



Northumberland County Council

Tynedale Local Area Council Planning Committee 15 March 2022

Application No:	21/03672/FUL		
Proposal:	Part-retrospective: Change of use from Public House with staff accommodation to mixed use including public house, bed and breakfast and podiatry. Internal and external works including various windows, french doors, shed and decking.		
Site Address	Crown Inn, Catton, Hexham, Northumberland, NE47 9QS		
Applicant:	Mr John Gray Crown Inn, Catton, Hexham, NE47 9QS	Agent:	None
Ward	South Tynedale	Parish	Allendale
Valid Date:	27 September 2021	Expiry Date:	22 November 2021
Case Officer Details:	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

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

2. Description of the Proposals

2.1 Part-retrospective planning permission is sought for the change of use of The Crown Inn at Catton from a public house with staff accommodation to a mixed use of a public house with staff accommodation, bed and breakfast (B&B) and podiatry clinic. The part-retrospective change of use includes internal and external alterations to the building, as described below:

Internal – Ground Floor

- Create a bedroom associated with the B&B within the existing kitchen.
- Create a bathroom for the bedroom associated with the B&B within the existing rear lobby area through the insertion of a new partition wall.
- Reconfigure the layout of part of the existing bar area through the insertion of a partition wall to create a new kitchen area.
- Reconfigure the layout of the male and female toilets to create a podiatry room, 1no. toilet and 1no. disabled toilet.
- Redecoration throughout.

Internal – First Floor

- Reconfigure the layout of the first floor level, which is the private living accommodation of the applicant, from 4no. bedrooms, 1no. bathroom and a linen cupboard to 3no. en-suite bedrooms and a linen cupboard.
- Redecoration throughout.

External

- Installation of 1no. new rooflight window to north elevation.
- Alteration and enlargement of 1no. existing dormer window to north elevation.
- Replacement of 1no. existing dormer window with 1no. new dormer window to north elevation.
- Installation of 1no. new window opening to west elevation at ground floor level to serve the kitchen.
- Replacement of 1no. existing window with 1no. set of French doors to the south elevation and to serve the bedroom associated with the B&B.

2.2 The application includes the construction of a timber shed within the grounds of The Crown Inn and the installation of an area of external decking with

associated handrail to the west elevation of the building to serve the ground floor bedroom associated with the B&B.

- 2.3 During the course of the application, the applicant has confirmed that the public house is not currently operational but that they propose to open the public house on the 1st May 2022 with the following opening hours:

Monday to Thursday 12:00pm – 22:00pm

Friday and Saturday 12:00pm – 23:00pm

Sunday 12:00pm – 22:00pm

- 2.4 The applicant has submitted a premises licence application with the above details which is currently under consideration by the Council's licencing department. The planning department has been consulted on the premises licence application and has raised no objection (planning reference: 22/00008/LIC).

- 2.5 The Crown Inn is located within the small village of Catton and is adjacent to the B6295 which is the main road that runs through the village, connecting Hexham to Allendale. The application site is located within the North Pennines Area of Outstanding Natural Beauty (AONB) and is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI).

- 2.6 Following a site visit, it was evident that the internal and external alteration works had begun but had not been completed and that the shed and decking had been constructed; hence, why this application is seeking part-retrospective planning permission.

3. Planning History

Reference Number: 22/00008/LIC

Description: Closing date for representations is the 22nd February 2022, new premises licence, service request 154441 has been created on Civica

Status: No Objection

Reference Number: 14/00992/FUL

Description: Proposed installation of bifold doors to south elevation, installation of pyramid roof light to existing flat roof, replacement of external doors with upvc doors

Status: Permitted

Reference Number: T/20060275

Description: Certificate of lawfulness for an existing use for the use as a domestic residential dwelling house (use class C3)

Status: Refused

Reference Number: T/20010815

Description: Change of use of public house to dwelling

Status: Refused

Reference Number: T/20000821

Description: Change of use of public house to residential dwelling

Status: Withdrawn

Reference Number: T/80/E/939

Description: Extension to provide lounge/function room and porch.

