

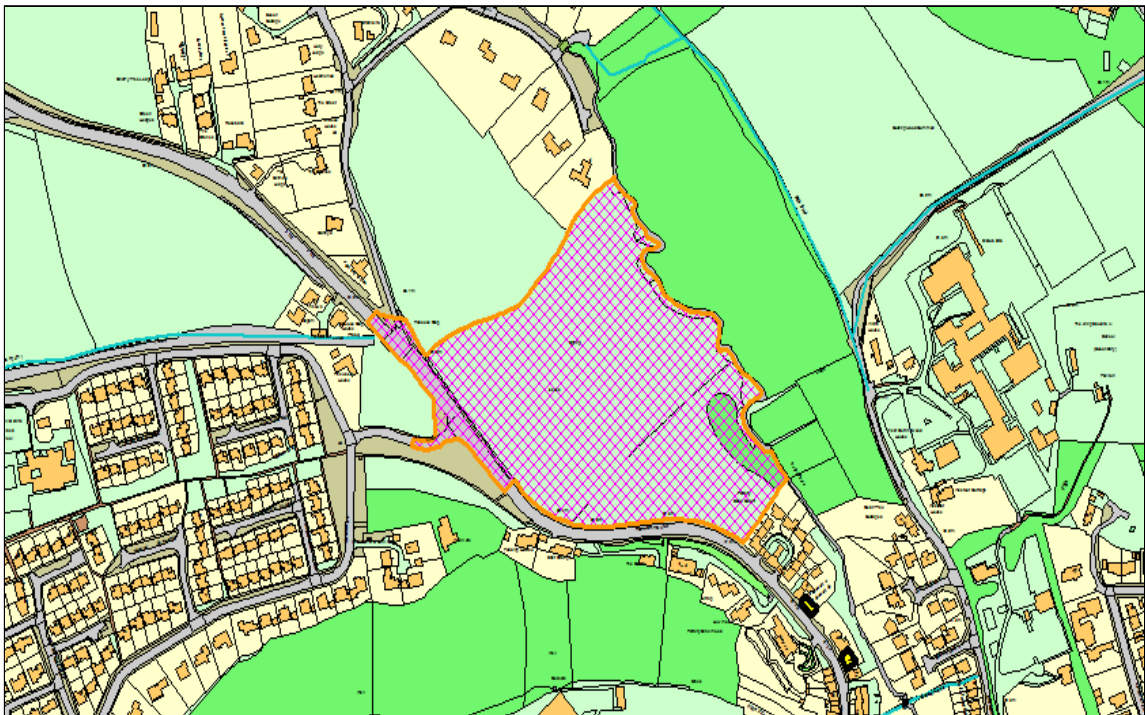
NORTHUMBERLAND

Northumberland County Council

CASTLE MORPETH LOCAL AREA COUNCIL PLANNING COMMITTEE 11TH FEBRUARY 2019

Application No:	18/02629/FUL		
Proposal:	Detailed planning proposal for 53 residential dwellings and associated infrastructure (RESUBMISSION)		
Site Address:	Land North Of The Garth, Pottery Bank, Morpeth, Northumberland		
Applicant :	Persimmon Homes, Mr Samuel Kenny, 2 Esh Plaza Sir Bobby Robson Way, Newcastle Great Park, Newcastle upon Tyne, NE13 9BA.		
Ward:	Morpeth North	Parish:	Morpeth
Valid Date:	24.07.2018	Expiry Date	23.10.2018
Case Officer	Name:	Mrs Haley Marron	
	Job Title:	Principal Planning Officer	
	Tel No:	01670 625547	
	Email:	haley.marron@northumberland.gov.uk	

Recommendation: That the application be GRANTED subject to conditions and a S106 Legal Agreement.



1. Introduction

- 1.1 This application is a resubmission of an application refused by the Castle Morpeth Local Planning Committee in February 2018. A site visit was undertaken by the Committee on 18th February 2018.
- 1.2 It is appropriate for the application to be determined by Committee again given the planning history and the level of interest in the application.
- 1.3 The application is recommended for approval subject to conditions and a S106 Legal Agreement.

2. Background

- 2.1 This application is a resubmission of an application refused by the Castle Morpeth Planning Committee on 12th February 2018 (16/04486/FUL).
- 2.2 That application sought full planning permission for 53no. dwellings with associated infrastructure. The application was refused for the following four reasons:
 - Insufficient information has been submitted to assess whether the development will not have a severe residual cumulative impact on the highway network. The development is therefore contrary to the NPPF (2012).
 - The site is not a designated site for housing development and is therefore contrary to the Morpeth Neighbourhood Plan (May 2016).
 - Insufficient information has been submitted to fully demonstrate that the development will not increase the risks of flooding. The development is therefore contrary to the NPPF and Policy Inf1 - Flooding and Sustainable Drainage of the Morpeth Neighbourhood Plan (May 2016).
 - The proposed development by virtue of its design, height and massing, would have an adverse impact on the amenity of residents at Pottery Bank Court, contrary to the NPPF, Castle Morpeth Local Plan Saved Policy H15 (2003, Saved Policies 2007) and Policy Des1 of the Morpeth Neighbourhood Plan (May 2016).
- 2.3 On the 26th September 2018 the applicant lodged an appeal against the Council's decision to refuse planning permission.
- 2.4 On the 12th November 2018 an Addendum report was presented to the Castle Morpeth Planning Committee, where it was resolved that the LPA would not defend refusal reasons 1 (highways) and 3 (flood risk). Only reasons 2 and 4 will be defended at the appeal.
- 2.5 A Public Inquiry is scheduled for 4th - 7th June 2019.

3. Description of the site and proposals

- 3.1 The application site is located off Pottery Bank (A192) within the defined settlement limits of Morpeth Town.
- 3.2 The site is a greenfield site on the outskirts of the town centre on a parcel of land located in between existing housing.

- 3.3 Immediately to the north of the site is new residential development currently under construction. This development was allowed on appeal (14/03601/FUL). To the east is Cotting Woods and The Cotting Burn watercourse. To the south is existing housing located at Pottery Bank Court. To the west is Lancaster Park and housing fronting onto Pottery Bank.
- 3.4 The site itself consists of 6.02 hectares of rough grassland. The site is higher than Pottery Bank and rises as per the topography of Pottery Bank, falling away to the east towards Cotting Woods and the Burn.
- 3.5 In the Morpeth Neighbourhood Plan, the site is located within the settlement boundary. The site is not designated for any particular purpose.
- 3.6 In the Castle Morpeth District Local Plan the site is located within the settlement boundary of Morpeth. It is not designated for any particular purpose. Bounding the site to the east is a designated wildlife corridor and a local wildlife and geological site. The woodland is also protected by a Tree Preservation Order.
- 3.7 Full planning permission is again sought for the erection of up to 53 dwellings with one point of access from Pottery Bank to be controlled by a traffic light system. The development includes two SUDS drainage basins and landscaping to site boundaries. The application includes the following changes:-
- a revised car parking layout at the site entrance;
 - changes to the floor plans and elevations on plots 29 - 34;
 - an additional affordable housing unit on plot 12 (totalling 9 affordable units);
 - a revised Transport Statement incorporating further traffic survey work and addition of traffic from the recently consented schemes at Lancaster Park and St. George's; and
 - a revised Flood Risk Assessment with further details regarding drainage for plots 21-24 adjacent to the spring.

