"well designed places are visually attractive and aim to delight their occupants and passers by. They cater for a diverse range of residents and other users. All design approaches and architectural styles are visually attractive when designed well"* and goes further to state *"Well designed places appeal to all our senses. The way a place looks, feels, sounds and even smells, affects its enduring distinctiveness, attractiveness and beauty"*. Further to the points above the proposal is deemed to fit with the identity of the surrounding area as the proposal

7.32 *'Built Form'* is a further key characteristic relevant to this section. The NDG states *"Well designed new development makes efficient use of land with an amount and mix of development an open space that optimises density. It also relates well to and enhances the existing character and context. Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context accessibility, the proposed building types, form and character of the development."*

7.33 Whilst the proposal fits with the landscape character, being in an urban location, townscape is a greater consideration. With regards to compliance with this the applicant has stated the following in their planning statement *"A Landscape and Visual Impact Assessment and accompanying Landscape Strategy Plan has been prepared by Glen Kemp Landscape Architects."*:

Due to the overall screening effect of surrounding buildings, the visual profile of the site within the town and on the approaches to it, is limited. Baliffgate House is very prominent on views along Baliffgate and from the castle entrance. From 'The Peth', most of the site is screened by dense boundary vegetation. Views into the site are most readily obtained from the western end of Walkergate on the site's northern boundary. A key view is that gained from a short section of the Public Right of Way (PROW) running through the parkland to the north site of the river east of Lion Bridge. From here, although the site is not prominent in the view, it is seen in the context of an iconic panoramic scene which includes Alnwick Castle. A small number of properties have mainly upper floor views towards the site, the most notable being those from the sheltered housing accommodation on the site's southern boundary, and those from houses at the western end of Walkergate. There are no views of the site from within the Castle or from the entrance to St Michael's Church.

7.34 In terms of potential landscape effects after completion the LVIA states the following *“Work to the site’s stone walls would be of moderate beneficial significance. The only anticipated potential adverse landscape effects of note (substantial – moderate significance) would be the removal of a mature beech tree (T1) and part of a group of beech trees near the former sports hall. With a sensitive masterplan and detailed design in terms of massing and materials, it is anticipated that the overall effect on townscape character and landscape character of the site would be one of slight beneficial significance.”*

7.35 In terms of visual effects, the LVIA states:
“the most notable effects would be experienced along Walkergate from which initial visual effects would be of moderate significance in time with appropriate landscape mitigation in the form of boundary planting. There would be no notable adverse visual effects for receptors at Alnwick Castle, St Michaels Church or the historic parkland north of the castle.

In terms of policy compliance, the development proposals have been designed in terms of layout and proposed materials so as to reflect the sensitive heritage setting and the development would have no notable adverse effect on the appearance of the local townscape. Further to this there would be no adverse effects on Alnwick’s protected landscapes and the development proposals are a sensitive response to the site’s historic setting and landscape character. With its sensitive approach to responding to the local townscape and site character and its design, it is considered the proposal complies with ADNP policies, where relevant. By carefully incorporating the main hotel car park within the walled gardens on site, and by protecting the most valued trees and integrating soft landscaping throughout the development, the development complies with the key requirements of the emerging NLP.”

7.36 The appropriate policies in the emerging NLP in relation to this matter are Policies ENV1 and ENV3. It is considered the proposal site complies with these policies as the proposal will not have a negative impact on the landscape or the landscape character and will not be visible from long range views towards the site or Alnwick itself.

7.37 Concerns have been raised by representors, including the Town Council, in terms of the massing of the proposal and therefore its likely impact on townscape, however this differs from the opinion of officers, when considering the impact of the proposal in townscape terms, as set out above.

7.38 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Impact on Heritage Assets

7.39 The NPPF, ADLP and the NCS seek to protect heritage assets within the plan area. The site includes the listed buildings of the former Duchess School and is adjacent to the Conservation Area Boundary to the north of the site.

7.40 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.

7.41 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.42 The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.43 Policy S15 of the ACS is the most relevant policy in relation to the Historic Environment in the former Alnwick District Area, and Policies HD2 and HD5 from the ADNP covering specifically the Alnwick, Denwick and Denwick (detached) parishes with NPPF Chapter 16 providing the national context.

7.44 HD2 of the ADNP *“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.”*

7.45 The National Planning Policy Framework (NPPF) is a material Planning consideration in the assessment of the application. Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 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.

7.46 In terms of significance the following is important to note: Within the given red line are the following designated heritage assets will be directly affected: 2 Bailiffgate: grade II* listed; 4 Bailiffgate: grade II listed; 6-8 Bailiffgate: grade II listed; Retaining Walls [Walkergate] grade II listed. The red line boundary is wholly within the Alnwick Conservation Area. The development has the potential to affect the setting of further designated heritage assets including some of the highest national importance including Alnwick Castle (grade I listed) and the Alnwick Castle Registered Park and Garden (grade I listed).