Status: Permitted

Reference Number: T/80/E/527

Description: Alterations and extension to provide spirit store, cellar, ladies toilets and front and rear porches.

Status: Permitted

Reference Number: T/77/E/121

Description: Extension to provide games room (as amended by letter dated 13th April, 1977 and attached plan).

Status: Permitted

4. Consultee Responses

Public Protection	No comment to make on this application.
Highways	No objection subject to informatives.
Architectural Liaison Officer - Police	No comments or objection from a crime prevention viewpoint.
North Pennines AONB	No response received.
County Ecologist	No comment to make on this application.
Natural England	No objection.
Allendale Parish Council	Support the application as it is in keeping with Policies ANDP1 (General Development Principles) and ANDP5 (New Build Tourism Accommodation) of the Allendale Neighbourhood Development Plan.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	65
Number of Support	7
Number of General Comments	2

Notices

General site notice – Displayed on 15th October 2021

No press notice required.

Summary of Responses:

65 representations of objection have been received which have raised the following concerns:

- Concerns that the majority of the works have already been undertaken without planning permission.
- It is understandable that diversification is necessary to create a sustainable, viable business; however, more appropriate proposals should be put forward which do not involve as much of a reduction in

the size of the public house, as is currently proposed in this application.

- The proposals would significantly reduce the size and facilities of the public house, providing a small bar and seating area, which cannot be fit for purpose/is unviable/unsustainable.
- The proposals threaten the viability of the public house.
- Disproportionate size of the pub, when compared to the size of the B&B and podiatry uses.
- The proposals are not in accordance with local and national planning policy.
- The proposals would negatively impact upon the local community, who consider The Crown Inn to be an asset of community value and a focal point/hub for the village.
- The proposal would result in the loss of a community facility, which are already limited in the village.
- The proposed changes mean that Catton will no longer have a community hub/focal point.
- There is an existing podiatry business within Allendale, whose business would be affected by such close competition.
- The B&B element of the proposal would adversely affect other B&Bs in the local area.
- The retention of The Crown Inn as a public house would allow villagers to walk to a local pub rather than drive to the pubs in nearby villages.
- The long planning history of the site should be considered.
- The removal of toilets is inappropriate and would not meet health and safety requirements.
- The application should be refused, and the Crown Inn should be restored back to its original layout.
- This Asset of Community Value needs to be protected.
- Catton will become a less attractive place for visitors and for locals to reside.
- The Crown Inn should be retained as a public house to serve the community, which is increasing in size, with new housing developments recently having been permitted in the village.
- The internal alterations which have already been undertaken have adversely impacted on the character of the building.
- The site appears more akin to a private, residential dwelling than a public house, due to the changes.
- There is no staff accommodation associated with the B&B.
- With the right management, the public house can be viable.
- A full appraisal of the viability of the public house has not been undertaken.

7 representations of support have been received and are summarised below:

- It is a shame that the area of the building proposed to be retained as a public house has been reduced, however, a smaller public house is better than no public house.
- The proposed changes give The Crown a better chance of survival.
- This new plan for the Crown Inn offers diversity.
- It makes sense to diversify to create a sustainable, viable business.

- Beneficial to see the public house open again, even if its smaller.
- The proposal would assist local tourism.
- The Crown Inn can still be a community hub.
- The proposals would benefit the local community.

2 neutral representations have been received and are summarised below:

- Reduced seating in the bar area would restrict footfall.
- Although the public house was not previously viable, the proposed uses within this application may also struggle.
- B&B would be highly advantageous to the area.
- There is an existing podiatry business within Allendale, and it is doubtful there is enough podiatry work within the local area to warrant two podiatry businesses.
- Of the three uses proposed, the B&B and public house elements would be the most appropriate.
- The changes seem unlikely to fully integrate The Crown as a public house.
- The submitted plans do not show any private accommodation for the B&B hosts.
- Concerns regarding noise from visitors using the B&B.
- The proposals would reduce the size of the public house and would provide a very small bar area.
- Surprise at the extent of works undertaken without planning permission.