4. Planning History

The Application Site

Reference Number: 16/04486/FUL

Description: Detailed planning proposal for 53 residential dwellings and associated infrastructure.

Status: Refused. Appeal in Progress. Public Inquiry scheduled for June 2019.

Reference Number: 14/00663/FUL

Description: Flood storage area comprising an embankment, containing a culvert, across the Cotting Burn.

Status: Permitted

Reference Number: 14/00663/FUL

Description: Variation of condition 2 (Approved Plans) relating to planning permission 14/00663/FUL (Flood storage area comprising an embankment, containing a culvert, across the Cotting Burn).

Status: Permitted

Land to the north

Reference Number: 14/03601/FUL

Description: Residential development comprising 39no. dwellings

Status: Allowed on Appeal.

5. Planning Policy

5.1 Development Plan Policy

Morpeth Neighbourhood Plan (2016)

Hou 1 Sustainable development principles

Des 1 Design principles

Set 1 Settlement boundaries

Hou 1 Housing developments

Hou 3 Housing mix

Hou 4 Delivery of affordable housing

Hou 5 Infrastructure

Tra 3 Transport requirements for new developments

Inf 1 Flooding and sustainable drainage

Castle Morpeth District Local Plan (2003)

C1 – Settlement Boundaries

C10 – Sites of Local Conservation Interest

C11 – Protected Species

C15 – Trees in the Countryside and Urban Areas

C38 – Protection of Historical Assets

RE6 – Service Infrastructure

RE8 – Contaminated Land

RE9 – Ground Stability

H1 – Housing Land Supply

H9 – Affordable Housing in Rural Areas

H15 – New Housing Developments

5.2 National Planning Policy

National Planning Policy Framework (2018)

National Planning Practice Guidance (2014)

5.3 Emerging Planning Policy

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (2018)

6. Consultee Responses

<p>Morpeth Council</p>	<p>Town</p>	<p>Morpeth Town Council strongly object to this application on the following grounds:</p> <ol style="list-style-type: none"> 1. This site was included together with the adjacent site being developed by Storey Homes, in the SHLAA with an overall assessment that it is suitable for a maximum of 40 homes. Storey Homes already have permission to build 39 homes. We therefore consider that the overall SHLAA site is very close to capacity. 2. Development on the site has been refused in the past on environmental grounds because of the variety of species using the site including deer, bats, badgers etc. There is a wildlife corridor and a Landscape Corridor identified within the Morpeth Neighbourhood Plan adjacent to the site and we feel that their integrity would be damaged by the proposed development. 3. The Cottingburn has been identified and designated by Northumberland County Council in 2014 as a Local Wildlife Site. The citation quotes 'The site is at risk from isolation from development' and we believe that this risk of isolation would be realised if the proposed development proceeds. This citation designates the Local Wildlife Site but the Morpeth Neighbourhood Plan policy Env5 ' Local Wildlife Sites - gives the designation statutory protection. 4. Northumberland County Council have identified that the Central Delivery Area has more than a 5YHLS. Recent Officer's Reports (e.g. 18/00162/OUT) have confirmed that, County-wide, there is currently a 12.1 year housing land supply. The Morpeth area is already contributing well in excess of the required housing in the plan period, including affordable homes. This number has well exceeded what is in the Morpeth Neighbourhood Plan (policy Hou1). In summary, there is simply no identified need for the proposed development and, given the potential adverse impacts, permission should therefore be refused. 5. Local infrastructure in terms of schools, GP surgeries etc are struggling to cope with the existing demand and this proposal would put yet more pressure on these services, although we recognise and fully support the formulae recently used to secure capital contributions to such services via Section 106 contributions. We trust that a Section 106 agreement would be required in the event that the Council is minded to approve this application and that these formulae would be applied.
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	<p>6. The proposal is for homes on elevated land and they would overlook existing properties immediately to the south and at a much lower level.</p> <p>7. We consider that the proposed properties are of 'identikit' design that do not complement the existing properties immediately to the south, which have won an award for design.</p> <p>8. The proposal is therefore contrary to the Morpeth Neighbourhood Plan policies Sus1 and Des1. We suggest that, if a proposal were to go ahead on this site, that the maximum number of dwellings should be in the region of 15 and that they should all be to the north of the site, separated and screened from existing properties to the south.</p> <p>9. We object to the use of traffic lights. This will obstruct the traffic and slow it down. The impact of temporary lights in this area last year caused northbound traffic to back up to Bullers Green. Traffic lights will block the Fulbeck junction affecting the residents there and the new Storey Homes development. This will be visually intrusive along the landscape corridor. A roundabout may help residents of Lancaster Park who have difficulty accessing the A192 at busy times and may slow the traffic speed down Pottery Bank.</p>
<p>Morpeth Society</p> <p>Civic</p>	<p>The Society wishes to object to this application for the following reasons:</p> <p>1. The site is not allocated in the Morpeth Neighbourhood Plan. There is sufficient land with planning permission for some 3,000 dwellings in the Morpeth Area. NCC have already said that the Central Delivery Area has more than a 5YHLS.</p> <p>2. The green field site at Peacock Gap is a very important visual open break between Fulbeck and the land to the south. It is in a wildlife corridor and landscape corridor in the MNP. The development would have adverse impact on the local nature reserve and the protection of wildlife and permission has been refused in the past for environmental reasons. This site should have been granted a Protected Designation in MNP.</p> <p>3. We remain concerned about the issue of foul and surface water drainage which will increase flood risk.</p>

		<p>4. This development would occupy an elevated site which would be overbearing for those residents of the houses in the south on Pottery Bank.</p> <p>5. There would be even more impact on the local infrastructure which has been exacerbated by the amount of housing already approved.</p> <p>6. This scheme is contrary to policies SUS1 and DES1.</p> <p>7. The increase in traffic at a traffic lights junction on the A192 will have a detrimental impact on the locality and highway users. Traffic lights will impact on the Fulbeck junction, local residents and the recent Story Homes development, as well as being visually intrusive in the landscape corridor.</p> <p>When traffic lights were installed north of Telford Bridge, their use caused severe delays and inconvenience to the traffic flows in Morpeth and were removed to be replaced by a mini roundabout.</p>
NCC Highway Authority		No objection subject to standard highway conditions and a S278 Legal Agreement to secure works to the adopted highway including works within the existing highway to provide the site access and associated sustainable transport connections and improvements to footways and bus stop infrastructure.
NCC Public Protection		No objections subject to conditions relating to traffic noise attenuation, construction hours and contaminated land.
NCC Public Right Way Officer		There are no rights of way implications involved in this development.
NCC Lead Local Flood Authority		Reviewing the Flood Risk Assessment and Drainage Strategy we have further questions on the spring and groundwater flood risk to the development and in particular plots 21-24 inclusive. We ask that additional information be submitted.
NCC Ecology		No objections to the proposals on ecological grounds are raised on condition that the avoidance, mitigation and enhancement measures detailed in the report are carried out in full.
NCC Archaeology		The application site has been subject to a phased programme of archaeological assessment. No objections and further archaeological work is required..