7.47 In terms of commentary from the Conservation Area Character Appraisal, the following is offered in terms of townscape

“The area is centred on the Castle, which is experienced in different ways from the various roads leading to it. From The Peth, leading into the Conservation Area from the north, the Castle is viewed as a whole, the open views to the east contrasting with the walls and vegetation to the west side of the road. Baliffgate forms a processional way, focussing on the Castle gatehouse that is visible along its whole length. The tall canyon of Narrowgate forms a surprising contrast to the open space in front of the Castle, which is of similar size and

proportions to the marketplace, but dominated by roads and car parking which give it a diffuse, open character.

High boundary walls are a feature of the area, where the tall facades of the Riding School and Castle Bailey contribute to a strong sense of enclosure, impinging on the streetscape of Narrowgate, Baliffgate and The Peth, and emphasising the separateness and power of the Castle”

In terms of key buildings, the following is offered:

“Apart from the Castle, the key building in Baliffgate is the Museum, whose vertical architectural style and small front yard create an interesting interruption to the horizontal, linear nature of the remainder of the street. The Grade II listed three-storey houses at the east end of Baliffgate emphasise the importance of the Castle”* It is these three storey houses at the east end of Baliffgate that form part of the proposal, and indeed its frontage.

7.48 With specific reference to the host properties the conservation area appraisal states the following *“Baliffgate had always been directly held by the Castle and was traditionally the home of Estate employees; the Duchess’ School building was originally a dwelling for the Duke’s agent, and the house next door for his librarian.”*

7.49 The interiors of 2-8 Bailiffgate have been significantly altered through its period of use as a school with the removal of many internal walls and associated features and the addition of other subdivisions. To some extent the changes proposed allow a better understanding of room proportions and in some cases restore their wholeness allowing a better appreciation of the significance of the heritage asset. Should it be resolved to approve the application it is suggested that in making the planned internal changes appropriate attention is given to the retention of surviving features including doors, architraves and skirtings.

7.50 A further key consideration with regard to the interior is the treatment of dry rot within the zone marked on the proposed plans. The eradication of dry rot which is well established in the building will result in wide scale loss of original plaster and internal timber structure with its important joinery details. Where parts of the existing interior must be discarded to treat the dry rot they must be replaced like for like in matching detail and materials. A suitable condition is appended to the associated LBC report to cater for this requirement.

7.51 Extensive demolition is proposed to the rear of 2-8 Bailiffgate. It is accepted that not all parts of the listed buildings have equal significance. Also, some C20 additions have marginal significance and we do not resist their demolition. While the loss of certain C18 and C19 rear extensions is regrettable it is accepted that their loss is part of a balance required to find a new use compatible with the significant historic fabric of 2-8 Bailiffgate within the terms of the Framework and Planning Practice Guidance.

7.52 It will be prudent to require the submission of a window schedule detailing the windows to be affected and the work proposed to them for the prior approval of the LPA. The proposal to clean the stone of the existing buildings is noted and should be subject to a condition. Building Conservation have raised no objection to the reuse of the gym block.

7.53 The proposal has been examined by both the Building Conservation Officer and the County Archaeologist, and Historic England. The Building Conservation Officer has considered the application to form less than substantial harm (further commentary below) and the County Archaeologist has no objection and has offered the commentary below, subject to conditions. These conditions have been appended to this report. Historic England have no objection to the proposal on heritage grounds, and have offered the following *“A uniform hotel unit plan produces a very regular set of elevations but monotony is avoided through careful detailing of material and texture and inspiration from the town’s simple yet ordered 18th and 19th century town houses. All told the application presents a good balance between finding a new viable use for the listed buildings whilst creating a relatively large new building for this part of Alnwick Conservation Area. It accords with paragraph 193 of the National Planning Policy Framework asks that great weight be given to the conservation of designated heritage assets.”*

7.54 The County Archaeologist has commented *“The proposed development layout is as set on the ‘proposed general arrangement’ plan (added to Public Access website 05 August 2020). Buildings fronting Baliffgate and the existing gymnasium building to the rear of will be retained. Any archaeological remains surviving below the footprint of these buildings will not be affected. Buildings to the rear of 2-8 Baliffgate to be demolished are identified on the ‘Demolition Survey’ (plan added to the Public Access website 10 August 2020). Details of construction methodologies, depths and foundation techniques for the new buildings are not currently available. Development of this scale will typically include site clearance, landscaping, construction activities, construction of temporary compounds, soil storage and service utility connections. The extent of development proposed as part of the present application is illustrated on the ‘proposed general arrangement’ plan. However, the ‘proposed site layout’ plan and red line boundary also includes two areas annotated ‘principle of residential development established by planning permission A/2010/0450’. No detailed proposals are identified in this area as part of the present application, though the areas are included within the proposed development boundary. For the purposes of this response it is therefore assumed that the whole of the site within the red line boundary will be impacted by the proposed development. Given the scale and nature of development proposed, it is assumed that any archaeological remains present within the site will be either wholly destroyed by the development process or truncated to the extent that the significance of any surviving remains is substantially compromised unless the applicant is able to demonstrate otherwise.”*

