

Committee Report

Application No:	DC/17/00668/FUL
Case Officer	Tracy Long
Date Application Valid	9 June 2017
Applicant	c/o Agent
Site:	Axwell Hall Axwell Park Blaydon NE21 6RN
Ward:	Blaydon
Proposal:	Minor alterations to levels around Axwell Hall to allow for provision of a new car park, garden access from Axwell Hall, partial reinstatement of the historic landscape and provision of two new garden stores.
Recommendation:	GRANT
Application Type	Full Application

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The site to which this application relates comprises of two areas of land, firstly an area of land to the south of Axwell Hall, beyond the existing Hall Terrace, incorporating the retaining wall, balustrade, piers and steps to the terrace. The retaining wall, balustrade, piers and steps are Grade II Listed.

1.2 Secondly an area of land located to the east of the Hall, comprising of the eastern curtilage of Axwell Hall and a large area of Richmond House's rear garden, located further to the east.

1.3 Both areas of land incorporate land that forms part of the curtilage of Axwell Hall, a Grade II* Listed Building located within the Axwell Park Estate and Conservation Area.

1.4 Axwell Hall was designed by the renowned Palladian architect James Paine in 1758. In 1920 the Hall was home to the Newcastle Ragged and Industrial School which closed in 1984. The Hall has since remained empty and has been the subject to theft, vandalism and weather damage. However, despite this, the Hall as it stands today, remains an impressive Grade II * Listed Building of historical and architectural significance. The balustrade and steps to the southern elevation attached to the Hall are also Grade II* listed under the same listing as The Hall. The retaining wall, balustrade, piers and steps to the terrace south of the Hall are Grade II Listed, listed under a separate listing.

1.5 The sites are accessed via a private estate road from the A694 located to the south of the site. The late C18 / early C19 bridge, located 280m south of Axwell Park is also Grade II Listed, under a separate listing.

1.6 DESCRIPTION OF THE APPLICATION

The application proposes minor alterations to levels around Axwell Hall to allow for provision of a new car park, garden access from Axwell Hall and partial reinstatement of the historic landscape and provision of two new garden stores.

1.7 The works proposed as part of this current planning application and associated Listed Building Application DC/17/00669/LBC are intended to compliment the amendments sought to the Hall being considered under separate applications DC/17/00666/FUL and DC/17/00669/LBC. The submitted Planning Statement explains that these works are essential to ensure that the proposed restoration of Axwell Hall is financially viable and delivers a scheme which is attractive to potential buyers.

1.8 Work To The East

The works proposed to the East side of Axwell Hall involve the remodelling of the ground levels to form a level area to allow level pedestrian access from the lower ground floor of The Hall into the former garden area of Richmond House. The remodelling of this small area of land will allow views of the east elevation of Axwell Hall to be opened up.

1.9 Works To The South

A new car parking area is proposed to the south of Axwell Hall to reflect the demands for parking within the Axwell Hall Estate which is greater than was originally anticipated. The new car parking area will be set below the existing terrace area in front of The Hall. Access between the two areas will be via the existing pair of steps. On the south side of the car parking area a bund will be formed to raise the levels and a new hedge / fence will be provided on top of the bund, to help screen the parking area. The car parking area will provide 20 car parking spaces to meet the needs of the residents in The Hall – providing 2 spaces for each of the 10 flats.

1.10 PLANNING HISTORY

The application site has a rich history of relevant planning and listed building applications as detailed below:

DC/05/00301/COU Conversion of hall to 23 apartments and erection of new-build enabling development comprising of one coach apartment and terraced blocks of 18 dwellinghouses and 9 apartments with associated garage blocks, parking and landscaping. Granted on 9.09.2005 .

DC/05/00302/LBC Restoration and conversion of hall including demolition of rear annexe and renovation of balustrade and terrace. Granted on 12.08.2005.

DC/05/00303/FUL Erection of 18 three storey houses in three blocks with associated parking including restoration of walled garden and historic parkland. Granted on 9.09.2005.

DC/06/00349/LBC Variation of condition 8 of Listed Building Consent DC/05/00302/LBC relating to the requirement for single glazed windows.

Granted on 27.06.2008.

DC/07/00407/FUL Variation of condition 1 (approved plans) of permission DC/05/00303/FUL to alter the layout of the 18 dwellings within the site and re-siting of the access into the rear of the dwellings. Granted on 22.11.2007.