NCC Waste Disposal	No comments received.
NCC Tree and Woodland Officer	No response received to consultations.
NCC Building Conservation Officer	Building Conservation consider that the proposed housing development will not cause harm to the character and appearance of the Morpeth Conservation Area or the nearby listed buildings.
The Environment Agency	No objections to the application subject to the flood risk assessment and drainage report forms part of the approved plans. The EA also requires vehicular access to their infrastructure at all times.
Northumbrian Water	No objections subject to a condition to ensure the development is carried out in accordance with the Flood Risk Assessment.
Morpeth Flood Action Group.	<p>The flood risk both onsite and offsite associated with this development proposal are substantial.</p> <p>The Flood Risk Assessment produced has barely scratched the surface of the detailed investigation required to produce a safe development plan. Should work commence on site flood risk to existing downstream homes from immediately adjacent to the site to Low Stanners would be exacerbated during the build-out period. The engineering work required to mitigate the difficult ground conditions and water flows through the site has not been presented in the Flood Risk Assessment supporting this planning application.</p> <p>We have here presented a limited amount of the concerning detail we have found.</p> <p>This planning application must be refused in order to adequately protect existing and proposed homes from flooding.</p>
Natural England	No objections
Fire and Rescue Service	No objection in principle to the proposals. It should be ensured all access to and on the proposed site comply with Approved Document B, Volume 1 in particular B5, Section 11, Vehicular Access.
Highways England	No objections subject to a Condition Method Statement.
Campaign for the Protection of Rural England	Objects to the proposals for reasons to loss of landscape setting; landscape function of the site; loss of amenity because the proposed traffic lights would bring an unwelcome change.

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7. Public Responses

Neighbour Notification

Number of Neighbours Notified	141
Number of Objections	49
Number of Support	
Number of General Comments	

Notices

A Site Notice was displayed at the application site on the 16/08/2018

A Press Notice was published in the Morpeth Herald on the 09/08/2018

Summary of Responses

Sustainability

- The site is not allocated for housing in the Neighbourhood Plan
- The development is contrary to the Neighbourhood Plan
- There is no need or demand for new housing in Morpeth
- This is a green field site, there are brown field sites that should be developed first
- The schools and surgeries cannot cope with more housing development
- Morpeth has taken its fair share of housing
- The infrastructure in the area cannot take this development
- Morpeth and Fulbeck will end up merging

Visual Impact / Amenity

- There are very strong objections in terms of visual impact
- Morpeth is losing its charm by the abundance of housing developments
- The development would be out of character particularly the three storey split level units
- There are too many units on the site
- The SHLAA does not support 53no. houses on the site
- The SHLAA identifies the site for housing and this has already been built out

Ecology

- The development will destroy habitat and wildlife
- Building on this land will have a significant impact on the nearby wildlife corridor where the red squirrels have reappeared.
- The development will impact on bats
- The site is a designated wildlife site and corridor

Highways

- We strongly object to the proposed traffic lights
- We strongly object to the previous proposal for a roundabout
- Speeding is a problem on Pottery Bank
- There has been accidents on Pottery Bank
- The footpaths are too narrow
- There are no crossing points

Drainage

- There is a serious risk of surface water and ground water flooding as a result of this development.
- The SUDS basins are too close to residents
- The access to the SUDS is also too close
- There will be a risk to children if they can access the Cotting Burn and the basins

The above is only a summary of representations received. Full copies of all representations can be viewed on line using this link:

<https://publicaccess.northumberland.gov.uk/online-applications/simpleSearch/Results.do?action=firstPage>

8. Appraisal

- 8.1 Planning applications should be determined in accordance with the development plan, unless other material considerations indicate otherwise.
- 8.2 For the purposes of this application the adopted development plan in relation to this application comprises the Morpeth Neighbourhood Plan (2016) and the saved policies of the Castle Morpeth District Local Plan (adopted in 2003).
- 8.3 The NPPF (2018) is also a material consideration in the determination of planning applications.
- 8.4 The Development Plan policies are considered to be generally consistent with the NPPF and should be give due weight in the determination of this application.
- 8.5 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan.
- 8.6 The emerging Northumberland Local Plan - Draft Plan for Regulation 18 Consultation was published on 4th July 2018. The policies contained within this document carry minimal weight in the determination of planning applications at this stage.

8.7 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning considerations, including representations received.

8.8 The main planning issues in relation to this application are:-

- Principle of development and housing land supply
- Impact on amenity
- Impact on character of the area
- Heritage assets
- Ecological impact
- Highway issues
- Flooding and drainage
- Ground conditions
- Obligations

8.0 Principle of Development

8.1 At a national level the NPPF sets out a presumption in favour of sustainable development. The NPPF and local planning policies support development in sustainable locations where prospective residents have easy access to a full range of services and public transport links.

8.2 The approach to sustainable development within Northumberland is reflected in the Morpeth Neighbourhood Plan (2016) and also in the saved policies of the Castle Morpeth District Local Plan (2003) despite it pre-dating the NPPF.

Morpeth Neighbourhood Plan (2016)

8.5 It is considered that the principal of housing on the site complies with the Morpeth Neighbourhood Plan (2016).

8.6 The site is located within the settlement boundary as defined on the proposals map of the Neighbourhood Plan. Policy Set1 'Settlement Boundaries' states that Development proposals will be supported within settlement boundaries subject to being in accordance with other relevant policies in the Development Plan including the Neighbourhood Plan.

8.7 The Neighbourhood Plan Policy Sus1 'Principles of Sustainable Development' sets out a presumption in favour of sustainable development will be exercised across the Plan Area. This states that proposals for new development will be supported at a scale and in locations that accord with policies contained elsewhere in the Neighbourhood Plan where they support the continued sustainability and viability of communities subject to criteria.

8.8 Furthermore Policy Hou1 'Housing Development' considers the amount, type and location of new housing in the 'Morpeth Neighbourhood Area' for the next 15 to 20 years. An assessment has been carried out to demonstrate a requirement for at least 1700 additional dwellings during the Plan period. This quantum of housing is specified as a requirement of Policy Hou1. The

application site is not listed within the policy, but attention is drawn to the fact the policy sets a minimum threshold of development.

