

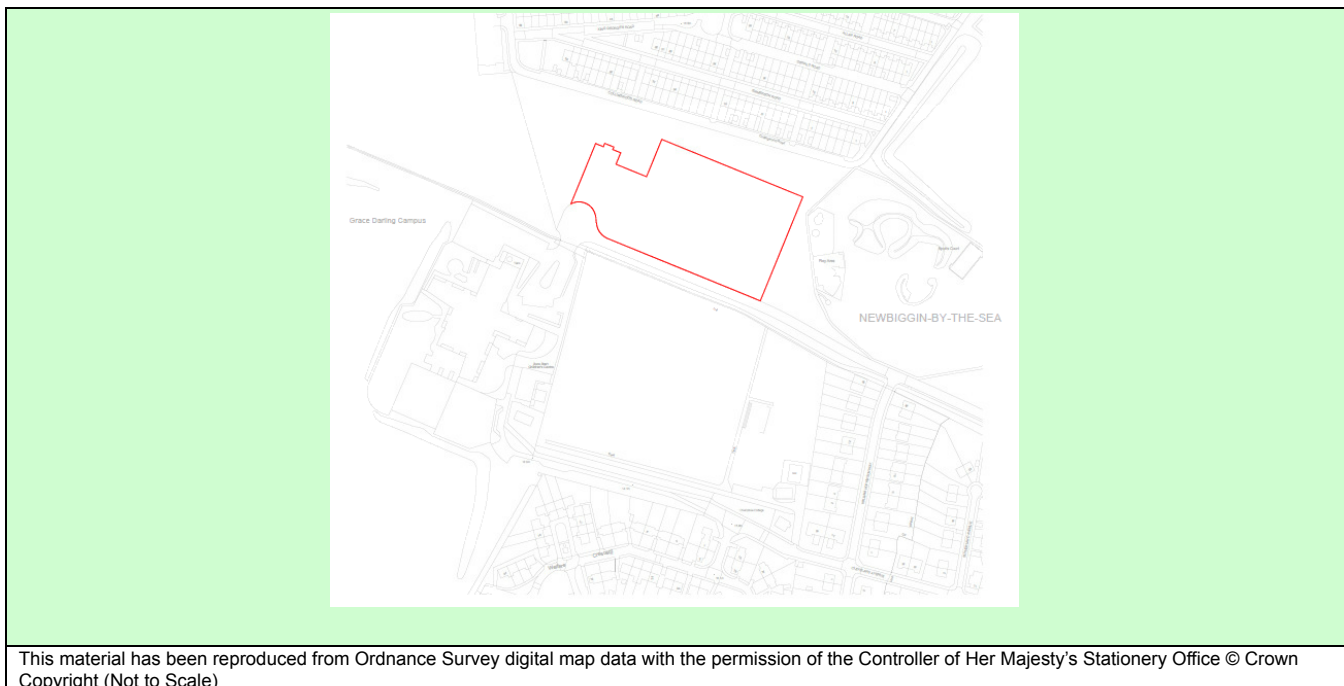


# Northumberland County Council

## ASHINGTON AND BLYTH LOCAL AREA COUNCIL 12<sup>th</sup> February 2020

<b>Application No:</b>	19/00260/FUL		
<b>Proposal:</b>	Proposal for the erection of a new single storey sports clubhouse for the use of AFC Newbiggin with associated car park, storage container, 3m high mesh fencing and full size football pitch on the field north of Central Parkway (as amended 25.07.2019),		
<b>Site Address</b>	Land East Of Grace Darling Campus, Cleveland Avenue, Newbiggin-By-The-Sea, Northumberland		
<b>Applicant:</b>	AFC Newbiggin Newbiggin Sports & Community Centre, Woodhorn Road, Newbiggin-by-the-sea, NE64 6HG Northumberland	<b>Agent:</b>	Mr Filip Young St Jude's, Barker Street, Shieldfield, Newcastle Upon Tyne NE2 1AS
<b>Ward</b>	Newbiggin Central and East	<b>Parish</b>	Newbiggin By The Sea
<b>Valid Date:</b>	27 February 2019	<b>Expiry Date:</b>	17 January 2020
<b>Case Officer Details:</b>	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



### 1. Introduction

1.1 This application is being referred to the Local Area Council for a decision as it is proposing development on County Council owned land. The application was

considered at the Ashington/Blyth Planning Committee on 16th January, where it was deferred by Members to allow a site visit to take place. This is scheduled to take place on Tuesday 11th February 2020.

