

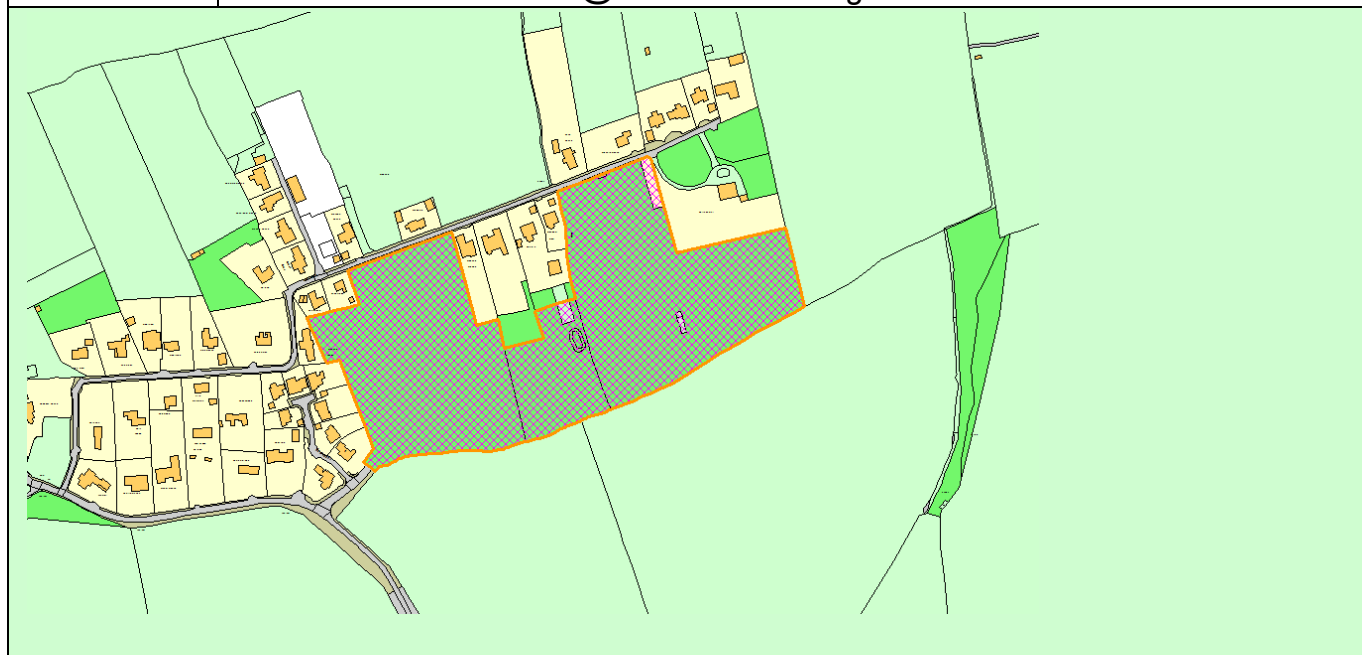
# NORTHUMBERLAND

Northumberland County Council

## Castle Morpeth Local Area Council Planning Committee

9<sup>th</sup> October 2017

<b>Application No:</b>	17/01149/FUL		
<b>Proposal:</b>	Proposed detailed planning application for 62 dwellings including associated access, infrastructure and open space (amended plans and documents)		
<b>Site Address</b>	Field east of The Nursery, Medburn, Northumberland		
<b>Applicant:</b>	Mr Mark Gabriele Bellway House, Kings Park, Kingsway North, Gateshead Tyne And Wear, NE11 0JH	<b>Agent:</b>	Mr Martyn Earle The Forum, The Pearl, New Bridge Street West, Newcastle upon Tyne, NE1 8AQ
<b>Ward</b>	Ponteland West	<b>Parish</b>	Ponteland
<b>Valid Date:</b>	11 April 2017	<b>Expiry Date:</b>	15 September 2017
<b>Case Officer Details:</b>	Name: Ms Ann Rawlinson Job Senior Planning Officer Title: Tel No: 01670 622642 Email: <a href="mailto:ann.rawlinson@northumberland.gov.uk">ann.rawlinson@northumberland.gov.uk</a>		



## **1. Introduction**

1.1 The application falls to be determined by the Castle Morpeth Local Area Council Planning committee given that the proposal is for major development which raises significant planning considerations and has been the subject of an objection from Ponteland Town Council as well as local public opposition.

## **2. Description of the Site and Proposals**

2.1 The site is a broadly 'U' shaped area of small overgrown fields and scrubland of approximately 6.39 hectares in size. The site is currently unused and overgrown but was once presumed to be used for grazing or other agricultural purposes. Towards the centre of the site is evidence of old buildings / structures and foundations. The site is in relatively poor visual condition and appears to be unmanaged. The site slopes west to east and south to north. Mature trees are located around the periphery on the boundary fence lines and in the hedgerows. There is an immature semi-natural wooded area to the north of the site. The rest of the site comprises of scrub, bramble, species poor grassland and bare ground. Three remnant hedgerows lie within the central portion of the site. A single Category A Oak tree lies in the south west part of the site.

2.2 The site lies to the south of the Avenue and to the east of The Nursey in Medburn. The site extends from the central minor road through the centre of Medburn southwards to a gently arcing gappy hedgerow along the southern boundary. Harrison Hall is located to the east of the site. The southern and eastern boundaries back onto open fields with the northern, west and eastern boundaries meeting existing residential properties sited on The Nursery and The Avenue. The Green Belt abuts the site to the south.

2.3 Planning permission is sought for the erection of sixty two detached four and five bedroomed two and two and a half storey dwellings. Front and rear gardens would be provided with detached or integral garages. Car parking would be provided for three cars per dwelling. Proposed materials would consist of grey roof tiles, brick, render and tile hanging with heritage coloured windows and doors in olive and sage. Specific elevational details such as plinths, stone cills, mock spar ends, gable treatments, brick dental course and tile and band and ridge details would also be incorporated. Proposed boundary treatments include stone walls, hedging, estate railings and timber fences. Surface materials include tarmac, red tarmac and block paving.

2.4 Cul-de sacs would be taken of a curving spine road. Public open space, SUDs areas and wetland planting would be provided to the north and south of the site, as well as the provision of new landscaping and retention of some existing hedgerows. Vehicular and pedestrian access would be taken from The Nursery to the west of the site. The Nursery is accessed off an unnamed road (C345), north of dwellings located of Stamfordham Road (B6324). Existing electric cabling would be re-routed as part of the

proposed development and a gas tank provided for. The applicant has indicated their agreement to the provision of space play within the proposed open space.

### **3. Planning History**

**Reference Number:** C/89/D/482

**Description:** Outline application for the development of existing settlement incorporating residential development and provision of ancillary facilities on 34.7 hectares

**Status:** OBJECTION

**Reference Number:** C/93/D/082

**Description:** Outline application for residential development on 8.2 ha at Windyridge and Prospect Cottage

**Status:** NO OBJECTION

**Reference Number:** 12/00892/OUT

**Description:** Outline planning application for the development of up to 14 dwellings with associated access, open space and landscaping.

**Status:** REFUSED

**Reference Number:** 13/00291/OUT

**Description:** Outline application for the development of up to 14 executive dwellings with associated access, open space and landscaping.

**Status:** REFUSED

**Reference Number:** CM/87/D/530

**Description:** Outline residential and ancillary development including the provision of sewage disposal facilities

**Status:** REFUSED

### **Appeals**

**Reference Number:** 13/00021/REFUSE

**Description:** Outline planning application for the development of up to 14 dwellings with associated access, open space and landscaping.

