

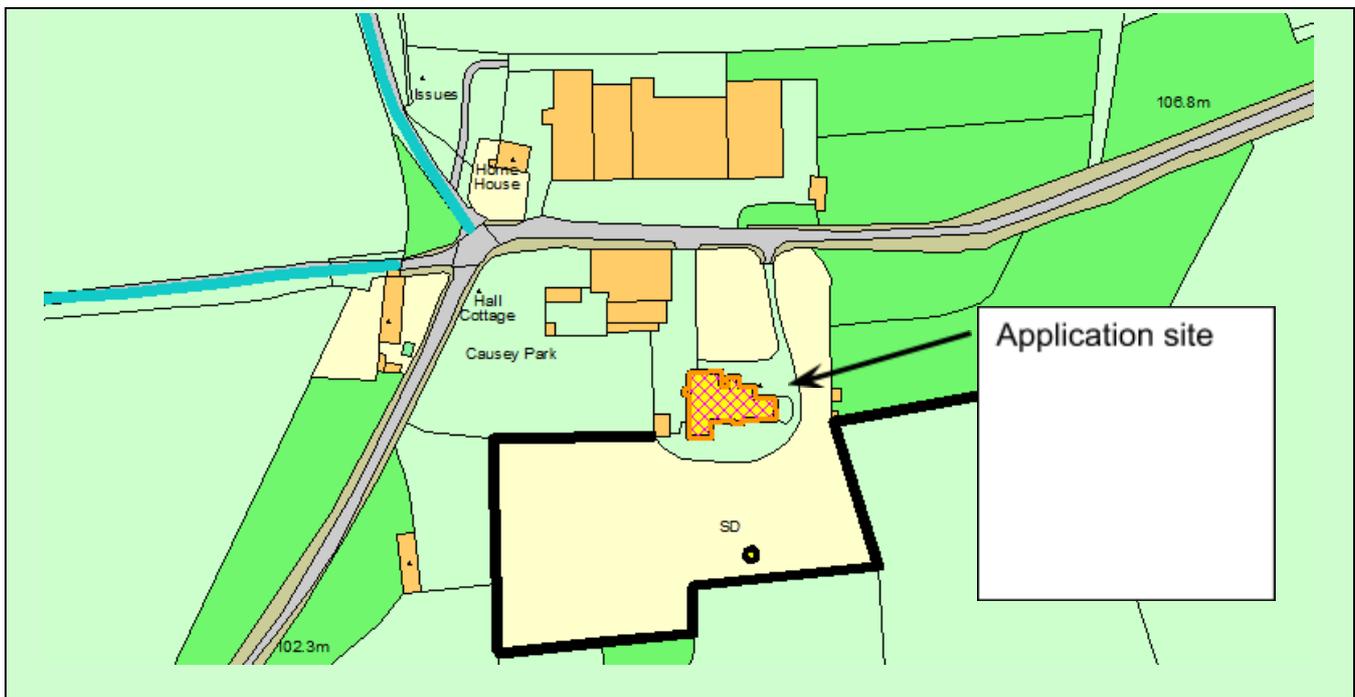


Northumberland County Council

Castle Morpeth Local Area Council 14th January 2019

Application No:	18/03859/LBC		
Proposal:	Listed building consent for replacement of non original timber windows, 1 pair French doors and insertion of 1no timber window.		
Site Address	Causey Park Farm , Causey Park Drive, Causey Park, NE61 3EP		
Applicant:	Mr & Mrs Drainer Causey Park Farm , Causey Park Drive, Causey Park, NE61 3EP	Agent:	Mr Tim Brook Glenthorne, Alnmouth Road, Alnwick, NE66 2PS
Ward	Pegswood	Parish	Tritlington And West Chevington
Valid Date:	31 October 2018	Expiry Date:	15 January 2019
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

- 1.1 Under the provisions of the officer code of conduct, as the application site is currently partly occupied by a member of the Development Management Service as residential accommodation, the application is to be referred to the Castle Morpeth Local Area Council Committee for decision.

2. Description of the Proposals

- 2.1 Listed building consent is sought for the replacement of 8 non original timber windows with double glazed timber sliding sash windows, the replacement of a French door set with double glazed timber framed items and the insertion of 1no timber window opening at Causey Park Farm, Causey Park. The submitted details also note the replacement of an external timber door with a like for like replacement, thus ensuring this aspect of the drawings does not require listed building consent.
- 2.2 The majority of the works would be situated upon the South facing elevation of the property with works also proposed to the North and West facing elevations. The proposed new window opening would be situated upon the North elevation, reinstating an original opening that previously existed upon the building.
- 2.2 The application property is Grade II listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural and historic interest. Further listed structures such as a wall and sundial are located in proximity to the property but would not be affected by these proposals.