## 2. Description of the Proposals

2.1 The application seeks full planning permission for proposal for the erection of a new single storey sports clubhouse for the use of AFC Newbiggin with associated car park, storage container, 3m high mesh fencing and full size football pitch on the field north of Central Parkway at Land East Of Grace Darling Campus, Cleveland Avenue, Newbiggin-By-The-Sea.

2.2. The supporting planning statement states that the proposal is for Newbiggin by the Sea Football Club (AFC Newbiggin) which was established in 1911. Their current place of operation is Newbiggin Sports Centre, however the facilities are not fit for the clubs uses, and a new home is sought. A single storey sports club house is proposed and a full sized adult football pitch. In summary the application proposes:

- Tarmac car park with 30 spaces and site entrance and perimeter path to football pitch;
- Proposed club house;
- Full sized 11v11 football pitch with 3m surrounding perimeter fence;
- Secure storage facility for sports equipment when the development is not in use - 20ft storage container, 2.43m (width) x 2.59m (height), 6.05m (length)
- The clubhouse features two team changing rooms with separate w/c's and shower rooms, dedicated staff/official changing room, club function room, kitchen and office room. The proposals for the clubhouse features secure shutters for doors and windows when the building is not in use for increased security. Direct access to full sized football pitch with a 3.0m high steel mesh fence to perimeter of pitch

## 3. Planning History

**Reference Number:** 85/F/293

**Description:** DEMOLITION OF EXISTING SPORTS PAVILION AND ERECTION OF STEEL MAX SECURITY CHANGING FACILITY 14 X 3 METRES

**Status:** Approved

## 4. Consultee Responses

Natural England	No objections
Lead Local Flood Authority (LLFA)	No objections subject to conditions
Public Protection	No objections subject to conditions
Highways	No objections subject to conditions
County Ecologist	No objections subject to conditions
Newbiggin-By-The Sea Town Council	No objections
Countryside/ Rights Of Way	No objections
Strategic Estates	No response received.

Sport England	No objections
County Archaeologist	No objections
Northumbrian Water Ltd	No objections

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	67
Number of Objections	2
Number of Support	0
Number of General Comments	0

### Notices

Site notice - Public Right of Way 14<sup>th</sup> August 2019

News Post Leader 4th April 2019

### Summary of Responses:

There have been concerns received from local residents with the unsightly appearance of the surrounding enclosure.

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=PLVNMJQSLLB00>

## 6. Planning Policy

### 6.1 Development Plan Policy

Wansbeck District Local Plan  
 Policy GP1 - Settlement Boundaries  
 Policy GP30 – Design and Visual Amenity  
 REC1- Open Space  
 REC3 – Playing Fields  
 GP26 – Noise and Disturbance  
 GP29 Land Contamination

### 6.2 National Planning Policy

National Planning Policy Framework (2019);  
 National Planning Practice Guidance (2019).

### 6.3 Other Documents/Strategies

Paragraph 48 of the NPPF states that some weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections

to the emerging plan. The emerging Northumberland Local Plan - Publication Draft Plan (Reg 19) (NLP) was submitted to Government on 29th May 2019 for examination. As such, the policies contained within this document carry some weight in the determination of planning applications at this stage.

Northumberland Local Plan Publication Draft Plan Regulation 19 (January 2019):

QOP 1 - Design Principles;

QOP 2 - Good Design and Amenity;

STP1 - Spatial Strategy

POL1- Unstable and Contaminated Land

WAT 3 Flooding

WAT 4 Sustainable Drainage Systems

TRA1 Promoting Sustainable Connections (Strategic Policy)

TRA2 The effects of development on the transport network

ENV2 Biodiversity and Geodiversity

INF 5 Open Space and facilities for sport and recreation

## **7. Appraisal**

7.1 The main issues for consideration in the determination of this application are:

- Principle of the development
- Design and visual impact
- Impact on amenity
- Highways
- Public Protection
- Ecology
- Flood Risk

### **Principle of the development**

7.2 The site is located on an existing playing field that has a history of football matches held on the land and surrounding area. The site is within a residential area near a school and surrounded by other open playing fields.