DC/08/00349/FUL Variation of condition on DC/05/00301/COU - adaptation of first floor of garage/coach house to form two self-contained dwellings. Granted on 15.05.2008.

DC/08/00612/LBC Internal alterations on basement, ground floor and second floors to rationalise rooms and thereby reduce number of units from 23 (as approved under DC/05/00302/LBC) to 20. Granted on 30.07.2008

DC/10/01303/FUL Variation of condition 1 of DC/05/00301/COU to allow revision to approved scheme involving reduction of number of units to 27 and alterations to elevations and roofscape with creation of additional courtyard car parking (amended 28/01/11, 11/03/11, 30/03/11 and 05/04/11). Granted 14.04.2011 subject to S106.

DC/17/01080/NMA NON-MATERIAL AMENDMENT: to planning permission DC/10/01303/FUL to allow condition 1 (approved plans) to list the approved drawings relating to Axwell Hall as well as the Courtyard element of the development. Granted on 30.05.2018.

DC/17/00666/FUL VARIATION OF CONDITION 1 (approved plans) of permission: DC/10/01303/FUL to introduce residential annex, bin store and alterations to The Hall including reducing the number of units from 23 to 11 units. Decision Pending – also being considered at this committee meeting.

DC/17/00667/LBC Listed building consent to allow for a revised scheme of development including residential annex, bin store and alterations to The Hall including reducing the number of units from 23 to 11 units. Decision Pending – also being considered at this committee meeting.

DC/17/00669/LBC Minor alterations to levels around Axwell Hall to allow for provision of a new car park, garden access and partial reinstatement of the historic landscape. Decision Pending – also being considered at this committee meeting.

1.11 BACKGROUND SUMMARY

The planning history above relates to The Hall, Courtyard and Axwell Gardens. The planning history in so far as it relates to The Hall is summarised as follows:

- 1.12 In 2005, planning permission and listed building consent was granted for the conversion of The Hall to 23 apartments and the erection of new-build enabling development comprising of the dwellings at Axwell Gardens and the dwellings at The Courtyard with associated garage blocks, parking and landscaping.

- 1.3 Later in 2008, a listed building application was granted for internal alterations to the Hall to reduce the number of units to from 23 to 20. However this consent was not implemented and has since expired.
- 1.4 In 2010, a variation of condition application was granted which permitted alterations to the courtyard development consented in the 2005 application. This application was implemented and therefore constitutes the current consent for the alterations to The Hall.
- 1.5 As the 2010 decision only referenced the revised courtyard drawing numbers in the decision notice, a Non-Material Amendment application (DC/17/01080/NMA) was submitted in 2017 to attach the 2005 consented drawings for The Hall to the approved plans condition. This Non-Material Amendment application was granted on 30 May 2018.

2.0 Consultation Responses

Archaeology Officer	There are no archaeology issues to address.
Historic England	Have no comments to make.

3.0 Representations:

- 3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. This included the Council sending letters to 71 properties surrounding the site, site notices being displayed at the site as well as a notice appearing in the Newcastle Journal.
- 3.2 A number of objection letters have been received from 11 surrounding properties. These are from local residents at The Gardens, The Courtyard the School Houses. The issues raised are summarised below :
 - May cause a harmful effect on a listed building
 - May harm the amenity of Axwell Park Estate
 - Negative impact on the character of the building and surrounding area
 - Will alter the outlook for residents at The Courtyard
 - The new bin store will result in noise disturbance and odours
 - Will result in executive type housing
 - Will result in additional traffic
 - Ensure rights of access to The Gardens is maintained
 - Highway safety
 - Availability of parking spaces
 - Potential impact on wildlife
 - The access road to The Gardens was required to be upgraded to tarmac but was never completed.
 - All outstanding planning conditions in the previous planning applications should be included on the new development.
 - The S106 agreement should be extended to relate to the current proposals

3.3 In addition a letter of objection has also been received from a planning consultant who represents a number of residents of Axwell Gardens. This letter raises a number of issues as summarised below :

- Query whether the site location plan is correct
- Query regarding the redline boundary which overlaps with planning application DC/17/00666/FUL
- The northern site of the application appears to be without access
- Wishes to secure the proper development of the proposed works
- Wishes to secure the provision of outstanding planning conditions on this new development proposal with appropriate triggers
- Wishes to secure the build out / resurfacing of the access road from Axwell Hall to Axwell Gardens
- This planning application should be incorporated into the S106 agreement for the development.

