

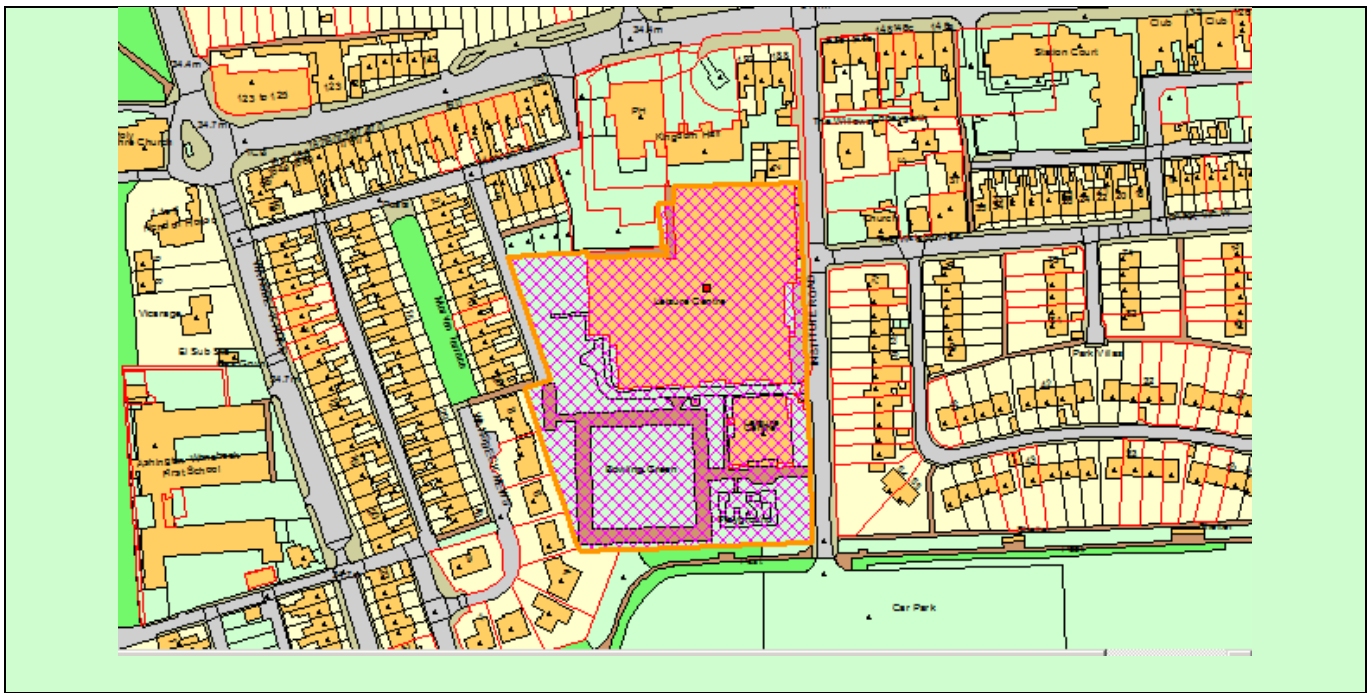
NORTHUMBERLAND

Northumberland County Council

DELEGATED REPORT

Ashington/Blyth Local Area Council Planning Committee:
16th August 2017

Application No:	17/00080/FUL		
Proposal:	Demolition of Existing Buildings and Erection of 51 no. two-storey 2 and 3 bedroom semi and detached dwellings with associated works		
Site Address	The Institute Leisure Centre , Institute Road, Ashington, NE63 8HP		
Applicant:	Mr Chris Dodds 3 Lumley Court, Chester Le Street, DH2 1AN,	Agent:	None
Ward	Bothal	Parish	Ashington
Valid Date:	26 January 2017	Expiry Date:	27 April 2017
Case Officer Details:	Name: Mrs Tamsin Wood Job Title: Senior Planning Officer Tel No: 01670 625545 Email: tamsin.wood@northumberland.gov.uk		



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1. Introduction

- 1.1 As the Council own part of the site, the application falls to be determined at Committee under the scheme of delegated procedures.

2. Description of the Proposals

- 2.1 Planning permission is sought for the demolition of existing buildings on the site comprising the former Ashington Institute and Ashington Leisure Centre, and for the construction of 51 dwellings on the site. This would also involve the construction of some of the dwellings on the site of the adjacent bowling green and play park which currently exist at the site. Associated works including landscaping and an estate road are also proposed as part of the application.
- 2.2 The dwellings would all be two storey with either two or three bedrooms. They would have pitched roofs and would be constructed of brick and tiles. All the dwellings would have a garage and/ or an off street parking area. The access to the site would be via Institute Road.
- 2.3 The application site lies to the north west of Ashington in a mainly residential area. To the east of the site is Institute Road with residential properties to the other side. To the south of the site is Ashington Park (Peoples Park) and beyond this again is Ashington High School. Directly to the west of the site are residential properties along Wansbeck Mews and Morven Terrace. To the north of the site are residential properties along Morven Place, a public House, Kingdom Hall and two semi detached properties which face directly onto Institute Road.
- 2.4 The existing Institute building is two storeys and of red brick/ tiled hipped roof construction. The former leisure centre is a very substantial large flat roofed building constructed of brown brick with concrete projections. The residential properties along Institute Road to the east of the site and along Wansbeck Mews to the west of the site are two storey and constructed of red brick, some with rendering, and with red tiled roofs. The properties around the site vary in age.
- 2.5 The application site, which is 1.28 hectares in size, lies within the built up area of Ashington. It does not lie within any Conservation Area.