7.3 The site is located within the settlement limits of Newbiggin-on-the-Sea within the Proposals Map of the Wansbeck District Local Plan and the relevant section of the general location Policy GP1 states:

*“Part A*

*Provided that the proposals are in accordance with other policies of the Plan, development on previously-developed sites and buildings within settlement limits, as defined on the Proposals Map, will be permitted.*

*Part B*

*Development on greenfield sites within settlement limits will only be permitted if:*

*a) the site is allocated for development; or*

*b) it can be demonstrated that the development will meet an identified and justified need and no suitable alternative previously-developed site is available.*

7.4 Within the settlement limits, the application site is designated a playing field and policies REC1 and REC3 within the Local Plan are applicable. Policy REC1 is for the safeguarding existing parks and open spaces and states:

*“Permission will not be granted for development on a designated site unless:*

- a) the predominantly open character of the area is maintained; and*
- b) the development is incidental and beneficial to the recreational or amenity use of the land”.*

7.5 The local plan further highlights that the designated network includes those areas of the district judged to make the most significant contribution towards meeting the community’s needs for open space. Whilst safeguarding the spaces for the current and future residents of Wansbeck, the policy acknowledges that in certain circumstances development may be justified e.g. where the development is small scale and related to the recreational use of the space such as changing facilities, club houses etc.

7.6 Policy REC3 is specially related to playing fields and states:

*“Planning permission for developments on playing fields will not be permitted unless:*

- a) the proposed development is ancillary to the use of the site as a playing field and the quantity or quality of facilities and their use is not adversely affected; or*
- b) alternative playing field provision of equivalent or better quantity and quality is provided in a suitable location prior to the commencement of development; or*
- c) the proposed development is for another indoor or outdoor facility, the benefit of which would outweigh the loss of the existing facility; or*
- d) an open space assessment has been undertaken which demonstrates that the proposal will not result in a deficiency of playing fields or any other form of open space now or in the foreseeable future”.*

7.7 Whilst full weight cannot be afforded to emerging draft Northumberland Local Plan states Policy INF 5 *“that development proposals that would result in the loss of land or buildings used for recreational use or the loss of Protected Open Space will not be supported unless:*

- a. They would be replaced by an area of equivalent or better quantity and quality, in a suitable location; or*
- b. An excess of provision in quantitative and qualitative terms is clearly demonstrated; or*
- c. The development proposed is for alternative sports and recreation provision, the need for which clearly outweighs the loss of the existing open space.*

*Development which would result in the loss of open space not shown on the Policies Map that contributes to the character and visual amenity of an area will not be supported unless it can be demonstrated that the benefits of development clearly outweigh the loss.*

*Development of ancillary facilities on open space will be supported where:*

- a. It would be appropriate in scale and would not detract from the character of the site or surroundings;*

- b. It would not have an unacceptable negative impact upon residential amenity;*
- c. It would not be detrimental to any other function that the open space performs; and*
- d. It would contribute positively to the setting and quality of the open space. It is necessary to, or would facilitate the functioning of the open space”.*

7.8 The proposal is not changing the use of the land and a football pitch would still be retained as a playing field. Whilst it is accepted that this would enclose an area of public open space, the proposed facilities still provide a public benefit by providing a formal area for the long established football club and providing enhanced facilities in the town and within a sustainable location. The site is also surrounded by open playing fields therefore, sufficient open public playing fields will be retained. There has been no objections to application from Sport England or any significant concerns raised from local residents. The Town Council also further support the proposals.

7.9 Overall, the application is in accordance with Policy REC1 and REC1 of the Local Plan as the proposed sports facility is ancillary to the use of the site as a playing field and the development is incidental and beneficial to the recreational or amenity use of the land.

