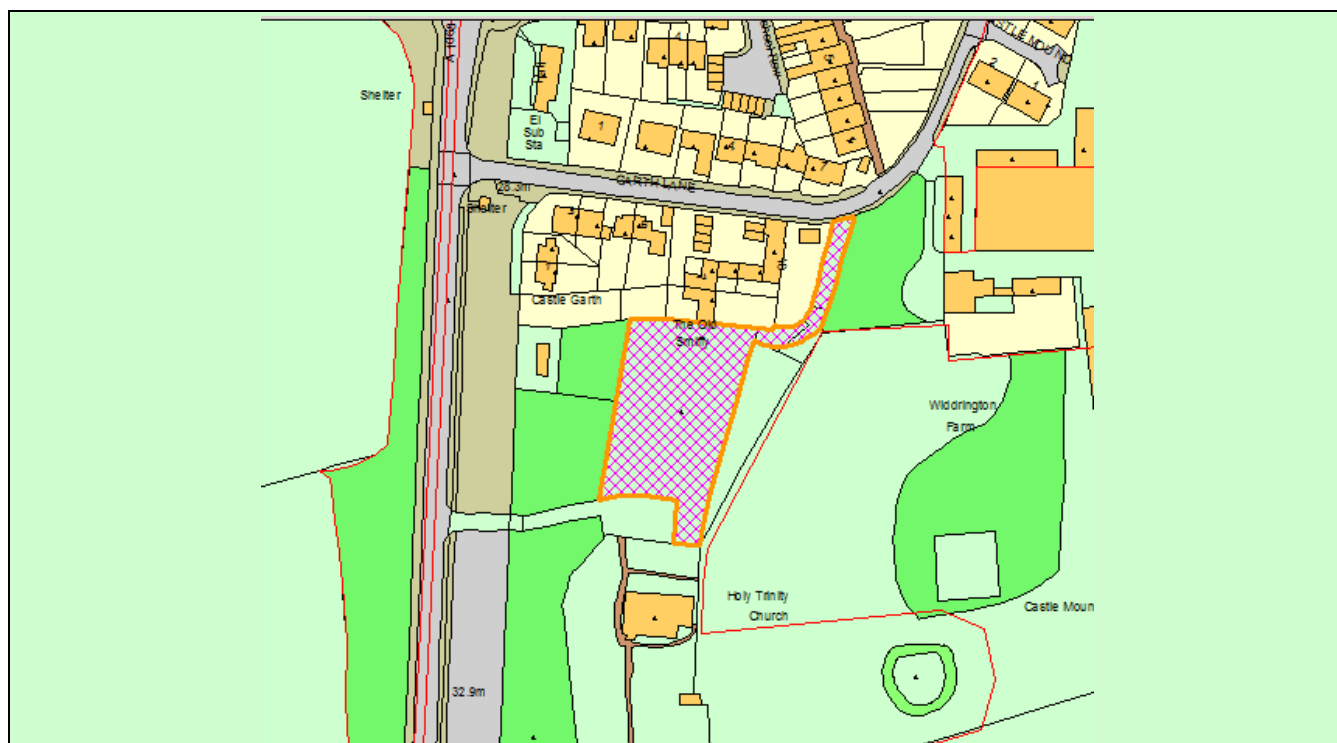


NORTHUMBERLAND

Northumberland County Council

Castle Morpeth Local Area Council Planning Committee 8 January 2018

Application No:	16/02756/FUL		
Proposal:	Erection of two no. dwellings (amended description and amended plans received 09.11.2016, supplementary information received 22.11.16 and 23.11.16)		
Site Address	Land South Of Old Smithy, Widdrington Village, Northumberland,		
Applicant:	Mr & Mrs S Mclachlan Standing Stone, 7 Castle Garth, Widdrington Village, Morpeth Northumberland NE61 5EB	Agent:	Mr Jon Tweddell 68 Acklington Road, Amble, Morpeth, NE65 0NG
Ward	Druridge Bay	Parish	Widdrington Village
Valid Date:	18 August 2016	Expiry Date:	25 November 2016
Case Officer Details:	Name: Miss Laura Cryan Job Title: Planning Officer Tel No: 01670 620334 Email: Laura.Cryan@northumberland.gov.uk		



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1. Introduction

- 1.1 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 and/or they receive a significant level of public objection, they are referred to the Head of Service and the Chairs of

Planning Committees for consideration to be given as to whether the application should be referred to a Planning committee for determination. The matter was duly considered under these provisions and it was confirmed that the matter should be considered by Planning Committee.

- 1.2 Subsequent to this, the planning application was considered at Planning Committee on 28th February 2017, and deferred to enable a site visit to take place and to allow the results of some further required archaeological work to be established.
- 1.3 The site visit took place on 27th March 2017, however, the archaeological findings were not known until 30th August 2017, hence the delay in returning the application back to Members of the Local Area Council.
- 1.4 The date of the site visit should be noted and that this took place prior to the local elections on May. Since then, the former Planning Committee has been replaced by Local Area Council's and, as part of that process, a change in Members also occurred. This being the case, it is considered prudent to undertake a further site visit for the current Members of the Castle Morpeth Local Area Council (LAC) to enable them to be fully appraised of the proposal prior to considering the application at the LAC on 13th November. As such, a separate invite has been issued to Members in this regard.