**Status:** ALLOWED

#### 4. Consultee Responses

Ponteland Town Council	<p>Ponteland Town Council objects to the proposed development. They have significant concerns about the scale of proposed development in the area. They consider that it will have a detrimental impact on the character of this hamlet.</p> <p>They consider that the proposal is contrary to Policy MBH2 of the Castle Morpeth Local Plan as the site is neither brownfield nor infill and is not within the curtilage of existing properties.</p> <p>The construction of 62 further dwellings and associated access in this location will have a detrimental impact on the agricultural/rural and largely undeveloped character present in this part of the settlement, contrary to Policy H15 of the Castle Morpeth District Local Plan.</p> <p>Medburn is a small settlement without any services, only a limited bus service and poor paths for cyclists and pedestrians. The construction of 62 more dwellings in addition to the recently approved construction of at least 82 new dwellings will have an overwhelming and adverse impact on this small settlement and the C345, which is a narrow country lane and the only access road. Also note the resident's objections and concerns.</p>
Highways Authority	No objections subject to the imposition of conditions.
Natural England	No comments.
Environment Agency	No response received.
Architectural Liaison Officer - Police	No response received.
Fire and Rescue Service	No objections with regards to emergency vehicular access.
Northumbrian Water Ltd	It has been identified that the sewerage network to which the development would drain is currently unable to accommodate additional flows. Flow monitors have been installed in the network, and once consultants have the data they require from the monitors, they can then undertake the modelling work to

	<p>identify what (if any) upgrade work is required in order to accommodate the flows. Northumbrian Water would then undertake any upgrade works should the development gain planning permission. Details of connections to the public sewerage network following completion of these works should be ensured by planning condition.</p> <p>With regard to surface water, no issues to raise as the submitted Flood Risk Assessment states that surface water would discharge to the existing culvert and watercourses.</p>
Northumbria Ambulance Service	No response received.
County Archaeologist	No objection subject to the imposition of a planning condition to ensure that a programme of archaeological work is undertaken.
County Ecologist	No objection subject to the imposition of conditions.
West Tree And Woodland Officer	No objections.
Waste Management - South East	No response received.
Education - Schools	A contribution of £145,200 in respect of the provision of primary school infrastructure in order to accommodate pupils from the proposed development.
Lead Local Flood Authority (LLFA)	No objections subject to the imposition of conditions.
Active Northumberland	No response received.
Public Protection	No objections subject to the imposition of conditions.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	19
Number of Objections	31
Number of Support	0
Number of General Comments	1

### Notices

Site Notice - Departure from Local Plan – posted 12th June 2017

Morpeth Herald - 8th June 2017

### Summary of Responses:

Thirty one letters of objection have been received from local residents raising the following concerns:

- Impact on residential amenity-loss of view, light, outlook, privacy, overbearing impact, gas tanks, electric substation and re-routing of cables
- Need for a comprehensive approach to the future development of Medburn
- Unsustainable
- Out of character and scale, materials incongruous
- Overdevelopment, small plot sizes, crammed in, too many houses, inappropriate density
- Lack of public transport, services and facilities
- No improvements to infrastructure
- Highway safety, no footpaths, increase in traffic/congestion, access not safe/suitable, poor visibility
- Council can demonstrate a 5 year housing supply, no need
- Contrary to MBH2-Infill only, not housing estates
- Light pollution
- Flooding, poor drainage, inadequate sewerage network
- Removal of vegetation, woodland
- Impact on wildlife
- Loss of open space
- Unsafe expanse of water
- Management of SUDs
- Sprawl into countryside, impact on visual amenity
- Impact national cycle route
- Nuisance from site activities

- Loss of property value

The above is a bullet pointed general summary of the comments received. The full written text is available on the Council's website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=ONJ5V9QSFZO00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

#### Castle Morpeth District Local Plan (2003) (Saved Policies)

RE5 Surface Water Run-Off and Flood Defences  
MBC1 Settlement Boundary  
MBH1 Infill Development  
MBH2 Infill Development  
H6 Special Executive Housing  
H15 New Housing Developments  
Policy C11 Protected Species  
Policy C15 Trees in the Countryside and Urban Areas  
Policy RE4 Water Quality  
Policy RE6 Service Infrastructure  
Policy RE8 Contaminated land  
Policy H1 Housing Land Supply  
Policy R4 Children's Play  
Policy I2 Planning Obligations  
Policy T5 Public Transport

#### Ponteland Neighbourhood Plan (Submission Draft) March 2017

PNP1 Sustainable Development Principles  
PNP2 High Quality and Inclusive Design  
PNP 3 Infrastructure  
PNP10 Green Infrastructure  
PNP11 Landscape  
PNP13 Biodiversity  
PNP 21 Housing Mix  
PNP23 Open Space and Recreation Provision  
PNP27 Flood Risk  
PNP28 Sustainable Drainage Systems  
PNP29 Transport and New Development

## 6.2 National Planning Policy

National Planning Policy Framework (2012) (NPPF)  
National Planning Practice Guidance (2014, as updated) (NPPG)

## 6.3 Other documents/Strategies

Northumberland Consolidated Planning Policy Framework (2009)

## 7. Appraisal

7.1 In respect of section 38(6) of the Planning and Compulsory Purchase Act 2004, applying all relevant Development Plan policies, and considering all other policy and guidance (including under the NPPF and PPG) and all other material planning considerations, including representations received, it is considered that the main planning issues raised in relation to the determination of this application are as follows:

- Principle of Development
- Housing Mix and Affordable Housing
- Highway Safety, Access and Car Parking
- Landscape Impact
- Design, Scale, Layout and Impact on the Character and Appearance of Medburn
- Impact on Residential Amenity
- Impact on Trees
- Impact on Ecology and Nature Conservation
- Flooding, Drainage and Sewerage
- Impact on Heritage Assets
- Education Provision
- Sports, Recreation and Play Provision
- Other Matters

### Principle of Development

7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration. The saved Policies of the Castle Morpeth District Local Plan (adopted 2003) (CMDLP) remain the development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 215 that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF. The Ponteland Neighbourhood Plan (Submission Draft, May 2017) has successfully been passed by an independent examiner and as such the Plan will now proceed to a



local referendum to be held on the 28<sup>th</sup> September 2017 and as such *limited* weight can also be afforded to this.

7.3 The site is located within the settlement boundary of Medburn as defined by Policies C1 and MBC1 of the CMDLP. The purpose of the settlement boundary is to exclude Medburn from the Green Belt, the boundary of which runs along the southern boundary of the site, in order to allow for sensitive development to take place within the village, whilst retaining the main characteristics of buildings set in a largely rural landscape. In this respect the intention behind CMDLP Policies C1 and MBC1 aligns with up-to-date national planning guidance set out in the NPPF.

7.4 The site is located within an area defined by CMDLP Policy MBH2 which considers development as being appropriate, in principle, for infill development on previously developed land. The site is not previously developed and the construction of new dwellings on the site is not considered to constitute infill development. As such, whilst the site may lie within the wider settlement boundary for Medburn, the proposal would be contrary to the provisions of CMDLP Policy MBH2.

7.5 Notwithstanding this, Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission 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 the Framework indicate development should be restricted.

7.6 NPPF Paragraph 6 advises that the Policies set out in Paragraphs 18 to 219 of the document, taken as a whole, constitute the Government's view on what sustainable development in England means in practice for the planning system. Paragraph 7 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development, an economic element, a social element and an environmental element. Paragraph 8 goes on to advise how the three elements of sustainable development are mutually dependant and should not be undertaken in isolation. It makes clear that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

7.7 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles.

7.8 Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 47 of the NPPF advises actions that local planning authorities should undertake to boost

significantly the supply of housing. It advises amongst other matters that authorities should use their evidence base to ensure the local plan meets the full objectively assessed needs for market and affordable housing in the housing market area. It also advises that authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer.

7.9 The recent appeal decision in respect of the recent grant of planning permission by the Planning Inspector for 285 dwellings at land to the North of St Michael's Avenue, New Hartley (appeal reference: APP/P2935/W/16/3164573) confirmed that due to the withdrawal of the emerging Northumberland Core Strategy, there is now no Objectively Assessed Need (OAN) against which to calculate a five year supply of housing and therefore no position from which to establish a requirement. There is now nothing to measure the supply of housing against and therefore a five year supply of housing cannot be properly calculated. On this basis the Inspector concluded that a 5 year supply of housing land cannot be demonstrated.

