



Appeal Decisions

Site visit made on 27 June 2022

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 July 2022

Appeal A Ref: APP/P2935/W/22/3298075

Town Hall Office, Fenkle Street, Alnwick NE66 1HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr C Mattison, Freeman of Alnwick, against the decision of Northumberland County Council.
 - The application Ref: 21/02591/FUL, dated 26 June 2021, was refused by notice dated 22 December 2021.
 - The development proposed is installation of a glass pane to former door entrance and installation of artwork panels.
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Appeal B Ref: APP/P2935/Y/22/3298081

Town Hall Office, Fenkle Street, Alnwick NE66 1HR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr C Mattison, Freeman of Alnwick, against the decision of Northumberland County Council.
 - The application Ref: 21/02592/LBC, dated 26 June 2021, was refused by notice dated 22 December 2021.
 - The works proposed are installation of a glass pane to former door entrance and installation of artwork panels.
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Decisions

1. **Appeal A:** The appeal is allowed and planning permission is granted for installation of a glazed timber door to former door entrance and installation of artwork panel, at Town Hall Office, Fenkle Street, Alnwick NE66 1HR, in accordance with the terms of the application, Ref: 21/02591/FUL, dated 26 June 2021, and subject to the conditions in Schedule 1 attached.
2. **Appeal B:** The appeal is allowed and listed building consent is granted for installation of a glazed timber door to former door entrance and installation of artwork panel, at Town Hall Office, Fenkle Street, Alnwick NE66 1HR, in accordance with the terms of the application, Ref: 21/02592/LBC, dated 26 June 2021, and the plans submitted with it (Drawing No 2021(0)001, Drawing No 2021(0)002 and Drawing No 2021(0)003A and Design and Access Statement v.1 Oct 2021), and subject to the conditions in Schedule 2 attached.

Preliminary Matters

3. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
4. As the proposal relates to a listed building which is within a conservation area, I have had special regard to sections 16(2) and 66(1) and paid special

attention to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

5. Following the determination of the applications, Northumberland County Council adopted the Northumberland Local Plan 2016-2036 (the NLP) on 31 March 2022. This replaced the Alnwick Local Development Framework Core Strategy, 2007. Both main parties have addressed the implications of this change in their submissions. I have had regard to their comments and the relevant policies of the NLP in determining the appeals. I am satisfied that no interested party has been prejudiced by this approach.
6. The description of development and works set out in the headings above is taken from the application form and decision notices. However, during the determination of the applications, the proposal was amended and a revised plan along with an updated design and access statement¹ were submitted to the Council for consideration.
7. The Council has confirmed that it made its final decisions on the applications based on the amended proposal and revised details. I have therefore determined the appeals on the same basis. In this respect the original description of development and works no longer accurately reflects the revised proposal. Consequently, the main parties were given the opportunity to comment on an amended description. I have taken the comments received into account and used the agreed amended description in the formal decisions above.

Main Issue

8. The main issue is whether the proposal would: i) preserve the Grade I Listed Building known as Town Hall, or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Alnwick Conservation Area.

Reasons

Special interest and significance

9. The appeals relate to The Alnwick Gallery and adjoining alley (or ginnel) which are located within the ground floor of Alnwick's Town Hall. Town Hall is a Grade I listed building², a designated heritage asset of the highest significance. The building occupies a prominent position on the western side of the town's Market Place and within the Alnwick Conservation Area (the ACA).
10. Dating from 1731 with the clock tower added in 1767 and the corner spires of the tower added in 1771, the building is constructed of ashlar stone with rusticated quoins and a slate roof. The ginnel is a covered pedestrian through passage with painted white walls connecting Market Place and Fenkle Street. It is accessed via 'boldly rusticated' archways which provide a degree of grandeur and anticipation when entering the space. Whilst the floorscape and walls within the ginnel have been altered over time, its character and appearance as a historic route remain legible.

¹ Drawing No 2021(0)003A Existing & Proposed Plans & Elevations and Design and Access Statement v.1 Oct 2021.

² National Heritage List Entry Ref No: 1157140.

11. From the evidence available to me, I consider that the special interest and significance of the listed building to be largely derived from its historic and architectural interests. Important contributors in these regards are the building's surviving historic fabric; the legibility of its historic plan form; its pleasing architectural style, its associations with the historic governance of the town; and its meaning to the local community as part of the cherished local scene.
12. Town Hall is located within Character Area 3 of the ACA, 'The Historic Core'³. The ACA's character and appearance stem, in part, from its surviving historic layout and street pattern, along with the architectural quality and variety of its historic buildings that are a result of the town's historic evolution and which underpin its local distinctiveness. Pertinent to the appeals, the presence and importance of historic alleys within the town are highlighted in the ACA's Character Appraisal. As a focal and important building within the ACA's townscape, Town Hall supports and sustains the positive qualities which contribute to the character and appearance of the ACA as a whole and thus to its significance as a designated heritage asset.

Appeals proposal and effects

13. The revised proposal comprises the installation of a glazed timber door to a former door entrance and installation of a single rectangular artwork panel.
14. Paragraph 199 of the National Planning Policy Framework (the Framework) sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
15. The Council has no objections to the reinstatement of the internal door opening and from the information before me, I have no reason to take a different view. The installation of a glazed timber door, set into a historic door frame which is understood to still be present within the opening, would lessen the solid continuity of the northern wall of the ginnel and allow light from the Gallery to permeate into the space when the business is open.
16. Nonetheless, given the modest size of the opening, the solidity of the ginnel as an enclosed route would still be legible. Additionally, bearing in mind the ginnel's fairly short length which allows light to filter in from the arched entrances at either end, as well as the presence of electric lighting, I am confident that any additional light entering into the space from the Gallery would not perceptibly alter its character or adversely change how it is experienced.
17. I am also mindful that the identified effects would be mitigated by the proposed incorporation of a demountable timber panel, which would be attached to the glazed door when the Gallery is closed. Whilst I acknowledge it would not be possible to control the use of the timber panel, I have no reason to question the appellant's intentions in this regard.
18. I am satisfied that the detail of the proposed glazed door with demountable timber panel could be adequately controlled by the imposition of an appropriately worded condition, which I note the appellant is willing to accept.