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=QZJ0O2QSJ9700>

6. Planning Policy

6.1 Development Plan Policy

Allendale Neighbourhood Development Plan (2015)

Policy ANDP1 – General Development Principles

Tynedale LDF Core Strategy (2007)

Policy GD1 – The General Location of Development

Policy GD4 – Principles for Transport and Accessibility

Policy BE1 – Principles for the Built Environment

Policy EDT1 – Principles for Economic Development and Tourism

Policy CS1 - Principles for Community Services and Facilities

Policy NE1 – Principles for the Natural Environment

Tynedale District Local Plan (2000)

Policy ED11 – Small Scale Opportunities from New Sites, Redevelopment or Conversions

Policy GD2 – Design Criteria for Development

Policy GD4 – Range of Transport Provision for all Development
Policy GD6 – Car Parking Standards outside the built-up areas
Policy NE15 – Development in the North Pennines AONB
Policy NE27 – Protection of Protected Species
Policy TM6 – Tourism Development in the North Pennines AONB
Policy TM7 – Tourist Accommodation in Existing Settlements

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021, as updated)
National Planning Practice Guidance (NPPG) (2018, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by Main Modifications recommended in the Inspectors' Report (January 2022)

Policy ECN 1 – Planning Strategy for the Economy (Strategic Policy)
Policy ECN 15 – Tourism and Visitor Development
Policy ENV 2 – Biodiversity and Geodiversity
Policy ENV 6 – North Pennines Area of Outstanding Natural Beauty
Policy INF 2 – Community Services and Facilities
Policy INF 3 – Local Village Convenience Shops and Public Houses
Policy INF 4 – Assets of Community Value
Policy QOP 1 – Design Principles (Strategic Policy)
Policy QOP 2 – Good Design and Amenity
Policy STP 1 – Spatial Strategy (Strategic Policy)
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)
Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)
Policy TRA 2 – The Effects of Development on the Transport Network
Policy TRA 4 – Parking Provision in New Development

6.4 Other Documents/Strategies

North Pennines AONB Building Design Guide (2011)
North Pennines AONB Planning Guidance (2011)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises of the Allendale Neighbourhood Plan, the Tynedale LDF Core Strategy and the Tynedale District Local Plan. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections

to policies within the plan; and the degree of consistency with the NPPF. The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The Plan is in the final stage of preparation, there are no unresolved objections, and the Plan is consistent with national policy, and therefore significant weight can be given to the policies in the NLP.

7.3 The main considerations in the determination of this application are:

- Principle of the development.
- Design and impact on the North Pennines AONB.
- Amenity.
- Highway safety.
- Ecology

Principle of the Development

7.4 The application site is located within the settlement of Catton, which is identified as a smaller village under Policy GD1 of the Tynedale LDF Core Strategy. This policy states that only small scale development is allowed within the smaller villages of the former Tynedale District. It follows on to state that *"in all cases the scale and nature of development should respect the character of the town or village concerned"*.

7.5 Catton is also identified as a small village under Policy STP 1 of the emerging Northumberland Local Plan which relates to spatial strategy. Policy STP 1 states that *"in order to support the social and economic viability of rural areas, and recognising that development in one village can support services and facilities in other nearby villages, Small Villages listed in Appendix A will support a proportionate level of small scale sustainable development"*. Due to its small scale and nature, the part-retrospective development is considered to be acceptable in the small village of Catton in relation to the above locational planning policies.

7.6 Policy EDT1 of the Tynedale LDF Core Strategy sets out the principles for economic development and tourism, one of which is to support a buoyant and diverse local economy. Another principle of Policy EDT1 is to protect and enhance existing tourist facilities and infrastructure, whilst also allowing new tourist development where appropriate in order to increase the range, quality and type of facilities available to tourists. Policy ECN 1 of the emerging Northumberland Local Plan sets out the planning strategy for Northumberland's economy. This policy states *"the Plan will deliver economic growth, while safeguarding the environment and community well-being, so helping to deliver the objectives of the Council's economic strategy"*. The strategies set out within Policy ECN 1 include to *"support both existing and new businesses"* and to *"to support and promote tourism and the visitor economy"*.