Update

- 1.5 Following a Members' site visit on 9th November, the application was considered at the Castle Morpeth LAC on 13th November.
- 1.6 Members resolved to defer the application for a second time as a consequence of archaeological concerns primarily relating to the programme of archaeological works detailed under condition no.21. Given knowledge of the site, Members raised questions around the potential for archaeological remains to appear during the construction process and how that situation, if it did arise, would be managed.
- 1.7 The advice from Officers at the meeting was that archaeological conditions, such as condition no.21, are only ever offered when the archaeologist has thoroughly assessed the history of the site and the potential for archaeological remains to be found. Members were advised that there are many situations where such conditions cannot be offered and felt confident in the suggested condition submitted by the archaeologist. Notwithstanding this, Members' preferred option was to see the content of condition no.21 satisfied prior to determining the application.
- 1.8 Officers have since discussed this proposal with the archaeologist who has confirmed that this approach cannot be taken in every situation, it is a site specific condition that can only be recommended after thorough research and investigation.

- 1.9 In this case, the archaeologist is very familiar with the site and its archaeology history. He has again confirmed that, given his knowledge of the site, he would not be happy to suggest this condition if he was not professionally confident in it being the most appropriate way forward in addressing any other archaeological matters that may arise throughout the development of the site. Any other approach could be challenged against the planning tests of it being reasonable, necessary and enforceable given the known conditions of the site historically, as they are now and potentially during the development.
- 1.10 The archaeologist is willing to attend the meeting on the 8th January to assist Members in their deliberations of the proposal. This will give Members an opportunity to raise their concerns and have them addressed first hand. To assist further, an addendum is attached to this report which gives a greater insight into the archaeologist's assessment of the site and how he has arrived at his conclusions.

2. Description of the Proposals

- 2.1 The application seeks permission for the construction of two detached dwellinghouses on land South of the Old Smithy, Widdrington Village.
- 2.2 The application site is located east of the A1068 and south of Garth Lane. The application site is a paddock. To the immediate north are residential properties, to the south is the Grade I Holy Trinity Church, to the west is paddock land and stables in the ownership of the applicant, woodland and open space and to the east is open space. The application site lies to the northwest of the site of the former Widdrington Castle, where only the mound can be seen above ground today; the site is a Scheduled Ancient Monument.
- 2.3 The proposed dwellings would be two storey in height and have three bedrooms with an attached single storey garage and front canopy. The main part of the dwellinghouses would have a footprint of 8.4m wide by 8.3m deep. The ridge height of both dwellings would be 8.6m, with the water tabling taking the height to 8.8m. Eaves height would be approximately 5.4m. The garages would add a further 3.3m to the width of the houses taking the total width to 11.7m and the depth of the garages would be 6.6m. The garages would have a ridge height of 5m with the water tabling taking the height to 5.3m; eaves height would be approximately 2.6m.
- 2.4 The proposed dwellings are shown as being constructed of random rubble sandstone walls with sandstone quoins, slate appearance roof tiles and sash style upvc windows with sandstone sills and heads and timber painted doors. Each dwelling would have three rooflights on the east facing roof slope and there would be two solar collectors on the east facing roof slopes of the garages. On the rear, at first floor level, each property is shown with two Juliet balconies serving bedrooms.

- 2.5 Each property would be served by a garage and a car parking space to the front of the property, leading off a new shared gravel drive . Each dwelling would have an open front garden and a secure rear garden bound by a 1.2m high close boarded fence and would have paved access.
- 2.6 The properties would be accessed from Garth Lane and by an existing shared access which is proposed to be widened and resurfaced with a passing place provided.
- 2.7 The original application sought to provide three detached dwellings. However, after discussions with the local planning authority, the larger detached dwelling (plot 3) was removed from the scheme and the application was amended to seek permission for two dwellings (plots 1 and 2).

3. Planning History

Reference Number: CM/74/D/450

Description: Erection of six detached houses on site north of Widdrington Church, Widdrington

Status: Refused

Reference Number: CM/75/D/645

Description: Erection of detached Georgian dwellinghouse on land north of Holy Trinity Church, Widdrington

Status: Unknown

Reference Number: CM/88/D/635

Description: Erection of 5 no stables on land adjoining 7, Castle Garth, Widdrington Village

Status: Refused

Reference Number: CM/89/D/116

Description: Erection of 3 stables on land adjoining 7, Castle Garth, Widdrington Village

Status: Permitted

Reference Number: CM/89/D/116/A

Description: Renewal-erection of 3 stables on land adjoining 7, Castle Garth, Widdrington village

Status: Permitted

4. Consultee Response

Widdrington Village Parish Council	Object on grounds of the development being outside of the settlement boundary, ecological impact, impact on setting of heritage assets of the Grade 1 Listed Holy Trinity Church and Scheduled Ancient Monument of Widdrington Castle; impact on archaeology in the area and requirement
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	for further archaeology works; impact on residential amenity; impact on highways safety and access issues; impact on character of village and impact of development close to Church and Village War Memorial. Also point out that application should include a change of use. Comments regarding structural stability issues associated with the building of the Old Smithy are not considered a material planning consideration.
Highways Authority	No objection, subject to conditions to maintain highway safety.
Building Conservation	No objection, subject to conditions relating to the appearance of the development and landscaping/ screening.
Northumbrian Water Ltd	No comment.
County Archaeologist	Comments the proposed development has potential to impact unrecorded archaeological remains, specifically remains of the medieval and postmedieval settlement at Widdrington. The proposed development also has potential to impact the remains of Widdrington Castle, should the applicant continue beyond the currently designated area. In order to establish the presence / absence and significance of any archaeological remains at risk of development impact and to inform a proportionate mitigation response it will be necessary for the applicant to commission a programme of archaeological evaluation. Recommends that the application is not determined until the applicant has agreed the scope of an archaeological evaluation with the Conservation Team, the fieldwork has been completed and an appropriate report submitted to the Local Planning Authority. Scope of archaeological evaluation agreed @ 30 August 2017. Not subsequent objections.
County Ecologist	No objection, subject to conditions to maintain and protect the existing landscape and biodiversity value of the site and to maintain the conservation status of protected species.
Historic England	No comment to make although observe there may be a need for further archaeological prospection/ evaluation work in the area of the proposed development and advise comments are sought from the council's Archaeology team.
Countryside/ Rights Of Way	No comment. No rights of way implications.
Natural England	No comment.
Lead Local Flood Authority (LLFA)	Not a statutory consultee for this planning application. However, recommend condition for scheme for disposal of surface water.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	13
Number of Objections	19
Number of Support	0
Number of General Comments	0