- 8.9 Furthermore paragraph 7.3.10 of the Morpeth Neighbourhood Plan refers to a document "Housing Site Allocation – Outline Methodology and Potential Sites" which contains more detail on committed housing supply, preferred sites in the Plan and further potential housing sites that would be compliant with Plan Objectives and Policies. This document is material to the consideration of the application, because it informed the Morpeth Neighbourhood Plan.
- 8.10 The Housing "Housing Site Allocation – Outline Methodology and Potential Sites" Document tables land at Peacock Gap as a Other Possible Site for housing development - page 4. There are two entries in the list because the land is split into two parts. This follows the logic of the Council's Strategic Housing Land Availability Assessment (SHLAA), which was used as the evidence base behind the document.
- 8.11 The Council's Strategic Housing Land Availability Assessment identifies the land at Peacock Gap as being a potential source of housing land. The SHLAA tables the land being split into two parts comprising the application site and the land to the north (the Storey Homes Development) - reference 3497b and 3497 respectively.
- 8.12 Members are reminded that the purpose of the SHLAA is to provide information about potential future sources of land for housing. The SHLAA is not a planning policy document and, therefore, does not determine whether a site should be allocated for housing in the Development Plan, or granted planning permission. It is only relevant is that the SHLAA informed the evidence used to prepare the Morpeth Neighbourhood Plan.

The Castle Morpeth District Local Plan (2003)

- 8.13 The Castle Morpeth District Local Plan (2003) Policy C1 and Policy CM1 define the settlement boundary for Morpeth town.
- 8.14 The site is located within the settlement boundary of Morpeth Town as defined on the proposals map. The site is also just outside the defined Town Centre boundary. The site is within easy walking distance of Morpeth Town Centre which contains a wide range of facilities and services. Morpeth is also served by the existing bus and train services that serve the town connecting to other settlements in Northumberland and beyond including Newcastle upon Tyne.
- 8.15 The Castle Morpeth District Local Plan seeks to direct new housing development to Morpeth because it is a principal town in the former district area, whilst also permitting housing development in other settlements. Such proposals may be acceptable where growth supports existing services and facilities, but importantly when it does not adversely impact on character of the settlement.

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (2018)

- 8.16 In the Emerging Local Plan the site is within the settlement boundary of Morpeth Town. It is not allocated for any particular purpose. It must be noted

however, that the Emerging Local Plan can only be given limited weight at this time.

Housing Land Supply

- 8.17 The NPPF does seek to implement the Government's growth agenda by significantly boosting the supply of housing. 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 should be considered out of date.
- 8.18 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirements. The five year housing land supply position is pertinent to proposals for residential development in that the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. In such cases, the presumption in favour of sustainable development will be engaged.
- 8.19 As identified in the Northumberland Strategic Housing Land Availability Assessment (December 2018), the Council can demonstrate, against the County's Local Housing Need figure of 558 dwellings per annum, a 15.6 year supply of housing land. Therefore Northumberland clearly has more than a 5-year supply of housing land, and as such, Footnote 7 of the NPPF does not apply.
- 8.20 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.
- 8.21 In conclusion and having regards to the above, it is considered that the site represents an excellent location for housing and the development should be considered within the context of the presumption in favour of sustainable development. The impacts of the development are however considered in the next sections of this report.

Impact on Residential Amenity

- 8.22 NPPF Paragraph 127 seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.23 Policy Des1 – Design Principles of the Morpeth Neighbourhood Plan states that development will be permitted where it accords with site allocations and designations in the Neighbourhood Plan and the Northumberland Local Plan. Development proposals should make a positive contribution to their surroundings in terms of ensuring that the development does not cause an unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties.

- 8.24 Policy H15 of the Castle Morpeth District Plan seeks good design and to protect the amenity of residents.
- 8.25 Objections have been received from local residents on the grounds the development will have a direct detrimental impact on their amenity and general quality of life.
- 8.26 The nearest residents to be affected by this development are located to the north and to south of the site.
- 8.27 It is accepted that the development would impact on resident's general visual amenity because the site would change in character from a green field site to a housing development. However those objections based on the loss of a view are not a material planning consideration and cannot be taken into account in the determination of this application. However it is important to have regards to other standards of amenity relating to privacy, outlook, light and overbearing impact.
- 8.28 To the north is the new housing development by Storey Homes which is currently under construction. That development consists of 39no. new homes, with the gables of dwellings facing onto the application site. Here the proposed separation distances are acceptable.
- 8.29 To the south, the rear gardens of Pottery Bank Court face the application site. The closest proposed plots to Pottery Bank Court are plots 44 and 45. These are split level plots where they are three storeys to the rear. At its closest point the plots are in excess of 70 metres away from Pottery Bank Court. This distance increases with the remainder of the development.
- 8.30 Furthermore, none of the proposed dwellings directly face Pottery Bank Court – they are laid out to maximise views of Cotting Wood. It is considered that this distance, coupled with the orientation of the dwellings and the additional planting to the southern boundary, will reduce the impact on the amenity of these residents as a result of the rising topography of the site and the properties being split level at this point.
- 8.31 Members are reminded that for the development to comply with policy and to achieve acceptable standards of amenity, a distance of 20m is required between principal elevations. The development exceeds well in excess of this policy requirement.
- 8.32 Having regards to the above it is considered that the proposals would not have an adverse impact on the living conditions of existing residential neighbours.
- 8.33 In the context of the above, the proposals are not considered to be in conflict with Part 11 of the NPPF in this respect.

Impact on the Character of the Area

- 8.34 The Government attaches great importance to the design of the built environment. Part 12 of the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. Policy Des1 – Design Principles of the Morpeth Neighbourhood Plan seeks to follow the principles of good quality design which respects the character and appearance of the setting of the development and the surrounding area. Policy H15 of the Castle Morpeth District Plan seeks good design.
- 8.35 The site located within defined settlement limits and on the outskirts of Morpeth Town Centre. Housing in the immediate area is predominantly two storeys in height, but very much varies in terms of design. The site is set against a backdrop of extensive woodland which contributes to the character of the site and the area.
- 8.36 Objections have been received on the grounds the development would be out of character with the area.
- 8.37 The proposed layout shows 53no. dwellings laid out in two sections across the site with an existing band of trees in the middle, dividing the site into two parts. Significant landscape buffers are proposed along Pottery Bank and along the extent of the eastern boundary with Cotting Wood.
- 8.38 The development consists of 1 storey bungalows, two storey dwellings and split level properties which appear as two storey from the front but are three storeys to the rear, as the site slopes away behind. The proposed design approach is traditional. Various house types are proposed in small character groups. The dwellings are predominantly detached, boasting generous plots with traditional design features throughout including bay windows, dormers, gable projecting features, timber doors and windows, chimneys. The roof scape will appear varied because of the topography of the site.
- 8.39 The site is located in between existing housing to the north and to the south. It is considered that the development responds well to the character of the area and to the scale, height and massing of existing housing stock in the locality. The topography of the site will assist development to integrate into its environment. From Pottery Bank the development will not be highly visible because it will recede down the hill side. The retention and enhancement of existing trees on the site and significant landscaping buffers will also further retain and enhance the character of the development.
- 8.40 It is considered that the development is acceptable in terms of design and complies with the NPPF and Local Plan Policies.