7.55 Further to the above, the County Archaeologist has commented *“Taking into account the results of archaeological assessments undertaken across the site to date and the impact of the proposed development on the significance of the known and unknown archaeological remains, I recommend that the developer is required to commission a programme of archaeological mitigation work. The required archaeological work can be secured by condition in line with paragraph 199 of the NPPF. In order to ensure that an agreed programme of archaeological work can be effectively implemented it will be necessary for the applicant’s archaeological consultant / contractor to liaise with other members of the project team to ensure that the archaeological works are accommodated in the development programme and budget.”*

7.56 The proposal is therefore deemed to be acceptable from an Archaeological perspective, subject to conditions, according with relevant heritage policy and

legislation in relation to Archaeological matters, appropriate conditions are suggested to the planning officer and have been appended to this report.

7.57 The Building Conservation Officer has provided the following comments

“A significant concern for Building Conservation is the new hotel building. The proposed 33 bed hotel extension over four levels is considerably greater in mass, height and overall impact than the building it would replace. The key concerns are the setting of Alnwick Castle and the adverse impact on The Peth street scene and consequently on the character of the conservation area. The new hotel would be an unusually tall and bulky building travelling along the Peth in a location where the castle walls presently dominate. Its significant height would be underlined by most of its length being on a level platform rather than following the gradient of the Peth.

While we recognise the mitigation through design, stepping down at the north and selection of materials we believe harm within the terms of the Framework would remain by virtue of the overall height of the hotel building.

A further concern is the impact on Walkergate. We found no discussion in the HIA of the direct physical impact on the grade II listed Retaining Wall. At 6.48 we are told: “The retaining wall does make a positive contribution to Walkergate and therefore to the conservation area...” Further, at 6.49 “The high retaining walls along the Peth and Walkergate will be unaffected by the proposals.”

7.58 Given the new exit for traffic from the hotel will be onto Walkergate a significant portion of the listed fabric would have to be removed. While the plans bear a note relating to the 2010 consent for housing and depict it (implying the exit point already enjoys in principle support) it is not clear if A/2010/0450 is extant. This is harm within the terms of the Framework.”

7.59 In terms of a final position Building Conservation offer the following *“While we support necessary measures to find a new use for 2-8 Bailiffgate we suggest all harm should be avoided. However, if harm is demonstrably necessary it should be minimised. There is no evidence that a building on the scale of the proposed hotel is necessary to bring about the reuse of 2-8 Bailiffgate. In order to bring about the necessary traffic circulation around the proposed development a significant length of listed wall would be sacrificed. We consider the development would give rise to less than substantial harm within the terms of paragraph 196 of the Framework and consequently we object.”*

7.60 Therefore the level of harm identified within the scheme (*less than substantial harm*) must be weighed up against the public benefits of the scheme.

7.61 A number of public benefits of the scheme have been identified. These include, but are not limited to:

- The proposed development has been prepared in a holistic manner through a Masterplan for the delivery of the whole site, including the conversion of the former Duchess School alongside the new development. This is a positive approach to planning and encouraged to ensure that the site is delivered in a

holistic manner and all necessary and appropriate mitigation and public benefits are secured.

- The proposed development will bring a currently vacant Grade II Listed Building back into use and prevent it from falling into a further state of disrepair.
- The securing of planning obligations (CMS contribution) associated with the delivery of the accompanying application.

7.62 It is considered that these public benefits as set out above, outweigh the level of harm identified by the Building Conservation Officer and comply with the relevant provisions of the development plan (both ACS and the ADNP) in relation to heritage assets, when balanced with the provisions of the NPPF.

7.63 The proposal is considered to accord with the provisions of ACS policy 15, ADNP policy HD4 & HD5 and the provisions and intentions of the NPPF; and the emerging Local Plan, where this can be given weight. Appropriate Conditions have been appended to this report and the associated LBC report where appropriate, to make the development acceptable in planning terms.

Impact on neighbour amenity (including Noise Matters)

7.64 NPPF Paragraph 127 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. The relevant local policy in relation to this is B8 of the ADWLP, and accompanying Appendix A (design and layout of new dwellings).

7.65 In the context of the above, the proposals are not considered to be in conflict with paragraph 127 of the NPPF.

7.66 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.

7.67 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the proposal and nearby residential occupiers, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF. Northumbria Police have made comment on this application and made some recommendations to the applicant, suitable conditions have been formulated to cater for these requirements, where they are considered to be within the Control of the LPA. This have been appended to either this report or the associated LBC report where appropriate.

7.68 In terms of the policies of the emerging Northumberland Local Plan, policy QOP2 is relevant to this application with respect to the impact on amenity, it is considered that this proposal, subject to conditions, is compliant with this policy.

