

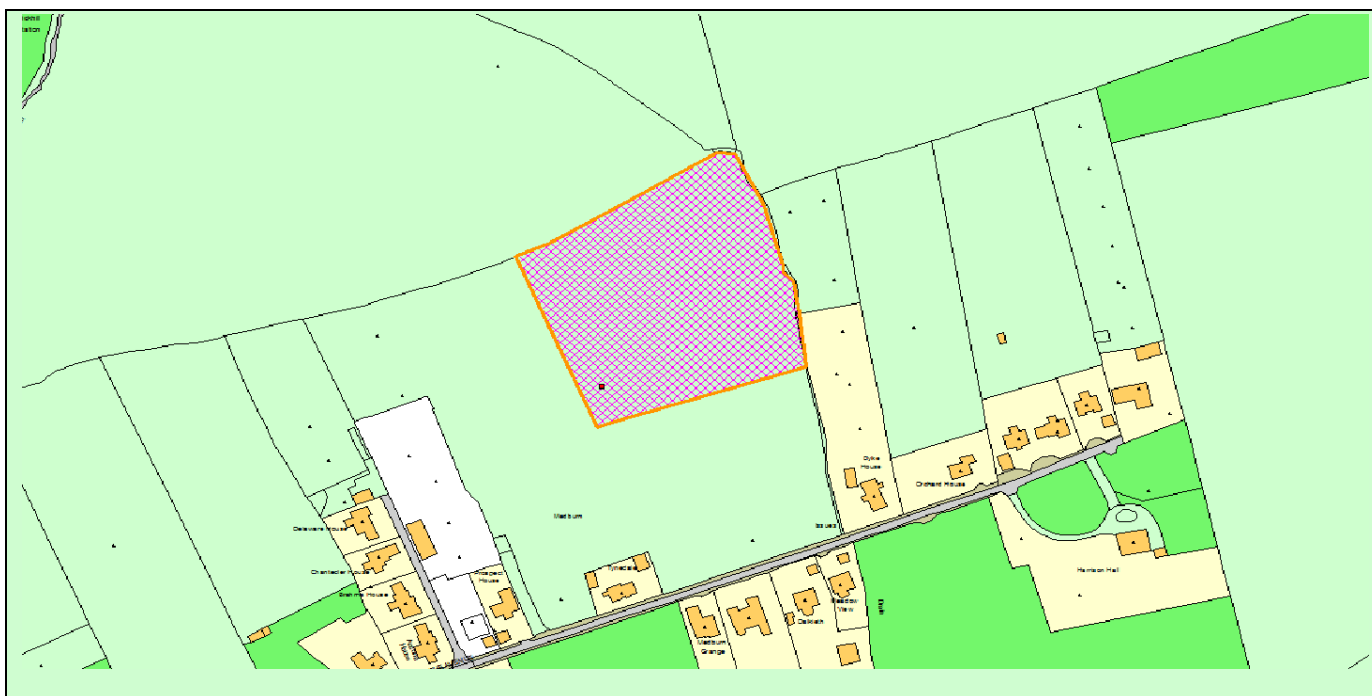
NORTHUMBERLAND

Northumberland County Council

Castle Morpeth Local Area Committee Planning Committee

13 November 2017

Application No:	16/03778/OUT		
Proposal:	Outline permission for up to 16 dwellings with all matters reserved apart from access.		
Site Address	Land To North Of The Avenue, The Avenue, Medburn, Northumberland		
Applicant:	Ethical Partnership 28 Windsor Terrace, South Gosforth, Newcastle upon Tyne, NE3 1YL	Agent:	Matthew Creedy 28 Windsor Terrace, South Gosforth, Newcastle Upon Tyne, NE3 1YL
Ward	Ponteland West	Parish	Ponteland
Valid Date:	11 October 2016	Expiry Date:	19 July 2017
Case Officer Details:	Name: Miss Joanne Wood Job Title: Planning Officer Tel No: 01670 625551 Email: joanne.wood@northumberland.gov.uk		



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1. Introduction

1.1 This application has received 7 letters of objection, and an objection from Ponteland Town Council. Under the provisions of the Council's current Scheme of Delegation, in cases where applications are to be recommended for approval contrary to a valid objection from a Town or Parish Council, they are referred to the Head of Service and the Chair of the relevant Planning Committee(s) for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be dealt with by the Castle Morpeth Local Area Planning Committee.