Notices

General site notice, displayed 25.08.2016
No Press Notice Required.

Summary of Responses:

Nineteen letters of objection have been received raising the following issues:

- Principle of development outside of settlement boundary and sustainability
- Access
- Highway safety
- Impact on heritage assets
- Impact on archaeology
- Impact on biodiversity including protected species.
- Impact on landscape and character of 'wilderness' and its relationship to the church and village
- Impact on character of village
- Impact on trees
- Impact on residential amenity
- Drainage

Other issues raised which relate to damage to property, private rights of access, covenants, the applicants' intentions and problems arising from the construction period are not considered material planning considerations.

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=OBDW4BQSJ6I00>

6. Planning Policy

6.1 Development Plan Policy

Castle Morpeth District Local Plan (adopted Feb 2003, saved policies 2007)

C1/ WDC1 Settlement boundaries
H15 New housing developments
H16 Housing in the countryside
C11 Protected Species
C15 Trees in the countryside and urban areas
RE5 Surface water run-off and flood defences
RE6 Service Infrastructure

6.2 National Planning Policy

National Planning Policy Framework (2012)
National Planning Practice Guidance (2014, as amended)

7. Appraisal

7.1 The main considerations in the determination of the application are:

- Principle of development
- Siting and design
- Impact upon Residential amenity
- Impact on Heritage assets / Archaeology
- Ecology/ trees
- Access and Highways
- Drainage
- Other Matters

7.2 It is necessary to consider whether the principle of development is acceptable having regard to the weight that may be given to the saved policies contained in Castle Morpeth District Local Plan and in the context of the National Planning Policy Framework (NPPF). The application also raises a number of detailed and technical material planning considerations which will be considered later in the report. It should be noted that since the application was last considered at committee, the Core Strategy has been withdrawn. No reference will therefore be made to the Core Strategy in this report.

7.3 On 27th March 2012, the Government published the NPPF. The policies within this Framework are material considerations which Local Planning Authorities should take into account from the day of its publication. The NPPF makes it clear local planning authorities should approve development proposals that accord with the development plan without delay, unless material considerations indicate otherwise. This approach is the basis for a presumption in favour of sustainable development, which is at the heart of the NPPF.

7.4 Since the proposal was last considered by Committee Members, the situation is now different following the withdrawal of the Core Strategy and the implications of this on the Objectively Assessed Needs and housing supply.

7.5 The NPPF requires Local Planning Authorities to provide a five year supply of deliverable housing land and, where this cannot be demonstrated, relevant policies for the supply of housing, such as in the Castle Morpeth Local Plan, should be considered out of date.

7.6 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. This means that

the lack of a five year supply of deliverable housing land could not form a material consideration in determining this application. Moreover, policies relating to the supply of housing within the Local Plan can be given due weight in determining the application but only so far as they are consistent with the NPPF.

- 7.7 Notwithstanding the above, consistent with the presumption in favour of sustainable development, the housing figures are a minimum and should not be viewed as a ceiling. The key consideration is whether the proposed development is considered sustainable development, in line with the NPPF. The remainder of the report will look at this in more detail.

Principle of development

- 7.8 The application site lies in an area beyond the settlement boundaries of Morpeth or Widdrington Village as defined in the Castle Morpeth District Local Plan. Therefore the site can be considered as being located in an area of open countryside. Following publication of the National Planning Policy Framework (NPPF) the provisions of saved Local Plan Policies C1, H15 and H16 are still relevant in the determination of this application and remain the starting point for determining the proposals. Policy C1 of the Castle Morpeth Local Plan establishes settlement boundaries and states that development in the open countryside beyond settlement boundaries will not be permitted unless the proposals can be justified as being essential to the needs of agriculture or forestry or are permitted by alternative policies in the development plan. Policy H16 also states that new housing in the open countryside will only be permitted where, inter alia, they are required in connection with the day-to-day operation of an agricultural enterprise and where the proposal accords with other criteria. In view of this, it is considered that the principle of new build dwellings on this site would be contrary to Local Plan Policies C1 and H16. These policies generally align with the NPPF which only allows new build housing in the open countryside under very special circumstances, and so appropriate weight may be given to their provisions.
- 7.9 The NPPF under para 55 also stresses that, in the rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The example it gives is where there are groups of smaller settlements, development in one village may support services in a village nearby. It also allows new homes in the countryside where there are special circumstances including where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. The NPPF therefore supports development in sustainable locations where prospective residents have easy access to a full range of services, and public transport links and support services.
- 7.10 In considering the proposal against the above policies, the site is not located within the defined settlement, however it is not considered to be in an isolated location whereby special circumstances are required to be demonstrated. The

proposal would accord with Paragraph 55 of the NPPF which promotes sustainable development in rural areas. It states that housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

7.11 The applicant has submitted a supporting statement with the application which sets out material considerations that they believe should be taken into account in the determination of this application. With the exception of elements referring to the Core Strategy, the applicant's summary is set out below:

1) The site is adjacent to the settlement boundary of Widdrington as defined in the Castle Morpeth District Local Plan.

2) Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. The development would help to support services in Widdrington Village and nearby settlements including Widdrington Station and Amble.

3) Planning Practice Guidance, which accompanies the NPPF, was published in March 2014, and includes guidance on how LPA's should support 'sustainable rural communities'. It states that "it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements". "A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities". "Assessing housing need and allocating sites should be considered at a strategic level", "however, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence".

4) The proposed dwellings will appear as a natural extension to the existing, built-up part of Widdrington Village rather than being associated too close to the church. The scale, position and massing of the properties proposed are considered to very much reflect the character and appearance of existing, traditional buildings within the area.

7.12 The applicant concludes that the principle of development can be achieved in this instance as the proposed development accords with the three strands of sustainable development within the NPPF by providing economic, social and environmental roles. Furthermore the applicant states the proposed development is also considered to be in accordance with the other policies

and guidance within the NPPF, specifically Paragraph 55, and the National Planning Practice Guidance.

- 7.13 In terms of the material considerations set out above by the applicant, it is agreed that the site is outside the settlement boundary of Widdrington Village and not within the settlement itself; however, the site would be adjacent to the settlement boundary and viewed in the context of the settlement, with the nearest building onsite being within 5m of the defined settlement boundary in the Local Plan. Widdrington has a village hall, a public house, two churches and is next to the A1068 which has a bus stop (north and southbound) providing good public transport links to Widdrington Station and towns of Morpeth, Ashington, Amble, Alnwick and Berwick and into Newcastle city centre. Whilst the statement of the applicant states that Widdrington has a café, at the time of writing the report it would seem that this business has closed. Widdrington Station is also approximately 1.3 miles from the development site and contains services such as local shops, school, library, community centre and a railway station. As such in this respect the site is considered to be in a sustainable location and support the objectives of the NPPF in helping maintain the vitality of rural services in the village and surrounding area.
- 7.14 In terms of the three strands of sustainability running through the NPPF; in economic terms, the proposed development would support economic growth and temporary job creation during construction. In terms of the proposed development's social significance, the scheme would provide compatible dwellings for the area and provide future occupants of the site access to local services and facilities. In terms of the environmental component of sustainability, the proposed development would be capable of adequately protecting the natural environment, not least through design and layout.
- 7.15 As such, and as stated throughout the report, whilst the site is not within the settlement boundary of Widdrington or any other, the circumstances in this case are such that the development would be a contribution in helping to provide a sustainable form of development, which the NPPF encourages and would not facilitate urban sprawl or allow the merging of settlements. It is considered that notwithstanding the proposal being contrary to Local Plan Policies C1 and H16, on balance the principle of the proposal in this open countryside location would be acceptable and in accordance with the aims of the NPPF which encourages sustainable development.
- 7.16 Paragraph 10 of the NPPF further states 'Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas'. It is considered the circumstances are such in this instance that the opportunity has arisen to provide a sustainable form of development.

Siting and design

- 7.17 The NPPF identifies good design as one of the key aspects of sustainable development and states that developments should respond to local character and history, and reflect the identity of local surroundings and materials. The stipulations of Local Plan Policy H15 are considered consistent with the NPPF in these respects.
- 7.18 In terms of design the proposal would create two dwellings. Proposed site plans, site sections, floor plans and elevations have been submitted showing the proposed layout, scale and design of the two dwellings. It is considered that the two dwellings are of an appropriate scale, design and material to respect the character and appearance of neighbouring dwellings and the area. The proposed houses are of a comparable scale and plot size to other houses and buildings in the village. It is considered that there is sufficient space for the dwellings, with a large amount of amenity space remaining around the dwellings to ensure that the space and privacy standards of the proposed dwellings are commensurate with the size and quality of the dwelling. The space around the dwellings would allow for the proper function of the garden for amenity purposes and for the provision of off-street car parking provision.
- 7.19 In accordance with Local Plan Policy H16, the form, style and materials of the new dwellings would harmonise with existing traditional buildings in the area and it is intended that the buildings would be constructed of natural stone.
- 7.20 In accordance with Local Plan Policy H16, the dwellings would be sited to form a natural extension to the existing group of buildings in the village and would be carefully positioned in relation to existing trees on site. The dwellings would be more than 60 metres away from the Holy Trinity Church and this is considered to still be a significant separation. The dwellings have also been designed so that no windows face directly towards nearby residential properties.
- 7.21 The site would be visible from existing neighbouring properties to the north, most notably from the Old Smithy. The development would be largely screened by mature trees from the A1068 to the west, although distant views would be visible from a small gap in the tree line next to the entrance of the Holy Trinity Church. The development would be largely screened from the Holy Trinity Church car park and church yard by existing trees and not visible from within the church itself. However, it would be visible from the entrance approach to the church and part of the church grounds and the church could also be viewed directly from within the front gardens of the proposed dwellings.
- 7.22 Acceptable landscaping to help screen the development from the wider area and church could be achieved in accordance with the provisions of Local Plan Policy H15. This Policy states that developers will be required to provide landscaping wherever appropriate in new development, and also to protect existing trees and hedgerows on sites where development is in progress.

Suitable conditions have been recommended for an approval which would ensure appropriate landscaping would be provided and protection of trees.

- 7.23 In terms of siting and design, the proposal is not considered to have an adverse impact on the site or surrounding area and would be in accordance with the NPPF, and saved Policies H15 and H16 of the Castle Morpeth District Local Plan.