7.7 Policy TM6 of the Tynedale District Local Plan relates specifically to tourism development within the North Pennines AONB. This policy states

“development proposals within the AONB will be allowed only if they fulfil the following criteria:

- (a) they do not detract from the landscape quality and wildlife value of the AONB and are in keeping with the upland rural character of the area; and*
- (b) due to the tranquil nature of the AONB, they do not conflict with the quiet enjoyment of the countryside”.*

7.8 Policy TM7 of the Tynedale District Local Plan relates specifically to tourist accommodation within existing settlements. Policy TM7 is supportive of new visitor accommodation within the built-up areas of existing towns and villages.

7.9 Policy ECN 15 of the emerging Northumberland Local Plan relates to tourism and visitor development. This policy seeks to promote and develop Northumberland as a destination for tourists and visitors.

7.10 The application proposes to change the use of The Crown Inn from a public house with staff accommodation to a mixed use of a public house with staff accommodation, B&B and podiatry. The proposed change of use would reduce the size of the bar area associated with the public house to allow for the existing kitchen to be relocated and to allow for the creation of one bedroom at ground floor level, which is to be run as B&B accommodation. The proposed change of use would also include the reconfiguration of the toilets associated with the public house to allow for a podiatry room to be created. The applicant wishes to diversify the current business by introducing B&B accommodation and a podiatry clinic to make running the public house viable. The proposed B&B accommodation would contribute towards increasing the range, quality and type of facilities available to tourists within Northumberland and both the B&B accommodation and the podiatry clinic would support the local, rural economy. The Crown Inn would continue to operate as a public house, albeit in a reduced bar area. The proposed change of use is considered to be acceptable as a matter of principle in relation to the abovementioned economic and tourism related policies.

7.11 Policy CS1 of the Tynedale LDF Core Strategy sets out the principles for community services and facilities, which includes public houses. The principles of Policy CS1 are to *“address deficiencies in services and facilities and facilitate improvements in their level of provision, quality and accessibility”* and to *“retain local shops and other community services and facilities, especially where there are no accessible alternatives”*. Policy INF 2 of the emerging Northumberland Local Plan also relates to community services and facilities and similarly to Policy CS1 is supportive of improvements in the quantity, quality, accessibility and range of community services and facilities. Policy INF 2 is also not supportive of the loss of community services and facilities unless specific criteria are met.

7.12 Policy INF 3 of the emerging Northumberland Local Plan relates specifically to local village convenience shops and public houses. This policy is not supportive of the loss of convenience shops and public houses within local villages unless certain circumstances apply, including if the business is no longer economically viable. Policy INF 3 refers specifically to the loss of convenience shops and public houses. Therefore, Policy INF 3 is not

relevant in the assessment of this application, as the proposal solely seeks to reduce the size of the existing public house but does not seek to fully remove this facility from the community. Policy INF 4 of the emerging Northumberland Local Plan relates to Assets of Community Value. It is acknowledged that The Crown Inn at Catton has recently been identified as an Asset of Community Value. Policy INF 4 states *“proposals that involve the loss, redevelopment or change of use of any registered Assets of Community Value, or any part of that asset, will not be supported unless:*

- (a) alternative equivalent provision of the services and facilities provided by the asset is secured to meet community needs; or*
- (b) it can be demonstrated that the continued use of the asset for its current use is no longer needed to meet community needs; or*
- (c) it can be demonstrated that the continued use of the asset for its current use is no longer viable”.*

7.13 Policy INF 4 of the emerging Northumberland Local Plan is relevant in the assessment of this application as the proposal seeks to reduce the size of the bar area of the existing public house, which is an Asset of Community Value, to allow the business to diversify to include tourism accommodation and a podiatry clinic. It is recognised that whilst the proposal would involve the change of use of part of the identified Asset of Community Value (public house), it would continue to provide a bar area for the public house but on a reduced scale which is considered to still meet the needs of the local community and is considered to be a proportionate size for the size of the small village its located within. The part-retrospective development is therefore considered to be acceptable in accordance with Policy INF 4 of the emerging Northumberland Local Plan.