7.10 Paragraph 49 of the NPPF advises that relevant policies for the supply of housing should not be considered up to date if the Council cannot demonstrate a five year supply of deliverable housing sites. The primary purpose of Paragraph 49 is to engage bullet point 4 of Paragraph 14 of the NPPF. Planning permission should therefore be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole (the tilted balance) or specific policies in the NPPF indicate development should be restricted. These other policies are given due weight, in the relevant sections of the report below, when addressing the matters that they bear upon and in the context of the tilted balance.

7.11 It is acknowledged that Medburn as a settlement is poorly served by services/facilities with no shops, school, pub, community centre or other such community facilities. However, previously planning decisions in Medburn have given weight to two appeal decisions within Medburn, one for five dwellings and one for 14 dwellings (on the application site) which both determined that although Medburn itself has no services of its own, it is not a remote or unsustainable location by virtue of its close proximity and connectivity to Ponteland and its range of services. In respect of the appeal against five dwellings at Prospect Farm (planning application ref: 11/01959/OUT and appeal decision dated 22nd October 2012) the Inspector determined that:

*"The Local Plan indicates that limited housing development is acceptable at Medburn with the clear implication that it is not considered to be an unsustainable location for limited new housing. Although the small settlement has no facilities of its own, it is not a remote rural location. Whilst it appears that residents generally have private cars and the site is outside convenient walking distance of the shopping, social, educational and employment facilities at Ponteland and Darras Hall, the site appears to be within cycling distance of such facilities and there is a limited regular bus service and school transport.*

*Therefore, the site offers scope for accessing facilities and services by means other than private cars."*

7.12 In the appeal against the development of 14 dwellings on the application site (no. 12/00892/OUT) the Inspector agreed with this position and stated that:

*"The appeal site in this instance is close to Prospect Farm. It is within easy reach of a bus stop, a bridleway and a cycleway, and I am in agreement with that Inspector with regard to the accessibility of Medburn to the service facilities of nearby Ponteland. In addition, the bus service from Medburn to the nearest Metro Station, notwithstanding the Council's argument regarding frequency, would provide suitable links to the employment, shopping and leisure facilities to be found in the wider Tyne and Wear area."*

7.13 Whilst the NPPF provides a strong presumption in favour of sustainable development, it also recognises at Paragraph 55 that in cases where a number of settlements are closely grouped together, new housing in one village may support services in an adjacent settlement. The close proximity of Medburn to Ponteland is one such example where new housing development on the application site could potentially lend support to the wide range of services in Ponteland village centre, and clearly this has played a key part in the decisions made by the Inspectors in both appeal cases. Therefore, as the proposed scheme would provide new housing development in a location that is not remote from Ponteland and Darras Hall, which would support the existing services and facilities in an adjacent settlement, and which has reasonable access to such services and facilities by means other than the private car, it is considered that new housing in Medburn would accord, in principle, with Paragraph 55 of the NPPF and be generally consistent with the approach taken by the Inspectors in determining the Prospect Farm and the application site appeals.

7.14 Whilst the CMDLP was adopted in February 2003 (with some policies saved in 2007) and therefore significantly pre-dates the publication of the NPPF, the collective intention behind the housing Policies was to ensure the delivery of a wide choice of homes in the former Castle Morpeth District. To this end previous planning permissions have considered that the saved housing Policies, including Policy H6 relating specifically to executive style housing, generally align with Paragraphs 47 and 50 of the NPPF which similarly seek to widen housing mix and opportunities for home ownership.

7.15 Although other permissions recently granted in Medburn were not considered to be infill and would not be sited on previously developed land, it was considered that those developments would accord with the NPPF, particularly with Paragraphs 14 and 55 and would serve to redress the then shortfall in the five year housing land supply in the County, while delivering executive style and affordable housing units.

7.16 For the purposes of this current application the recently granted planning permissions such as that for 50 dwellings at land to the east of Green Rigg, dwellings at north of the Avenue, Dyke House, Rose Lodge, Harrison, Hall, The Pines, Three Acres

and Hayworth Croft are significant material considerations as is the previous grant of planning permission for 14 dwellings on the site.

7.17 Notwithstanding the above mentioned healthy housing land supply position across the County as a whole, it is considered that the principle of residential development on this site is acceptable given the previous permission granted on the site, further planning permissions granted within Medburn, and the fact that the site lies within the settlement limits. The key considerations to assess further in this case are the proposed number of units on the site and the effects on the character and appearance of Medburn, the amenity of residents and other environmental aspects.

### **Housing Mix and Affordable Housing**

7.18 Paragraph 50 of the NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need.

7.19 The former Castle Morpeth Borough Council adopted an Interim Planning Policy for Affordable Housing (IPPAH) in February 2008 pending adoption of its Core Strategy. Subsequently, the Core Strategy was not adopted prior to Local Government Reorganisation in Northumberland in 2009. The IPPAH now forms part of the Northumberland Consolidated Planning Policy Framework. Ponteland Neighbourhood Plan Policy PNP21 seeks to ensure a mix of dwellings which have regard to the character and density of the surrounding area.

7.20 Officers have accepted that a financial contribution would be appropriate in this instance having regard to the location and nature of the proposed development. The Council's Affordable Housing Team have advised that this should be based on 15% affordable housing provision which equates to a financial contribution of £483,600, using the Council's adopted Protocol, taking into account the predicted house values. Subject to securing an appropriate contribution through a Section 106 Agreement the proposal would be in accordance with Paragraph 50 of the NPPF.

7.21 In relation to the proposed mix, this is proposed to comprise of fifty five five bedroomed properties and seven four bedroomed detached dwellings. It is considered that the proposals are acceptable in this respect, in that they provide for both executive housing, which is appropriate to the context of the site, as well as for a financial contribution towards affordable units.

## **Landscape Impact**

7.22 CMLP Policy H15 seeks to take account of a site's natural features. Policies C14 and C15 requires improvement of the landscape. Ponteland Neighbourhood Plan Policy PNP 11 seeks to maintain and enhance landscape character. NPPF Part 11 also requires that the planning system should protect the natural and local environment.

7.23 The site lies in the Pont Valley Landscape Character Area. The main characteristics of the wider landscape are a rolling landform which creates locally enclosed areas surrounded by woodland blocks and hedgerows with individual farms and small villages. It is noted that the site is not within an area designated for its landscape value nor would there be any indivisibility with any areas of exceptional landscape value. It has little recreational value in itself and there are no public rights of way through the site. The site is currently private, unused and overgrown. It does not form part of any accessible public open space

7.24 The wider landscape context is rural however the site itself is set among modern housing and close to the larger settlement of Ponteland and Darras Hall. Nevertheless the local landscape contains some stronger character elements such as rolling topography, mature trees and intact hedgerows. The submitted Landscape and Visual Assessment advises that the susceptibility of the site and surrounding landscape to the proposed change is considered to be low to medium. The value of the landscape ranges from low to medium and landscape sensitivity is medium. The magnitude of change upon the wider character area would be negligible, while the change upon the landscape of the site itself would be medium. The Landscape and Visual Assessment goes on to predict that the overall landscape effects would be minor/ neutral.

7.25 The anticipated changes brought about by the proposed development would represent what could be considered to be a minor change in landscape character from more distant views, however there would clearly be more fundamental changes in character within and in the close vicinity of the site. Visibility of the site is limited by existing landform and vegetation due to the ridges and valleys which would assist in minimising effects on landscape character, however the increase in concentration of housing units would bring about a localized change in character. The retention of existing boundary vegetation, addition of new landscaping, including to the south of the site, grey roofing materials, high quality design, sensitive roadside boundary treatments and three public open spaces would help to break up the massing of the proposed development, would filter and soften views and help assimilate the proposed development into the local landscape.