3.4 A total of 2 letters of support have been received from local residents making the following representations:

- Fully support these plans for the hall
- Look forward to it being completed and restored to its former glory
- Conversion of the hall is an excellent idea and will rejuvenate the area.
- The Hall has been in disrepair for several years, converting it into apartments or a home can only be good for the area.
- If the scheme doesn't go ahead the Hall may well attract squatters or Anti-Social Behaviour.

4.0 Policies:

NATIONAL POLICY

NPPF: National Planning Policy Framework
NPPG: National Planning Policy Guidance

CORE STRATEGY

CS10: Delivering New Homes
CS11: Providing a Range and Choice of Housing
CS13: Transport
CS14: Wellbeing and Health
CS15: Place Making
CS18: Green Infrastructure and the Natural Environment
CS19: Green Belt

UDP

DC1: Environment
DC2: Residential Amenity

H3:	Sites for New Housing
H4:	Windfall and Small Housing Sites
H12:	Density
ENV3:	Character and Design
ENV7:	Development in Conservation Areas
ENV9:	Setting of Conservation Areas
ENV11:	Listed Buildings
ENV17:	Axwell Park
ENV21:	Sites and Areas of Archaeological Importance
ENV22:	Sites and areas of Archaeological Importance
ENV44:	Woodland, Trees and Hedgerows
ENV46:	Durham Biodiversity Action Plan
ENV47:	Wildlife Habitats
ENV51:	Wildlife Corridors
ENV54:	Land Affected by Contamination

5.0 Assessment of the Proposal:

- 5.1 This application represents a significant opportunity to deliver housing on a partly implemented, but stalled site; bringing a Grade II* Listed Building back into use, safeguarding its future.
- 5.2 The main planning issues to be considered are the impact of the proposal on the overall design of the approved scheme, the impact upon the heritage assets and the historic setting, and on the visual amenity of the area, along with considerations relating to highway safety, residential amenity and ecology.
- 5.3 **IMPACT ON HERITAGE ASSETS**
Planning Legislation / Policy Position
 There are a number of designated heritage assets at this site include the listed Hall, the associated listed structures including the retaining wall, balustrades, piers and steps to the south of the Hall, the listed bridge on the access road to the south and Axwell Park Conservation Area.
- 5.4 The LPA have a duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in making decisions on planning applications within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. This is reinforced within both national and local planning policies.
- 5.5 Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the assets conservation. Paragraph 194 of the NPPF goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

- 5.6 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm (or total loss of significance of) a designated heritage asset, Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 5.7 Paragraph 196 of the NPPF explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 5.8 Saved Policies ENV7, ENV9, ENV11 and ENV17 of the Council's Unitary Development Plan (UDP) state that development within Conservation Areas, relating to Listed Buildings and relating to Axwell Park should preserve or enhance the special architectural or historic character and appearance of the Conservation Area, including the setting of the Conservation Area, the Listed Building and that the historic value of Axwell Park should be protected and enhanced.
- 5.9 Policy CS15 of the Council's Core Strategy and Urban Core Plan (CSUCP) also seeks the conservation and enhancement of the historic environment / heritage assets.
- 5.10 The main issue in considering the proposed changes to the previous approved scheme is therefore the effect of the proposed changes on the significance of the designated heritage assets .
- 5.11 A Heritage Statement has been submitted to accompany this application which assesses the significance of the heritage assets and the effect of the proposed changes on the significance of these assets.
- 5.12 The Hall is currently empty and has been the subject to theft, vandalism and weather damage. However, despite this, The Hall as it stands today, remains an impressive Grade II* Listed Building of historical and architectural significance.
- 5.13 Work To The East
The remodelling of the levels to the east of Axwell Hall will result in the removal of the Richmond House garden, which is considered to be positive, as it will reinstate the relationship between one of the principle elevations of The Hall and the wider parkland to the east.
- 5.14 Works To The south
The proposed works to create the new car parking area to the south of the hall will alter the historic parkland setting of Axwell Hall and will result in harm. It is however recognised that informal parking already occurs on this part of the site which currently harms the site.
- 5.15 Heritage Summary

The proposed changes will alter the designated heritage assets and their setting. It is however considered that the harm to the heritage assets is outweighed by delivering housing on a partly implemented, but stalled site; bringing a Grade II* Listed Building back into use, safeguarding its future. In addition the works to the east of the site will deliver improvements to the landscape setting by opening up the eastern elevation of Axwell Hall.