7.14 The Planning Statement indicates that based on past financial performances of businesses at The Crown Inn, it is considered that alternative revenue streams, such as B&B accommodation and podiatry, are essential for the overall viability of the business and that operating solely as a public house is not a sustainable option. It is recognised that over the past 20 years, The Crown Inn has been operated by several different businesses and has been closed for several years over that period. The part-retrospective development would diversify the current business by introducing B&B accommodation and a podiatry clinic, whilst continuing to run the public house. The supporting information indicates that this is considered a necessary step to make running the public house viable. The part-retrospective application would retain the public house and would allow it to re-open whilst also increasing the facilities and services in the village and in the wider rural area through the introduction of the new uses. The application is therefore also considered to be acceptable as a matter of principle in accordance with the abovementioned community services and facilities related planning policies.

7.15 Overall, the application is considered to be acceptable as a matter of principle in accordance with Policy GD1, CS1 and EDT1 of the Tynedale LDF Core Strategy, Policies TM6 and TM7 of the Tynedale District Local Plan, Policies STP 1, ECN 1, ECN 15, INF 2 and INF 4 of the emerging Northumberland Local Plan and the principles of the NPPF.

7.16 Several of the representations of objection have raised concerns regarding the change of use proposals and the acceptability of these. The part-retrospective application has been thoroughly assessed against local and national planning policies and the principle of the development is considered to be acceptable for the reasons stated within the above paragraphs of this report. Several of the representations of objection have also raised concerns that the proposals would result in the loss of the public house. The proposal seeks to reduce the bar area of the existing public house and does not seek to remove this important community facility, which is an Asset of Community Value.

Design and Impact on the North Pennines AONB

7.17 The application site is located within the village of Catton and is wholly within the North Pennines AONB. The proposal seeks to undertake a straightforward change of use of the existing building. The footprint of the building would remain as existing and would not increase in size. The proposal would involve internal alterations to the layout of the building and some external alterations to the fenestrations. The majority of the works would be internal and therefore the external appearance of the building would remain largely as existing, except for a few, minor changes to the fenestration which are shown on the plans submitted to the local planning authority and as described in Section 2 of this report. The proposal also includes the construction of a timber shed of a domestic size within the grounds of The Crown Inn and the construction of a small area of decking to the west elevation. The North Pennines AONB Partnership has been consulted on this application; however, no response has been received.

7.18 Taking the above into account, it is considered that the proposal would not adversely impact upon the special scenic qualities of the North Pennines AONB and would preserve the character of the area and the surrounding landscape. The proposed development is in accordance with Policy ANDP1 of the Allendale Neighbourhood Plan, Policies BE1 and NE1 of the Tynedale LDF Core Strategy, Policies GD2 and NE15 of the Tynedale District Local Plan, Policies ENV 6, QOP 1, STP 2 and STP 3 of the emerging Northumberland Local Plan and the principles of the North Pennines AONB Building Design Guide.

7.19 Some of the representations have raised concerns regarding the impact of the proposal upon the character of the building and the wider area. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment, it is considered that the proposal as submitted, is acceptable in this respect in planning terms.

Amenity

7.20 The Crown Inn is located within the small village of Catton and is adjacent to the B6295 which is the main road that runs through the village, connecting Hexham to Allendale. The Crown Inn is located directly to the north of the road junction between the B6295 and the C289 and is located within a predominantly residential area within the village. The proposal seeks to change the use of The Crown Inn from a public house with staff accommodation to a mixed use of a public house with staff accommodation,

B&B accommodation and podiatry. The first floor of the building will remain as private living accommodation for the staff (the applicant in this case) and the ground floor would be reconfigured to reduce the size of the bar area of the public house to incorporate one bedroom to be associated with the B&B business and to incorporate a podiatry room. The majority of the building will therefore remain within the same use class as existing. It is considered that the part-retrospective change of use would have a negligible impact upon the residential amenity of neighbouring properties, when compared to its former use. The Council's Public Health Protection team, who consider issues such as noise and impact upon amenity, have been consulted on this application; however, they have no comment to make.

