
Appeal Decision

Site visit made on 17 February 2025

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2024

Appeal Ref: APP/P2935/W/24/3349422

Plough Inn, Powburn, Alnwick, Northumberland NE66 4JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by KSP Property NE Ltd against the decision of Northumberland County Council.
- The application Ref 24/01916/DISCON, sought approval of details pursuant to condition Nos 4 and 5 of a planning permission Ref 24/00922/FUL, granted on 4 June 2024.
- The application was refused by notice dated 24 July 2024.
- The development proposed is replacement of a porch, removal of flat roof above toilet extension and replaced with a pitched roof, internal alterations/repairs to reinstate the property as a Public House, Inn and Cafe.
- The details for which approval is sought are:
 - *Condition 4: Development shall not commence until a Demolition and Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/construction period. The approved Demolition and Construction Method Statement and plan shall, where applicable, provide for:*
 - i. *details of temporary traffic management measures, temporary access, routes and vehicles;*
 - ii. *vehicle cleaning facilities;*
 - iii. *the parking of vehicles of site operatives and visitors;*
 - iv. *the loading and unloading of plant and materials;*
 - v. *storage of plant and materials used in constructing the development.*
 - *Condition 5: Notwithstanding the approved plans, prior to the commencement of works to the porch, specification details and samples of materials for the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works must be implemented fully in accordance with the approved details.*

Decision

1. The appeal is allowed insofar as it relates to details pursuant to condition 4 attached to planning permission Ref 24/00922/FUL, granted on 4 June 2024 in accordance with the application reference 24/01916/DISCON, and the Construction and Environmental Management Plan dated May 2024 is approved.
2. The appeal is dismissed insofar as it relates to details pursuant to condition 5 attached to planning permission Ref 24/00922/FUL, granted on 4 June 2024.

Background and Preliminary Matters

3. The Plough Inn is a grade II listed building dating from the mid-18th century with later additions and is thought to have originally been used as a Coaching Inn. Having been vacant for some time planning permission was granted on 4 June 2024 for various alterations to the building including the replacement of the existing porch with a new porch and the alteration of the roof of a toilet block extension from a flat to a pitched roof, in support of the use of the premises as a public house, inn and café.
4. The permission was subject to various conditions including conditions 4 and 5 above, which are required to be discharged either before development commences (condition 4) or before the commencement of works to the porch (condition 5). The appellant made a formal application to discharge those conditions which was refused for reasons set out in the Council's decision notice and is now the subject of this appeal.
5. At the time of my site visit there were no samples of materials present on site although I have been advised that subsequently a sample of a roof tile was made available. The appellant has advised that they no longer wish to proceed with the replacement porch. I will turn to these matters below.
6. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) requires that in considering whether to grant planning permission for development which affects a listed building the decision maker shall have special regard to the desirability of preserving the building, its setting or any features of special architectural interest which it possesses.

Main Issue

7. The main issue is whether the submitted details address the requirements of the conditions and if so, in respect of condition 4, the effect of the proposal on highway safety and the living conditions of neighbouring occupiers; and in respect of condition 5, the statutory requirement to preserve the special architectural and historic interest of the listed building.

Reasons

Condition 4

8. The submitted Construction Environmental Management Plan (CEMP) contains details relating to, amongst other things, construction traffic routes and access to the site; details of loading and unloading within the existing car parking area; the storage of materials within the site boundary; the surfacing of the car park to facilitate vehicle parking and loading and measures to prevent vehicles being parked on the highway; hours of operation; and measures to prevent loose material from any part of the site being spread onto the highway.
9. No supporting plan specifically accompanied the CEMP as required by the condition. However, a block plan at scale 1:500 was submitted with the application. That plan demonstrates the extent of the site including the location and area of the public house car park, the location of the buildings and the existing access to the highway. It is not clear whether the Highways Authority were aware of the plan when making comments on the application. Nevertheless, the plan provides additional information and supports the

statements made in the CEMP. Accordingly, considering the application as a whole, sufficient detail has been submitted to address the requirements of the condition.

10. No objection to the detail contained in the CEMP has been raised by the Council or the Highways Authority as a consultee and I have no reason to disagree. Given the limited scale and scope of the development, the generous amount of open space available within the site and the parameters set out in the CEMP, I am satisfied that the proposal will not cause significant harm to the living conditions of neighbouring residents or to highway safety during the construction period.
11. In that respect the proposal complies with the requirements of Policy TRA 2 of the Northumberland Local Plan which seeks to minimise the effects of development on the transport network including by providing safe access; minimise conflict between different modes of transport including measures for parking management and suitably accommodate the delivery of goods and supplies.

Condition 5

12. The listed building is constructed in natural stone with a Welsh slate roof. To the main part of the building the stone is regularly coursed, tooled squared stone. Larger roughly-squared stone is found on other parts of the building.
13. From all I have read, specifically from the comments of the Council's Built Heritage and Design Team, the proposed external materials for the porch are Welsh slate and reclaimed natural stone. Whilst matching materials are intended, the Council inspected the stone samples available on site at the time and found them to be of varying sizes and finishes with some more like rubble sandstone than squared stone. No sample of the roofing material was provided. I acknowledge that the appellant no longer wishes to build the replacement porch. However, the condition requires the submission and details of all materials.
14. Notwithstanding this, there are no written details or specification for the proposed materials for the re-roofing of the toilet block before me. The construction of a pitched roof on the toilet block will entail the formation of a gable such that the works will include both walling and roofing materials. No sample of the walling material has been made available nor are there any written specifications of it. Furthermore, there is no specification of the roof material. Consequently, it is not sufficiently clear what materials are proposed. Without such detail, the condition, which requires the works to be implemented in accordance with the approved details, would be unenforceable.
15. A judgement on the merits of the external materials, including the samples of any new materials, relies upon having sufficient clarity in order to properly consider their effect on the architectural quality of the listed building. As the submitted information fails to address the requirements of the condition, I cannot be satisfied that the proposal would meet the statutory requirements of the Act or the policies of the Framework which require that great weight should be given to the heritage asset's conservation. In addition, I cannot be certain that the requirements of Policies ENV1 and ENV 7 of the

Northumberland Local Plan which seek, amongst other things, to ensure the conservation, and enhancement of the significance quality and integrity of Northumberland's heritage assets, would be met.

Conclusion

16. For the reasons given above, the appeal is allowed in part, insofar as it relates to condition 4, and dismissed in part insofar as it relates to condition 5.

S Ashworth

INSPECTOR