Impact on residential amenity

- 7.24 The nearest residential properties to the development site are to the north within the existing settlement. The main impact would be on The Old Smithy which would be directly to the north of the proposed development. The separation distance between the southern gable of The Old Smithy and the single storey garage of the dwelling at Plot 1 would be 4.6 metres and the separation distance would be 8 metres to the two storey part of the dwelling at Plot 1. This is considered adequate separation for side to side facing elevations. The southern gable of The Old Smithy contains two first floor bedroom windows and one ground floor window serving a living room. Daylight and sunlight to the windows of that house, together with the outlook from these rooms would be restricted; however, these windows are secondary windows to habitable rooms and as such are not given the same level of protection as main windows. The proposed dwellings would not have any windows in their side facing elevations so a loss of privacy would not result.
- 7.25 Objections have been received from the owners of The Old Smithy in respect of the impact of the development on the structural stability of the property and impact during the construction phases, however, these are not considered to be material to the consideration of the application. The owners of The Old Smithy have also raised concerns relating to the drainage of the property, impact on heritage/archaeology and impact on parking on Garth Lane which will be addressed later in the report.
- 7.26 In terms of residential amenity it is considered that the proposal is acceptable and in accordance with the NPPF which seeks a good standard of amenity for all existing and future occupants of land and buildings.
- 7.27 Objections have been received from neighbouring properties regarding the impact of the proposed access to the site on Joiners Cottage, The Old Smithy and 9 Castle Garth who claim to share the access track and have pedestrian rights. Private rights of access are not a material planning consideration. The owners of Joiners Cottage raise concern to the noise relating to the proposed resurfacing of the access track and issues relating to access will be dealt with later in the report.

Impact on heritage assets

Setting

- 7.28 The application site is located north of the Grade I Listed Holy Trinity Church and to the North West of the site of Widdrington Castle which is a Scheduled Ancient Monument. Only a mound remains on the site of the Castle today, which is not visible from the development site. A number of objections have been received regarding the impact on the setting of these heritage assets.
- 7.29 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires Local Authorities to have special regard to the desirability of preserving and enhancing the character and appearance of Listed Buildings. The National Planning Policy Framework (NPPF) is a significant material consideration. Paragraph 131 directs local planning authorities to take account of ‘the desirability of sustaining and enhancing the significance of heritage assets’ in the determination of planning applications and the ‘desirability of new development making a positive contribution to local character and distinctiveness’. Paragraph 132 stresses that ‘when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset’s conservation’. Paragraph 133 advises that ‘where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent’.
- 7.30 Whilst not a Conservation Area, the village is a small attractive Northumberland village with historic origins and consists of a cluster of stone and slate traditional houses. The site is currently an attractive paddock with mature trees. The site lies approximately 60 metres north of the grade I listed Holy Trinity Church, which is of immense historic importance, dating from the 12th century and remodelled and extended in the mid-14th century. The development would bring the built development of the village approximately 30 metres closer to the church. The Building Conservation Team were consulted on the application and raise no objection commenting that the houses proposed for plots 1 and 2 appear to be satisfactory in terms of their positioning in relation to the grade I listed church and their scale and massing in relation to existing dwellings in the village.
- 7.31 The Building Conservation Officer has provided advice with regard to the design of the dwellings. It was advised that the number of rooflights should be reduced and of a conservation style. The agent for the application was asked to reduce the size and number of rooflights on the eastern roof slopes of plots 1 and 2, however, no revisions were made to the scheme. Whilst a reduction in the size and number of rooflights would be welcomed, it is considered that they have been placed in symmetrical positions with existing window/ door openings. It is not considered that the impact of the roof lights is adverse enough to warrant refusal of the application. A condition has been recommended that the windows be of ‘conservation’ design.
- 7.32 The Building Conservation Officer also requested that windows and doors should be timber with a painted finish and should be recessed into their

openings by at least 100mm and that windows should be double hung sliding sash. The application documents show that doors will be timber and windows upvc sliding sash. Given the distance between the proposed dwellings and the church to the south, that the windows of the dwellings will be on the east and west elevations, and given the materials of windows on other properties in proximity to the site, it is not considered reasonable to request that the windows be made of timber. A condition has been recommended which states that the windows must be double hung sliding sash and that windows and doors are recessed in their openings by at least 100mm.

- 7.33 The Building Conservation Officer has also requested that the walls should be of random rubble stone laid in courses with recessed pointing and a sample panel of stonework should be constructed and made available for inspection. Also requested is that all lintels, cills, water tabling and other stonework should be of natural stone and samples should be made available for inspection and approval prior to commencement. The conservation officer has also requested that roofs should be of natural slate. A condition has been recommended which requires samples of the materials to be used in the construction of the external walls and roofs of the development to be submitted and approved prior to the commencement of development and thereafter implemented. A condition has been recommended for a sample panel measuring 1 metre by 1 metre, using the approved facing stone and demonstrating the proposed coursing, mortar mix and pointing detail, to be constructed on site for the approval of the Local Planning Authority, prior to the commencement of development.
- 7.34 A further recommendation of the conservation officer is to request details of the proposed doors to the western elevation of plots 1 and 2 to be submitted for consideration and approval before development commences. This is not considered necessary. Also requested are conditions for details of all boundary treatments to be submitted for consideration and approval before development commences and a condition regarding the planting of trees and hedgerows to assist with screening the houses from the church and in accordance with the rural nature of the setting. Appropriate conditions for landscaping and boundary treatments have been recommended.
- 7.35 It is considered, in accordance with the NPPF, the proposed development would not cause harm to the setting of the Grade I listed church and the setting of the scheduled ancient monument of Widdrington Castle and would sustain the significance of these designated heritage assets.