³ Alnwick Conservation Area Character Appraisal, pages 14-17.

19. The proposed artwork panel, which would be made up of painted plywood boards fixed to timber battens, would introduce a sizeable new feature within this historic space. It would cover part of the southern wall of the ginnel and its fixing would involve intervention into historic fabric. Although rotating in content every six months, its presence would effectively be permanent.
20. Nevertheless, the majority of the ginnel's walls would remain uncovered. Moreover, the panel's plain and flat form would not obstruct the space as a through passage, nor would it detrimentally alter how this simple historic route is perceived. Indeed, in providing a tangible and meaningful link with the current use of the ground floor of Town Hall as a Gallery and its outreach work with schools and the local community, the panel would contribute to the building's narrative and add to the cultural value of the town.
21. I have had regard to the comments of the Council and the Ancient Monuments Society in relation to the number and location of any fixings which would be required for the installation of the panel. I am content that the imposition of an appropriately worded condition requiring the submission of and adherence to a method statement for the proposed development and works, which I note the appellant is willing to accept, would satisfactorily minimise any disturbance to historic fabric.
22. Overall, whilst I acknowledge that the proposal would result in change to this listed building of the highest significance, in my judgement, the cultural and heritage values of Town Hall would be sustained. The elements which contribute to the building's inherent special interest would be preserved and its significance would not be harmed. Given the above, it follows that the positive qualities which define the character and appearance of the ACA as a whole would also be preserved and no harm would arise to its significance as a designated heritage asset.
23. Accordingly, I conclude that the proposal would preserve the Grade I Listed Building known as Town Hall, or any features of special architectural or historic interest which it possesses; and would preserve the character and appearance of the Alnwick Conservation Area. It would therefore satisfy the requirements of sections 16(2), 66(1) and 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
24. It would also accord with Policy HD7 of the Alnwick and Denwick Neighbourhood Plan, 2017 and Policies ENV7 and ENV9 of the NLP in so far as they seek development to make a positive contribution to local character and distinctiveness; conserve the significance, quality and integrity of Northumberland's heritage assets; and reinforce the local distinctiveness of conservation areas.
25. In finding no harmful effects to the special interest and significance of the designated heritage assets, it is not incumbent on me to consider any public benefits that would flow from the proposal.

Other Matter

26. The Council advise that, were I minded to allow the appeals, the proposed artwork panel could instead be installed on the painted brickwork within the ginnel. This would, in the Council's opinion, minimise disturbance to historic

fabric. However, that proposal is not before me. I have determined the appeals on the revised proposal, plan and information as submitted.

Conditions

27. The Council has set out suggested conditions if the appeals were to be allowed. I have considered these in light of the advice set out in both the Framework and the Planning Practice Guidance. Minor amendments to the wording have been made to ensure that the development and works are distinct and, where appropriate, implementation clauses have been added. The appellant has given written agreement to the pre-commencement condition.
28. Standard time commencement conditions are necessary. A condition on the planning permission specifying the relevant plans is necessary as this provides certainty. However, it is not necessary for this to be included as a condition on the listed building consent, as adherence to the plans which accompany the application is part of the formal decision.
29. In the interests of preserving the special interest and significance of the designated heritage assets, conditions requiring the submission of a method statement, details of the external joinery and any making good of the building are necessary.

Conclusions

30. **Appeal A:** The proposed development would not conflict with the development plan. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given and subject to conditions, I conclude that Appeal A should be allowed.
31. **Appeal B:** For the reasons given and subject to conditions, I conclude that Appeal B should be allowed.

F Cullen

INSPECTOR

Appeal A Ref: APP/P2935/W/22/3298075

Conditions: Schedule 1.

- 1) **Time Limit** The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) **Approved Plans** The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing No 2021(0)001 Location Plan
 - Drawing No 2021(0)002 Existing and Proposed Block Plan
 - Drawing No 2021(0)003A Existing & Proposed Plans & Elevations
 - Design and Access Statement v.1 Oct 2021

- 3) **Methodology** Notwithstanding the approved plans, prior to the development commencing a method statement of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved method statement.
- 4) **External Joinery** Prior to commencement of external joinery, large scale drawings and sections (1:5 scale) of the new door, including details of the timber, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5) **Making Good** Upon completion of the development hereby approved, any damage caused to the building by the development shall be made good within six months in accordance with a scheme submitted to, and approved by, the Local Planning Authority.

End of Conditions: Schedule 1.

Appeal B Ref: APP/P2935/Y/22/3298081

Conditions: Schedule 2.

- 1) **Time Limit** The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) **Methodology** Notwithstanding the approved plans, prior to the works commencing a method statement of the works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved method statement.
- 3) **External Joinery** Prior to commencement of external joinery, large scale drawings and sections (1:5 scale) of the new door, including details of the timber, shall be submitted to, and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 4) **Making Good** Upon completion of the works hereby approved, any damage caused to the building by the works shall be made good within six months in accordance with a scheme submitted to, and approved by, the Local Planning Authority.

End of Conditions: Schedule 2.