5.16 ARCHAEOLOGY

There are no archaeological constraints regarding the variation of condition 1 of DC/10/01303/FUL. No objections are raised in respect of saved Policies ENV21 and ENV22 of the UDP or policy CS15 of the CSUCP.

5.17 RESIDENTIAL AMENITY

Residents Living Conditions

The proposed amendments are considered to be acceptable from a residential amenity point of view in terms of the living conditions of both the future occupiers of The Hall and residential annex as well as the existing residents surrounding the site.

5.18 Concerns have been raised about the potential noise and odour from the proposed bin store. The bin store is not part of this current planning application and is being considered as part of planning application DC/17/00666/FUL.

5.19 HIGHWAYS SAFETY

There are no objections to the proposal from a highway safety point of view. Access to the new car parking area to the south of The Hall would be gained from the existing private estate road, from the south. It is considered that the formation of a new car parking area and the traffic associated with it would not result in any significant impact on the surrounding highway network.

5.20 Notwithstanding this, the proposed amendments to the previous consented scheme at The Hall being considered under associated planning application DC/17/00666/FUL will result in less apartments in The Hall reducing the number of units from 23 to 11. It is therefore likely that less traffic would be using the site.

5.21 ECOLOGY

The site is within a wildlife corridor. The principle of developing this site for housing has already been established under the previous planning approvals. The additional external works proposed around the Hall as part of this current planning application are considered to be relatively minor and would be unlikely to prejudice the integrity of the existing wildlife corridor.

5.22 TREES

The proposed works to the east of The Hall will result in the removal of a Monkey Puzzle tree in the garden of Richmond House. This tree is considered to have limited value. Its removal is therefore considered to be acceptable given its limited value and that its removal will enhance the view of one of the principle elevations of The Hall from the east.

5.23 POTENTIAL FOR CONTAMINATED LAND

Given that the proposed works involve removing earth from the east of The Hall and creating a new bund area to screen the new car parking area to the south of the Hall, it is considered that there is a potential for contaminated land. To address this issue a number of conditions will be necessary to ensure that site investigations are undertaken and where necessary remediation measures agreed with the Council.

5.24 COMMUNITY INFRASTRUCTURE LEVEY

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule, whilst the development is housing related and the development is located within Residential Charging Zone A, no new floor space is created and therefore no CIL payment would be required for this development.

5.25 OTHER ISSUES

Submitted Plans

Council officers consider that an appropriate site location and set of drawings have been submitted.

5.26 Planning Conditions / S106 Agreement

This new planning application will be subject to appropriate planning conditions. The previous S106 agreements related to a number of issues for the Axwell site including landscape works, repairs to the bridge and carrying out highway works. The S106 agreement for the development will therefore be varied to relate to the new planning application for the Hall DC/17/00666/FUL. However Council officers do not consider that it is necessary to link this current planning application for minor works around the Hall to the current S106 agreement.

5.27 Access to Axwell Gardens

It is the developer's responsibility to ensure that the proposed works are carried out in a way that still allows access to adjacent residents in The Courtyard and The Garden elements of the development. Any restriction to this access is a civil matter to be resolved between the relevant parties. The road from Axwell Hall to Axwell Gardens has also recently been resurfaced with tarmac.

6.0 CONCLUSION

6.1 This application represents a significant opportunity to deliver housing on a partly implemented, but stalled site; bringing a Grade II* Listed Building back into use, safeguarding its future.

6.2 Taking all the relevant issues into account, including those made by local residents, it is considered that the proposed development is acceptable, subject to a number of planning conditions.

6.3 It is therefore recommended that planning permission be granted.

7.0 Recommendation

That planning permission be GRANTED and that the Strategic Director of Communities and Environment be authorised to add, delete, vary, amend and finalise the wording of the planning conditions (as set out below as headings) as necessary:

List of approved plans

Time limit to implement

Phasing plan to be approved

Implement phasing plan

External Materials to be approved

Implement external materials

Landscaping scheme to be approved

Implement landscaping

Maintenance of landscaping

Hard landscaping to be approved

Implement hard landscaping

Construction control measure to be approved

Implement construction control measures

External Lighting to be approved

Implement external lighting

Boundary treatment to be approved

Implement boundary treatment

Phase 2 site investigations to be approved

Remediation scheme to be approved

Implement remediation scheme

Verification report to be approved

Previously unidentified contamination