2. Description of the Proposals

2.1 Outline planning permission is sought for construction of 16 dwellings on land to the north of The Avenue, Medburn. This application has been submitted in outline form with only access to be considered at this stage, with all other matters reserved for any subsequent approval.

2.2 The application site has an area of approximately 1.89 hectares. Whilst all matters (except access) are reserved for subsequent approval, an indicative site plan has been submitted showing the proposed layout of the site. Highway access to the site would be achieved from the existing access road to the south of the site.

2.3 The application relates to an area of land to the north of The Avenue in Medburn. The site is bounded to the north, east and west by open fields and to the south by dwellings which are currently under construction.

3. Planning History

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: CM/85/D/077

Description: CLEARANCE OF POULTRY FARM AND ERECTION OF EIGHT PRIVATE DWELLINGS WITH ANCILLARY ROADWORKS

Status: REFUSED

Reference Number: CM/87/D/530

Description: OUTLINE RESIDENTIAL AND ANCILLARY DEVELOPMENT INCLUDING THE PROVISION OF SEWAGE DISPOSAL FACILITIES

Status: REFUSED

4. Consultee Responses

Ponteland Town Council	<p>Object to the proposals for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is contrary to Policy MBH2 of the Castle Morpeth District Local Plan as the site is neither brownfield nor infill and is not within the curtilage of existing properties. The construction of 16 dwellings on agricultural land would constitute new housing development on greenfield land in a part of Medburn where only infill development on brownfield sites is permitted. - The construction of 16 additional dwellings in this location would have a detrimental impact on the agricultural/rural and undeveloped character present in this part of the settlement, contrary to Policy H15 of the Castle Morpeth District Local Plan. - The proposal is laid out in a new estate format, whose appearance is out of character with the rest of Medburn; which has previously followed a pattern of residential development adjacent to and facing the through road, in order to maintain the surrounding rural setting to the rear of the properties. - We are concerned about the lack of access road and note too that a similar application in front of this plot proposes a new highway access; this then appears to facilitate the above development creeping into adjacent greenfield, rural/agricultural open areas. - Medburn is a small settlement without any services, only a limited bus service and poor paths for cyclists and pedestrians. The construction of 16 more dwellings in addition to the recently approved construction of at least 50 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.
Highways Authority	No objection, subject to the imposition of conditions
County Archaeologist	No objection
County Ecologist	No objection
Public Protection	No response received
Waste Management - West	No response received
Lead Local Flood Authority (LLFA)	No objection

Northumbrian Water Ltd	No objection
Education - Schools	An education contribution of £39,600 is requested for this application in respect of the 3 additional Primary places generated. The catchment area primary school, Stamfordham does not have sufficient capacity. There is sufficient capacity in secondary education.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	7
Number of Support	0
Number of General Comments	0

Notices

General site notice

Morpeth Herald, 17th November 2016

Summary of Responses:

7 letters of objection have been received from members of the public who raise concerns on the following grounds:

- Impact on highway safety due to increase in traffic;
- Medburn is an unsustainable location; and
- Impact on residential amenity.

The above is a 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=OEOPYAQSKF400>

6. Planning Policy

6.1 Development Plan Policy

Neighbourhood Plan Policy

Ponteland Town Council, as a qualifying body for the purposes of neighbourhood planning for the Ponteland neighbourhood area, submitted the Ponteland neighbourhood plan to the county council for independent examination. The Ponteland Neighbourhood Plan was successfully passed by an independent examiner and was subsequently the subject of a Referendum on the 28th September 2017. The Plan passed the Referendum and, as such, became part of the

development plan in line with recent legislation brought into force in July of this year. This now enables neighbourhood plans that have successfully passed referendum to be referred to as part of the statutory development plan in planning decisions before the council formally adopt (Make) the plan. The Ponteland Neighbourhood Plan will be formally Made at cabinet on 23rd November.