7.26 The matter of encroachment into the countryside has also been considered when assessing the likely impact of the proposed development on the landscape setting of Medburn as a whole. In this respect it must first be acknowledged that the proposal

would involve the development of a Greenfield site to the east of the dwellings on The Stables and south of The Avenue. However, the site lies within the settlement boundary for Medburn as defined by Policy MBC1 of the CMDLP, rather than being outside of the settlement boundary in the open countryside and Green Belt. This is a particularly important distinction to make in assessing the impact of the proposed development on the landscape. Whilst the proposal would inevitably result in built development on a site which lies beyond the existing built-up part of the village, the defined settlement boundary is an important part of the existing character of Medburn and a clear representation of the natural boundaries to the settlement. The proposed development would sit entirely within the defined settlement boundary.

7.27 The proposals would have some significant effects on the character of the local landscape however, these would be relatively localised. The proposals would bring a substantial change to the visual environment of the southern edge of the settlement but would not in themselves be necessarily unattractive. It is officer opinion that the proposals have been positively designed, with robust structure planting and internal landscaping and open space. Whether this degree of change is acceptable is a matter on which judgments will quite reasonably vary and to this end it is officer's opinion, having regard to the above assessment, that although finely balanced, the proposals would be acceptable.

### **Design, Scale and Layout and Impacts upon the Character and Appearance of Medburn**

7.28 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 continues by stating 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.

7.29 At the local level, and in specific relation to new housing development, despite significantly pre-dating the NPPF Policy H15 of the CMDLP firmly aligns with the design objectives of the NPPF by setting out a number of criteria for new residential developments to satisfy in the interests of achieving high quality living environments. Ponteland Neighbourhood Plan Policy PNP2 also seeks to ensure that development respects the character of the site and surroundings.

7.30 The concerns raised in respect of this consideration are noted and acknowledged, particularly in respect of scale and character. It is accepted that this is a large site and

would introduce an additional 62 dwellings into Medburn. It is though considered that this would result in the comprehensive development of the site, rather than further piecemeal differing developments over a potential further period of time. It is considered that the proposed layout provides for a comparably low density of approximately 9 dwellings per hectare consistent with the general form of development in Medburn, which is characterised by large dwellings on spacious plots, taking into account recently granted planning permissions. An assessment of density submitted in respect of previous schemes elsewhere within Medburn identified that the overall density of Medburn previously equated to approximately 5.1 dwellings per hectare, although there are variations in character within the settlement. This does not include the recently approved development at Green Rigg, which equated to 11 dwellings per hectare nor more recent development to the north of the Avenue which is currently under construction. It is considered that the defined curtilages have space and privacy standards commensurate with the size and quality of the proposed dwellings.

7.31 It is noted that development in Medburn has historically been restricted to no more than two storeys in height, in the interests of neighbour and visual amenity. However more recently granted permission have allowed rooms to be accommodated in the roof space and the incorporation of dormer windows. In respect of this proposal two storey properties would have an eaves height of 5m and a ridge height of 8.5m with two and a half storey properties having an eaves height of 5.6m and a ridge height of 9.5m It is noted that there are other recently approved dwellings within Medburn which accommodate rooms in the roof space comprising of dormer windows with maximum heights of 10m. On this basis it is not considered that these house types would result in demonstrable harm to the character of the area, having regard to similar existing heights. Consideration will be given to potential impacts on residential amenity in this respect below.

7.32 The proposed development would introduce development in a generally more formal estate plan layout than existing development, although with new areas of landscaping, SUDs and open space. Although recently approved development north of The Avenue has introduced both cul-de sac and northwardly extending linear development. There is a mix of scale, layout and design of house types within the area as well as use of materials, including stone, brick and render with grey roofing materials prevalent. The proposed house types are larger two-storey properties, although one type does include second floor accommodation within the roof space. The materials would largely use brick, render and tile hanging. Roof tiles would be grey reflecting the character of the settlement and minimising landscape and visual impact in longer range views. It is noted that existing dwellings in Medburn are a range of densities, types, design, materials and appearance. It is considered that the proposed development would be of a high standard of design and although designed and laid out in a more formal estate style to the original settlement, having regard to the changes which have taken place in Medburn, would not be unsympathetic to the character and appearance of the locality at present.

7.33 During the course of the application officers have sought to secure improvements to the layout and design of housing where considered appropriate. This included ensuring boundary treatments better reflected the character of the locality, through the installation of stone walls fronting the site entrance and along the frontage with The Avenue, retention of hedgerows to the southern and eastern boundaries on the site and an additional 5 metre buffer screening hedgerows and landscaping to site boundaries to ensure a defensible boundary to the site as well as amendments to the road layout, resulting in a less formal pattern of development, breaking up blocks of development into character areas with cul de sacs and less of a linear access route. Additional open space has been provided to the site entrance adjacent The Stables, softening the view from this aspect and reducing built form. Consideration has also been given to provide for feature plots, orientation of dwellings and elevational treatments. Verges rather than footpaths within some parts would also create a less formal feel.

7.34 It is noted that concerns have been raised in respect of the requirement for street lighting to be provided in order for the roads and footpaths to be adopted. The area is not designated as a dark skies area, however its more rural location is acknowledged and in this respect it would not be unreasonable for consideration to be given to a reduced level of lighting, albeit one which still ensures the safety of occupiers. As such approval of details of street lighting, in order to ensure the appropriate balance is achieved shall be imposed by planning condition.

7.35 It is officer opinion that the scale, having regard to the proposed comparable density of existing planning permissions and layout of the scheme, the proposed house types, use of materials, open space and landscaping would result in an acceptable form of development that would not result in significant harm or adverse impacts upon the character and appearance of the area. It is considered that a development of the scale being proposed could be accommodated on the site and assimilated into its surroundings without causing an unacceptable intrusion into the open countryside and Green Belt, or resulting in an adverse effect on the landscape character of the area within which Medburn is located or the setting of the village as well as the openness and setting of the immediately adjacent Green Belt. The proposal could therefore be considered to be in accordance with Policy H15 of the CMDLP and the NPPF.

### **Highway Safety, Access and Car Parking**

7.36 Castle Morpeth Local Plan Policy H15 requires provision of off street parking and seeks to ensure a satisfactory layout and appropriate highway safety while Local Plan Policy T5 requires regard to be had to the existing provision of public transport. Ponteland Neighbourhood plan Policy PNP 29 seeks to ensure that the cumulative impact on traffic flows on the highway network will not be severe and that public transport services can accommodate development proposals and incorporate or create new active travel routes or improvements to existing routes.



7.37 A number of concerns have been raised through representations in respect of the additional traffic as a result of the proposed development in combination with existing levels, and the potential impacts on safety within the settlement. It is important to ensure that the local highway network can accommodate any additional trip generation; that there is adequate parking/manoeuvring space provided within the curtilage of the site; that appropriate access can be achieved and that the highway remains unobstructed for the safe passage of all road users.

7.38 A Transport Statement has been submitted in support of the proposals due to the potential amount of traffic generated by the proposed development. It is noted that this is an area of concern amongst local residents. In assessing such impacts, Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe. In this case the anticipated number of vehicle trips a day can be safely accommodated within the improved highway network as required by CMDLP Policy H15 and would not therefore amount to severe impacts in the context of Paragraph 32 of the NPPF.

7.39 There are public transport links with bus services stopping in Medburn along the C345 highway, approximately 150m from the site. A bridleway extending to Ponteland is located approximately 600m from the site. The Highways Authority has raised no objection with regards to the position and design of the proposed vehicular and pedestrian access and in principle consider the proposals to be acceptable in highway safety terms. A revised detailed layout of the estate roads and parking provision within the site has recently been considered by The Highways Authority and they have now advised that they are satisfied with the alterations to the road layout, car parking and bin stores. The submitted vehicle swept path analysis is considered acceptable and the proposed adoption layout is acceptable in principle. As such the proposals can be considered to comply with both local and national planning in respect of highway safety, the proposed access and car parking provision.