3. Planning History

Reference Number: C/90/F/180

Description: Erection of an outdoor bowls hut

Status: NDNCC

Reference Number: 01/00001/REG3

Description: Erection of Portakabin to provide accommodation for Bowling Club

Status: Approved

Reference Number: 90/F/0180

Description: ERECTION OF AN OUTDOOR BOWLS HUT

APPROVE UNDER REGULATION 4 OF THE T & C
PLANNING GENERAL REGULATIONS 1976

Status: Approved

Reference Number: 95/00015/190FUL

Description: LEISURE CENTRE INSTITUTE ROAD ASHINGTON
SITING OF TWO STEEL STORAGE CONTAINERS

APPROVED UNDER REGULATION 3 OF THE TOWN
AND COUNTRY PLANNING GENERAL REGS 1992

Status: Approved

Reference Number: 96/00015/189FUL

Description: LEISURE CENTRE INSTITUTE ROAD ASHINGTON RENEWAL
OF TEMPORARY PERMISSION 90/180 TO FULL PERMISSION FOR
OUTDOORS BOWLS HUT

Status: Approved

Reference Number: 96/00015/191FUL

Description: LEISURE CENTRE INSTITUTE ROAD ASHINGTON
ENCLOSURE OF PORTICO

Status: Approved

Reference Number: 05/00103/FUL

Description: Renewal of external pre-fabricated steel fire escape to north
elevation

Status: Approved

Reference Number: 05/00426/FUL

Description: Removal of existing approach ramp and construction of new
approach ramp with stepped alternative to comply with DDA

Status: Approved

Reference Number: 7800048/FUL

Description: Alterations and construction of new baths, roof and spectators
gallery

Status: Approved

Reference Number: 06/00221/REG3

Description: Provision of ramped and stepped access into front of property.

Status: Approved

Reference Number: 06/00222/REG3

Description: Extension to existing WC to provide accessible shower/ WC,
located within external service area.

Status: Approved

Reference Number: 07/00404/ADE

Description: Erection of advertising banners on the east and south elevations

Status: Approved

Reference Number: 95/0224

Description: Siting of two steel storage containers

Status: Approved

4. Consultee Responses

Public Protection	No objection subject to conditions.
County Ecologist	Await further comments.
County Archaeologist	No objections to the proposal and no archaeological work will be required.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Environment Agency	No response received.
SE Tree And Woodland Officer	No objections to the removal of some of the trees to incorporate the houses as outlined in the tree survey/ report.
Active Northumberland	No response received.
Education - Schools	An additional 12 school age children will need to be accommodated within the primary and secondary phases within Ashington Partnership area and a contribution of £294,800 to the education infrastructure at schools in the relevant area as a result of this housing development has been calculated.
Ashington Parish Council	No response received.
Highways	Recommend conditions to overcome any issues.
Waste Management - South East	No response received.
The Coal Authority	No objection and no condition is recommended.
Northumbrian Water Ltd	No objections are raised, subject to a condition being attached regarding a detailed scheme for the disposal of foul and surface water to be submitted.
Sport England	1)The proposed development is not considered to fall either within our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance Par. 003 Ref. ID: 37-003-20140306) upon which we would wish to comment, therefore Sport England has not provided a detailed response. If the proposal involves the loss of any sports facility then full

	<p>consideration should be given to whether the proposal meets Par. 74 of National Planning Policy Framework, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.</p> <p>2)In regard to the proposal to reposition the park to the north of Peoples Park Sport England commented ‘We would normally expect to deal with the children’s play area under exception E3.’</p> <p>Aerial photos across a variety of sources show that the park has accommodated a range of playing pitches over the years. I am satisfied that the location that has been suggested for the play area couldn’t accommodate a pitch or part of a pitch. It would therefore meet playing field policy exception E3’.</p>
Natural England	<p>1) Insufficient information to enable Natural England to provide a substantive response.</p> <p>2)The amended ecology report does not assess the impacts on Northumbria Coast SPA and Northumberland Shore SSSI as a result of increased recreational disturbance caused by the proposal. Therefore, our original consultation response is still valid.</p> <p>3)The following information is required: • An in-combination assessment of potential impacts as a result of recreational disturbance; • A strategy for mitigating any identified impacts Without this information, Natural England may need to object to the proposal.</p> <p>4)Further comments are awaited.</p>
Fire and Rescue Service	Comments awaited.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	44
Number of Objections	4
Number of Support	0
Number of General Comments	3

Notices

General site notice, 9th February 2017

News Post Leader 9th February 2017

Summary of Responses:

4 letters of objection have been received which in summary relate to the following concerns:

- Overlooking
- Little space to front of properties

- Loss of the indoor bowling facility . This is a major loss to the community as there are no other Indoor Facilities in Northumberland, and it states in the report that any significant loss would have to be replaced. This was not replaced within the new Leisure Center.
- The outside bowling facility was not redundant. People were told to stop playing there from September 2016. It was not in bad condition.
- Bowling facilities in the institute could have been retained and other parts of the building could have been modified for other uses.
- Concern the substation and electro magnetic field would impact on health and impact on value of house- 58 Par Villas
- Impact on natural light/ privacy, too close.
- Can yellow lines be removed to allow more parking.
- Impact on view
- What will impact on value of property be
- Who is responsible for all the trees after the development is complete

3 General comments have been received which are summarised below:

- Surprised that the proposed development does not include bungalows.
- Contrary to views of Sport England.
- Concerned at the loss of the play park and it should be replaced/ retained as only one in area.
- Boundary with Wansbeck Mews should be replaced and no detail given of boundary.
- No details of boundary fences
- A garage will block day light and view to 7 Wansbeck Mews
- How is the existing WW2 Air Raid Shelter to be treated.
- Who will be responsible for the trees?
- Fall in value of property.
- Disappointed that the owners of the Institute have been unable or unwilling to find a way that it could continue to provide facilities for the benefit of the community. It is a building of local significance and history.
- The swimming pool and 1970s sports hall are obviously completely redundant and should be demolished as soon as possible to prevent further vandalism.
- Some issues of the drives exiting onto a speed hump.
- The type of houses seems appropriate.
- The existing car park was built to serve the needs of Leisure centre users, and is accessed from Institute Road. One of the main uses now is for parents to park when delivering/collecting children from Bothal Primary school on Wansbeck Road. I would urge the planners to consider developing a parking area accessed from Wansbeck Rd, at the west of the park as this would be better able to serve the school and users of the park when the leisure centre and 'tute are demolished. Possible S106 requirement? Some of the existing, oversized car park could be returned to grass, or developed as the replacement children's play area, swings/ slide etc.