The following policies within the Ponteland Neighbourhood Plan (Referendum Version September 2017) have been considered:

Policy PNP 1: Sustainable Development Principles
Policy PNP 2 : High Quality and Inclusive Design
Policy PNP 3: Infrastructure
Policy PNP 13: Biodiversity
Policy PNP 21: Housing Mix
Policy PNP 27: Flood Risk
Policy PNP 28: Sustainable Drainage Systems
Policy PNP 29: Transport and New Developments

Castle Morpeth Local Plan

RE5 Surface Water Run-Off and Flood Defences
C1 Settlement Boundaries
MBC1 Settlement Boundary
MBH1 Infill Development
MBH2 Infill Development
H6 Special Executive Housing
H15 New Housing Developments
Policy C11 Protected Species
Policy RE4 Water Quality
Policy RE6 Service Infrastructure
Policy R4 Children's Play
Policy I2 Planning Obligations

6.2 National Planning Policy

National Planning Policy Framework (2012)

National Planning Practice Guidance (2014, as updated)

7. Appraisal

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

Principle of the Development
Affordable Housing
Layout, Scale and Appearance
Impact on Amenity
Highway Safety
Flood Risk

Ecology
Sports, Recreation and Play Provision
Education Provision

Principle of the 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 Ponteland Neighbourhood Plan and saved Policies of the Castle Morpeth District Local Plan (adopted 2003) 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 has successfully passed the Referendum and, as such, can be afforded full weight.

7.3 The site is located within the settlement boundary of Medburn as defined by Policies C1 and MBC1 of the Local Plan. 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 Local Plan 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 Local Plan 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 Local Plan 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 Officers consider that at the present time a significant supply of housing land can be demonstrated across the County as a whole with much of this supply benefitting from planning permission. In this regard, as of the 31 March 2017 there were extant planning permissions for approximately 12,400 dwellings. Furthermore, housing completions have accelerated in recent years. 1,531 new housing completions were achieved during 2016-17 with an average of 1,323 dwelling completions per annum over the last 3 years. Due to the level of supply, officers are confident that the strong delivery that has been achieved recently will continue.

7.10 Therefore in the context of paragraph 49 of the NPPF, the tilted balance in paragraph 14 is not engaged on the grounds of housing land supply. Due to the level of supply, officers are confident that the strong delivery that has been achieved recently will continue. Whilst the development of the site would add to the existing supply of housing land, and there is a five year supply in the county, the need to ensure a 5 year housing supply is a minimum and not a maximum, and therefore additional housing can be permitted providing it is sustainable.

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 Local Plan 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 homeownership.

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, Dyke House, Rose Lodge, Harrison Hall, The Pines, Three Acres and Hayworth Croft.

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.

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 PNP 21 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, 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.

Layout, scale and appearance

7.21 Policy PNP 2 of the Neighbourhood Plan states that development will be supported where it demonstrates high quality and inclusive design, and makes a positive contribution to the surrounding area. Policy H15 of the Local Plan in allowing new housing development generally sets out a number of criteria for proposals to satisfy. Amongst other things, such criteria includes the need for new dwellings to be compatible with any distinctive vernacular character present in the locality, the space around dwellings being adequate to allow for the proper function of gardens, and not resulting in the loss of amenity of adjoining residential properties. The good design principles underpinning these policies generally align with those of the NPPF and as such they can be accorded full weight in the determination of the application.

7.22 The layout of the site is not to be determined at this stage, however the scale of the development, its location within the plot and the density of development proposed is considered to be appropriate and typical of the surrounding area. The detailed design of the property will need to be carefully considered to ensure that it is sympathetic to the surrounding area.

7.23 Having considered the site specific circumstances, it is considered that the site can accommodate 16 residential properties, without detrimentally affecting the character or appearance of the area, and without causing an unacceptable intrusion into the open countryside and adjacent Green Belt. It is accepted that the detailed design will be critical in ensuring that the area is protected from inappropriate development however, this level of detail will be considered at the reserved matters stage. The proposal could therefore be considered to be in accordance with Policy H15 of the Local Plan, Policy PNP 2 of the Ponteland Neighbourhood Plan, and the NPPF.