7.69 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Design and impact on the local area

7.70 The NPPF, ADNP and ACS seek to ensure that development is sited appropriately, without an unacceptable, adverse impact on the local environment. The NPPF's presumption in favour of sustainable development is based on securing a balance between its economic, social and environmental dimensions. The site is set within/adjacent to existing urban development; any new development will be viewed in the context of the existing built form, which will help visually assimilate new development into its surroundings. The visual change of the built form is not considered to have such an adverse, visual impact on the local area as to justify refusal, indeed this is considered to be an improvement on the existing position of the site as a vacant possession of the applicant. The layout, dwelling mix and design of the proposal is considered to be appropriate, and well considered for the site in general design and amenity terms.

7.71 General design matters are covered locally by S16, this states that all development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials.

7.72 Design in the context of the Neighbourhood Plan is set by policy HD7 'Design in the Historic Centre'.

7.73 The NPPF and both the ACS and NCS seek to ensure good design in all development. The proposal seeks to provide a hotel development of 47 rooms.

7.74 It is therefore reasonable to conclude that the development can accord with the design principles of ACS policies BE8 and S16, policy H4 of the ADNP and the provisions and intentions of the NPPF.

7.75 The appropriate policy in the emerging NLP in relation to this matter are Policies QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, which relate to design matters, however weight at this stage can only be apportioned in line with paragraph 48 of the NPPF.

7.76 As mentioned above, concerns have been raised by representors in relation to the massing of the proposal. It is however considered that the design of the proposal has been well thought out, with satisfactory separation distances to nearby residential and non-residential occupiers, with the vegetative coverage around the site also helping to protect amenity, and it is not considered that any amenity issues that may exist are not significant enough as to warrant refusal of the application on these grounds.

7.77 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Highway Safety & Transport Matters

7.78 TRA1 of the ADNP states *“Proposals for development will be required to have safe and convenient pedestrian access. The enhancement of provision for walking including public rights of way will be supported.”*

7.79 TRA2 of the ADNP states *“Proposals for major development will be required to have safe and convenient cycle access. The enhancement of provision for cycling including existing cycle routes will be supported”*

7.80 ENV11 of the ADNP states *“All street lighting in new developments should be designed to be dimmable, capable of part-night operation and to minimise upward light. Where floodlighting is subject to planning permission it will only be permitted where the developer can robustly justify why it is necessary. In rural parts of the plan area, all new street lighting and lighting within new developments should be set at the lowest intensity compatible with community safety in order to preserve dark skies.”*

7.81 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are ‘severe’.

7.82 Policy S11 of the ACS is the key policy in relation to accessibility and maximising accessibility and minimising the impact from travel, and therefore the key local policy in determining whether the proposal is acceptable from a highways standpoint, alongside relevant national policy. Due to the scale of the proposal it is not deemed appropriate to require a transport statement/assessment. In terms of accessibility,

7.83 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.

7.84 The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle of development on this site in relation to the proposed use, in highways and transport terms, with appropriate conditions suggested, these have been appended to this report.

7.85 The proposed development is to be accessed from a modified site access on to the adopted highway, the B6341, The Peth, to the east and a new site access/egress onto the U3143, Walkergate, to the north of the site. Both of these sections of adopted highway have 30mph speed limits and there are existing double yellow line parking restrictions on the B6341 ‘The Peth’. Given the nature of the proposed development, and the location of the proposals it is advised that the full parking provision for this development is provided prior of first occupation of the proposal.

7.86 Details of the new access/egress point onto the U3143, Walkergate, have been provided as part of this application. This access will provide satisfactory visibility splays and access requirements.

7.87 The needs of servicing and deliveries have been taken into account in the design of the development, and appropriate refuse serving swept paths have been provided at the access/egress points and throughout the development site. With regards to the swept paths, it is noted that the egress movements onto Walkergate are unyielding, and the swept path of the refuse vehicle shows it overrunning the

ensure wide of the carriageway to turn both left and right. To enable unobstructed movement at this egress point, the applicant is therefore advised to provide parking restrictions along this section of highway to reduce obstructions caused by on street car parking. However, an alternative arrangement may be required should restrictions not be invoked due to residential objections. It is noted that the applicant intends to provide a Servicing and Deliveries Management Plan which will restrict the size of vehicles permitted to enter the site, detail appropriate serving times and restrict the access/egress movements. It is considered that the provision of a Servicing Plan would potentially improve road and pedestrian safety at this location, as well as providing an appropriate servicing solution for the whole site. This can be secured by condition, and this approach is considered acceptable. Appropriate conditions have been appended to this report.

7.88 In respect to potential road safety issues on the wider road network, it is considered that the level of additional trip generation from the development site will not result in a material impact upon road safety, and that any residual cumulative impact could not be described as severe.

7.89 It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable albeit for specific concerns and comments regarding the access arrangements and internal layout of the site.

7.90 Discussions have been held, and revised plans have been received, amending the scheme in accordance with the previously raised concerns. There are however minor changes to the scheme that will be required, but these can now be secured by condition, and have been appended to this report.