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=OJIN0NQSM3X00>

6. Planning Policy

6.1 Development Plan Policy

Wansbeck Local Plan

GP1 Location of Development

GP4 Accessibility

GP6- Trees and Hedgegrows

GP13 Biodiversity and wildlife networks

GP22 Flood Risk

GP23 Pollution and nuisance

GP24 Pollution

GP25 Noise Impact

GP29 Land Contamination

GP30 Visual Impact

GP31 Urban Design

GP32 Standards of Landscape treatment

H3 Windfall sites

H5 Design of new housing developments

H7 Affordable Housing

T6 Traffic implications of new development

T7 Parking provision in new development

REC2 Protection of non strategic open spaces

REC3 Development on playing fields

REC7 Provision for new outdoor sports and recreation facilities

REC8 Provision for childrens play in new housing developments

CF1 Safeguarding existing community facilities

CF6 Water Supply and drainage

CF7 Planning conditions and obligations

T3 Provision for cyclists

T6 Traffic implications of new development

T7 Parking Provision

CF6 Water Supply and Drainage

CF7 Planning obligation and conditions

6.2 National Planning Policy

National Planning Policy Framework (2012)

National Planning Practice Guidance (updated 2014)

6.3 Other Documents/Strategies

Wansbeck District Council Provision for Sport and Play SPD February 2009

Wansbeck Residential Development Guidance

Northumberland Consolidated Planning Policy Framework (2009)

Northumberland County Council Five Year Housing Land Supply 2016 - 2021

7. Appraisal

- 7.1 On 27th March 2012 the Government published the National Planning Policy Framework (the NPPF). The policies within this Framework are material considerations which Local Planning Authorities should take into account from the day of its publication.

7.2 The NPPF operates under a presumption in favour of sustainable development which is at the heart of the NPPF. It states that development proposals which accord with the development plan should be approved without delay unless material considerations indicate otherwise. The NPPF also provides specific policy guidance on development proposals which is, in itself, a material consideration in the determination of such schemes. The adopted Development Plan for the area within which the application site is located comprises the saved policies of the Wansbeck District Local Plan, adopted in 2007. The policies in the Local Plan are still the starting point for decision making. However, the weight to be attached to them will depend on the degree to which they are consistent with the NPPF. Some policies in the statutory development plan remain consistent, some are partially consistent, and others are not consistent with the NPPF. Paragraph 14 of the NPPF states that where relevant policies are found to be out of date, permission should be granted unless: – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted.

Principle of development

7.3 The application site lies within the built up area of Ashington. The proposal which would involve the redevelopment of a mainly previously developed site would therefore accord in principle with Local Plan Policy GP1 which allows development on previously developed sites and buildings within settlement limits. In addition Policy H3 only allows new housing on sites not allocated in the plan where they are within a defined settlement boundary, well related to local facilities and public transport, it would not lead to an over supply of housing, lead to problems of low demand, residents would enjoy a satisfactory living environment and the site has been previously developed. As the proposal would accord with the criteria set out the principle of the proposal would also accord with Local Plan Policy H3. In addition paragraph 49 of the NPPF states that 'Housing applications should be considered in the 'context of the presumption in favour of sustainable development.' The site is also within walking distance of a wide range of community facilities, key services, schools, employment opportunities and public transport links. In this respect the creation of the new dwelling would also accord with the NPPF in the context of promoting sustainable development.

7.4 In addition the application site consists of buildings to be demolished which include a now disused leisure centre and institute centre. Paragraph 74 of the NPPF states that 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'

As there is a new leisure centre however at Ashington it is considered the removal of this is acceptable and the proposal would accord with Policy CF1 which seeks to protect community facilities. A concern has been raised that the indoor bowling facility has not been replaced elsewhere, however, as a whole given the new leisure centre is much more modern and up to date it is considered the benefits of this would outweigh the loss of the indoor bowling, which would also be in accordance with the NPPF. It is also noted that there is an indoor bowling facility at Cramlington Concordia Leisure Centre available for use. As the Institute building was not considered to be a community facility as it was not open to every one, it is considered the loss of this facility would not fall within the realms of Policy CF1.

- 7.5 The application site has a bowling green and a play park on the site. Both of these sites are covered by Local Plan Policy REC 2. The bowling green is allocated as OS 74 and the play park is allocated as OS44 in the local plan. In terms of Policy REC 2 this states that planning permission for development on open spaces not designated as being of strategic importance will only be granted if there is shown to be a surplus of open space by way of an assessment of open space needs and opportunities in the area that there will be no significant loss to the community in terms of either: a) visual amenity: or b) provision for play and recreation: or c) nature conservation: or d) use for community events.
- 7.6 Whilst an objection has been received which states the bowling facility was not redundant as people were told to stop playing there from September 2016, in terms of Policy REC2, and the loss of the bowling green the applicant has submitted a bowling green assessment which shows the bowling green is surplus to requirements and regrettably whilst it has been in use and would be a loss to some people, there would be no 'significant' loss to the community in terms of provision. The applicant confirmed the PPG17 Open Space, Sport and Recreation Assessment (May 2011) demonstrated there are 17 bowling greens in the South East of Northumberland and an over supply of 9. The applicant has also confirmed that those clubs that used the facilities have been relocated to Hirst Park which has significantly better quality bowling facilities. Northumberland County Council Planning Strategy have been consulted also and they consider that the applicant has addressed the issue of the loss of the bowling green. As such given this and given the conclusions of the applicants bowling green assessment it is considered the proposal would accord with Local Plan Policy REC2 and paragraph 74 of the NPPF. In terms of the objection and concerns raised that the bowling facilities in the institute could have been retained and other parts of the building could have been modified for other uses, whilst this may have been acceptable, the application before us will need to be determined on its own merits.
- 7.7 In terms of the play park that is on the site, the application did not originally include any replacement facilities. The PPG 17 study also identified a deficiency in the provision of facilities for Children and Young People in the South East area. The applicant has however agreed to enter into a section 106 agreement to pay a sum towards a replacement play park to be located just south of the application site and within and to the north of Ashington Park (Peoples Park). £20,000 will be paid specifically towards a replacement park and as such there would be no loss to the community in terms of this play

park. Sport England have been consulted with regard to the proposal to replace the park in Ashington Park, as this park is used for playing fields. They have confirmed that aerial photos across a variety of sources show that the park has accommodated a range of playing pitches over the years and they are satisfied that the location that has been suggested for the play area couldn't accommodate a pitch or part of a pitch. Sport England have therefore confirmed that it would therefore meet their playing field policy exception E3. As Local Authorities can also construct parks under their permitted development rights it is not considered necessary in this instance to reconsult with neighbours for this proposal. Therefore the principle of being allowed to development on the play park is considered to be acceptable and in accordance with Local Plan Policy Rec2.

