

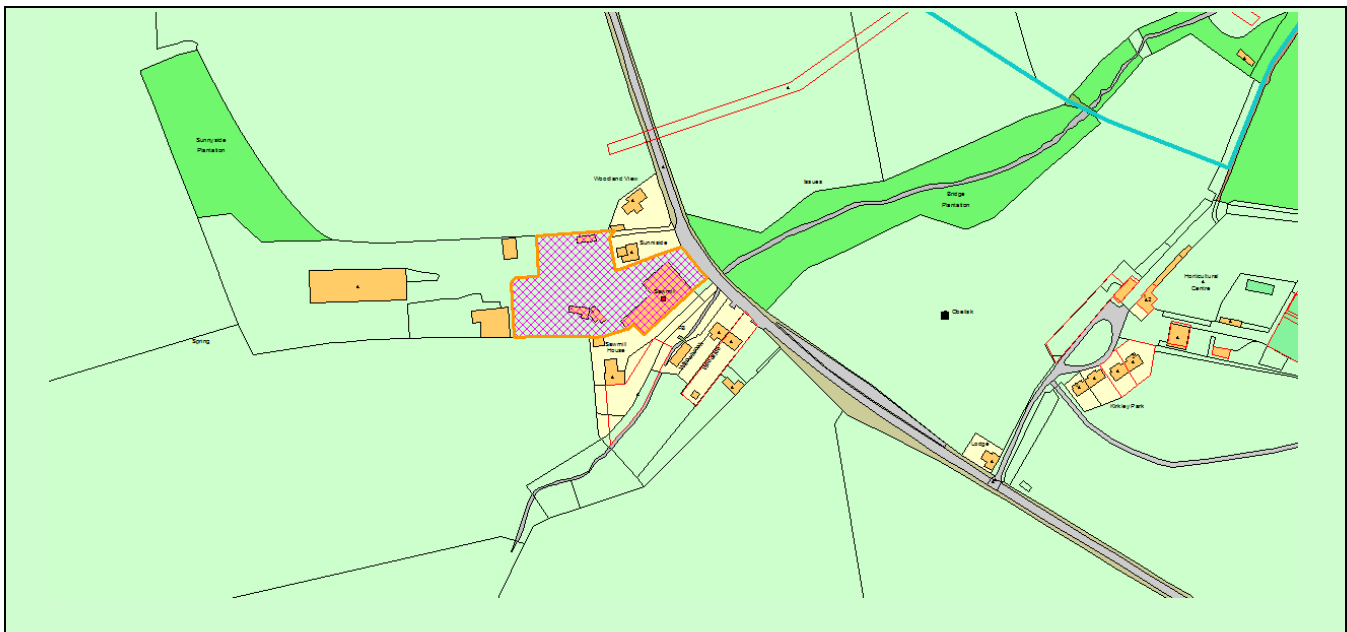


Northumberland County Council

CASTLE MORPETH LOCAL AREA COUNCIL 8 APRIL 2019

Application No:	17/03123/OUT		
Proposal:	Outline permission for the erection of up to 9 dwellings		
Site Address	Kirkley Sawmill, Kirkley, Newcastle Upon Tyne, Northumberland NE20 0BD		
Applicant:	Mr Stan Dawson C/O Agent	Agent:	Mr C Megson Gateway House, 55 Coniscliffe Road, Darlington, DL3 7EH
Ward	Ponteland North	Parish	Ponteland
Valid Date:	5 October 2017	Expiry Date:	9 April 2019
Case Officer Details:	Name: Mr Geoff Horsman Job Title: Senior Planning Officer Tel No: 01670 625553 Email: geoff.horsman@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

- 1.1 This application was previously considered by the Castle Morpeth Local Area Council on the 11 February 2019. Members resolved that a decision on the application be deferred for six weeks pending receipt of further information from

the Lead Local Flood Authority, a site visit, and re-consideration by the Local Area Council. Since the 11 February further discussions have taken place between the applicant's drainage consultant and the LLFA and amended drainage proposals have been submitted to the Council. Following assessment of these amended proposals the LLFA have advised that they now have no objections to the proposed development subject to various conditions. The application is therefore being referred back to Members for their decision.