7.91 Subject to the imposition of the highway conditions on any grant of consent, it is considered that there would be no grounds to refuse the application in relation to highway safety and the proposal would accord with ACS Policy S11.

7.92 The imposition of conditions and informatives with regards to street lighting, refuse storage, car and cycle parking, adoptable roads/footways, travel plan statement, surface water drainage, highway works and the impacts during the construction phase will address any concerns with the proposed development. Appropriate Highways conditions have been appended to this report.

7.93 Concerns have been raised by representors, however it is considered that the proposal's impact on highway and transport matters is not significant enough as to warrant the refusal of the application.

7.94 The appropriate policy in the emerging NLP in relation to this matter are Policies TRA1, TRA2, TRA4 and TRA5, with weight being apportioned in line with paragraph 48 of the NPPF.

7.95 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

Drainage, foul sewage and flood risk

7.96 The relevant local plan policy is policy CD37 of the ADWLP and S3 and S16 of the ACS, with Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 'Water Environment' of the emerging Northumberland Local Plan also being relevant to this section.

7.97 Policy ENV9 of the ADNP also states *"All proposals for major development should incorporate Sustainable Drainage Systems (SuDS), unless it is clearly demonstrated the SuDS are not appropriate. Where SuDS are provided, arrangements must be put in place for their whole lifetime management and maintenance."*

7.98 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Drainage and Water Matters, these would be 'Resilience', and 'Resources'.

7.99 Consultation has taken place in relation to drainage and foul sewage with Northumbrian Water (NWL) and the council's Lead Local Flood Authority Officer (LLFA).

7.100 Initially the LLFA raised some concerns over the proposed development from a flood risk and drainage perspective, including further information regarding ground water sources at the site. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter

7.101 The appropriate policy in the emerging NLP in relation to this matter is Policy WAT3 and WAT4. These have been given appropriate weight with regards to paragraph 48 of the NPPF.

7.102 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight.

Ecology and Biodiversity Matters

On Site

7.103 NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 175 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments

7.104 S3 of the ACS sets out sustainability criteria one of which is that there would be no significant adverse effects on the natural resources, environment, biodiversity and geodiversity of the district.

7.105 S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.

7.106 Policy ENV4 of the ADNP *"In considering development proposals where exceptionally loss of biodiversity is unavoidable, provision should be made for creation*

of equivalent areas of habitat in the vicinity of the site, which are equal in size to, or larger than those lost”

7.107 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be ‘*Nature*’ ‘*Context*’, and ‘*Resources*’..

7.108 The County Ecologist has raised no objection on issues relating to on-site impacts subject to signing up to the Coastal Mitigation Scheme to cater for off-site matters. As set out within the Coastal Mitigation section of the appraisal (see below), the applicant has agreed to enter into a legal agreement with the Local Planning Authority to pay into the Council's Coastal Mitigation Service which would mitigate the off-site impacts associated with the proposal. Suitable Conditions have been suggested by the County Ecologist, these have been appended to this recommendation report.

7.109 Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF, and other material considerations e.g. NDG.

7.110 The appropriate policy in the emerging NLP in relation to this matter is Policies ENV1 and ENV2 weight has been apportioned with regards to these policies in line with paragraph 48 of the NPPF.

Off-Site Ecological Matters (Coastal Mitigation)

7.111 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC which are internationally designated sites as well as further nationally designated sites which are; Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernoise Point SSSI.

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

7.113 S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.

7.114 There is consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. Recreational pressure is also adversely affected dune grasslands which are also

protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.

7.115 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.

7.116 The applicant has agreed to pay a contribution of £13,537 for coastal wardening work, based on the Council's CMS contributions for tourism development. Secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation and has similarly concluded that there will be no significant harm to any SSSIs. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.117 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed.

Arboricultural Issues (Trees)

7.118 Policy ENV6 of the ADNP states *“Development that damages or results in the loss of ancient trees will not be permitted. Development that damages or results in the loss of trees of good arboricultural and amenity value and which does not replace them with equivalent trees will not be permitted. Proposals affecting ancient trees or trees of good arboricultural and amenity value should be accompanied by a tree survey that establishes the health and longevity of any affected trees and proposals should be designed to retain ancient trees or retain or replace trees of arboricultural and amenity value with equivalent trees.”*

7.119 The Conservation Area Character Appraisal offers the following in respect of arboricultural matters close to this site

“Trees line Baliffgate, showing its suburban character in contrast with the general lack of vegetation elsewhere in the town”

7.120 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be *‘Nature’ ‘Context’*, and *‘Resilience’*. The proposal makes good use of the trees and landscaping within the site, both as a design feature and to protect the amenity, and enhance the enjoyment of the site, only removing trees where they are necessary to provide benefit to the acceptability of the scheme, or where these are suffering from ill health.

