

1. Introduction

- 1.1 This application is to be dealt with by committee as the applicant is Northumberland County Council.

2. Description of the Proposals

- 2.1 Planning permission was approved at Planning Committee in February 2017 , for the construction of 5 no. supported bungalows for people with learning difficulties, formerly housed within hospital conditions, and associated landscaping and car parking. Under this current application, the applicant seeks to vary the wording of condition 5 which currently states:

‘The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been hard surfaced, sealed and marked out in parking bays. 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.’

- 2.2 As the applicant does not want to seal the parking bays as a permeable surface is to be used which would help to reduce surface run off, they wish to amend the wording of this condition to remove the word ‘sealed’.

- 2.3 In addition the applicant wishes to remove condition 18. This states:

‘Prior to the commencement of development a revised site plan, which shows the relocation of associated assets including the electrical generator, LPG storage facility and (existing) septic tank to landward areas of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with this approved plan.

Reason: To ensure the development is not at risk of coastal erosion throughout its lifetime protecting users to and from the development., from the outset of development. In accordance with the NPPF.’

- 2.4 The applicant has submitted a supporting statement with the application which in summary sets out the following reasons for the removal of this condition.

- If the site was subject to coastal erosion this access road would be affected before the sea reached the properties rendering them inaccessible and therefore uninhabitable.

- Impractical to redesign the proposed site layout to move the infrastructure (associated assets) to the landward side of the site as these installations have been located to work with the topography and site configuration.
- Moving the bungalows to the east to accommodate the “associated assets” to the landward side of the site increases the risk to the properties from coastal erosion as the dwellings will be closer to the sea. Protecting the services installations to the buildings will create a greater risk to the residents and staff. The site is relatively confined and the proposed layout is the most practical arrangement for the accommodation and associated assets given the access and safety constraints.
- The properties have been designed for adults with learning difficulties moving out of hospital accommodation and are located on the same site as an existing established care facility which has been operating for over 10 years. The properties are clustered to the side of the existing property to create a courtyard space promoting a sense of community and respecting the siting of the existing building and building line. The properties have been located to minimise disruption, as far as possible, to existing the existing residents of Sea Lodge during the construction process and to work with the size and topography of the available land.
- Both the existing and proposed waste treatment installations rely on gravity drainage from the properties to the underground units and these installations need to be located at a lower point on the site to avoid additional site excavation or the additional expense of a pumped system. The existing septic tank requires intermittent access for cleaning and is located to facilitate this servicing and this installation is to be retained so will require access to be maintained.
- The site does not have a connection to mains gas and none is available in the vicinity. The existing building has gas fired central heating running on a supply from a tank located in the garden to the rear of the property. The existing tank is in an inconvenient location and the activity and disturbance caused by the filling process can affect the resident of the rear flat. A new gas tank has been included in the proposals to supply both the existing and the new properties and this larger tank has been located to facilitate easy access for refilling and is a safe distance from all properties on the site.
- The existing property suffers regular power cuts which affect the safety of the residents and the care staff. The Client team requested that the new development should include the installation of an emergency generator which would activate when the mains electricity supply was interrupted. The generator, although not used on a regular basis, will require access for refuelling and annual servicing and has been located to facilitate good access without disturbing either residents or staff. The installation has been the subject of a specialist acoustic study as part of the Planning Approval process and has been located as far from the existing and proposed properties as possible within the restrictions of the site

2.5 In addition the applicant wishes to remove both conditions 20 and 21 which relate to the requirement for the installation of gas membranes. The applicant has submitted a ground gas assessment in support of their removal.

- 2.6 The application site is located west of and directly next to the C110 road which connects Creswell and Lynemouth. It is approximately 250m south of Creswell. It is bound by agricultural land to the north and west and to the south of the site is a landscaped wooded area and beyond this the Golden Sands Caravan holiday park. The application site lies in the open countryside and Area of High :Landscape Value.

3. Planning History

Reference Number: 11/03338/CCD

Description: New sun-lounge to replace existing conservatory structure.

Status: Approved

Reference Number: CM/20110060

Description: Single storey extension to provide additional day space & utility room

Status: Approved

Reference Number: CM/20090668

Description: Renewal of CM/20060803; Change of use of land to allow the siting of 25 pitches for 11 months in each calendar year.

Status: Approved

Reference Number: CM/04/D/237

Description: Outline - 1 No. Detached bungalow.

Status: Refused

Reference Number: 16/04329/FUL

Description: Construction of 5 no. supported bungalows for people with learning difficulties, formerly housed within hospital conditions, and associated landscaping and car parking

Status: Approved

Reference Number: 17/03849/DISCON

Description: Discharge of conditions 4 (Site Investigation), 8 (Drainage), 12 (Drainage) and 20 (Ground Gases) relating to planning permission 16/04329/FUL

Status: PCO

4. Consultee Responses

Coastal Erosion Team	No objections from a coastal erosion perspective.
Cresswell Parish Council	No response received.
Highways	No objection.
Public Protection	Comments awaited.
Environment Agency	No response received.
Lead Local Flood Authority (LLFA)	No objections from a flood risk perspective.

5. Public Responses Neighbour Notification

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

Notices

General site notice, 1/12/17
No Press Notice Required.

Summary of Responses:

None have been received.