7.40 The applicant has submitted a travel plan as part of the proposals which seeks to support the sustainable transport and travel agenda. This has been considered by the Council's Travel Planning Team who find it acceptable. Accordingly, the proposal would comply with Paragraph 36 of the NPPF.

### **Impact on Residential Amenity**

7.41 Castle Morpeth Local Plan Policy H15 seeks to provide for adequate amenity and privacy. Ponteland Neighbourhood Plan PNP Policies 1 and 2 seek to minimise impact seek to ensure the impact of development on amenity is minimised.

7.42 NPPF Paragraph 120 seeks to ensure that new development is appropriate for its location. Paragraph 123 requires that planning decisions should aim to avoid noise from

giving rise to significant adverse impacts on health and quality of life and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise, including through the use of conditions. Paragraph 125 also encourages the use of good design to limit the impact of light pollution from artificial light on local amenity. Paragraph 123 acknowledges that development will often create some noise. Having regard to the relationship between the site and the nearest residential properties, it is important to consider whether potential adverse impacts could be mitigated or be reduced to a minimum through the use of conditions, if this is indeed necessary.

7.43 The impacts upon the amenity of residents that lie adjacent to and within the vicinity of the site have been carefully considered having particular regard to the means of access, the layout, positioning and scale of the new dwellings during the course of consideration of the application.

7.44 It is considered that the proposed development, by virtue of its relatively low density nature of approximately 9 dwellings per hectare, characterised by larger dwellings on correspondingly large plots, has achieved sufficient separation distances between existing and proposed properties to ensure that there would be no significant resultant adverse impacts on the neighbouring occupiers through loss of light, outlook or privacy, or in terms of visual intrusion or overbearing impact, with separation distances between existing and proposed dwellings in excess of the recommended 20m as set out within Policy H15 of the CMDLP, with 23m being the minimum distance between existing and proposed dwellings. It is acknowledged that there are properties which are one and a half storeys surrounding the site and that the site slopes upwards from north to south. As such it is considered prudent to attach a planning condition requiring the existing and proposed site and floor levels to be approved. It is understood that where the site rises, to the north of the property known as Windy Edge that the applicant is to undertake earthworks to lower the site levels in this location. Permitted development rights would also be removed to ensure that any proposed future extensions with the potential to impact on separation distances were given careful consideration. It is considered that the location and siting of the proposed access off The Nursery would not lead to any substantial loss of amenity for residents in this area.

7.45 It is acknowledged that there would be a significant change to the use of the site and of views out onto it. The development of the site for housing generally, rather than any unneighbourly use, is unlikely to substantially diminish levels of residential amenity that those living nearby can reasonably expect to enjoy in their homes. It is accepted that there would be increased traffic, comings and goings and noise associated with a new housing development, as well as a change in view from existing properties, albeit additional housing close to existing residential properties would rarely be deemed unacceptable from a residential amenity perspective. The change in character of the land would be notable in views from private properties and would be replaced by views of housing and associated open space and landscaping. This would not be unattractive in itself, but would be of a different character. The loss of views to individual private properties cannot be given weight. The change in views from public vantage points is of

greater importance as it affects the wider community and the character of the settlement. It is considered that the settlement edge here is not well defined, being a rather abrupt transition across a somewhat unmanaged grassland to open arable farmland, with existing residential properties puncturing the centre, as well as sited to the east and the west.

7.46 The Council's Public Protection team have also been consulted and have no objections to the proposals, although a number of conditions have been recommended in relation to potential impacts that may arise in the construction period which would be imposed on any grant of planning permission in order to minimise impact on local residents during the construction phase. Concerns regarding visual and residential amenity relating to the proposed re-routing of power lines, gas tanks/electricity substations can be considered by way of the finer details of these being carefully considered through the imposition of an appropriately worded planning condition. It is though noted that the submitted plan show a gas tank to be positioned to the edge of public open space, away from existing residential properties.

7.47 In light of the above considerations it is considered that the proposal can be considered acceptable in relation to potential effects on amenity, subject to the recommended conditions and would meet the aspirations of Policy H15 of the CMDLP and Part 11 of the NPPF.

### **Impact on Trees**

7.47 CMDLP Policy H15 in relation to new housing schemes seeks to take account of a site's natural features. Local Plan Policy C14 also seeks improvements to landscape, nature conservation and visual amenity. Ponteland Neighbourhood Plan PNP Policy 10 seeks to protect, improve and extend green infrastructure. NPPF Part 11 also requires that the planning system should protect the natural and local environment.

7.49 An Arboricultural Impact Assessment has been submitted in support of the proposals. The site has a number of trees, the majority of which are in several large groups. None are protected by tree preservation order, nor is the site within a conservation area or comprises of any ancient woodland. There is a large group of trees adjacent to Harrison Hall; the majority being young/semi-mature Ash. They are, in the main, in good health. The other trees are spread across the site and are restricted to a small number of species types.

7.50 The proposed development would remove a large number of trees, with approximately one hundred new trees proposed to be replaced across the site, as well as a large number of hedging and shrubbery. The Council's Trees and Woodlands Officer has advised that whilst he can appreciate that the loss of the trees on site would alter the look of the site in the short term, he believes that the mitigation measures,

through the retention of some species and subsequent replanting is appropriate and so he has no objection to the proposed development.

7.51 The trees highlighted for removal to allow design are almost entirely Category C trees of poor quality or small stature, many being self-seeded / root suckered trees or remnants of now unmanaged hedgerows. The only tree of moderate value to be removed is a small semi-mature Ash of reasonable condition which although classified as a tree of moderate merit is relatively small in stature and not prominent within the wider landscape. All of the better quality trees and site boundary trees and hedgerows can be retained.

7.52 There are a number of trees present on the site to be retained and several of these are in close proximity to groundworks necessary to implement the development and may be impacted by the installation of necessary underground and/or overhead service lines. As such it is necessary to ensure that retained trees are protected during construction works. Therefore a condition requiring an arboricultural method statement and tree protection plan shall be imposed on any grant of planning permission.

7.53 A landscape planting schedule and layout has been submitted in support of the proposals and incorporates a suitable species mix. Some further detail with regard to tree protection, timing of planting works and maintenance during establishment is, however, required. As such this requirement shall be imposed by an appropriately worded planning condition.

7.54 It is considered that having regard to the type and nature of the proposed loss of trees, which are not considered to be of landscape significance, and the mitigation measures proposed that the proposal can comply with CMDLP Policies H15 and NPPF Part 11.

### **Impact on Ecology and Nature Conservation**

7.55 CMDLP Policy C11 seeks to protect species and their habitats unless it can be demonstrated that the reasons for the development outweigh any adverse effect on the species/their habitat. Policy C14 also seeks improvements to landscape, nature conservation and visual amenity. Ponteland Neighbourhood Plan Policies PNP1 and 13 seek to conserve manage and enhance biodiversity. NPPF Paragraph 109 requires the planning system to contribute to and enhance the natural/local environment by, minimising impacts on biodiversity and providing gains. Paragraph 118 encourages opportunities to incorporate biodiversity in and around developments and requires that significant harm be adequately mitigated/compensated.

7.56 The application documents and ecological survey reports indicate that some bat commuting and foraging activity was noted along the southern site boundary though roosts are unlikely given the condition of the remains of the buildings on the site. No

evidence of bat roosting activity was recorded in any of the trees on the site. A number of bird species were noted on the site with some breeding mainly in hedges and scrub towards the edges of the site. Whilst badgers are known to be present in the general area very little evidence of any significant activity was noted on the site and no setts are present on or near the site. Hedgehog was not recorded during the survey work but is known to be present locally and likely to commute and forage across the site from time to time. No other protected, threatened or notable habitats and/or species are likely to be affected by the proposals though the presence of a watercourse was noted.