7.121 Therefore from an Arboricultural perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Landscaping

7.122 Policy EN7 of the ADNP states *“Major development should include as part of planning applications full landscaping and tree planting proposals to add to the distinctive character of the plan area, including off site structural landscaping where the development is on the urban edge and where a common owner makes this possible. Proposals should consider microclimate and specify a diverse range of species, flowering and fruiting at different periods, which enhance wildlife habitats and contribute to national and local biodiversity targets”*

7.123 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be ‘Nature’ and ‘Context’

7.124 Consideration of these aspects have been, in part, considered by the County Ecologist in their ecological appraisal of the proposal. However, this has been given further consideration by the case officer. The proposal intends to retain the majority of the trees and landscaping features present on the site, only removing aspects which are necessary for the implementation of the proposal and those which are of ill health. The landscaping proposals are shown in full in the Landscaping Plans (which form part of the ‘approved plans’ for the site (as detailed in condition 2).

7.125 It is considered that the landscaping proposed as part of the development relates well to the site and its surroundings, helps to provide wildlife biodiversity as well as helping to maximise the resilience of the proposal.

7.126 Therefore from a landscaping perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Contamination

7.127 Paragraph 178 of the NPPF states *“Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

7.128 Policy S3 of the ACS is relevant to this area as this explains that a number of sustainability criteria must be met, some of these relate to Land Contamination and Land Stability matters.

7.129 Policies POL1 are POL2 from the emerging NLP are relevant to this element of the brief.

7.130 Public Protection have provided comment on the proposal and have advised that Public Health Protection have objected due to a lack of ground gas information. It

is however considered by planning officers that these concerns can be overcome with satisfactorily worded conditions as appended to this report or the associated LBC report where appropriate.

7.131 Therefore from a Contamination perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Climate Change (including Sustainable Design and Construction)

7.132 It is important that any development takes into account the effects of climate change and seeks to mitigate these. NPPF paragraph 150 states that to ensure that risks from climate change can be managed, suitable adaptation measures should be adopted, including through the inclusion of green infrastructure and the use of renewable and low carbon energy where appropriate. Policy STP4 of the emerging Northumberland Local Plan requires proposals to mitigate climate change and contribute to meeting targets to reduce greenhouse gas emissions. Policy STP4 goes on to state that two elements which are taken into consideration are building designs which reduce energy consumption, and the incorporation of decentralised, renewable and low carbon energy in the design and construction of the development. The introduction of a major scheme such as this within the urban fabric and context of Alnwick has significant benefits environmentally and in sustainability terms when compared with schemes on the settlement edge or out with large settlements. These include but are not limited to increased access to sustainable transport modes e.g. bus, walk, cycle; as well as reduced reliance on the private car, due to its location within the urban fabric of Alnwick. Further to this, a proposal such as this benefits from being in a location with green infrastructure already in place on the site and as a more compact development, there are sustainability benefits when compared with a scheme composed entirely of dwellings in terms of the overall land take of the scheme, which would likely be of a lower density.

7.133 Further to the above, it is considered that the proposal satisfies the relevant requirements in terms of climate change matters, when considering the policies of the development plan, and material considerations e.g. NPPF and the Emerging Local Plan, where these can be apportioned weight.

Equality Duty

7.134 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

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

Human Rights Act Implications

7.136 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.

7.137 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.

7.139 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 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, which would help to increase the tourism offer in Alnwick, contribute to the local economy, and re-use a currently disused site within the Town's urban fabric. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be GRANTED subject to the following conditions and a legal agreement for a CMS contribution of £13,537.

Conditions/Reason

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

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

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

- Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated Mar 2020 (Rev C 17.008.20)
- Landscape Layout Plan - Former Gardens Dwg. No 1004-8-3 Dated Mar 2020 (Rev D 17/08/20)
- Proposed GF Plan Dwg No. AL(0)21 Date March 2020 (Rev F 27/03/20)
- Landscape Layout Plan - Courtyard Area Dwg No. 1004-8-1 Dated March 2020 (Rev C 03/08/20)
- Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated March 2020 (Rev B 03.08.20)
- Landscape Layout Plan - Former Gardens DWg No. 1004-8-3 Dated March 2020 (Rev C 03/08/20)
- Proposed Site Plan Dwg No. AL(0)20 Dated March 2020 (Rev E 05/08/20)
- Gym Block Proposed Ground Floor Plan Dwg. No. AL(0)40 Dated March 2020 (Rev C 05/08/2020)
- Proposed Road General Arrangement Dwg No. NT14789-006 Dated 30.03.20 (Rev A 13/07/20)
- Gymblock Proposed Roof Plan Dwg No. AL(0)42 March 2020 (Rev C 17/07/20)
- Gym Block Proposed Elevations South and East Dwg. No. AL(0)43 Dated March 2020 (Rev C 17/07/20)
- Gym Block Proposed Elevations North and West Dwg No. AL(0)44 Dated March 2020 (REv C 17/07/20)
- Gym Block Proposed First Floor Plan Dwg No. AL(0) 41 Date March 2020 (Rev B 27/03/20)
- Gym Block Proposed Ground Floor Plan Dwg. No AL(0)40 Dated March 2020 (Rev B 27/03/20)
- Proposed Site Plan Dwg No. AL(0)20 Dated March 2020 (Rev D 27/04/20)
- Location Plan Dwg No. AL(0)01 Dated March 2020 (Rev A 03/04/20)
- Application Form [As uploaded to DMS 21st April 2020]
- Existing Basement Floor Plan - Proposed Demolition Dwg No. AL(0)15 Dated March 2020 (Rev C 14/02/20)
- Existing Elevations 01 - Proposed Demolition Dated March 2020 (Rev B 27/03/20)
- Existing Elevations 02 - Proposed Demolition Dwg. No AL(0)18 Dated March 2020 (Rev B 27/03/20)
- Existing Elevations 03 - Proposed Demolition Dwg No. AL(0)19 Dated March 2020 (Rev B 27/03/2020)
- Existing First Floor Plan - Proposed Demolition Dwg No. AL(0)13 Dated March 2020 (Rev B 27/03/20)
- Existing Ground Floor Plan - Proposed Demolition Dwg No. AL(0)12 Dated March 2020 (Rev B 27/03/2020)
- Existing Roof Plan - Proposed Demolition Dwg No. AL(0)16 March 2020 (Rev B 27/03/20)