Archaeology

- 7.36 A number of objections have been received regarding the location of the development on land considered to be of historic and archaeological importance.

- 7.37 Following initial comments from the Council's Archaeologist, the application has now been supported by an appropriate Historic Environment Desk-Based Assessment. The associated Figure 5 of the assessment comprises detail of a 1768 Estate Map of the proposed development site, showing the locations of a number of former buildings in relation to the proposed development footprint.
- 7.38 The Archaeologist team was consulted on the application and has provided detailed comments on the application documents and the history of the application site. In summary, the desk-based assessment has identified that the proposed development has potential to impact unrecorded archaeological remains, specifically remains of the medieval and postmedieval settlement at Widdrington. Such features, if present, would constitute 'undesigned heritage assets' in the context of the NPPF. The potential impact of the proposed development on the significance of undesigned heritage assets (including archaeological remains) will be a material to the determination of the application.
- 7.39 The proposed development also has potential to impact the remains of Widdrington Castle, a Scheduled Ancient Monument; in the context of the NPPF, in the event that such remains occur beyond the scheduled extent of the monument they should be subject to the same policies as apply to designated heritage assets.
- 7.40 The Archaeologist has commented that in order to establish the presence/absence and significance of any archaeological remains at risk of development impact, to allow an informed planning judgement consistent with the NPPF (paragraphs 129,132,133,134,135 and 136) and to inform a proportionate mitigation response (consistent with paragraph 141 of the NPPF), it will be necessary for the applicant to commission a programme of archaeological evaluation. Paragraph 128 of the NPPF clarifies that this assessment should be undertaken prior to the determination of an application.
- 7.41 A number of objections have referred to the historic value of the site referred to as 'the Wilderness' and some claim that the site has links to King James I of England/IV of Scotland and the burial of horses and ancient people from the black death. There is no evidence to substantiate that this definitely took place at this site, however, this does strengthen the case for further ground based archaeological assessment.
- 7.42 Based on the advice of the council's Archaeologist, the applicant commissioned an archaeological field evaluation and submitted the report to the council for assessment. The findings of this evaluation demonstrated that a programme of archaeological monitoring during construction would be an appropriate mitigation. Provision should therefore be made for any archaeological features at risk of development impact to be recorded to appropriate archaeological standards prior to their destruction by the proposed development. This work should initially comprise a phase of 'strip,

map and record' mitigation exposing the wall identified by the evaluation in areas where it is at risk of development impact. The wall should then be subject to archaeological recording before development proceeds. Further stages of groundworks should be subject to archaeological monitoring ('watching brief') with provision to record as appropriate. This is consistent with the objectives of Paragraph 141 of the NPPF. As such, a planning condition has been added, as well as a number of informatives offering further advice to the developer.

- 7.43 In order to further control the impact of the future development on potential archaeology and within the sensitive historic area, conditions are recommended to remove permitted development rights for extensions/outbuildings and for fences and other types of enclosure, so their impacts can be assessed by the Local Planning Authority.

Ecology/ trees

- 7.44 The site is a grassed paddock which has trees to the west of the site and along the access route. The council's Ecology team were consulted on the application and initially recommended that an ecology Assessment was carried out. This has now been provided.
- 7.45 A number of objections have been received in relation to the biodiversity value of the site, in particular the impact on species such as bats and red squirrels and impact on trees.
- 7.46 The Ecology Assessment found that the site has moderate value as a resource for nesting birds and for roosting and foraging bats and hedgehog may use the site for foraging. No signs were found of any protected species during the survey. The Ecology Assessment states that mature trees will not be directly impacted by the development but the development has the potential to indirectly impact on mature trees with potential for roosting bats. The Ecology Assessment states that damage to the root systems of trees by compaction during construction will be avoided by accessing the site from the north east corner and avoiding using plant within the Root Protection Zone of the trees.
- 7.47 The Ecology Assessment proposes a number of mitigation and enhancement measures in accordance with Paragraph 109 of the NPPF, including swift and bat bricks incorporated into the new development, bat conservation lighting, buffer zones for mature trees and landscaping of the site which will include locally native trees and shrubs, nectar rich garden planting, and a management regime which encourages rough grassland and/or wildflower rich areas. The Ecology assessment states that works, including any necessary vegetation clearance or pruning, will avoid the bird nesting season (March to August inclusive) unless a suitably qualified ecologist has confirmed that no nesting birds are present and that should any protected species be found

whilst construction works are in progress, works will stop immediately and advice sought from the project ecologist.

- 7.48 The council's Ecologist has raised no objection on ecological grounds on condition that the avoidance, mitigation and enhancement measures detailed in the Ecology Assessment report are carried out in full. A number of conditions are recommended for the maintenance and protection of protected species, priority species, biodiversity and landscaping and these conditions have been recommended for any grant of approval.