Impact on Heritage Assets

- 8.41 The NPPF, Part 16 relates to conserving and enhancing the historic environment. Policy C38 of the Castle Morpeth District Local Plan seeks to protect the built and historic environment.
- 8.42 There are no designated heritage assets within the application site itself. The site lies outside of and to the north west of the Morpeth Conservation Area and to the north of listed buildings Bolland Hall and Bow Villa (Grade II).

- 8.43 Given the location of buildings within the town and the fact there is no inter-visibility between the application site and those buildings it is considered the development will not impact on the setting of the listed buildings. The Council's Building Conservation Officer has been consulted and raises no objections to the application.
- 8.44 With regards to archaeological assets, an Archaeological Desk Based Assessment, Geophysical Report and Evaluation Report applicant has been submitted. Trial trenching has been undertaken on the site.
- 8.45 Ridge and furrow earthworks associated with medieval and post-medieval cultivation survive across much of the site. These earthworks are of local significance. The earthworks have already been recorded as part of the geophysical survey report. No further mitigation will therefore be required in relation to the archaeological earthworks.
- 8.46 The geophysical survey identified a number of anomalies of potential archaeological origin. These features were tested by targeted evaluation trenching. No significant archaeological features were identified.
- 8.47 The County Archaeologist has assessed the reports and raises no objections to the development. He confirms that no further archaeological work is required.
- 8.48 On the basis of the above the development complies with the NPPF and Local Planning policy in terms of impact on archaeological heritage assets.

Ecology and Landscaping

- 8.49 The NPPF Part 15 seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken. The Morpeth Neighbourhood Plan Policy Env1 states that Landscape and Wildlife Corridors defined on the Proposals Map will be protected from development, other than that required to maintain, enhance or interpret their landscape or wildlife purposes. Policy C11 of the Local Plan states that proposals will be assessed in terms of their potential impact on the nature conservation interests of the site and on any habitats/species present.
- 8.50 The site itself does not have any ecological designation. However to the east are Cotting Wood and The Cotting Burn, which form part of a designated Wildlife Corridor and Local Wildlife Site. Local objection has been received in response to the application on ecological grounds.
- 8.51 The applicant has submitted an Ecological Impact Assessment, Bat Survey, Breeding Bird Survey and Badger Survey to support the application.
- 8.52 To mitigate for the ecological impacts of the development the applicant proposes dense landscaping belts adjacent to the Burn and Pottery Bank to buffer the development from the ecological sites. The linear tree group in the middle of the site is to be retained as part of the development. Bat and bird mitigation measures are also proposed. The applicant also proposes a

financial contribution towards improvements of Local Nature Reserve publicly accessible in the locality (£10,000.00).

- 8.53 The County Ecologist has assessed the application and does not object to the proposal, primarily because of the buffer zones mitigate for the impacts of the development. However, he recommends conditions relating to the retention and landscaping of the buffer zones, retention of significant trees, implementation of bat and bird mitigation measures, including timing of works, tree protection of retained trees, new native planting and new roost provision within the development. If Members are minded to approve the application, these points can be controlled by restrictive planning condition. The County Ecologist accepts the applicant's proposal of a financial contribution because of the likely impact on new residents on the Council's Local Nature Reserve nearby. This can be secured by S106 Legal Agreement.
- 8.54 Natural England has been consulted and they do not object to the application.
- 8.55 No comments from the Northumberland Wildlife Trust have been received in respect of this application.
- 8.56 Cotting Wood is subject to a Tree Preservation Order. The applicant has submitted Arboricultural Assessment Reports. The development will not impact on the trees and their status, given the fact the development would be set well away from the woodland. However conditions are imposed to ensure the trees are protected during construction.
- 8.57 Subject to conditions, the development is considered acceptable in ecological and landscaping terms. The development complies with Local Planning Policies and the NPPF which seeks to conserve and enhance biodiversity.

Highway issues

- 8.58 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.59 Significant objections have been received in response to the application on highway grounds, with many objecting to the proposed signalised junction arrangements at the entrance of the site.
- 8.60 The applicant has submitted a revised Transport Statement to include additional survey work to include traffic from the recently consented schemes at Lancaster Park and St George's. A detailed Road Safety Audit has also been submitted to inform the Council's assessment of the likely highway impacts of the scheme. The TS concludes that the impact of the development on the surrounding road network, in terms of capacity and highway safety is acceptable, with no severe residual cumulative impacts.
- 8.61 The local opposition is noted however, the Council as Highway Authority has fully assessed the proposals and once again, does not object to the application.

- 8.62 In terms of impact on the surrounding network, the revised Transport Statement demonstrates that the proposals would not result in severe impacts. The highway network in the area can accommodate the anticipated trip generation.
- 8.63 With regards to road safety and the proposed signalised junction, the Highway Authority have no objections to the proposals. Indeed they note that the proposed signalised junction offers additional benefits for pedestrians and cyclists. This applies for pedestrians crossing all arms of the junction who benefit from controlled crossing points and cyclists using the A192 on-road cycle lanes and the advanced stop lines at the junction. The junction proposals also provide improvements to the existing bus stops in the vicinity of the site, connecting with the improvements provided by the new development immediately to the north of the site.
- 8.64 With regards to the internal aspects of the development such as the parking, cycle storage and refuse servicing strategy these aspects are also considered to be acceptable. The revised access and parking arrangements within this application are deemed acceptable.
- 8.65 The Public Rights of Way Officer has advised that the development has no implications for the definitive rights of way network and as such has no objections to the application.
- 8.66 Highways England have also raised no objection to the application subject to a Construction Method Statement. This can be controlled by way of condition.
- 8.67 The development is considered acceptable in highway terms. If Members are minded to approve the application subject to standard highway conditions and a Grampian condition are recommended to ensure the works to the adopted highway are implemented in connection with the planning permission. The development complies with the NPPF and local planning policy in this regard.

Flood Risk and Drainage

- 8.68 NPPF Part 14 seeks to ensure flood risk is not increased elsewhere as a result of development.
- 8.69 Strong opposition has been received from the Town Council, Morpeth Flood Action Group and local residents in terms of the impact of the development on flooding and drainage grounds.
- 8.70 The applicant has submitted a revised Flood Risk Assessment, Drainage Strategy Report(s), a SUDS Management Plan and a Spring Drainage Report. The information considers flood risks from the Burn, surface water, ground water and foul drainage.
- 8.71 In terms of flood risk from the watercourse the site is located primarily within Flood Zone 1, however the eastern limits of the site encroach into Flood Zones 2 and 3 associated with Cotting Burn.
- 8.72 The Environment Agency have been consulted on the application and on the basis the housing development itself is entirely within Flood Zone 1, they raise

no objections to the development subject to a planning condition to ensure the above report forms part of the approved plans. Furthermore, the Environment Agency does not raise any objections regarding the impact of the development on their infrastructure providing vehicular access to their infrastructure is maintained at all times. This matter can be controlled by condition.