2. Description of the Proposals

- 2.1 The application site, which covers an area of 0.4 hectares, comprises around 30% of an existing sawmill site which lies within the dispersed settlement of Kirkley and to the immediate west of the Kirkley Hall College site.
- 2.2 There are six existing detached dwellings to the immediate north and south of the site.
- 2.3 The site lies within the Green Belt and occupies a relatively isolated location which is not readily accessible to shops and local services by a choice of means of transport.
- 2.4 The sawmill site is occupied by a number of large buildings totalling 2700 square metres floor space and shipping containers, and the curtilage areas are used for the parking of large vehicles and external storage of materials. Overall the site has an unkempt appearance.
- 2.5 The applicant, who is the owner of the sawmill, is retiring and intends to close the business on-site.
- 2.6 Outline planning permission with all matters reserved for later approval is sought for the principle of up to 9 dwellings on that part of the sawmill site which is within the application site. The application as originally submitted was for 10 dwellings but the number has been reduced to 9 in order to allow space for above ground sustainable drainage as required by the Council's LLFA team rather than below ground storage which had previously been proposed.
- 2.7 The applicant advises in their Planning, Design & Access Statement that they intend to remove all buildings and hardstanding from and soft landscape the remaining 70% of the existing wider sawmill site.
- 2.8 A small part of the application site lies within flood plain. However, it is considered that all of the proposed dwellings could be constructed outside of the flood plain within Flood Zone 1. A Flood Risk Assessment has been submitted with the application.

3. Planning History

No planning history

4. Consultee Responses

Ponteland Town Council	Object to the application. They understand that sensitive re-development and economic invigoration of a disused and/or obsolete brownfield site within the Green Belt is appropriate and should be considered. However, in accordance with the NPPF, developments should be focused in areas with accessible local shops, jobs, education and public transport. i.e. sustainably located. Kirkley is a small settlement located within an open countryside location without any services; only a limited bus service and poor paths for cyclists and pedestrians. Such development in this location would have a detrimental impact on the agricultural/rural and undeveloped character present in this part of the settlement, contrary to Policy H15 of the Castle Morpeth District Local Plan. In addition to this, the (Town Council) Committee note that the proposal is located in flood risk zone 3; Careful assessment and consideration must be taken to ensure that new development does not adversely impact the flood levels for neighbouring properties. Please also note that the proposal is described as 10 detached dwellings, however the plan suggests 1 detached, 1 terrace (3) and 3(6) semi-detached properties.
Environment Agency	No objection.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
County Archaeologist	No objection.
Education - Schools	£26,400 contribution sought to provide 2 additional places at Ponteland Primary School. No secondary education contribution required.
Newcastle International Airport	No objection unless a crane exceeding 40 metres in height is proposed to be used during construction in which case various specified safeguarding measures would need to be secured by means of a condition.
Highways	No objection subject to conditions.
County Ecologist	No objection subject to conditions regarding bats and nesting birds which currently make use of the site.
Public Protection	No objection subject to conditions regarding contaminated land.
Northumbrian Water Ltd	No objection subject to a condition regarding surface water drainage

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	2
Number of Support	0
Number of General Comments	0

Notices

General site notice, 10th October 2017

Morpeth Herald 12th October 2017

Summary of Responses:

Concerns raised by neighbouring residents regarding greater flood risk from surface water discharges increasing to Cadger Burn which lies adjacent to the site. Confirmation also required that no further development would be permitted on that part of the wider sawmill site which the applicant proposes to soft landscape. Appropriate mitigation for wildlife including bats should be provided for, together with sympathetic street lighting which does not spoil current dark skies and traffic calming at the site access due to the access being on a blind corner.

The above is a summary of the comments. The full written text is available on the Council's website.