6. Planning Policy

6.1 Development Plan Policy

Castle Morpeth Local Plan (adopted Feb 2003)
C1 Settlement boundaries
C3 Areas of High Landscape Value
H15 New housing developments

H16 Housing in the countryside
RE5 Surface water run-off and flood defences
RE6 Service Infrastructure
RE8 Contaminated Land
RE9 Ground Stability
C11 Protected Species
C15 Landscaping
RE4: Water quality

6.2 National Planning Policy

National Planning Policy Framework 2012
National Planning Practice Guidance (2015)

7. **Appraisal**

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

Principle of development

Highways

Coastal Protection

Ground Gas

7.2 The principle of the development was established when planning application 16/04329/FUL was approved and decision issued 7th July 2017. As such the permission is extant and the principal of the development has been established. In addition no alterations are proposed which would impact further upon design of the dwellings, impact on residential amenity, coal mining, drainage, ecology and contamination, and as such the proposal is still considered to be acceptable in this regard and in accordance with the relevant Local Plan Policies..

Highways

7.3 The Highway Authority have been consulted and have no objection to the amendment proposed to Condition 5, which is to remove the word 'sealed' and as such the need to seal the car parking area. This would therefore allow the use of a permeable surface to be used, thus would also help towards alleviating surface water on the site. Given the Highway Authority's comments and subject to the imposition of the other Highways conditions, it is considered the proposal is still acceptable in terms of highway safety and parking provision, in accordance with the NPPF, and the Council's adopted standards.

Coastal Protection

7.4 The Coastal Protection team and Lead Local Flood Authority have been consulted and have raised no objection to the removal of Condition 18 as requested by the applicant. They have however requested that Condition 17 which relates to the lifetime of the proposal is still added to any new decision.

As such subject to Condition 17 still being attached, the proposal is still considered to be acceptable, in terms of the impact on the proposal from coastal erosion, which is in accordance with the NPPF.

Ground gas

- 7.5 The applicant proposes to remove both conditions 20 and 21 which relate to the requirement for the installation of gas membranes. The applicant has submitted a ground gas assessment in support of their removal which demonstrates there is no risk from ground gas. Subject to the comments of Public Protection it is considered the proposal to remove conditions 20 and 21 would be acceptable and in accordance with Local Plan Policy RE8.

9. Recommendation

Subject to the comments of Public Protection, that this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of 6th July 2017.

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 other than in complete accordance with the approved plans. The approved plans for this development are:-

Site Layout- Drawing Number- SL01 Rev G

H2 Bungalow- Drawing Number- H2 Rev F

H1 Bungalow- Drawing Number- H1 Rev G

Proposed Site Sections- Drawing Number- SS02

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

03. Notwithstanding the details shown on the plans or application form, before construction above damp proof course level of the dwelling commences details of the facing materials and finishes and colours, to be used in the construction of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Local Plan Policy H15.

04. Only if any coal mining remedial works are required these shall be carried out in accordance with the details agreed under Condition 4 of planning application reference 17/03849/DISCON.

Reason: To ensure the safety and stability of the proposed development, from the outset of development in accordance with Local Plan Policy RE9.

05. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been hard surfaced, and marked out in parking bays. 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.

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

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

07. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

08. The surface water drainage scheme to manage runoff from private land shall be implemented in accordance with the details agreed under Condition 4 of planning application reference 17/03849/DISCON before the development is occupied and thereafter maintained in accordance with the approved details.

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

09. 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.

10. 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.

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

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

12. The scheme for the disposal of surface water from the development shall be implemented in accordance with the details agreed under Condition 12 of planning application reference 17/03849/DISCON before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: To ensure the effective disposal of surface water from the development and to prevent the increased risk of flooding from any sources in accordance with the NPPF

13. The properties hereby permitted shall always used as supported bungalows for people with learning difficulties and not sold separately as market housing.

Reason: To prevent unsuitable development in the open countryside in accordance with the NPPF.

14. Prior to the demolition of the garage a soft demolition method statement shall be submitted for the written approval of the LPA. The scheme shall document measures to be undertaken to reduce the risk of harm to bats, including an internal inspection of the building for signs of bats by an appropriately experienced ecologist. Once approved the demolition of the garage shall be undertaken in full accordance with the approved method statement.

Reason: to reduce the risk of harm to a protected species in accordance with Local Plan Policy C11.

15. The development shall be implemented in full accordance with the recommendations and mitigation strategy of the report, "Preliminary Ecological Appraisal, Sea Lodge, Cresswell, November 2016", authored by E3 Ecology, including:
Vegetation will be removed outside the bird nesting period unless a survey by a suitably experienced ecologist has confirmed that nesting birds are absent
- o Lighting will be kept low level, pointed downwards and low lumen.
 - o A bat box will be provided on the western gable of the new build or on a telegraph pole close to the woodland.
 - o Works will be undertaken to a precautionary reptile method statement, as documented in appendix II of the above report.

Reason: to conserve and enhance the biodiversity of the site in accordance with the NPPF. In accordance with Local Plan Policy C11.

16. Prior to the commencement of development a plan for the landscape planting of the site shall be submitted for the written approval of the LPA. The plan shall detail the species and number of trees, hedgerows, shrubs and use only Northumberland native species. Once approved the plan shall be implemented in full during the first 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 NPPF.

17. The development shall have a lifetime of 30 years from the date of this permission. At the end of that period the development shall not be occupied or it shall be removed from the site, unless the development was at a threat from coastal erosion before that date which, in this case, it shall be removed from the site prior to the 30 year expiration date.

Reason: To ensure the development is not at risk of coastal erosion throughout its lifetime protecting users to and from the development in accordance with the NPPF.

18. The development shall not be brought into use until the noise mitigation scheme detailed in the Apex Noise Impact Assessment erf: 6039.1 (15 June 2017) has been implemented in full.

Reason To protect residential amenity. In accordance with the NPPF.

19. No development shall commence until a report detailing the protective measures to prevent the ingress of ground gases, to the standards required in BS8485:2015 (Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA

C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

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

20. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 19, which has been approved in writing by the LPA.

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

Date of Report: 01.12.2017

Background Papers: Planning application file(s) 17/04325/VARYCO