3. Planning History

Reference Number: 15/01622/LBC

Description: Listed building consent to extend original staircase, remove 1no timber staircase, replacement of stud partitions, internal reconfiguration to bedrooms, remove non-original timber windows and replace with timber sashes, close passage and unblock fire place and insert surrounds.

Status: Permitted

4. Consultee Responses

Tritlington And West Chevington PC	No response received.
Building Conservation	No objection.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site notice - Listed Building Consent, 23rd November 2018

Morpeth Herald 15th November 2018

Summary of Responses:

N/A

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=PHF614QSJZD00>

6. Planning Policy

4.1 Development Plan Policy

Castle Morpeth District Local Plan (2003) (saved policies 2007):

C1 Settlement Boundaries

H14 Improvements to Existing Housing

4.2 National Planning Policy

NPPF - National Planning Policy Framework (2018)

NPPG - National Planning Practice Guidance (2018, as updated)

4.3 Other documents/strategies

Planning (Listed Buildings and Conservation Areas) Act 1990

7. Appraisal

- 7.1 The main issue to consider in assessing this application is the principle of development and whether the proposed alterations would cause harm to the appearance and setting of the listed building.

Principle of development

- 7.2 Policy C1 of the Castle Morpeth District Local Plan details that development proposals outside of defined settlement boundaries should not be approved unless if essential for the needs of agriculture or forestry, or if permitted by

other relevant policies within the plan. The application site is not situated within any defined settlement boundary and is therefore considered as open countryside.

- 7.3 Despite being situated within open countryside land, the principle of development at the site has already been established with the proposal suggesting works to an existing property. Taking this into consideration, it is therefore officer opinion that the principle of development at the application site is considered acceptable.

Impact on listed building

- 7.4 The legislative framework has regard to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) which requires the local planning authority to have special regard to the desirability of preserving and enhancing the character and appearance of Listed Buildings and the Conservation Area. The National Planning Policy Framework (NPPF) is also recognised as a significant material consideration and cognisance has been given to the advice within Chapter 12 - Conserving and Enhancing the Historic Environment. Paragraph 131 directs local planning authorities to take account of 'the desirability of sustaining and enhancing the significance of heritage assets' in the determination of planning applications. Section 132 stresses that 'when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation'. Paragraph 133 advises that 'where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent'.
- 7.5 The application property is constructed with late 16th century fabric alongside mostly 18th century fabric. The building is mostly rendered, with some exposed sandstone, with a slate roof incorporated. Within the submitted details, it is recognised that the property originates from a Tower House constructed in 1589 which was subsequently extended and remodelled in the late 1700's and restored in 1870. The original Tower House has been (historically) much altered and the extent of later additions and remodelling is considerable.
- 7.6 The proposed works as indicated within the submitted details are modest and would improve the appearance of the listed property, this recognised within the design, access and heritage statement provided by the applicant which recognises that repair work is required to the building. The use of timber materials upon the replacement windows, French doors and new window opening would be sympathetic to the host and would in no way result in incongruous amendments to the site.
- 7.7 Consultation was carried out with the local authority's Building Conservation Team who shared the view of the planning officer in that the works would benefit the appearance of the property whilst further detailing that the amendments would result in no harm to the special architectural or historic interest of the listed building. It is considered that replacing three over six windows with six over six windows will also better reveal the significance of the building by restoring the elevations to a form supported by historic evidence.

- 7.8 Taking the above into consideration, it is therefore officer opinion that the proposed works comply with policy H14 of the Castle Morpeth District Local Plan, the NPPF and the Planning (Listed Buildings and Conservation Areas) Act in terms of design and visual appearance.

Equality Duty

- 7.9 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

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

Human Rights Act Implications

- 7.11 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.
- 7.12 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.
- 7.13 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 application preserves the listed building, its setting and special architectural and historic fabric of significance in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act and best conservation practice. It also demonstrates accordance with relevant local plan policies and the NPPF.
- 8.2 The application is therefore recommended for approval.

9. Recommendation

That this application be GRANTED listed building consent subject to the following:

Conditions/Reason

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

- 1) Location Plan drawing no. 528 : LP1 A (received 30th October 2018)
- 2) Plans and elevations proposed drawing no. 528 102 A (received 30th October 2018)
- 3) Door DG.2 proposed drawing no. 528 201(received 30th October 2018)
- 4) Door DG.4 proposed drawing no. 528 202 (received 30th October 2018)
- 5) Window W1.1 proposed drawing no. 528 203 (received 30th October 2018)
- 6) Window WG.3 Proposed drawing no. 528 204 (received 30th October 2018)
- 7) Window WG.4 Proposed drawing no. 528 205 (received 30th October 2018)
- 8) Window W1.9 and W1.11 proposed drawing no. 528 206 (received 30th October 2018)

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

Date of Report: 6th December 2018

Background Papers: Planning application file(s) 18/03859/LBC