- 7.8 In conclusion the principle of the development is considered to be acceptable and in accordance with the NPPF and Local Plan Policies GP1, H3, CF1 and REC2.

Sports and Play

- 7.9 Policies REC7 and REC8 of the Wansbeck District Local Plan indicate that planning permission will not be granted for residential development unless the developer meets the anticipated need generated by the development for additional children's play facilities and additional indoor and outdoor sports provision. All new residential developments leading to a net gain in dwellings, including conversions and changes of use, will generate a requirement for sport and play provision i.e. there will not be a minimum threshold. The only exceptions from a requirement will be in relation to: a. one bedroom housing and housing for the elderly – there will be no requirement to provide for play b. one to one replacement of housing – there will be no requirement at all for either sport (indoor and outdoor) or play.
- 7.10 There are 5 or more pooled funds for the area however, in regard to indoor and outdoor sports provision and as such there would be no requirement to provide a contribution towards this, in accordance with the NPPF. As such the proposal is considered acceptable as a departure to Local Plan Policy REC7.
- 7.11 In terms of provision for children's play the SPD on Sports and Play states this will be required to be made on-site, as an integral part of the design wherever the size of a new development is sufficient to justify a realistic and usable provision. All developments containing 50 or more dwellings are likely to have such a requirement. The most appropriate form of provision on a particular site will be determined according to local circumstances. It also states a financial contribution for the maintenance of play facilities provided on-site will also be required to be made to the Council or an agreement to maintain them to satisfactory standards set by the Council. Where provision for play is not made on site by the developer, financial contributions will be sought to install or upgrade play areas in the vicinity of the site and also to maintain facilities and this should be secured through a section 106 agreement or unilateral undertaking.
- 7.12 In this instance play provision is not being sought on site, however in addition to the £20,000 payment for a replacement park very close to the site, the

applicant has agreed to enter a further obligation for a payment of £39,168 consisting of £31,722 towards the provision of childrens play parks in the area and £7446 for the maintenance of the childrens playing space, as required in the Wansbeck SPD on Provision for Sports and Play and Policy Rec 8 of the Wansbeck Local Plan. These monies would go into a communal fund for the improvement of play facilities. This is to cover the additional 51 dwellings. Given this it is considered the proposal would meet the anticipated need generated by the development for additional childrens play facilities and the proposal would also accord with Local Plan Policy REC8. Again, as the Local Authority has reached its pooled limit in terms of contributions made by developers for indoor and outdoor sports provision no contributions can be sought in this respect, in accordance with the NPPF.

Affordable Housing and Education

- 7.13 Given the scale of the development both the Housing Department and Education Department have been consulted. The Housing Department confirmed that the Council are seeking 15% affordable housing provision on site, to be Discounted Market Value housing, which would be 8 units to be DMV with the value being set at 70% of the Open Market Value.
- 7.14 In addition to these housing requirements the School Organisation and Planning department estimate that as a result of the development an additional 12 school age children will need to be accommodated within the primary and secondary phases within Ashington Partnership area and a contribution of £294,800 to the education infrastructure at schools in the relevant area as a result of this housing development is sought.
- 7.15 In terms of the Housing and Educational requirements, the applicant has however stated that the affordable housing and education requests would make the scheme completely unviable, due to viability being weak on secondary location brownfield sites such as this site and given the significant abnormal costs associated with its development. As such the applicant has submitted viability assessment to illustrate that the scheme would be unviable. The District Valuer has therefore been consulted and has thoroughly assessed the applicants viability assessment and additional information requested. The District Valuer also assessed it against all the contributions sought for the development which included the replacement park and play requirements as a result of the development set out in the previous section.
- 7.16 The conclusions of the District Valuer were that a planning compliant scheme is unviable and can not viably afford the whole of the required Section 106 contributions and 15% on site affordable housing. It was their recommendation that the scheme could viably afford the re-provision and future maintenance of Children's Play Facilities. Given these conclusions that it has been confirmed the development is unable to viably afford the provision of affordable housing and the education contributions in this instance to enable the scheme to proceed, it would therefore be unreasonable to ask for these contributions.

Design, layout impact on amenity

- 7.17 The Government attaches great importance to the design of the built environment and, through the NPPF, recognises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 57 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 60 also states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is recognised however that it is proper to seek to promote and reinforce local distinctiveness.
- 7.18 At the local level, and in specific relation to new development, Local Plan Policies GP30 and GP31 despite significantly pre-dating the NPPF firmly aligns with the design objectives of the NPPF by setting out a number of criteria for developments to satisfy in the interests of achieving high quality design. Local Plan Policy H5 also deals with the design and density of new housing developments and states they should be well designed and proposals should accord with certain criteria. Wansbeck Residential Design Guidance also provides advice for developers in terms of design.
- 7.19 With regard to the proposed development permission is sought for an estate of 51 dwellings which would consist of 6 different house types. The house types which would all be two storey, would consist of modest semi detached properties with either 2 or 3 bedrooms and modest sized detached properties with three bedrooms. The properties would either have a single detached garage/ parking space or integral garage. They would be very simply designed with mainly pitched roofs and be constructed of bricks with tiled roofs. The windows would all have panes with a vertical emphasis. Whilst the properties would have no real features of any architectural interest, they would be consistent with each other in terms of having corresponding window designs, similar heights and use of similar construction materials.
- 7.20 In terms of the area in which the site is located this has a diverse and varied character which includes a variety of individual house designs, ranging from semi detached, detached and terraced properties. Therefore there is no distinctive or singular vernacular character. The majority of dwellings are two storey however. Therefore in terms of the design of the proposed dwellings, whilst these would be quite different again it is considered they would not look obtrusive or out of character in the area. They would be two storey which would be consistent with their surroundings and the materials proposed would respect the brick and tiled roofs of some neighbouring properties. Whilst the new estate would have its own distinctive character it would also relate well to its surroundings. Therefore it is considered that on balance, the design of the new dwellings is acceptable and they would not adversely impact upon the character of the area.
- 7.21 In terms of layout each property also has a good provision of amenity space, with rear garden depths mainly 10m or more. Where they are smaller which is only in three cases, these properties are compensated for by having wider gardens. The distances between each property is considered to be acceptable with rear to gable elevation and rear to rear distances as such so

they provide each property with a good standard of privacy and outlook. There are also footpaths around the estate making movement for non car users safe. In addition the applicant has demonstrated its commitment to enhancing the security and of the dwellings through the proposed layout .