7.57 As such the Council's Ecologist has advised that he has no objections to the proposals on ecological grounds subject to the imposition of planning conditions to ensure that the avoidance, mitigation and enhancement measures detailed in the submitted ecology report are carried out in full as well as the implementation of a landscape scheme. Therefore, subject to the imposition of the recommended conditions, it is considered that the proposals accord with Policies C11 and C14 of the CMDLP and Part 11 of the NPPF.

### **Flooding, Drainage and Sewerage**

7.58 CMDLP Policies RE5 and H15 seek to prevent development in flood risk areas or where development may increase the risk of flooding elsewhere and encourages the use of SUDS. Policy RE6 seeks to protect land drainage, water supply and sewerage. Policy RE4 seeks to protect the quality of surface or underground waters. Ponteland Neighbourhood Plan Policies PNP 1, 3, 27 and 28 seek to ensure that the necessary infrastructure can be provided and minimise flood risk and incorporate SUDs. Part 10 of the NPPF advises that development should be directed towards areas at lowest risk from flooding, ensuring that development does not increase flood risk elsewhere.

7.59 The site lies within Flood Zone 1. In order to address flood risk given the size of the site, the applicant has submitted a Flood Risk Assessment (FRA) and drainage Strategy. The FRA identifies that surface water would be discharged to the Med Burn at a restricted rate and surface water attenuation would be provided in an attenuation pond before flows discharge to the Med Burn. Following an initial objection and request for additional information the Lead Local Flood Authority (LLFA) has discussed initial concerns with the applicant's consultants and received further detail, which have subsequently enabled the objection to be removed. No objection is therefore raised subject to the imposition of conditions that would require submission of a detailed drainage scheme, adoption and maintenance of all SuDS features and disposal of surface water during the construction phase. It is noted that concerns regarding the safety of the SUDs scheme have been raised by local residents. To this end condition 31, set out below, requires a health and safety assessment of all SUDs features to be undertaken.

7.60 With regards to foul drainage, Northumbrian Water (NWL) has advised that the developer has submitted a pre-development enquiry to ascertain suitable connection

points to the foul sewerage network. NWL comment that at present the surrounding network is unable to accommodate additional flows, although if planning permission is granted NWL would begin its investment process and undertake further modelling of the network to determine what measures are required to alleviate flooding concerns. On this basis NWL advise that they raise no objection to the application subject to imposition of a condition requiring submission of details relating to foul drainage before development commences.

7.61 Subject to imposition of the conditions requested by the LLFA and NWL, it is considered that the proposal is acceptable in relation to drainage, flood risk and foul sewage, in accordance with Policies RE4, RE5, RE6 and H15 of the Local Plan and Part 10 of the NPPF.

### **Impact on Heritage Assets**

7.62 CMDLP Policies C40, C41 and C42 seek to protect archaeological sites, require adequate assessment of the impact of development, as well as excavation, recording and publication. Ponteland Neighbourhood Plan Policy PNP1 seeks to protect the significance of heritage assets. Part 12 of the NPPF also provides guidance on the treatment of archaeological remains within the planning process.

7.63 The archaeological evaluation report submitted in support of the application has identified a focus of archaeological remains in the south-west of the site. The features predated the medieval ridge and furrow and the environmental samples from the fills of these features indicate a likely Iron Age/ Romano-British date. The features comprised a linear ditch in the south which was probably a field boundary, while the linear feature to the north contained large quantities of charred and cracked stone which are likely to represent evidence of some form of industrial activity in the wider area. The environmental sampling of this feature also indicated the presence of domestic activity in the area.

7.64 Based on the results of the evaluation, there appears to be an Iron Age/Romano-British site in the south-western part of the site comprising domestic and industrial activity in the north and fields in the south. As the evaluation did not reveal a high density remains in the evaluation trenches. The Council's Archaeologist has recommended that a defined part of the site is subject to a programme of archaeological strip, map and record rather than a full open area excavation. The mitigation area has been defined, based on the results of the evaluation and the location and extent of the proposed development in this area.

7.65 It would therefore be necessary for the applicant to commission a professional archaeologist to undertake the programme of strip, map and record prior to the commencement of any development, should planning permission be granted. The Council's Archaeologist has as such recommended that a condition should be imposed

upon any grant of planning permission requiring a programme of archaeological work to be undertaken.

7.66 There would be no impact on the setting of any listed buildings nor would there be any visibility to any conservation areas or any further heritage assets. Subject to the imposition of the required condition it is considered that there would be no conflict with CMDLP Policies C40, C41 and C42 or Part 12 of the NPPF.

### **Education Provision**

7.67 CMDLP Policy I2 requires necessary provision to be made for infrastructure and community facilities through planning obligations. This is reflected in Ponteland Neighbourhood Plan Policies PNP1 and 3.

7.68 In accordance with the above policies provision of necessary education facilities should be ensured. Education Officers have advised that notwithstanding the impact of the school re-organisation in the Ponteland Partnership area, no contribution in respect of secondary education would be required in light of the current capacity and school roll within the High School. In respect of Primary Education and the popularity of Stamfordham Primary, the catchment area school, a contribution of £145,200 in respect of the anticipated additional primary school pupils from the proposed development would be required. It is recommended that this required funding should be secured through a Section 106 Legal Agreement, should planning permission be granted.

### **Sports, Recreation and Play Provision**

7.69 CMDLP Policies R4 and H15 require residential development to make provision for children's play. Ponteland Neighbourhood Plan seeks to make provision for open space and recreational space. Members will note that open space is to be provided as part of the proposed development to the north and south of the site. It is though also considered appropriate that a play site is provided on site, given the scale of the proposed scheme and the fact that no play site exists in Medburn. This can be required by planning condition. Given the siting and location of the proposed development naturalist play rather than fixed play equipment would be considered appropriate for the sites setting. It can be ensured that this is sited safely, on an area of proposed open space. This would, as well as cater for children as a result of the proposed development, add to the general wider recreational offer to local children and as such meet the aspirations of CMDLP Policies R4 and H15.

7.70 In respect of potential sports provision, it is acknowledged that as yet there is no Community Infrastructure Levy in place and neither the Castle Morpeth Local Plan nor the Ponteland Local Plan set out specific formula Policies in respect of this. Furthermore there is no requirement to consult with Sport England given that the proposals constitute less than 300 dwellings. As such there would be no policy basis to request that any

provision or contribution towards wider sports provision be made.

## **Other Matters**

7.71. The National Cycle Route 10 passes to the north of the site. It is considered that the proposed development would not interfere or adversely impact on this route.

7.72 It is not considered that the scale of the proposal development is such to warrant any contribution towards the provision of additional medical facilities.

## **8. Conclusion**

8.1 Having regard to the various aspects of sustainable development as defined under Paragraph 7 of the NPPF it is considered that in economic terms the proposal would support the objective as outlined in paragraph 47 of the NPPF to significantly boost the supply of new housing. In terms of the social aspect of sustainable development the proposals have the potential to contribute towards the provision of affordable housing in the wider locality. With regard to the environmental aspect of sustainable development there are no significant constraints with regard to such matters as Green Belt, landscape value, heritage assets, flood risk or ecology designations and the proposal would safeguard significant trees/hedgerows and overall conserve or enhance biodiversity. It is considered that that given the ability to impose conditions and a Section 106 Legal Agreement there would not be any significant or unacceptable harmful landscape or visual impacts on the site and wider area, or the living conditions of adjacent residents, and that the development could be assimilated into this location to achieve an acceptable form of development.

8.2 Consideration has also been given to potential effects on character, highway safety, heritage assets, drainage and flood risk and ecology. There are not considered to be any significant harmful impacts, and any effects could be satisfactorily mitigated through appropriate conditions where necessary.

8.3 Careful and thorough consideration has been given to the objections and concerns raised by local residents and these have been taken into account and addressed within the body of the report. On balance the concerns raised are not felt to be of sufficient weight to justify refusal of this application, in the light of the ability to impose conditions and a Legal Agreement.