7.21 The part-retrospective change of use includes internal and external alterations to the building, as described in Section 2 of this report. The application also includes the construction of a timber shed within the grounds of The Crown Inn and the installation of an area of external decking with associated handrail to the west elevation of the building to serve the ground floor bedroom associated with the B&B. Given the separation distances between The Crown Inn and neighbouring residential properties, the part-retrospective external alteration works to the building and the construction of the decking and timber shed would be considered limited works and are acceptable in this location and would not adversely affect the residential amenity of the immediate neighbouring properties. It is recognised that some of the representations raise concerns regarding noise and impact upon residential amenity and these concerns have been taken into account when assessing the proposal in this respect. The application would accord with Policy ANDP1 of the Allendale Neighbourhood Plan, Policy GD2 of the Tynedale District Local Plan and Policy QOP 2 of the emerging Northumberland Local Plan in this respect.

Highway Safety

7.22 The Council's Highway Development Management (HDM) team has been consulted on this application and raises no objection subject to informatives. The Council's HDM team concludes that the development would not have a severe impact on highway safety. The Council's HDM team note that there are 22 car parking spaces within the car parking area to the rear of the building and consider that there would be no material change in the car parking demand for the development and as such car parking demand can still be accommodated within the existing car parking area. Therefore, this change of use application would not result in additional parking demand which would otherwise create a road safety issue. The Council's HDM team also advise that the existing refuse storage and collection can be extended to incorporate the different uses proposed. The application is therefore considered to be acceptable in highway safety terms in accordance with Policy ANDP1 of the Allendale Neighbourhood Plan, Policy GD4 of the Tynedale LDF Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, Policies TRA 1, 2 and 4 of the emerging Northumberland Local Plan and the principles of the NPPF.

Ecology

7.23 Due to the nature of the external alteration works, which include works to the roof of The Crown Inn, the Council's Ecologist has been consulted on this application to assess the impact of the proposal upon protected species. The Council's Ecologist has concluded that they have no comment to make on this application. Therefore, the part-retrospective application is considered to be acceptable in accordance with Policy ANDP1 of the Allendale Neighbourhood Plan, Policy NE1 of the Tynedale LDF Core Strategy, Policy NE27 of the Tynedale District Local Plan, Policy ENV 2 of the emerging Northumberland Local Plan and the principles of the NPPF in this respect.

Other Matters

7.24 Several of the representations raise concerns that the proposal includes no staff accommodation. During the course of the application, the applicant has confirmed that the first floor level of the building will be retained as staff accommodation and will be the private living space of the applicant, who's intention it is to run the businesses. Several of the representations have raised concerns regarding the number of public toilets that would be provided to serve the businesses and raise concerns in relation to health and safety requirements. The Council's PHP team, who consider issues such as health and safety, have no comment to make on this planning application. It is also acknowledged that the matter of health and safety would be considered under Building Regulations.

Equality Duty

7.25 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

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

Human Rights Act Implications

7.27 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.

7.28 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.

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

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above indicating accordance with the relevant national planning policies and the local development plan policies. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

2. The development shall be carried out in complete accordance with the details shown on the following plans:

- Location Plan – The Crown Inn, Catton, November 2014
- Proposed Elevations, Drawing No: 21-84-05
- Proposed Floor Plans, Drawing No: 21-84-04
- Proposed Shed, Drawing No: 21-84-07
- Proposed Site Block Plan, Drawing No: 21-84-06
- Site Plans, Drawing No: 21-84-01

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

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

For the avoidance of doubt the bed and breakfast accommodation being restricted to holiday use only is the bedroom at ground floor level as identified on drawing no: 21-084-04 (Proposed Floor Plans).

Reason: To ensure the tourist accommodation is limited and to ensure the public house remains the principal use of the building, in accordance with the provisions of the NPPF.

Informatives

1. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Date of Report: 01.03.2022

Background Papers: Planning application file(s) 21/03672/FUL