- 7.22 Overall it is therefore considered that in terms of layout and design the proposal would accord with Local Plan Policies H5, GP30, GP31 and the NPPF. Concern has been raised that no bungalows are proposed however the proposal development would create a density of 41.8 dwellings per hectare which is in accordance with Local Plan Policy H6 which requires new housing developments of more than 30 dwellings per hectare to be encouraged at places with good access to public transport. The surrounding area is also quite dense and the density proposed would be more in character with this than it would be if there were bungalows with a lower density.
- 7.23 In terms of impact on existing residents and in particular those residents along the opposite side of Institute Road, whilst there has been an objection from a resident along this road from 56 Park Villas, with concern over the distance between the new dwellings and her property and thus impact on privacy, as approximately 27m distance would be maintained from the front elevations of the proposed properties to the front elevation of this objectors property and others, it is considered this is adequate distance to ensure that no residents along Institute Road would be detrimentally impacted upon in terms of loss of privacy, light and outlook.
- 7.24 There are no properties to the south of the site and to the north, whilst there are some residential properties, the layout is as such that there would be gable to rear or gable to front relationships and the distances maintained between them is sufficient to ensure none of these neighbouring residents are also impacted upon in terms of loss of privacy, light and outlook.
- 7.25 In terms of the neighbouring properties to the west of the site 19m to 22m would be maintained between the rear elevations of these properties with the rear elevations of the proposed properties on the western side of the application site. Whilst there are no policies which set out privacy distances it is considered these distances are sufficient to also ensure none of these neighbouring residents are also impacted upon in terms of loss of privacy, light and outlook. A concern has been raised from 5 Wansbeck Mews that the brick wall of a new property would effect their privacy and natural light. There are no windows on the facing elevation of the proposed dwelling and 15m would be maintained from the proposed gable elevation to this property which would in addition not face the entire length of the 5 Wansbeck Mews. The neighbour at 7 Wansbeck Mews has also raised concern that the rear of a proposed double garage is proposed within 4m of the rear of their existing conservatory. The garage would however be set 6m from the shared boundary and would have a pitched roof with the highest point being set further from the boundary. In light of this, it is considered the proposal would not impact on any of these neighbours either in terms of terms of loss of privacy, light and outlook.
- 7.26 In addition a neighbour from Park Villas has also raised concern that the proposed electricity substation opposite them would create an electro magnetic field which would impact on their health and impact on their value of house. As such Northern Powergrid have been consulted and within a document call 'EMF: the facts' it states 'Small electricity distribution substations, typically one for every few hundred homes, generally produce up to 2 microteslas close to their perimeter fence or wall, and often no electric

field at all. The fields fall rapidly with distance, and within 1 to 2 metres from a typical substation, the fields associated with it are usually indistinguishable from other fields present in homes.' Northern Powergrid also confirmed that the substation would have no impact upon the dwelling which would be approximately 27m away. The concern relating to impact on value of their house is not a planning issue.

- 7.27 Overall it is therefore considered that the proposal would not impact upon the residential amenity of neighbouring properties, in accordance with the NPPF and Local Plan Policy H5. Whilst concern has been raised that no details of the boundary fence to be used at the rear of Wansbeck Mews has been given, the applicant has confirmed that they would erect a new 1.8m fence along this boundary unless the existing fence is already 1.8m in height. It is considered that this would ensure further that the privacy of existing residents is protected.

Coal Mining

- 7.28 The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority have therefore been consulted and confirmed that the Coal Authority records indicate that the application site is likely to have been subject to historic unrecorded underground coal mine workings at shallow depth associated with a thick coal outcrop. In addition they confirm the applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including information from BGS with regard to geological mapping, historical borehole records and associated technical reports, Durham Mining Museum records, historical Ordnance Survey maps and information from The Coal Authority in the form of a CON29M Non-Residential Mining Report. This information has been used to inform a Phase 1 Geoenvironmental Desk Study and Coal Mining Risk Assessment (April 2016, prepared by Patrick Parsons Limited) to accompany the planning application.
- 7.29 Based on the review of the above information, the Coal Authority state The Coal Mining Risk Assessment confirms that there is a low to moderate risk from unrecorded shallow coal workings beneath the site within influencing distance of the surface. However, given the information available the report is able to conclude that it is considered likely that shallow spread foundations or reinforced strip/trench fill foundations would be suitable for the development of conventional two to three storey residential properties across large areas of the site. However, if heavily loaded structures are proposed or where deep made ground is present, alternative foundation options may be required.
- 7.30 Overall the Coal Authority Authority therefore has no objection to the proposed development and considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. This is also in accordance with Local Plan Policy GP22a.

Sewage disposal

- 7.31 The applicant proposes to use main sewers for the disposal of both foul sewerage and surface water. Northumbrian Water have been consulted and

confirmed that a pre-development enquiry was received by Northumbrian Water for the proposed development, and their response to this enquiry advised that a restricted surface water discharge rate of 54l/sec would be permitted to discharge to the existing 225mm diameter combined sewer at manhole 6402, whilst foul flows would also be permitted to discharge to this manhole. However as the submitted flood risk assessment does not appear to confirm connection points for foul and surface water from the development, Northumbrian Water therefore request a condition requesting a detailed scheme for the disposal of foul and surface water from the development to be submitted and approved. Subject to this condition the proposal would be in principle accord with Local Plan Policy CF6.

Flood Risk

- 7.32 The Local Lead Flood Authority have been consulted, and whilst originally objecting to the scheme, after the applicant submitted a drainage viability assessment they now have no objections to the proposal subject to two conditions which request details of the implementation, maintenance and management of a scheme for surface water using a sustainable drainage scheme, and details of the disposal of surface water from the development through the construction phase. Subject to these conditions the scheme is considered to accord with Local Plan Policy CF6.