8.4 It is therefore considered that sustainable development would be achieved in this case having regard to the relevant policies of the development plan and the NPPF. The identified development plan policies set out are considered to be consistent with the NPPF.

## **9. Recommendation**



That this application be GRANTED planning permission subject to the applicants entering into a Legal Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in order to secure financial contributions towards off-site affordable housing provision (£483,600) and education provision (£145,200) and subject to the satisfactory resolution of all outstanding matters in respect of highway safety and any additional conditions that may subsequently be required, as well as the following conditions:

Conditions/Reason:

1. 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).

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and documents. The approved plans and documents are:

Plans:

Site Location Plan. 7<sup>th</sup> April.

Bay (4b det) Planning Elevations – Render. A/1666/MED/00/01. 28 March 2017.

Bay (4b det) Planning Elevations – Brick. A/1666/MED/00/02. 28 March 2017.

Bay (4b det) Planning Elevations - Corner Feature. A/1666/MED/00/03. 28 March 2017.

.Bay (4b det) Planning Layouts. A/1666/std/00/01. 28 March 2017.

Lime (4b det) Planning Elevations – Render. A/1546/MED/00/01. 28 March 2017.

Lime (4b det) Planning Elevations - Tile Hanging. A/1546/MED/00/02. 28 March 2017.

Lime (4b det) Planning Layouts. A/1546/std/00/01. 28 March 2017.

Pine (4b det) Planning Elevations - Corner Feature. A/1701/MED/00/03, 28 March 2017.

Pine (4b det) Planning Elevations – Render. A/1701/MED/00/01. 28 March 2017.

Pine (4b det) Planning Elevations - Tile Hanging. A/1701/MED/00/02. 28 March 2017.

Pine (4b det) Planning Layouts. A/1701/std/00/01. 28 March 2017.

Plane (4b det) Planning Layouts. A/1796/std/00/01. Revision A. 28 March 2017.

Plane (4b det) Planning Elevations – Render. A/1796/MED/00/01. 28 March 2017.

Plane (4b det) Planning Elevations - Tile Hanging. A/1796/MED/00/02. 28 March 2017.

.Redwood (5b det) Planning Elevations – Render. A/2243/MED/00/01. 28 March 2017.

Redwood (5b det) Planning Elevations - Tile Hanging. A/2243/MED/00/02. 28 March 2017.

Whitebeam (4b det 2.5 Storey) Planning Elevations – Render. A/1700/MED/00/01. 28 March 2017.

Whitebeam (4b det 2.5 Storey) Planning Elevations - Hanging Tiles. A/1700/MED/00/02. 28 March 2017.

Whitebeam (4b det 2.5 Storey) Planning Layouts. A/1700/std/00/01. Revision A, 28 March 2017.

Poplar Floor Plan. (5b det) Planning Layout. A/2210/NEC/00/01. 11<sup>th</sup> April 2017.

Elevational Treatments Plan. 15-015/P02. 12 July 2017.

Planning Layout. 15-1-15/PO1. Rev. J. 10.10.2016.

Southern Green, Landscape Strategy. 1033\_01. Revision A. 21<sup>st</sup> July 2017

Combined Site Plan. 15-015-/001. Rev. E. 22.3.2017

Poplar (5b det) Planning Elevations – Render. A/2210/MED/00/01, 28 March 2017

#### Documents:

Fore. Residential Travel Plan. 24<sup>th</sup> March 2017. Version 1.

Fore. Transport Statement. Version 1. 24<sup>th</sup> March 2017.

Elliot Consultancy Ltd. AIA. Arb/AE/1310. March 2017.

Dunelm. Preliminary Investigation. D7288. March 2016.

Portland FRA and Drainage Strategy. 2017027. Rev. A.

BSG Ecology. Extended Phase 1 and Protected Species Survey Report. March 2017.

Archaeological Evaluation. 27<sup>th</sup> March 2017.

Southern Green. Landscape and Visual Appraisal. 1033 (PJ2035). March 2017.

Pre Construct Archaeology. Archaeological Evaluation Report. May 2017.

BSG Ecology, Figure 1: Phase 1 Habitat Plan, 27 March 2017.

BSG Ecology, Figure 2: Bat Transect Map, 27 March 2017.

BSG Ecology, Figure 3: Breeding Bird Territories Map, 27 March 2017.

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and documents and to ensure that a satisfactory form of development is obtained.

3. Notwithstanding any description of the materials, or the submitted plans, construction of the dwellings, above damp proof course level shall not be undertaken until precise details, to include samples, of the materials to be used in the construction of the external walls and roofs of these buildings, surfaces and boundary treatments have been submitted to, and approved in writing by, the Local Planning Authority. All roofing, external facing materials boundary and surface materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the

interests of visual amenity and in accordance with Policy H15 of the Castle Morpeth District Local Plan and Part 7 of the National Planning Policy Framework.

4. The development shall not be occupied until a detailed scheme for the provision, maintenance and management of areas of open and play space (excluding private gardens) has been submitted to, and approved in writing by the Local Planning Authority. Details to be submitted shall include;

1. Details of landscape management and maintenance plans;
2. Details of planting, grass cutting, weeding and pruning;
3. Inspection, repair and maintenance of all hard landscaping and structures including play structures);
4. Management, monitoring and operational restrictions;
5. Maintenance and planting replacement programme for the establishment period of landscaping; and
6. A procedure that would be implemented in the event of any tree (or item of soft landscaping) being removed, uprooted/ destroyed or dying

The development shall thereafter be carried out, maintained and managed in full accordance with the approved details.

Reason: To ensure appropriate maintenance and management of open space in accordance with Policy H15 of the Castle Morpeth District Local Plan and Parts 8 and 11 of the National Planning Policy Framework.

5. 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:

1. Details of temporary traffic management measures, temporary access, routes and vehicles;
2. Vehicle cleaning facilities;
3. The parking of vehicles of site operatives and visitors;
4. The loading and unloading of plant and materials;
5. Storage of plant and materials used in constructing the development
6. Measures to control the emission of dust and dirt;
- 7) Hoardings, decorative displays and areas of public access (sales area);
- 8) Routing of heavy construction vehicles and deliveries;
- 9) Site access and any turning facilities required for construction vehicles;
- 10) The approximate phasing of construction works;
- 11) Vehicle movements and numbers;
- 12) Measures to be put in place to safeguard during construction works the existing trees and hedgerows on and adjacent to the boundaries of the site;
- 13) Details in respect of any temporary lighting, which shall be designed so that lighting levels are minimised in accordance with the document 'Bats and Lighting in the UK',

Reason: In the interests of residential amenity and highway safety, in accordance with Parts 4 and 11 of the National Planning Policy Framework.

6. No development or archaeological mitigation shall commence on site until a written scheme of investigation based on the brief has been submitted to and approved in writing by the Local Planning Authority.

The archaeological recording scheme required by the brief must be completed in accordance with the approved written scheme of investigation.

The programme of analysis, reporting, publication and archiving if required by the brief must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest and therefore the condition is required to comply with Part 12 of the National Planning Policy Framework.

7. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (The Nursery, Medburn Extended Phase 1 & Protected Species Survey Report, BSG Ecology Ltd., 27.3.17 including, but not restricted to, adherence to timing restrictions; adherence to precautionary working methods; adherence to external lighting recommendations in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Engineers, 2008;

Any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped;

All garden boundaries to include a gap at the base measuring 13cm x 13cm to allow access through the site for hedgehogs; retention of existing trees (as specified); an updating ecological survey to be carried out in the event that development works do not commence before the end of March 2019 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be submitted to and approved in writing by the Local planning Authority before development works commence.

Reason: To maintain the favourable conservation status of protected and priority species as required by Part 11 of the National planning Policy Framework.