Access and Highways

- 7.49 A number of objections have been received regarding the suitability of the access to the site and impact on highways and pedestrian safety. Concerns are also raised with regards to emergency vehicles and construction vehicles not being able to enter the site.
- 7.50 The application site is to be accessed via the A1068, then the U6006 Garth Lane and an access track which runs beside Joiner's Cottage, and to the rear of 9 The Garth and The Old Smithy, where it will meet a new driveway in the development site.
- 7.51 The Highways Authority were consulted on the application and have looked into matters such as road safety issues, access and visibility splays, car parking, vehicles numbers and refuse, as raised by the objectors.
- 7.52 The Highways Authority consider that the proposed development, with the required in curtilage parking provision, adequate turning/manoeuvring space and proposed passing place on the shared access driveway, will not have an adverse impact on highway safety. They also comment that the submitted plans 01603-2-AL(0)-013 and 01603-2-AL(0)-012 show the existing site access is on the outside of the bend on Garth Lane, which provides drivers with the greatest possible visibility splays when emerging from this access. Visibility splays are considered acceptable for the development and they consider that the existing access location is acceptable for the proposed development of two dwellings.
- 7.53 The Highways Authority has raised no objection subject to a number of conditions. These include the submission of a Construction Method Statement works to minimise the rise and disruption for the neighbouring residents during the construction phase, details of the means of vehicular access to be constructed and details of a surface water management scheme. Concerns have been raised by one resident regarding the noise from the surface of the access track and it is considered a condition requiring details of the access to be submitted and approved will enable the local planning authority to control the impact.

- 7.54 The Highways Authority has recommended a condition for bicycle parking to be provided. Sufficient space for the provision of cycle parking is provided as shown in the plans and therefore a condition is not considered necessary in this instance. However a condition has been recommended for an approval to remove permitted development rights to prevent the conversion of the garage to living or business accommodation, so that the garage can be retained for the parking of vehicles, including bicycles.
- 7.55 The application is not considered to have an adverse impact on highways safety and is considered to be acceptable, subject to appropriate conditions, in accordance with the NPPF.

Drainage

- 7.56 The application site is currently a grassed paddock and the application documents state that the development is to connect into the mains sewer. The Lead Local Flood Authority were consulted on the application and recommend a condition for a scheme for the disposal of surface water from the development which shall use sustainable drainage techniques wherever possible to be submitted to and approved by the Local Planning Authority and thereafter the scheme be implemented.
- 7.57 An objection was received from occupiers of The Old Smithy which identifies that their property drains into the application site and photographs have been provided. A condition has been recommended that prior to the commencement of development, details of surface water drainage to manage run off from private land shall be submitted to and approved by the Local Planning Authority and thereafter the scheme be implemented.

Other Matters

- 7.58 A number of objections have raised concern regarding an ancient right of way which runs through the development site and is shown on the submitted plans. The Countryside Rights of Way team have confirmed that no public rights of way will be affected. Private rights of way/ access and covenants are not considered material planning considerations. Nevertheless, the proposed site layout show that a footpath would remain through the site.

8. Conclusion

- 8.1 The principle of the scheme in this location is considered to be acceptable and would lead to a sustainable form of development in line with the requirements of the NPPF.
- 8.2 The design of the scheme is considered to be in keeping with the form, style and materials of the adjacent dwellings and would be sympathetic to the surrounding area and would not have a detrimental impact on neighbouring

amenity or result in any significant or unacceptable impacts upon the character and appearance of the site.

- 8.3 The scheme would not have an adverse impact on the setting of designated heritage assets.
- 8.4 There is potential for archaeological remains to be present on site, which has now been addressed by the applicant to the satisfaction of the council's Archaeologist.
- 8.5 The scheme is found to be acceptable on ecological grounds based on scheme being implemented in accordance with the avoidance, mitigation and enhancement measures detailed in the Ecology Assessment and subject to the recommended conditions.
- 8.6 With regard to highway safety, the Highways Authority is satisfied that, subject to conditions, the proposals will not adversely affect highway safety. There are no rights of way implications.
- 8.7 In terms of drainage, it is considered that subject to conditions requiring details of surface water drainage to be submitted and approved then implemented, the proposals would not have an adverse impact on surface water flooding.

9. Recommendation

- 9.1 That Members grant planning permission subject to the following conditions:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Proposed Site, Drawing Number AL(0) 012
2. Proposed Site Layout, Drawing Number AL(0) 013 Rev.A
3. Site Sections, Drawing Number AL(0) 020 Rev.A
4. Proposed Unit 1&2 Plans Unit 2 Handed, Drawing Number AL(0) 014
5. Proposed Unit 1 &2 Elevations Unit 2 Handed, Drawing Number AL(0) 016
6. Ecology Assessment (Final) November 2016 by Budhaig Environmental

7. Land South of Old Smithy, Widdrington Village, Northumberland: Historic Environment Desk-Based Assessment (Report 2016/153) November 2016 by Archaeological Research Services Ltd.

8. Figure 5:1768 - A Survey of the Town of Widdrington November 2016 by Archaeological Research Services Ltd (to supplement Historic Environment Desk-Based Assessment (Report 2016/153) November 2016) by Archaeological Research Services Ltd).

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

03. Prior to commencement of development, samples of the materials to be used in the construction of the external walls and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework and saved Policy H15 of the Castle Morpeth District Local Plan.

04. Prior to the commencement of construction of the development hereby permitted, a sample panel measuring 1 metre by 1 metre, using the approved facing stone and demonstrating the proposed coursing, mortar mix and pointing detail, shall be constructed on site for the approval of the Local Planning Authority. Thereafter, the construction of the buildings shall be carried out in accordance with the approved method of coursing.

Reason: In the interests of the satisfactory appearance of the development upon completion in accordance with the National Planning Policy Framework and saved Policy H15 of the Castle Morpeth District Local Plan.

05. The roof lights indicated on the approved plans shall be of "conservation" design and materials and shall thereafter be so retained. Any subsequent replacement roof light shall be to the same specification and design.