Access and car parking

- 7.33 The scheme includes a new access from Institute Road and new internal road layout which will be a rough 'L' shape which will lead to a 'T' shape cul de sac at the southern side of the site. Driveways for each property leading to garages will be access from this road. The Highway Authority have been consulted and requested further information through out the course of the application. In assessing the application the Highway Authority have considered parking, highway safety, cycle parking, highway land and property issues, refuse storage and lighting.
- 7.34 The final comments of the Highway Authority state 'Having reviewed the revised proposals and considering the correspondence that has been entered into, we are disappointed that the applicant has chosen not to address a number of the items of concern raised in our previous comments. However, we are satisfied that the outstanding issues can be resolved through the imposition of conditions and informatives on the application and that any residual cumulative impacts would not warrant a severe impact upon the highway and be reasons for refusal under NPPF.' Therefore, whilst concern has been raised with regard to a speed hump being close to a drive, given the comments of the Highway Authority and subject to their conditions proposed, it is considered the proposal would be acceptable in terms of highway issues. The proposal would therefore be in accordance with Local Plan Policies T3, T6 and T7.

Landscaping and trees

- 7.35 Currently the land around the former Ashington Leisure Centre includes a bowling green and a playpark with young to mature trees generally located around the perimeter to the west of the site and southern side of the site. The

proposed works would involve clearing the site other than leaving some trees. The front gardens to each property would be grassed. The plots would either be divided by post and rail fences or vertical screen fences.

- 7.36 The trees inside the site boundary are generally located individually or in small groups close to the boundary. There is one hedgerow feature located to the north of the bowling green which comprises of early mature Leyland cypress and cherry. Offsite to the south, inside the park, is an avenue of deciduous trees which are predominantly comprised of ash and sycamore species. Some of these trees within the site have already been cleared however they are not subject to a TPO and they do not fall within a conservation area.
- 7.37 A tree report with associated plans has been submitted with the application. Within the site area, 62 individual trees have been surveyed. This shows that 30 trees would need to be removed in order to facilitate the development. The remaining trees would be protected through out development. The County Tree Officer has no objection to the proposal and works to the trees. Therefore subject to conditions which ensure the remaining trees are protected it is considered the proposed works are acceptable with regard to landscaping and impact on trees as the visual amenity and landscape value of the site will be protected and enhanced. This is in accordance with Local Plan Policies GP32 and GP6.

Noise and Contamination

- 7.38 The applicant has submitted a Phase 1 and Phase 2 Geo-Environmental, Desk Study and Coal Mining Risk Assessment and Appraisal and a Hazardous Ground Gas Assessment and Gas Verification Strategy Report. Public Protection, who assess the application in terms of noise impact and land contamination, which is to ensure existing and future residents amenity and safety are protected have been consulted through out the course of the application and have asked for additional information to be submitted which has been. They have now confirmed that they have no objection to the proposal and that subject to conditions the proposal would not give rise to any noise or contamination issues. Given this the proposal would accord with Local Plan Policies GP23, GP25, GP26, and GP29

Ecology

- 7.39 The applicant has submitted a preliminary Ecological Appraisal which has been amended and a further Habitats Regulations Assessment. The County Ecologist and Natural England have been consulted throughout the course of the application and have asked for additional information to be submitted. Further comments from both the County Ecologist and Natural England are awaited. Subject to these further comments and that no objections are raised the proposal would accord with Local Plan Policy GP13, which is designed to safeguard biodiversity from harm and disturbance. This aligns with the NPPF at chapter 11 in terms of minimising impacts on biodiversity and providing net gains where possible.

Archaeology

- 7.40 The County Archaeologist has been consulted and confirmed that the proposed development is unlikely to adversely affect significant archaeological remains and as such no archaeological work will be required. Since these comments were made an objector has raised concern that the development may impact upon a WW2 air raid shelter on the site. As the County Archaeologist was unaware of this he is investigating this further and will provide comments. Members will be updated of those at committee. Subject to these comments and that no objections are raised, the proposal would be in accordance with Local Plan Policy GP20, which aligns with the NPPF which seeks to conserve and enhance heritage assets in a manner appropriate to their significance.

Other

- 7.41 Responsibility over trees and fall in value of property is a civil issue rather than a planning matter. The future development of a car parking area to serve the school and possibility of removal of yellow lines on Institute Road are not related to this application and thus it would be unreasonable to assess this as part of this application.

8. Conclusion

- 8.1 The principle of the development is considered to be acceptable and in accordance with the NPPF and Local Plan Policies GP1, H3, CF1 and REC2. There are 5 or more pooled funds for the area, in regard to indoor and outdoor sports provision and as such there would be no requirement to provide a contribution towards this, in accordance with the NPPF. As such the proposal is considered acceptable as a departure to Local Plan Policy REC7. Subject to a section 106 agreement the proposal would meet the anticipated need generated by the development for additional children's play facilities and the proposal would also accord with Local Plan Policy REC8. A planning compliant scheme is unviable and cannot viably afford the whole of the required Section 106 contributions and 15% on site affordable housing. Given these conclusions that it has been confirmed the development is unable to viably afford the provision of affordable housing and the education contributions in this instance to enable the scheme to proceed, contributions cannot be sought.
- 8.2 In terms of layout and design the proposal would accord with Local Plan Policies H5, GP30, GP31 and the NPPF. The proposal would not impact upon the residential amenity of neighbouring properties, in accordance with the NPPF and Local Plan Policy H5. The application site is, or can be made, safe and stable for the proposed development. This is also in accordance with Local Plan Policy GP22a. Subject to conditions the proposal would also be acceptable in terms of foul and surface water disposal which is in accordance with Local Plan Policy CF6.
- 8.3 It is further considered that the proposal would be acceptable in terms of highway issues. The proposal would therefore be in accordance with Local Plan Policies T3, T6 and T7 in this respect.

- 8.4 Finally, and subject to conditions which ensure the remaining trees are protected it is considered the proposed works are acceptable with regard to landscaping and impact on trees as the visual amenity and landscape value of the site will be protected and enhanced. This is in accordance with Local Plan Policies GP32 and GP6. Subject to conditions the proposal would not give rise to any noise or contamination issues. Given this the proposal would accord with Local Plan Policies GP23, GP25, GP26, and GP29. Subject to the further comments of the County Ecologist, the Fire Service and Natural England and the County Archaeologist the proposal would accord with Local Plan Policies GP13 and GP20.