### **Visual and Residential Amenity**

7.10 Policy GP31 states that when “*considering any proposed development the authority will require high standards of urban design to:*

- a) promote character in townscape and landscape and establish local identity; and*
- b) clearly define public and private spaces; and*
- c) encourage accessibility; and*
- d) make places with a clear image that is easy to understand, by providing recognisable routes, intersections and landmarks; and*
- e) encourage adaptability through development that can respond to changing social, technological and economic conditions; and*
- f) promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs”.*

7.11 It is accepted that the development proposes a surrounding 3m high fence which would be a visual intrusive to the existing open field. In addition, a club house, storage container and car parking area would create further built development. The site would be seen in context with the school buildings and built up residential area. There will be landscaping proposed to perimeter fencing to enhance the appearance and the green mesh fencing would be transparent to mitigate the impact of the open field. It must also be noted that fencing up to 2m in this location could be constructed under the current permitted development order, therefore an additional height up to 3m would be unreasonable to refuse on visual amenity grounds. Based on the proposed works providing a recreational use and appearance on a playing field and retaining open land in the surrounding area, it is considered that the application is in accordance with Policy GP30 as the design is appropriate for its intended use.

7.12 The NPPF requires development should not have a detrimental impact to existing and future occupants. Local Plan Policy GP26 also states that applications for development which could be exposed to an existing or potential source of noise from existing activity and whether the proposed use is particularly sensitive to noise.

As the proposed use is retaining a recreational use, it is not considered any additional noise or disturbance would impact surrounding neighbours. In addition, the proposed structures are at an adequate distance, there would be no overbearing impact of loss of light or privacy. The application is considered to be in accordance with the NPPF and Policy GP26 of the Local Plan.

### **Public Protection**

7.13 In principle the Public Health Protection Unit does not object to this proposal subject to the measures detailed in the application documents being implemented as stated.

7.14 The site is within an area of a low risk Coal Mining Area but ground gas protection measures should be installed and the applicant has agreed to this. There have been conditions recommended to require the applicant to propose gas protection to a certain standard and verify their installation prior to occupation.

7.15 The submitted Phase 1 Desk Top Study Report has recommended additional site investigations (Phase 2). The Public Health Protection Unit would see the end use as not particularly vulnerable to the presence of any contamination given the short duration which end users are to be onsite and there will be no growing of produce. A condition has been recommended however, that requires the applicant to address any contamination found as a result of the Phase 2 investigation and dealing with any unexpected contamination should it be discovered during the development of the site.

7.16 Overall, Public Protection has no objections and the application is in accordance with Policy GP29 of the Local Plan and the NPPF.

### **Highways**

7.17 The highways authority has been consulted and has no objections to the scheme, The proposed number of parking spaces to be provided in association with the full-sized pitch is acceptable and a condition will be recommended requiring implementation prior to the pitch being taken into use, and retained thereafter.

7.18 It is considered that the existing highway network is adequate to cope with any additional traffic resulting from the development, and that the internal circulation arrangements within the car park can absorb vehicular traffic without queues forming on the U6519.

7.19 The proposed car park access is retained from the turning circle. Whilst it would have been preferable for the access to have been relocated elsewhere on the frontage it is considered, on balance, that the potential for vehicle conflict will not be such that refusal of planning permission for a highway safety related reason could be justified.

7.20 In conclusion, there are no highway objections to the granting of planning permission subject to the following conditions and informatives. The application is considered to be in accordance with the NPPF.

## **Ecology**

7.21 An ecology report has been submitted that identifies a low risk to protected species. The County Ecologist has been consulted and has no objections subject to a condition to retain open areas for the use by gulls and waders, retention of trees on site and other mitigation measures to protect vegetation and nesting birds. The application is considered to be in accordance with the NPPF and the proposal would to maintain and enhance the biodiversity value of the site.

## **Flood Risk**

7.22 The Lead Local Flood Authority (LLFA) has been consulted and has no objections to the scheme subject to submitting further details via a condition for a scheme to dispose of surface water from the development and details of discharge rates. As such the application is considered to be in accordance with the NPPF.

## **Other Matters**

### *Equality Duty*

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

### *Crime and Disorder Act Implications*

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

### *Human Rights Act Implications*

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.



Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Recommendation**

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:-

Site Location 101-P2  
Proposed Site Plan 103-P2  
Proposed Club House 104-P2  
Proposed Site Plan (Coloured) 105-P2  
Proposed Boundary Treatment Plan 106-P2  
Football Pitch Elevations 301-P2  
Proposed Plans and Elevations 201-P1  
Proposed Storage Container Plans 302 –P1

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

03. The development shall not be occupied until details of the external lighting of the buildings and external areas have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

04. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, 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.