Reason: In the interests of the satisfactory appearance of the development on completion, in accordance with the National Planning Policy Framework and saved Policy H15 of the Castle Morpeth District Local Plan.

06. Notwithstanding the detail in the approved plans, the windows hereby approved shall be double hung sliding sash. Window and Door frames shall be recessed by a minimum of 100mm from the external face of the wall in which they are set.

Reason: To ensure works are carried out in a manner consistent with the character of the building and surrounding area and in accordance with the National Planning Policy Framework and Policy H15 of the Castle Morpeth District Local Plan.

07. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Ecology Assessment - Land to the North of the Holy Trinity Church, Widdrington Village. Planning Ref: 16/02756/FUL', Budhaig Environmental, November 2016) including, but not restricted to, swift and bat bricks to be incorporated into the new development with numbers, types and locations to be agreed in writing with the LPA before works begin; adherence to timing restrictions; adherence to precautionary working methods and Ecological Construction Method Statement to be submitted to and agreed in writing with the LPA before development begins; 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; an updating ecological survey to be carried out in the event that development works do not commence before the end of November 2018 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and approved in writing with the Local Planning Authority before development works commence.

Reason: To maintain the favourable conservation status of protected species, in accordance with the National Planning Policy Framework.

08. No development or removal of vegetation shall be undertaken between 1 March and 31 August unless an ecologist has first confirmed that no bird's 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, in accordance with the National Planning Policy Framework.

09. All garden boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species, in accordance with the National Planning Policy Framework.

10. 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 Development: Recommendations' British Standards Institution, 2012 and in accordance with a tree protection plan to be submitted to and agreed in writing with the Local Planning Authority before development commences.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with the National Planning Policy Framework and saved Policy C15 of the Castle Morpeth District Local Plan.

11. A detailed landscape planting plan for the southern boundary of Plot 2 and remainder of the application site, including the planting of locally native trees, shrubs and wildflowers of local provenance, shall be submitted to and approved in writing by the Local Planning Authority with the planting 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, in accordance with the National Planning Policy Framework and saved Policy C15 of the Castle Morpeth District Local Plan.

12. Prior to the commencement of development, a scheme for the disposal of surface water from the development which shall use sustainable drainage techniques wherever possible and details of surface water drainage to manage run off from private land shall be submitted to and approved by the Local Planning Authority. Thereafter this scheme shall be implemented in accordance with the approved details and thereafter maintained in accordance with the approved details.

Reason: To ensure the effective disposal of surface water from the development and to prevent surface water run-off, in the interests of the amenity of the area and in accordance with the National Planning Policy Framework.

13. The development shall not be occupied until the car parking area indicated on the approved plans, has been hard surfaced and sealed. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

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

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

15. 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.

16. The development shall not be occupied until the approved refuse storage area has been formed in accordance with the approved plans. The approved refuse storage area shall thereafter be retained for the storage of refuse at all times.

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

17. Notwithstanding the provisions of the Town & Country Planning General Permitted development Order 2015 (or any Order revoking or re-enacting that Order), no conversion of any garage to living accommodation or business use shall take place without the prior permission of the Local Planning Authority.

Reason: To enable the Local Planning Authority to consider the effects of such a development, in accordance with the National Planning Policy and saved Policy H14 of the Castle Morpeth District Local Plan.

18. 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 other fences, walls, gates or means of enclosure other than those hereby permitted on plan AL(0) 012 shall be erected around the curtilage of any dwelling house hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: In the interests of visual amenity and as the site is in an areas of archaeological interest, in accordance with the National Planning Policy Framework.

19. 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 the interests of visual amenity and as the site is in an area of archaeological interest, in accordance with the National Planning Policy Framework.

20. During the construction phase of the development, no machinery shall be operated, no activity carried out and no deliveries received at or despatched from the site outwith the hours of 8.00am to 6.00pm Monday to Friday, and 9.00am to 1.00pm on Saturdays, nor at any time on Sundays or Bank Holidays.

Reason: To protect the occupants of nearby housing from excessive noise and disturbance associated with the implementation of this permission and in accordance with the National Planning Policy Framework.

21. A programme of archaeological work is required in accordance with the brief provided by Northumberland Conservation (NC ref 16/02756/FUL dated 30/08/2017). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) 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.

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

c) 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.

Informatives

01. 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 .

02. You should note that alterations to the existing vehicle crossing point are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact Highways Development Management at highwaysplanning@northumberland.gov.uk .
03. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
04. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
05. Please note that the review and approval of specifications for archaeological work is a chargeable service. The Conservation Team's charging policy and fee structure can be viewed via the Council's website at:
<http://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/Conservation/Archaeology/Charging-Policy.pdf>

Please note that the above advice relates only to the assessment and mitigation of impacts to the archaeological resource. The proposed development has potential to affect the significance of the built heritage resource including listed buildings. Please contact the relevant Conservation Officer for advice in relation to the built historic environment.

06. *Engaging an archaeologist*
Northumberland Conservation is part of the Planning Service within Northumberland County Council. The role of the Conservation Team is to advise the LPA regarding the need for and scope of archaeological work to inform the planning process and to mitigate development impacts to the historic environment. Northumberland Conservation is an advisory service only and does not undertake archaeological fieldwork but can provide a list of archaeological

contractors who work within the county. Directories of archaeological contractors and consultants are also hosted by independent organisations, including:

- Chartered Institute for Archaeologists:
<http://www.archaeologists.net/regulation/organisations>
- British Archaeological Jobs and Resources:
<http://www.bajr.org/RACSmapp/default.asp>

Date of Report: 09.02.2017

Background Papers: Planning application file(s) 16/02756/FUL