8. No removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law as required by Part 11 of the national Planning Policy Framework

9. No development shall be carried out other than in accordance with the Arboricultural Impact Assessment Land off the Avenue, Medburn, Elliott Arboricultural Consultants, March 2017 and in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site as required by Part 11 of the national Planning Policy Framework.

10. No development, including any site clearance works, shall commence until an Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local planning Authority. The development shall then be carried out strictly in accordance with the approved details.

Reason: To maintain and protect the existing landscape and biodiversity value of the site as required by Part 11 of the national Planning Policy Framework

11. A detailed landscape planting and management plan, including the retention of trees and hedgerows to the eastern and southern boundaries, retention of the oak tree to the southeast part of the site, planting of large native species of deciduous trees, locally native trees, hedging, shrubs and wildflowers of local provenance, methods of protection, seasonal timing of planting works, maintenance and replacement of failed plants shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be fully implemented during the first full planting season (November March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site as required by Part 11 of the National planning Policy Framework.

12. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning 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 Part 10 of the NPPF.

13. No development shall commence until a construction noise assessment using BS5228-1:2009+A1:2014 has 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: To protect residential amenity and provide a commensurate level of protection against noise having regard to the requirements of Part 11 of the National Planning Policy Framework.

14. No development shall commence until a dust management plan/method statement to mitigate the effects of any dust created during the earthworks, construction and trackout phases on neighbouring premises has been submitted to and approved in writing by the Local Planning Authority. The dust action plan/statement shall contain emergency contact telephone numbers in event of a dust complaint being received.

Reason: To protect residential amenity and provide a commensurate level of protection against dust having regard to the requirements of Part 11 of the National Planning Policy Framework.

15. Construction work or deliveries associated with the approved development shall only take place between the hours of 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturday, with no activity on Sundays or Bank Holidays.

Reason: In the interest of the amenity of nearby and new residents having regard to the requirements of Part 11 of the National Planning Policy Framework.

16. 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 of:

Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise having regard to the requirements of Part 11 of the National Planning Policy Framework.

17. There shall be no burning of any material during either the construction or demolition phases.

Reason: To protect residential amenity and provide a commensurate level of protection against noise having regard to the requirements of Part 11 of the National Planning Policy Framework.

18. The development hereby approved shall not be commenced 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:

a) a 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. 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 submitted to the Local Planning Authority.

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.

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 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 having regard to the requirements of Part 11 of the National Planning Policy Framework.

19. If during development contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a 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. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

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 having regard to the requirements of Part 11 of the National Planning Policy Framework.

20. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) 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: To retain control over the external appearance of the development in the interests of amenity and local character and in accordance with Policy H15 of the Castle Morpeth District Local Plan and Part 7 of the National Planning Policy Framework.

21. Before any work commences within the development site, detailed survey drawings and cross sections shall be submitted to and approved by the Local Planning Authority

indicating relative existing and proposed ground levels of the finished development within the site and around its boundaries including finished internal floor levels.

Reason: To ensure that the difference in finished ground level between the development site and adjoining land does not lead to a loss of amenity to any neighbouring occupiers and in accordance with Policy H15 of the Castle Morpeth District Local Plan.

22. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any subsequent Order amending, revoking or re-enacting that Order), no extensions, porches, dormer windows, roof lights or free standing buildings or structures shall be added to or constructed within the curtilage of the dwelling house hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: In order that the impact on the appearance of the dwelling house and on neighbouring properties of any additions or curtilage buildings may be properly assessed in the interests of amenity and in accordance with Policy H15 of the castle Morpeth District Local Plan.

23. No development shall commence until details to ensure that the dwellings hereby permitted are sustainable with regard to energy efficiency and/or renewable energy generation. Thereafter, the construction of those dwellings shall incorporate in full the approved energy efficiency / renewable energy generation measures.

Reason: To ensure that the development contributes to a reduction in carbon emissions in accordance with Policy H15 of the Castle Morpeth District Local Plan.

24. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets in respect of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be constructed in full accordance with the details approved by 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 from the outset of development, and in accordance with Policy H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

25. No dwelling hereby permitted shall be occupied unless and until details regarding the future management and maintenance of the proposed streets in respect of the development hereby permitted have been submitted to and approved in writing by the local planning authority. At all times thereafter those streets shall be managed and maintained in full accordance with the details approved by the local planning authority.



Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with Policy H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

26. No development shall commence unless and until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the local planning authority. This shall set out the completion sequence and construction standards for all estate streets in respect of the development hereby permitted. Thereafter the development shall be undertaken in full accordance with the Estate Street Phasing and Completion Plan approved by the local planning authority.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety from the outset of development, and in accordance with Policy H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

27. No dwelling shall be occupied until the car parking area for that dwelling as indicated on the approved plans 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 Part 4 of the National Planning Policy Framework.

28. No dwelling shall be occupied unless and until vehicle and pedestrian access from the public highway at the site boundary to that dwelling has been provided. Thereafter such access shall remain in place at all times.

Reason: In the interests of highway safety from the outset of development, and in accordance with Policy H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

29. The development shall not be occupied until details of refuse storage facilities and a refuse storage strategy have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development is occupied. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with the approved details.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with Policy H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

30 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 15-015/E00 Rev D 'Engineering Appraisal', designed to dispose and attenuate surface water up to the 1 in 100 year plus climate change event (+40%) from the development and shall limit discharge from the development to 5l/s for the western catchment & 6l/s for the eastern catchment, for all rainfall events. The scheme shall be implemented in accordance with the approved details, which shall include:

- i. Cross-sections for all attenuation basins and swales;
- ii. A health and safety assessment for all SuDS features; and
- iii. A timetable for its implementation;

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere as required by Part 10 of the National Planning Policy Framework.

31. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and approved in writing by the Local Planning Authority. A maintenance schedule which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the development's lifetime as required by Part 10 of the National Planning Policy Framework.

32. Development shall not commence until details of an on-site play area have been submitted to and approved in writing by the Local Planning Authority. No more than 25 dwellings shall be occupied until the approved play site has been implemented in full in accordance with the approved scheme.

Reason: In order to meet the recreational demands of the approved development as required by Policy R4 of the Castle Morpeth District Local Plan.

33. Development shall not commence until details of all electric cable re-routing has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved electric cable re-routeing has been implemented in full in accordance with the approved scheme.

Reason: In order to ensure visual amenity of the site in accordance with Policy H15 of the Castle Morpeth District Local Plan.

34. Development shall not commence until details of all gas tank(s) and electric substation (s) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved gas tank(s) and electric substation(s) have been implemented in full in accordance with the approved scheme.

Reason: In order to ensure visual and residential amenity of the site in accordance with Policy H15 of the Castle Morpeth District Local Plan.

Informatives:

1. The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them. Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works. In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away. Applicants and contractors can obtain advice and a list of appropriately qualified consultants by telephoning Natural England's bat advice line on 0845 1300 228. Further information about protected species and the law can be found on the Natural England website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

2. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice

3. Proposals for any sustainable transport options to be included in the development as a transport study report and should include, but not be limited to:

- Proposed offsets to any impacts on air quality/climate change including support for reducing traditional car-based travel.
- Electric car charging points in all properties or communal areas.
- Provision/support of town travel public transport system.
- Provision / connection to cycle routes.
- Any planned arrangements for provision of additional bus stops (if required).

4. Guidance on the assessment of dust from demolition and construction can be found at the following: [www.iaqm.co.uk](http://www.iaqm.co.uk)

5. Any new trees planted to the front of any plot, should be of sufficient distance from any footpath or road so as not to cause future infrastructure damage through root heave beneath footpaths or by highway encroachment from branches overhanging roads.

6. The culverting of any watercourse or alterations of any existing culverted watercourse will require the prior written consent of Northumberland County Council, under the Land Drainage Act (1991). Please contact the FCERM team ([fcerm@northumberland.gov.uk](mailto:fcerm@northumberland.gov.uk)) for further information.

7. 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](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.

**Background Papers:** Planning application file(s) 17/01149/FUL