05. The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

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

06. No dwelling shall be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

07. 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.

08. 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 construction 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.

09. 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.

10. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the

CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority.

The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with the National Planning Policy Framework.

11. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 10, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with the National Planning Policy Framework.

12. The development hereby permitted shall not be completed 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 Phase II site investigation is required (as recommended by the Phase 1: Desk Top Study Report (Preliminary Environmental Risk Investigation) produced by GEO Environmental Engineering, Report Ref: 2018-3491 and dated 18-01-2019) to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. 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. 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 in an appropriate manner to afford protection to the public, the buildings and the environment in accordance with the National Planning Policy Framework.

13. 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 the National Planning Policy Framework.

14. 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 dust from works and site management responses to incidents and complaints about dust arising from the site.

Reason: To protect residential amenity and provide a commensurate level of protection against dust in accordance with the National Planning Policy Framework.

15. 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 protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework.

16. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00  
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework.

17. Prior to commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved by the Local Planning Authority. This scheme shall:

i. Restrict discharge from the development to Qbar for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by NWL and the local planning authority.

- ii. Adhere to the general principles as set out in the drainage strategy from Drainage Statement reference RO/FRA/18228.200.
- iii. Provide details of surface water drains and filter drains.

Reason: To ensure the effective disposal of surface water from the development in accordance with the NPPF.

18. No development will take place unless in accordance with the ecology report Ecological Appraisal Newbiggin Sports Club, Newbiggin-by-the Sea January 2019 by E3 Ecology including:

- i. Retention of open areas of grassland for use by gulls and waders.
- ii. Retention of all trees adjacent to the site.
- iii. Minimal use of herbicides and fertiliser in pitch maintenance.
- iv. Vegetation clearance/tree felling will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.
- v. Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- vi. The roots and crowns of retained trees will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

Reason: to maintain and enhance the biodiversity value of the site in accordance with the NPPF.

## **Informatives**

### **Fencing Around Pitches**

It is recommended that acoustic mounts are used to secure the welded fencing to the uprights, to maximise noise mitigation from the site fencing.

### **Access and Anti-Social Behaviour**

The submitted information does not clarify whether there will be out-of-hours access to the public and if it is, who will manage this. Failure to either prevent access to the pitches out-of-hours or manage the users at all time, could result in anti-social behaviour which could result in actions against the owner/operator of the facility.

### **Dust Management Plan**

It would be expected that a dust management plan be submitted with any subsequent application, this can be an initial draft but should contain the main elements of such a plan. Such a plan should also include an anti-idling policy for plant and machinery onsite to minimise air pollution. Dust minimisation and control shall have regards to guidance such as :

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 robust 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/implementing-london-plan/supplementary-planning-guidance/control-dust-and>

The HSE also provide guidance on construction dust:

<http://www.hse.gov.uk/construction/healthrisks/hazardous-substances/construction-dust.htm>

As do the CITB through the Construction Dust Partnership:

<https://www.citb.co.uk/health-safety-and-other-topics/health-safety/construction-dust-partnership/>

### **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, dust 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.

### **Burning Materials Onsite**

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

### **New vehicle crossing point – Type Access B (S184)**

You should note that under the Highways Act 1980 a vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: [blythdepot@northumberland.gov.uk](mailto:blythdepot@northumberland.gov.uk) .

### **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.

### **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.

### **Surface Water**

Any areas of hardstanding areas (car parks, driveways etc.) within 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 surface:

Using gravel or a mainly green, vegetated area, green roofs

Directing water from an impermeable surface to a border rain garden or soakaway.

Using permeable block paving, porous asphalt/concrete.

Further information can be found here

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7728/pavingfrontgardens.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf)

### **Public Footpath**

Public Footpath No.11 should be protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.

### **Protected Improvement Line**

Please note that extending west from the end of Central Parkway is a protected improvement line for the Newbiggin / Ashington Link (Publication Draft Local Plan Policy TRA3 and Wansbeck District Saved Policy). In the absence of a scheme design or works programme there is no basis to require the access arrangements to take account of the potential improvement. In the event that the improvement scheme proceeds the design will need to provide for retention of site access arrangements as necessary.

**Date of Report: 13.12.2019**

**Background Papers:** Planning application file(s) 19/00260/FUL