- 8.73 In terms of surface water, it is proposed that surface water from the development will be discharged (via new connections) to the Cotting Burn. Flows from the site will be restricted to Greenfield Runoff Rates, with all surface water runoff generated by the new development attenuated via the two SUDS basins. The SUDS basins are proposed on the lowest parts of the site, one adjacent to Pottery Bank Court and the other to the north eastern boundary.
- 8.74 The Council as Local Lead Flood Authority is satisfied with the proposed surface water drainage proposals. Detailed technical information has been submitted in respect of the drainage basins and as a result the LLFA raise no objections to the application regarding this issue.
- 8.75 With regards to groundwater flood risk, a natural spring is known to be on site. This has the potential to affect four plots in the middle of the site (21-24). The applicant has submitted further survey information and analysis in respect of the spring. The LLFA do not object to the application in terms of groundwater flood risk but do require mitigation measures to be implemented these these plots. The LLFA are satisfied that these matters can be controlled by way of planning condition.
- 8.76 With regards to foul drainage, the strategy is to connect to the public combined sewer on Pottery Bank. Northumbrian Water has been consulted and do not object to the application subject to the development being carried out in accordance with the Flood Risk Assessment and Drainage Strategy submitted. This can be controlled by the imposition of a planning condition should Members be minded to approve the application.
- 8.77 Having regard for the above it is considered that the proposals would accord with the NPPF Part 14.

Pollution and Ground Conditions

- 8.78 The NPPF Part 15, Paragraph 178 states that decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 8.79 Policy Des 1 Design Principles of the Morpeth Neighbourhood Plan seeks to avoid development in locations that would put the environment or human health or public safety at unacceptable risk including from contamination and land instability and where necessary incorporate appropriate mitigation
- 8.80 With regards to noise pollution issues, the applicant has submitted a Noise Assessment to consider the impact of road traffic noise from the A192 on potential new residents.

- 8.81 The Council's Public Protection Team has considered the application and is satisfied that traffic noise will not have adverse impact on the amenity of new residents, subject to planning conditions to secure 2 metre high mounding to the rear of plots 1 – 5 (bungalows). The mounding and its finished appearance can be controlled by condition.
- 8.82 With regards to ground condition issues, the site is not within a Coal Mining High Referral Area and the Council's Public Protection Team has not raised any objections in terms of known land contamination. However, in the event ground contamination is found during construction they require a working method statement and remediation strategy to be submitted and agreed. This can be controlled by way of planning condition.
- 8.83 Based on the advice from the Public Protection Team it is considered there would be no conflict with Part 15 of the NPPF with regard to noise pollution and land contamination.

Obligations

- 8.84 The NPPF Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 8.85 Planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 8.86 Policy Hou5 of the Morpeth Neighbourhood Plan states that infrastructure to serve new housing development should, subject to viability testing in accordance with paragraph 173 of the Framework, make provision for, or contributions towards, the infrastructure and community requirements arising from the development including, as appropriate, children's play areas, playing pitches and open space, allotments, landscaping, habitat enhancement, sports and community facilities, schools, roads, pedestrian and cycling routes and facilities, water, sewerage, sewage treatment capacity and public transport.
- 8.87 Furthermore Castle Morpeth Local Plan Saved Policy 12 relates to Planning Obligations and the need for Major development to make provision for infrastructure and community facilities.

Affordable Housing

- 8.88 The NPPF paragraph 50 seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 8.89 Meeting affordable housing needs is central to the Council's approach on housing.
- 8.90 Policy Hou4 of the Morpeth Neighbourhood Plan states that proposals for developments resulting in a net gain of ten dwellings or more will be expected to provide affordable housing on the site, in accordance with the Development Plan or an up-to-date housing needs assessment. In exceptional circumstances, where it can be justified, affordable housing will be accepted off-site; this must be on a site that is agreed as being in a suitable location relative to the housing need to be met, ideally within the same town or village, or if this is not feasible, then within another village in the Neighbourhood Area.
- 8.91 Based on up to date evidence the Council's current requirement is for 17% of homes on development sites to be affordable.
- 8.92 The applicant proposes 9no. affordable housing units on site comprising eight bungalows and one two storey dwelling. These are located at the site entrance.
- 8.93 The Council's Affordable Housing Team supports the proposals. The Team advise that the site is an excellent location for affordable homes, particularly bungalows, with access to many local services in the town centre. There is an identified need for older people and those needing one storey homes near town facilities who would prefer affordable home ownership and are not able to satisfy this need on the open market. This is a rare opportunity to provide bungalows of this tenure in this location. There is definite interest in both the Affordable Rent and or Shared Ownership option from Registered Providers.
- 8.94 The bungalows are to be provided as Shared Ownership or Affordable Rent. The additional two storey house will be provided as Affordable Rent, Discounted Market Value or Shared Ownership.
- 8.95 The 9no. affordable units can be secured by way of a Section 106 Legal Agreement.

Education

- 8.96 With regards to education provision the site falls within the catchment area is 'Morpeth Partnership' for primary and secondary provision. The Council's Education Service Provider requests a financial contribution of to address infrastructure / capacity pressures on primary and secondary education to the sum of £198,000.00. This is in line with projected pupil yield calculations and consequential financial requirements. The applicant has agreed to the contribution as per the request. This can be secured by a S106 Legal Agreement.

Health

- 8.97 The NHS Northumberland Clinical Commissioning Group (CCG) advise that the three GP surgeries serving Morpeth (Wellway, Gas House Lane and Greystoke) are operating at capacity and cannot accommodate the projected population yield from the proposed development. The CCG has requested a financial contribution towards creating additional capacity within Morpeth

(£40,500.00). The applicant has agreed to the contribution as per the request. This can be secured by a S106 Legal Agreement.

Play provision

- 8.98 The requirements for play provision are met within the site as part of the development. The development proposes a significant buffer zone to the western boundary of the site adjacent to Pottery Bank. Within this area, a series of natural features are proposed in the form of boulders, balance beams and a log stump hill. These features are proposed as play provision for children. Although, the proposal does not align with the traditional forms of equipped play, the proposals are accepted in this case and meet the requirements of local plan policy in terms of their being adequate infrastructure for play purposes on site.

9. Other Matters

- 9.1 Members should be aware that whilst not documented within the report, the application has been assessed under the Equality Act, Crime and Disorder, and the Human Rights Act. A short assessment of these is provided below.

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

10. Conclusion

10.1 The proposed development is deemed acceptable. It is considered to be a sustainable form of development sited in a sustainable location. The site is located within the settlement boundary of Morpeth Town as defined by the Morpeth Neighbourhood Plan and the Castle Morpeth Local Plan. Furthermore the site adjoins the defined town centre boundary.

10.2 The development is acceptable having regards to impact on residential amenity, the character of the area, heritage assets, ecology and landscaping, highway safety, flood risk, drainage and ground conditions. The development can be accommodated within existing infrastructure subject to S106 Obligations.