Impact on residential amenity

7.24 The application has been submitted in outline, and therefore the full impact of the proposed development cannot be assessed at this stage as all matters (except access) are reserved for subsequent approval. However, an indicative site layout has been submitted with the application, and it is considered that 16 dwellings could be accommodated on the site and achieve an acceptable level of amenity for the occupiers of the proposed dwellings, and without impacting upon the residential amenity of any existing surrounding properties. It is also considered that sufficient amenity space could be provided around the proposed dwelling for the purpose of enjoyment of the property.

7.25 It is accepted that when considering the detailed design, consideration would need to be given to the siting, orientation and positioning of openings and the scale of the building to ensure that the amenity of surrounding occupiers is protected however, it is considered that a scheme could be developed that would respect the neighbouring property and this is sufficient at this point, in accordance with Policy PNP 2 of the Neighbourhood Plan, and Policy H15 of the Local Plan.

Highway issues

7.26 The Avenue is a privately maintained road, however the Highway Authority has raised concerns regarding the access onto the C345. The access presents visibility issues and with the increasing development throughout The Avenue and Medburn the anticipated trip generations will increase. This could lead to the increased chance of a potential accident at this junction.

7.27 The Highway Authority has undertaken vehicle speed readings on the approaches to the junction. These revealed 85%ile vehicle speeds of 31.6 mph westbound and 34.7 mph eastbound. The survey also served to confirm that the C345 can be regarded as relatively lightly trafficked, carrying around 3 vehicles / minute in each direction in each of the peak hours. In the light of the survey information consideration has been given to whether there is justification to refuse planning permission on highway grounds, or to seek an improvement of the junction.

7.28 There are two previous appeal decisions relating to development accessed from The Avenue which inform further consideration. Application ref C/06/D/293 for 3 dwellings and replacement dwelling was refused permission for, inter alia, adverse effect on highway safety. In allowing the appeal the Planning Inspector noted that there had been no recorded accidents, traffic appeared light and vehicles negotiated the junction with little difficulty. It was concluded that allowing the proposed development would not lead to any significant harm to highway safety.

7.29 In 1999 permission (ref C/99/D/265) was granted for one dwelling subject to a condition requiring an improvement to the junction between The Avenue and the C345. An appeal against imposition of the condition was allowed, the Inspector indicating that traffic flows were "fairly light" and that "the limitations [of the junction] are self-evident...and [residents] will no doubt exercise due caution in emerging onto the highway". The condition was therefore regarded as unnecessary and not fairly and reasonably related in scale to the development, in the context of the "tests" of valid planning conditions.

7.30 Whilst it is acknowledged that the current application is of a greater scale than those subject of the appeals there is nevertheless no empirical basis to demonstrate that generated traffic would result in harm on the highway network justifying refusal of permission. Since the time of the appeals referred to there has been no recorded accidents at the junction despite the additional vehicle movements generated by piecemeal development since that time.

7.31 After careful analysis therefore it is the position of the Highway Authority that, whilst the junction is below desirable standards, there is considered to no evidence base that would justify refusal of planning permission.

7.32 Similarly, although a junction improvement would have merit it would involve acquisition of third party land and / or a realignment of the classified road. Bearing in mind the validity tests of conditions set out in the National Planning Policy Framework and Planning Practice Guidance it is considered that such a requirement could not be demonstrated as "necessary" to make the development acceptable, or reasonable.

7.33 It is acknowledged that the current structural condition of The Avenue is substandard and therefore the Highway Authority has recommended that the applicant comes to an agreement with the owner of the road over repair and resurfacing works throughout.

7.34 The development is to be accessed off The Avenue and through a site which has recently been granted permission for 6 dwellings. The Highway Authority has raised no objection to the proposal subject to conditions requiring the construction of the new access, the submission of details of car parking and cycle parking, a refuse strategy, a Construction Method Statement, and details of proposed arrangements for future management and maintenance of the proposed streets. Providing these conditions are attached to any grant of permission, the development is considered acceptable in terms of impact on highway safety and parking provision, in accordance with Policy PNP 29 of the Neighbourhood Plan and the NPPF.

Flood risk

7.35 Local Plan 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.

7.36 Following consultation, the Local Lead Flood Authority (LLFA) has raised no objection, 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.

7.37 With regards to foul drainage, Northumbrian Water has raised no objection to the application, subject to imposition of a condition requiring submission of details relating to foul drainage before development commences.