6. Planning Policy

6.1 Development Plan Policy

Ponteland Neighbourhood Plan (PNP)

PNP1 – Sustainable Development Principles
PNP2 – High quality and inclusive design
PNP3 – Infrastructure
PNP10 – Green Infrastructure
PNP11 – Landscape
PNP 13 – Biodiversity
PNP21 – Housing Mix
PNP23 – Open and Recreation Space Provision
PNP27 – Flood Risk
PNP28 – Sustainable Drainage Systems
PNP29 – Transport and New Developments
PNP32 – Public Transport

Castle Morpeth District Local Plan (CMLP)

C1 – Settlement boundaries
C3 – Areas of high landscape value
C11 - Protected species
C15 - Trees in the countryside and urban areas

C17 – Green Belt
H15 - New housing developments
H16 – Housing in the countryside
RE5 - Surface water run-off and flood defences
RE6 - Service infrastructure
RE8 - Contaminated land
PC1 – Settlement boundary
PC2 – Areas of high landscape value
PC3 - Protection of landscape corridors into Ponteland

6.2 National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

6.3 Other Planning Policy Documents

Northumberland Local Plan (NLP) – (Regulation 18)

7. Appraisal

7.1 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, it is considered that the main planning issues raised relate to:

- Principle of development including new housing in open countryside, Green Belt matters and loss of employment land;
- Impact on the character and appearance of the area;
- Housing mix;
- Residential amenity impact;
- Highway safety/transportation matters;
- Flooding and drainage;
- Ground contamination;
- Ecology matters;
- Aircraft safety;
- Archaeology;
- Infrastructure provision.

Principle of development

7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Ponteland Neighbourhood Plan and the saved Policies of the Castle Morpeth District Local Plan comprise the development plan whilst the NPPF is a material consideration

7.3 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where

there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.

7.5 The latest version of the NLP was published in December 2018. Relevant policies in this document are a material consideration in determining this application but it is not considered that such policies can be afforded significant weight at this time due to the early stage that this plan is at in its journey towards adoption.

7.6 CMLP Policies C1, PC1 and H16 state that development in the open countryside beyond settlement boundaries will not be permitted unless certain exceptional circumstances criteria are satisfied. The proposal does not satisfy any of these criteria and is therefore considered to be contrary to these Policies, although the proposals would not result in encroachment into open countryside as the application site is currently a developed site in commercial use.

7.7 One of the purposes of settlement boundary Policies is to direct new housing to locations within existing settlements that generally have better access to public transport and local services than sites in open countryside. The application site is deficient in this regard. Whilst local services within Ponteland to the south are considered to be accessible by car and cycle, the site is not readily access to such local services on foot or via public transport and in this regard is not in accord with PNP Policy PNP29.

7.8 NLP Policy HOU8 regarding residential development in the open countryside does not support the principle of new dwellings in such locations unless these are through the conversion of existing buildings, replacement dwellings or agricultural workers dwellings. This is in line with the spatial strategy of Policy STP1 which seeks to direct most new development to existing towns within the County.

7.9 NPPF paragraph 79 also seeks to resist the development of isolated homes in the countryside unless certain criteria are satisfied. None of the criteria referred to in NPPF paragraph 79 are satisfied.

7.10 In terms of Green Belt Policy, the proposals do not accord with Policy C17 of the Castle Morpeth District Local Plan in terms of those types of development that are considered appropriate in the Green Belt. However, this Policy is not consistent with the NPPF and therefore cannot be afforded significant weight. NPPF paragraph 145 states that appropriate development in the Green Belt includes the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater

impact on the openness of the Green Belt than the existing development. Such national policy is reflected in NLP Policy STP8.

7.11 In this regard the application site is currently occupied by part of a commercial sawmill business and there are substantial workshop and storage buildings on the site and on adjacent land to the west which are part of the same business. These buildings have a total floor space of 2700 square metres and range in height from 5.5 metres to 8.7 metres with the 3 largest buildings all being in excess of 7 metres in height (8.7, 8.3 and 7.1 metres). They are also scattered across the site rather than being concentrated in one area of the site. There are also smaller scale containers and external storage areas on site. The applicant proposes to demolish and remove all of these buildings, including those outside of the application site to the west on the remainder of the sawmill site were this application for housing to be supported and progressed.

7.12 Bearing in mind the above, it is considered that up to 9 two storey dwellings on the application site covering a floor space that does not exceed that of the existing buildings and with ridge heights of no greater than the average height of the existing buildings (i.e. 7.4 metres) would not have a greater impact on the openness of the Green Belt than the above-mentioned existing development and indeed would significantly improve the visual appearance of the site. Whilst this would result in a greater concentration of built development on the eastern part of the sawmill site than is the case at present this would be counter-balanced by the removal of built development on the remainder of the sawmill site to the west. Furthermore the eastern part of the site is sandwiched between existing dwellings to the north and south and is therefore the least sensitive area of the site in terms of impact on Green Belt openness.