10.3 The representations received in response to the publicity of the application are noted and have been taken into account.

10.4 It is the advice of Officers that this resubmission should be granted planning permission subject to planning conditions and a S106 Legal Agreement.

11. Recommendation

That Members be minded to GRANT permission subject to the conditions below and the completion of a Legal Agreement (pursuant to Section 106 of the Town and Country Planning Act 1990) to secure the following obligations:-

- 17% affordable housing (9no. affordable homes comprising eight bungalows and one two storey dwelling)
- Education contribution (£198,000.00)
- Health contribution (£40,500.00)
- Ecology contribution (£10,000.00)

Conditions/Reasons:

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 other than in complete accordance with the following approved plans:

Plans

PROPOSED SITE PLAN REV W - Drawing No. 291/A/GA/001
BOUNDARY TREATMENT PLAN - Drawing No. PL-06
LOCATION PLAN -
PEACOCK GAP - ARCH TRENCH PLAN -
SECTIONS - Drawing No. PL-05
STREET SCENES - Drawing No. PL-04
BUNGALOW 9-10 ELEVATIONS - Drawing No. BUN-06
BUNGALOW PLOT 6-8 FLOOR PLANS - Drawing No. BUN-03
BUNGALOW PLOTS 1-5 - ELEVATIONS - Drawing No. BUN-02
BUNGALOW PLOTS 6-8 ELEVATIONS - Drawing No. BUN-04 BUNGALOW
PLOTS 9-10 FLOOR PLANS - Drawing No. BUN-05
BUNGALOWS - PLOTS 1-5 FLOOR PLANS - Drawing No. BUN-01
CLAYTON CORNER & HANBURY - ELEVATIONS - Drawing No.
CLY/HAN-02
CLAYTON CORNER & HANBURY FLOOR PLANS - Drawing No.
CLY/HAN-01
COMPTON - ELEVATIONS - Drawing No. COM-02
COMPTON FLOOR PLANS - Drawing No. COM-01
HOLBORN - ELEVATIONS - Drawing No. HOL-02
HOLBURN - FLOOR PLANS - Drawing No. HOL-01
KINGLSEY - ELEVATIONS - Drawing No. KIN-02
KINGSLEY - FLOOR PLANS - Drawing No. KIN-01
RAEBURN - ELEVATIONS - Drawing No. RAE-02
RAEBURN - FLOOR PLANS - Drawing No. RAE-01
RAEBURN CORNER - ELEVATIONS - Drawing No. RAE-02
RAEBURN CORNER - FLOOR PLANS - Drawing No. RAE-01
ROMNEY - ELEVATIONS - Drawing No. ROM-02
ROMNEY - FLOOR PLANS - Drawing No. ROM-01
SPLIT LEVEL - ELEVATIONS - Drawing No. SPL-02
SPLIT LEVEL - ELEVATIONS - Drawing No. SPL-03
SPLIT LEVEL FLOOR PLANS - Drawing No. SPL-01
VANBURGH - ELEVATIONS - Drawing No. VAN-02
VANBURGH - ELEVATIONS - Drawing No. VAN-03
VANBURGH - FLOOR PLANS - Drawing No. VAN-01
ADDITIONAL SITE SECTIONS - Drawing No. 291.ENG.100
DRAINAGE BASIN PLAN - Drawing No. QD1161-00-27
DRAINAGE STRATEGY PLAN - Drawing No. QD1161-00-01
LANDSCAPE MASTER PLAN REV E - Drawing No. 5736-99-001
LEVELS STRATEGY PLAN 1 / 2 - Drawing No. QD1161-00-02
LEVELS STRATEGY PLAN 2/2 - Drawing No. QD1161-00-03
PROPOSED PLANTING PLANS (PAGES 1/7) - Drawing No. 5736-93-02
TRAFFIC SIGNALS PLAN AND REPORT - Drawing No. 102612/1030
TOPOGRAPHICAL SURVEY
PLOT 22 SPRING MITIGATION DETAILS - Drawing No. QD1161-00-01
PLOT 22 SPRING MITIGATION PLAN - Drawing No. QD1161-00-01
POS IN FRONT OF 23 & 24 MITIGATION DETAILS
POS IN FRONT OF 23 & 24 MITIGATION PLAN - Drawing No.
QD1161-00-01

BIN COLLECTION PLAN
DRAINAGE STRATEGY - Drawing No. QD1161 00 20 REV A
SUDS MANAGEMENT PLAN QD1161 REV B

Documents

FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY REV B
SUDS MANAGEMENT PLAN QD1161 REV B
SPRING MITIGATION REPORT / STATEMENT 2387
TRANSPORT STATEMENT - Fairhurst June 2018
DESIGN AND ACCESS STATEMENT - June 2018
AGRICULTURAL LAND REPORT - H&H August 2015
ARCHAEOLOGICAL DBA - AD Archaeology March 2015
ARCHAEOLOGICAL EVALUATION - AD Archaeology November 2015
ARCHAEOLOGICAL GEOPHYSICAL & EARTHWORK SURVEY - AD
Archaeology
October 2015
BADGER ANNEX - E3 Ecology Ltd November 2016
BAT SURVEY - E3 Ecology Ltd November 2016
BREEDING BIRD SURVEY - E3 Ecology Ltd November 2016
COVERING LETTER - Persimmon December 2016
ECOLOGICAL IMPACT ASSESSMENT - E3 Ecology Ltd November 2015

PLANNING STATEMENT - Charles Church June 2018
PRELIMINARY GEOTECHNICAL AND GROUND CONTAMINATION
DESKTOP REPORT - The Shadbolt Group April 2015

ARBORICULTURAL METHOD STATEMENT - Elliott Consultancy June 2017

NOISE REPORT - LA Environmental October 2017
CONFIDENTIAL BADGER REPORT - E3 Ecology December 2017

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

03. No construction of the approved dwellings above damp proof course level shall take place until a schedule and samples of the materials to be used on the external elevations of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be completed other than with these approved materials.
Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the NPPF.

04. The landscaping scheme shall be carried out in accordance with the approved drawings before the end of the year in which the development starts, or within such other time as may be agreed with the Local Planning Authority in writing beforehand. The landscaped areas shall be subsequently maintained to ensure rapid and complete establishment of the agreed scheme, including watering, weeding and the replacement of any plants which fail.
Reason: In the interests of the appearance of the area.

05. Notwithstanding the details shown on the submitted plans, prior to the construction of the dwellings, full details showing the proposed finished ground floor levels of the hereby approved development and the existing ground levels, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be constructed in complete accordance with the approved details.

Reason: In the interests of visual amenity and the satisfactory appearance of the development.

06. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) 'Peacock Gap, Morpeth Flood Risk Assessment and Drainage Strategy Rev B and the following mitigation measures detailed within the FRA:

1. Dwellings shall be developed in Flood Zone 1 only.
2. SUDS shall be positioned outside of the post -scheme Flood Zone 3

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

07. Prior to the commencement of the development the applicant shall provide full details of the acoustic screening contained within the LA Environmental Noise Assessment ref:PH/PG/002 (18 October 2017) to the LPA for its written approval.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

08. Plots 1-5 shall not be occupied until the acoustic screening approved in condition 7 has been implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

09. The acoustic screening approved in condition 7 shall be retained for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

10. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

11. If during re development contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

12. Prior to commencement of development details on land drainage and groundwater mitigation measures shall be submitted to and agreed by the LPA. These details shall be based on drawing number QD1161-00-28 RevB Proposed Land Drainage Schematic and shall include further details on the following:

- a) foundations;
- b) plot drainage;
- c) silt traps;
- d) interaction with other pipes and drainage features.

Reason: To help prevent the site from flooding with an emphasis on groundwater mitigation.

13. Prior to first occupation details of the adoption of all SuDS features and groundwater flood mitigation measures shall be submitted to and agreed by the Local Planning Authority.

Reason: To ensure that all aspects of the surface water drainage scheme and groundwater mitigation are owned ensuring maintenance throughout the developments lifetime.

14. Prior to commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

15. Development rights pertaining to plots 21, 22, 32 and 24 are be hereby removed.

Reason: To prevent the risk of groundwater flooding to the development.

16. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Confidential Badger Annex - Peacock Gap, Morpeth, December 2017, Final', E3 Ecology Ltd., Version R04, 05.12.17) including, but not restricted to a checking survey for badgers and badger activity to be carried out no more than 2 months prior to the commencement of works on site to check that no new setts have become established within 30m of the site with the results of that survey, together with any necessary modifications to avoidance, mitigation and enhancement measures as required (including a Natural England licence should that be required) to be forwarded to, and agreed in writing with, the LPA before works commence; provision of badger foraging opportunities within the landscape planting layout; provision of buffer zones to the Cotting Burn/Cotting Wood and across the site to provide commuting and foraging areas for badgers; 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; adherence to external lighting recommendations and in accordance with 'Bats & Lighting in the UK', Bat Conservation Trust/Institution of Lighting Engineers, 2008; landscape design to minimise access to Cotting Wood.

Reason: To maintain the favourable conservation status of protected species.

17. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological reports (Ecological Impact Assessment Peacock Gap, Morpeth Final, November 2015, Version R05, E3 Ecology Ltd. 14.11.16, Breeding Bird Survey Peacock Gap, Morpeth Final, November 2016, Version R02, E3 Ecology Ltd.

14.11.16, Bat Survey Peacock Gap, Morpeth Final, November 2016, Version R02, E3 Ecology Ltd. 14.11.16) including, but not restricted to, maintenance and protection of a 15m buffer zone (not including gardens or other areas of house curtilage) to the south west boundary of the Cotting Wood Local Wildlife Site with species rich grassland to be created within the buffer zone; a contribution towards the funding of management of sites of nature conservation interest in the local area to be made by the applicant, to be agreed in writing with the LPA and to be secure by s.106 agreement before first occupation of the site; retention of all mature trees on site; adherence to timing restrictions; adherence to precautionary working methods to include a Method Statement for prevention of pollution and works in or near a watercourse to be submitted to and agreed in writing with the LPA before works commence; adherence to external lighting recommendations and in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Engineers, 2008; erection/incorporation of 35No. bird nesting features (as generally specified) with types and locations to be submitted to and agreed in writing with the LPA before works commence within the site boundary (the red line of the application) and in the ownership/control of the applicant; any deep (in excess of 300mm) excavations left open overnight to be either securely covered, fenced 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; a checking survey for red squirrel dreys on or near the site to be conducted not more than 2 months before works commence with the results of that survey, together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the LPA before development works commence; updating ecological, nesting bird and bat surveys to be carried out in the event that development works do not commence before the end of November 2019 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement 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.

18. All wild birds and their nests are protected when in use and this will, therefore, need to be accounted for before any works commence (nesting period for most species would be fully encompassed by the period March August inclusive). Accordingly a planning condition should be imposed on any grant of planning permission stating that: No development or removal of vegetation shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built

or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law.

19. Hedgehogs, included in s.41 of the Natural Environment and Rural Communities (NERC) Act 2006 and in both the UK and Northumberland Biodiversity Action Plans, are recorded on and/or near the site and this species is in decline across the UK for a variety of reasons. A simple measure to allow hedgehogs to move freely between gardens is known to be of benefit to the species. 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.

20. No development shall be carried out other than in accordance with the Arboricultural Method Statement Peacock Gap, Morpeth, Elliott Consultancy Ltd., June 2017 and 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.

21. No development shall commence unless in accordance with the detailed landscape planting proposals set out on Planting Plan Robinson Landscape Design, Drawing Nos.: 5736-93-01 to 07, Dated: 18.8.17 and as specified on Planting Schedule, Robinson Landscape Design, Drawing No.: 5736-93-08, Received: 12.10.17 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.

22. No dwelling shall be occupied until the car parking area indicated on the approved plans has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

23. Development shall not commence until details of the proposed highway works to provide the site access junction, improvements to sustainable transport access and infrastructure and all associated works, as shown in principle in submitted Fairhurst drawing 102612/1030 rev B, have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the highway works have been constructed in accordance with the approved plans. Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

24. Estate Street Phasing and Completion Plan - No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases, completion sequence and construction standards that estate streets serving each phase of the development will be completed. The development

shall then be carried out in accordance with the approved Estate Street Phasing and Completion Plan.

Reason: 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.

25. 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.

Reason: 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.

26. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority . Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework.

27. No dwelling shall 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 each dwelling 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.

28. Surface water drainage (Private Land) - Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

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

29. Prior to the installation of any services (i.e. water/electric/gas/telecommunication) within the development site, details for the installation of a fire hydrant(s) to serve the development shall be submitted to the Local Planning Authority, in consultation with Northumberland Fire and Rescue Service, for approval in writing. The details shall include the location and specification of the fire hydrant facilities to be installed in accordance with

the requirements of BS 750:2012 "Specification for Underground Fire Hydrants and Surface Box Frames and Covers", National Guidance on the Provision of Water for Firefighting and/or to the satisfaction of the Northumberland Fire and Rescue Service. Thereafter, no dwelling shall be occupied until the approved scheme for fire hydrant provision has been implemented in full and the hydrant(s) is/are operational in accordance with the approved details.

Reason: To ensure the development is sufficiently served by equipment for the use of the emergency services in accordance with the National Planning Policy Framework.

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other re-enacting or revoking Order with or without modification), no fence, gate, wall, or other means of enclosure other than those expressly authorised by this permission shall be erected or constructed within the curtilage of any property without planning permission being obtained from the Local Planning Authority.

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

31. Development shall not commence until a Construction Method Statement, together with supporting plan 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 and plan 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

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

32.

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.

Date of Report: 29.01.2019

Background Papers: Planning application file(s) 16/04486/FUL