7.38 Subject to imposition of the conditions requested by the LLFA and Northumbrian Water, it is considered that the proposal is acceptable in relation to drainage, flood risk and foul sewage, in accordance with Policies PNP 27 and 28 of the Neighbourhood Plan, Policies RE4, RE5, RE6 and H15 of the Local Plan and Part 10 of the NPPF.

Ecology

7.39 Following consultation, the County Ecologist has advised that the ecological impact of the proposed development will, with suitable mitigation, be low. Therefore, a condition would be attached to any grant of permission requiring the development to be carried out in accordance with the mitigation measures detailed within the submitted protected species report.

7.40 Conditions have also been recommended by the County Ecologist restricting the removal of hedges or felling of trees between 1st March – 31st August, measures to prevent contamination of the nearby watercourse during construction, the submission of a landscaping plan, and the protection of trees and hedgerow along the northern and southern boundary of the site, Providing these conditions are attached to any grant of permission, the development is considered acceptable in ecological terms, in accordance with Policy PNP 13 of the Neighbourhood Plan, Local Plan Policy C11 and the provisions of the NPPF.

Sports, Recreation and Play Provision

7.41 Local Plan 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. Given the size of the application site and the

scale of the development, it is not considered appropriate to require the provision of any onsite play provision in this instance.

7.42 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.

Education Provision

7.43 Local Plan 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.

7.44 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 £39,600 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.

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 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.

8.2 Consideration has also been given to potential effects on character, highway safety, 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 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 and education provision (£39,600), and the following conditions:

Conditions/Reason

01. Approval of the details of the scale, appearance and layout of the dwellings, and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Thereafter, development shall not be carried out other than in complete accordance with the approved details.

Reason: To achieve a form of development that complies with the Development Plan and other material considerations.

02. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

03. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

04. The development hereby approved shall be carried out in complete accordance with the approved plans. These plans are:

Drawing No. A001-01 Rev 01: Location Plan

Reason: For the avoidance of doubt, and in the interests of proper planning.

05. The development shall not be occupied until details of car parking area have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details

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

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

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

07. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

08. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. measures to control the emission of dust and dirt;

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

09. 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 the National Planning Policy Framework.

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

- i. Restrict discharge from the development to 4l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the lead local flood authority and the local planning authority.
- ii. Adhere to the principles as set out in the drainage strategy from 3E drawing referenced - P16-038-3E-00-XX-DR-C-1201 Rev P3.
- iii. Provide attenuation on site for the 1 in 100 year plus climate change event (+40%) and an allowance for urban creep.
- iv. Incorporate source control and site control SuDS. Namely, vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment.

Reason: To ensure the effective disposal of surface water from the development.

11. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed 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.

12. No development shall take place unless in accordance with the mitigation detailed within the protected species report (Ecological Assessment - Land at Medburn, Ethical Partnership Ltd, September 2016) including, but not restricted to, adherence to timing restrictions; adherence to external lighting recommendations as set out in Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Engineers, 2009; an updating active ecological assessment to be carried out in the event that works do not commence before the end of May 2018 with the results of that survey together with any necessary modifications to mitigation or avoidance measures to be forwarded to and agreed in writing with the LPA before development works commence.

Reason: To maintain the favourable conservation status of protected species, in accordance with Policy C11 of the Castle Morpeth Local Plan.

13. No removal of hedges or felling of trees shall be undertaken between 1 March and 31 August unless an 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.

14. Any deep (in excess of 300mm) excavations left open overnight shall either be 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 animals.

Reason: To prevent ground animals from becoming entrapped.

15. No development shall be carried out other than in accordance with the guidance set out in Pollution Prevention Guidance: Works or Maintenance in or Near Water PPG5, Environment Agency, 2007.

Reason: To ensure that a watercourse is not polluted or contaminated during development works.

16. No development shall be carried out other than in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

17. No development shall commence until the applicant has submitted a detailed landscape planting plan including the planting of locally native trees and shrubs of local provenance to be agreed in writing with the LPA and to 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.

18. 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 in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

Date of Report: 26.10.2017

Background Papers: Planning application file(s) 16/03778/OUT