- Existing Second Floor - Proposed Demolition Dwg No. AL(0)14 Dated March 2020 (Rev B 27/03/20)
- Existing Site Plan - Proposed Demolition Dwg No. AL(0)11 Dated March 2020 (Rev B 27/03/20)
- Car Park and Gym Block External Lighting Layout DWg No. 2019001-2-96-L002 Date March 2020 (Rev P01 27/03/20)
- Hotel and Courtyard External Lighting Layout Dwg No. 2019001-2-96-L001 Date March 2020 (Rev P01 27/03/20)
- Landscape Layout Plan - Courtyard Area Dwg No. 1004-8-1 Dated March 2020 (Rev B 27/03/20)
- Landscape Layout Plan - Former Gardens Dwg No. 1004-8-3 Dated March 2020 (Rev B 28/03/20)
- Landscape Layout Plan - Former Gym Area Dwg No. 1004-8-2 Dated March 2020 (Rev A 27/03/20)
- New Build Hotel Long Section Dwg No. AL(0)27 Dated March 2020 (Rev B 27/03/20)
- New Build Hotel Short Section Dwg No. AL(0)28 Dated March 2020 (Rev B 27/03/20)
- Proposed Basement Floor Plan Dwg No. AL(0)25 Dated March 2020 (Rev C 27/03/20)
- Proposed East Elevation (The Peth) Dwg No AL(0)30 Dated March 2020 (Rev B 27/03/20)
- Proposed Baliffgate Elevation Dwg No. AL(0)29 Dated March 2020 (Rev B 27/03/20)
- Proposed 1st Floor Plan Dwg No. AL(0)22 Dated March 2020 (Rev F 27/03/20)
- Proposed GF Plan Dwg No. AL(0)21 Dated March 20 (Rev F 27/03/20)
- Gym Block Proposed Elevations North and West Dwg No. AL(0)44 Dated March 20 (Rev B 27/03/20)
- Proposed North Elevation AA Dwg No. AL(0)31 Dated March 2020 (Rev B 27/03/20)
- Proposed North Elevation BB Dwg No AL(0)32 Dated March 2020 (Rev C 03/04/20)
- Road Cross Sections Dwg No. NT14789-009 Dated 30-03-20 Rev -
- Proposed Road General Arrangement Dwg No. NT-14789-006 Date 30-03-20
- Proposed Road Levels Plan Dwg No. NT14789-007 Dated 30/03/20 Rev -
- Road Longsections Dwg No. NT14789-008 Dated 30.03.20 Rev -
- Proposed Road Plan Dwg No. AL(0)26 Dated March 2020 (Rev C - 03/04/20)
- Gym Block Roof Plan Dwg No AL(0)42 Dated March 2020 (Rev B 27/03/20)
- Proposed 2nd Floor Plan Dwg No AL(0)23 Dated March 2020 (Rev F 03/04/20)
- Gym Block Proposed Elevations South and East Dwg No. AL(0)43 Dated March 2020 (Rev B 27/03/20)
- Proposed South Elevation Dwg No. AL(0)34 Dated March 2020 (Rev B - 27/03/20)
- Proposed 3rd Floor Plan Dwg No. AL(0)24 Dated March 2020 (Rev E 27/03/20)
- Proposed West Elevation (Courtyard) Dwg No. AL(0)33 March 20 (Rev B 27/03/20)
- Arboricultural Method Statement Tree Protection Plan (AMS TPP) Dwg No. AMS TPP Dated 09.04.20 Rev - By All about Trees Ltd.
- Drainage Strategy Drawing Ref NT14789-005 REV A dated 01/09/2020 issue 2
- Drainage Strategy and Flood Risk Assesment Ref NT14789 001 issue 2 Dated Aug 2020 produced by Wardell Armstrong

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

03. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with

Northumbrian Water and the Lead Local Flood Authority. This must include, details of surface water drainage to manage run off from private land. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

04. No dwelling shall be occupied 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 the National Planning Policy Framework.