9. Recommendation

Subject to the further comments of the Fire Services, County Ecologist, County Archaeologist and Natural England and any other comments, and the completion of a Section 106 agreement for the payment of a replacement park and contributions towards the provision of play parks in the area it is recommended that this application be GRANTED permission 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 91 of the Town and Country Planning 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 for this development are:-

Boundary Details, Post and Wire Fence, drawing number SD103 rev B

Garage Threshold/ Gravel Drive Details, drawing number SD712, rev E

Boundary Treatments, 1800mm High timber fence, drawing number SD-100 Rev D

Detached Garage Details Single, drawing number SD700 Rev A

Detached Garage Details Double, drawing number SD701 Rev A

Terraced Garage Details Standard Double, drawing number SD703 Rev B

201 dwelling type, drawing number 201/1F2

212 dwelling type, drawing number 212/1

301 dwelling type, drawing number 301/1G2

304 dwelling type, drawing number 304/1E

307 dwelling type, drawing number 307/1B

309 dwelling type, drawing number 309/1E

Housing Layout, drawing number 1624.04.02 Rev D

Housing Layout, Adoption Plan, drawing number 1624.04.02 Rev D

Boundary Treatment Plan, drawing number 1624.04.03 Rev D

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Local Plan Policies GP30 and GP31.

04. All landscaping as shown on the approved plans shall be implemented in full during the first planting season (November – March inclusive) following the commencement of development'. The landscaped areas shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any plants, or areas of seeding or turfing comprised in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site and in the interests of visual amenity and the satisfactory appearance of the development upon completion from the outset of development, and in accordance with the provisions of in accordance with the provisions of Local Plan Policies GP30 and GP31.

05. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF. In accordance with Local Plan Policy CF6.

06. Development shall not commence until details of the implementation, maintenance and management of a scheme for surface water using a sustainable drainage scheme has been submitted to and approved by the Local Planning Authority. The scheme shall be in broad accordance with drawing No C900 Rev A "Engineering Schematic" and designed to dispose and attenuate surface water up to the 1 in 100 year plus climate change event from the development and shall limit discharge from the development to 54/s, for all rainfall events. The scheme shall be implemented in accordance with the approved details, which shall include:
- i. A timetable for its implementation; and,
 - ii. A management and maintenance plan for the lifetime of the development,

which shall include the arrangements for adoption by any public body or statutory undertaker, or the other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere. In accordance with Local Plan Policy GP22.

07. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features. In accordance with Local Plan Policy GP22.

08. Notwithstanding details submitted, prior to commencement of development at Plots 1-6, Plots 14-19 and Plots 32-36 details of the materials to be used in the construction of the external surfaces of the private drives serving these dwellings respectively shall be submitted to and approved in writing by the Local Planning Authority. Plots 1-6, Plots 14-19 and Plots 32-36 shall then not be occupied until the respective details have been implemented in accordance with the approved plans.

Reason: In the interests of visual amenity and highway safety, in accordance with the National Planning Policy Framework.

09. Notwithstanding details submitted, prior to commencement of the development details of the materials to be used on paths and bin drag routes from the approved bin storage locations to the highway or temporary refuse storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential and visual amenity and highway safety, in accordance with the National Planning Policy Framework.

10. No dwelling shall be occupied until the car parking area indicated on the approved plans for that dwelling has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

11. Development shall not commence until details of the proposed highway works and timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. The approved highway works shall then be constructed in accordance with the approved plans and approved timetable for implementation.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

12. No development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework

13. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise approved in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework.

14. No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases, completion sequence and construction standards that estate streets serving each phase of the development will be completed. The development shall then be carried out in accordance with the approved Estate Street Phasing and Completion Plan.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework

15. No dwelling shall be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before each dwelling is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework.

16. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

17. Prior to the installation of any services (i.e. water/electric/gas/telecommunication) within the development site, details for the installation of a fire hydrant(s) to serve the development shall be submitted to the Local Planning Authority, in consultation with Northumberland Fire and Rescue Service, for approval in writing. The details shall include the location and specification of the fire hydrant facilities to be installed in accordance with the requirements of BS 750:2012 "Specification for Underground Fire Hydrants and Surface Box Frames and Covers", National Guidance on the Provision of Water for Firefighting and/or to the satisfaction of the Northumberland Fire and Rescue Service. Thereafter, no dwelling shall be occupied until the approved scheme for fire hydrant provision has been implemented in full and the hydrant(s) is/are operational in accordance with the approved details.

Reason: To ensure the development is sufficiently served by equipment for the use of the emergency services in accordance with Chapter 8 of the National Planning policy Framework.

18. Boundary treatment adjacent to the highway - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other re-enacting or revoking Order with or without modification), no fence, gate, wall, or other means of enclosure other than those expressly authorised by this permission shall be erected or constructed within the curtilage of any property within 5m of the highway boundary without planning permission being obtained from the Local Planning Authority.

Reason: In the interests of visual amenity and highway safety, in accordance with the National Planning Policy Framework.

19. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement 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
 - vi. measures to control the emission of dust and dirt;

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

20. No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework.

21. Notwithstanding details submitted, Plots 1-5, Plots 14-19 and Plots 32-36 shall not be occupied until details showing temporary refuse storage areas at the end of the respective private drives for the use on the day of collection have been submitted to and approved in writing by the Local Planning Authority. The approved temporary storage areas shall be implemented before the dwellings to which it serves are occupied. Thereafter, the temporary refuse storage areas shall be retained and used in accordance with the approved details.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework.

22. Additional Paths to Plots 15, 33 and 34 Details of materials (refuse bin drag routes) - Notwithstanding details submitted, prior to the occupation of Plots 15, 33 and 34 details showing additional footpaths around the adjacent car parking areas and the materials to be used on these paths shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the respective details have been implemented in accordance with the approved plans .

Reason: In the interests of residential and visual amenity and highway safety, in accordance with the National Planning Policy Framework.

23. No trees/ shrubbery shall be removed outside the application site boundary.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with the provisions Local Plan Policies GP32 and GP6.

24. All trees, bushes and hedges within, and to the boundaries of the site shall be retained and protected throughout the course of development in accordance with the details set out in the Tree Survey, at Institute Road Ashington Northumberland NE63 8HP dated 16th December 2016, Version number 4. These measures shall be implemented throughout the course of the construction of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with the provisions of Local Plan Policies GP32 and GP6.

25. The final plot shall not be built above the ground floor until the applicant has submitted a validation and verification report to the approved methodology in the Gas Verification Strategy Report produced by Patrick Parsons, Ref either N16130 OR N17005 and dated 26.06.17, which has previously been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of mine gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties. In accordance with Policy GP29.