05. Notwithstanding the details submitted, development shall not commence until details of the proposed highway works (construction of the new site access/egress onto the U3143, Walkergate, modifications to the site access onto the B6341, The Peth, together with associated pedestrian connectivity works/dropped kerb crossings on The Peth, Walkergate and Cannongate, as well as parking restrictions on the U3143, Walkergate) have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

06. Notwithstanding the details provided, the development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework

07. Notwithstanding the details submitted, prior to occupation details of Electric Vehicle Charging to incorporate 6% of the total parking with 3.0m wide parking spaces 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 the National Planning Policy Framework

08. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the

construction period. The Construction Method Statement shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development
- v. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

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

09. No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework

10. The development shall not be brought into use until a Servicing and Deliveries Management Plan has been submitted to and approved in writing by the Local Planning Authority. The document shall include:

- i. details of the access and egress arrangements for delivery and servicing vehicles;
- ii. details of the type and size of delivery and servicing vehicles to be used;
- iii. delivery and servicing times/days;
- iv. general swept path arrangements for delivery and servicing vehicles.

Thereafter, any requirements of the plan shall be strictly adhered to, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to achieve the requirements of the Service Management Plan, and in accordance with the National Planning Policy Framework.

11. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 28/08/20). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

- a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- b) The archaeological recording scheme required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.
- c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest

12. No development shall commence until a demolition method statement including provision for archaeological monitoring of buildings during demolition (at or below ground level) has been submitted to and approved in writing by the LPA.

Reason: The site is of archaeological interest.

13. The programme of historic building recording undertaken as part of the 'Archaeological Desk-based Assessment and Building Recording' report (Report ref 4987; February 2019) should be archived to appropriate professional standards. A copy of the report and archive should be deposited at Northumberland Archives, Woodhorn Museum. The digital archive (including a digital copy of the report and digital images captured during the recording exercise) should be archived via Archaeological Data Services, York. Accession numbers for each deposit should be internally cross-referenced. The required archiving work should be completed, and the LPA notified in writing with accession numbers provided before the condition is discharged.

Reason: The site is of archaeological and historic interest.

14. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (Duchess High School Ecological Assessment, BSG Ecology Ltd., 8.4.20) including, but not restricted to, obtaining a Natural England European Protected Species Development Licence; 4no. bat boxes (as specified) in trees within the ownership/control of the applicant before demolition/development commences with details of locations to be submitted to, and agreed in writing with, the LPA before works commence; inclusion of in-built bat roost and nesting bird features in the new/converted buildings (e.g. bat/bird bricks, clates, ridge tiles) with types, numbers and locations to be submitted to, and agreed in writing with, the LPA before works commence; provision of 2no. hedgehog nest boxes with types and locations to be submitted to, and agreed in writing with, the LPA before works commence adherence to timing restrictions; adherence to precautionary working methods and bat and hedgehog Method Statements to be submitted to, and agreed in writing with, the LPA before works commence; adherence to external lighting recommendations in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Professionals, 2018; erection of 15no. bird boxes (as specified) within the site boundary and in the ownership/control of the applicant with details of types and locations to be submitted to, and agreed in writing with, the LPA before works commence; any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped; precautionary aerial (climbing) inspection of any trees proposed for felling before felling works begin with the results of any such assessments, together with any avoidance, mitigation or enhancement works as may be required to be submitted to, and agreed in writing, with the LPA before felling works begin; an updating active season bat and bird nesting survey to be carried out in the event that works do not commence before the end of August 2021 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the LPA before works commence.

Reason: To maintain the favourable conservation status of protected species.

15. No development/demolition, removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law.

16. All new boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species.

17. No development shall be carried out other than in accordance with the arboricultural method statement and tree protection plan (Arboricultural Method Statement Tree Protection Plan, AllAboutTrees Ltd., Drawing No.: AMS-TTP, 9.4.20) and guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

18. No development shall commence until the applicant has submitted a detailed landscape planting plan including the planting of locally native species of trees, shrubs and wildflowers of local provenance to be agreed in writing with the LPA and 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.

19. Before construction work commences samples of the main construction materials and window details for the proposed hotel extension and gym refurbishment shall be submitted to and approved in writing by the LPA. Full details of the type and extent of the proposed photovoltaics to the roof of the proposed new build hotel to be submitted and agreed in writing prior to installation.

Reason: To ensure the proposal is completed as anticipated.

20. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

* As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);*

Construction details (component drawings, materials, vegetation);

* Health and Safety file;

* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

21. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A

maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime

Background Papers: Planning application file(s) 20/01238/FUL