26. Other than the demolition of existing buildings on site, the development hereby permitted shall not proceed any further until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:
- a) A further site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters (as recommended by the Phase 2 Geoenvironmental Appraisal produced by Patrick Parsons, Ref N16130 (Rev 0) and dated 29.09.16). It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.
 - b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.
 - c) Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that any contaminants within the site are dealt with from the outset of development and in an appropriate manner to afford protection to the public, the buildings and the environment. . In accordance with Local Policy GP29.

27. If during redevelopment contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants. In accordance with Local Policy GP29.

28. No development shall commence until a scheme to control dust, to be implemented for the duration of the site works, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include methods to control and minimise dust from works and site management responses to incidents and complaints about dust arising from the site.

Reason: To provide a commensurate level of protection to existing Residential receptors to dust. In accordance with Local Plan Policy GP23.

29. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To provide a commensurate level of protection to existing residential receptors to dust. In accordance with Local Plan Policies GP23 and GP25.

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) the garages hereby approved shall not be converted into habitable accommodation, including utility room, study or similar uses, without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of adequate off-road parking space within the site and in accordance with Local Plan Policy T7.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no windows shall be added without the prior grant of planning permission from the Local Planning Authority.

Reason: In order that the impact on neighbouring properties may be properly assessed in the interests of amenity and in accordance with Local Plan Policy H5. .

Informatives

- 1) Application can be made for a new sewer connection under Section 106 of the Water Industry Act 1991 when condition 5 has been discharged.
- 2) Any areas within the front garden of the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable driveway:
 - Using gravel or a mainly green, vegetated area.
 - Directing water from an impermeable surface to a border rain garden or soakaway.
 - Using permeable block paving, porous asphalt or concrete.

Further information can be found here -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

In addition the development should explore looking at and installing rain water harvesting units and water butts.

3) Highways informatives:

- 1) Section 38 Agreement and adoption of highways - You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.
- 2) Section 278 Agreement and works in adopted highway - You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.
- 3) Highway condition survey - You should note that a highway condition survey should be carried out before the commencement of demolition and/or construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.
- 4) Highway works under Section 278 Agreement - The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980:
 - Provision of the site access;
 - Removal of existing bollards on Institute Road;
 - Relocation of existing street lighting columns to position to be agreed with Street Lighting team;
 - Reinstatement of any redundant vehicular dropped crossings;
 - Details of new vehicle dropped crossings to individual drives and private drive to Plots 1-5;
 - Removal of all flagged footway along the frontage of the site and replacement with macadam to Highway Authority specifications
 - Resurfacing of Institute Road where required to make good any damage and to ensure appropriate tie in with the new construction
 - Reinstatement of any road markings as necessary
 - Drainage and any other associated works.
- 5) Contact Traffic Management - You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period in respect of the impacts on Institute Road and the need for any temporary traffic regulation orders.
- 6) Reminder to not store building material or equipment on the highway - 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.
- 7) Contact Lighting Section - You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.
- 8) Contact Local Highway Authority - Estate Street Phasing and Completion Plan - The applicant is advised to obtain the written approval of the Local Highway Authority for the details required under condition **14**, prior to the submission of such details to the Local Planning Authority in seeking to

discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk

- 9) Contact Local Highway Authority - Management and Maintenance of Estate Streets - The applicant is advised that to discharge condition 12 the Local Planning Authority requires a copy of a completed agreement between the applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. You can contact Highway Development Management at highwaysplanning@northumberland.gov.uk
- 10) Contact Local Highway Authority - Submission of details of adoptable streets - The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge condition 13 of this permission. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk
- 11) Reminder to not deposit mud/ debris/rubbish on the highway - In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- 12) Road Safety Audits - You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offer this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979
- 13) Containers Required for the Storage of Waste - For new individual properties the following will be required to be provided:
 - 240 litre wheeled bin for residual refuse
 - 240 litre wheeled bin for recyclingDevelopers should be aware that an additional 240 litre brown bin may also need to be accommodated for garden waste which is a subscription seasonal scheme.
- 14) Highway Authority Position on Proposed Gravel Drives - The Highway Authority considers that the proposals for the gravel surfacing of individual drives is not well designed and has the potential for adverse implications for the operation of the residential highway network in these locations. Whilst this may fall short of the creation of severe harm that would justify refusal of planning permission it is recommended that the occupiers of each property are aware of the legal duty under the Highways Act 1980 (as amended) not to deposit material on the highway, including gravel, and that they should make all efforts to ensure that gravel or other loose material is not dragged onto the public highway. The transfer of material onto the highway may constitute an offence under Section 149 of the 1980 Highways Act and the Highway Authority reserves the right to take action in this regard.

4) Public Protection informatives

1) Land Contamination- The Applicant should note this Council's adopted Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) contaminated land Guidance together with the YALPAG Technical Guidance - Verification Requirements for Cover Systems available under the Related Documents for Environmental Protection in Development section at :

<http://www.northumberland.gov.uk/Protection/Pollution/Advice.aspx>

We accept and acknowledge the proposal to carry out further intrusive investigations on site once the site has been partially or fully cleared. This aspect of the development can be conditioned now without the submission of further information.

2) Dust Management Dust minimisation and control shall have regards to accepted guidance and in Particular:

The Institute of Air Quality Management has produced very current documentation entitled "Guidance on the Assessment of Dust from Demolition and Construction" available at:

<http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London's office has produced a supplementary guidance document entitled "The Control of Dust and Emissions During Construction and Demolition" which is available at:

<https://www.london.gov.uk/what-we-do/planning/implementinglondonplan/supplementary-planning-guidance/control-dust-and>

3) Clean Cover System Specification and Verification

The specification and verification of any clean cover system should adopt the Public Protection adopted guidance on the "Verification Requirements for Cover Systems – Technical Guidance for Developers, Landowners and Consultants" produced in collaboration with the Yorkshire and Lincolnshire Pollution Advisory Group; this can be found in the related documents section on the following webpage:

<http://www.northumberland.gov.uk/Protection/Pollution/Contaminated.aspx>

4) Burning Materials Onsite

There shall be no burning of any material associated with the construction phase on the site.

5) Statutory Nuisance

The Public Health Protection Unit would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice. Failure to address issue of noise and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

Date of Report: 24.07.2017

Background Papers: Planning application file(s) 17/00080/FUL