7.13 The application is currently in outline with all matters reserved for later approval. However, the floor space and height of the proposed dwellings could be controlled by means of a condition.

7.14 Overall, the proposals are therefore considered to constitute appropriate development in the Green Belt.

7.15 A further consideration in terms of the principle of development is that the application site is currently occupied by a general industrial use which is not subject to any planning restrictions in terms of activities or hours of operation. There are existing dwellings to the north and south of the site and therefore removal of a potentially 'bad neighbour' use adjacent to existing dwellings is considered beneficial in terms of residential amenity. This coupled with the intention of the applicant to cease trading due to retirement mean that the loss of employment use on this site to residential is not in and of itself considered to be problematical.

7.16 Overall in terms of the principle of development there is non-compliance with Development Plan Policies that seek to restrict development outside of settlement boundaries in locations that are not accessible to local services by a choice of means of transport and sections of the NPPF that seek to avoid isolated housing in the countryside. However, the proposals are considered to be appropriate development in the Green Belt and beneficial in visual terms, do not result in encroachment into open countryside and would remove a potentially 'bad neighbour' general industrial use adjacent to existing dwellings. Bearing in mind the relatively small scale of

development proposed, it is considered in the round that the benefits of the proposal outweigh its harm in terms of matters of principle.

Impact on the character and appearance of the area

7.17 Ponteland Neighbourhood Plan Policy PNP2 states that development will be supported where it demonstrates high quality and inclusive design and that all new development should make a positive contribution to its surroundings. This reflects Policy H15 of the Castle Morpeth District Local Plan and NLP Policies QOP1 and QOP2.

7.18 Policies PNP10 and 11 relate to landscape and green infrastructure matters and seek to safeguard/enhance wider landscape character as do NLP Policies QOP4 and ENV3.

7.19 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. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.20 The application is an outline application will all matters reserved for late approval other than the principle of up to 9 dwellings on the application site. Notwithstanding this, given the unattractive visual appearance of the existing site and buildings it is considered that the proposals overall have the potential to make a positive contribution to the character of the surrounding wider locality. As stated above, the proposals do not result in any encroachment into open countryside and indeed would result in built development being concentrated in the eastern part of the site with the adjacent land to the west, outside of the application site but part of the sawmill and in the ownership of the applicant, being soft landscaped.

7.21 Overall the proposals are considered acceptable in terms of their impact on the character and appearance of the area subject to conditions restricting the height and floor space of the proposed dwellings, soft landscaping of the adjacent land to the west and the provision of new landscaping within the application site.

Housing Mix and Affordable Housing

7.22 Ponteland Neighbourhood Plan Policy PNP21 states that new housing development should include a mix of dwelling types, sizes and tenures to meet the needs of different sectors of the current and future community, although the Policy acknowledges that the mix on an individual site should have regard to the character and density of the surrounding development and housing need evidence.

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

7.24 NLP Policy HOU5 promotes housing developments which provide for a mix of dwelling types, whilst Policy HOU6 seeks to secure affordable housing. However, the number of units proposed is now below the 10 unit threshold for affordable housing in this part of the County as specified in Policy HOU6 and the NPPF. As such affordable housing cannot be requested in respect of this application.

7.25 No details regarding housing mix are provided given that the application is in outline with all matters, other than the principle of up to 9 dwellings on the site, reserved for later approval. However, it is considered that an acceptable housing mix is achievable, albeit that the details would be agreed at Reserved Matters stage were this outline application to be supported.

7.26 Overall therefore in terms of housing mix the proposal is considered to be in accordance with the neighbourhood plan and the NPPF.

Residential Amenity Impact

7.27 Neighbourhood Plan Policy PNP2, Castle Morpeth District Local Plan Policy H15 and NLP Policy QOP2 make reference to the need for new development to safeguard the amenities of those occupiers of nearby property.

7.28 At present there are 6 residential dwellings within the immediate vicinity to the north and south of the application site. However, only 2 of these lie immediately adjacent to the site and both of these neighbouring dwellings are bungalows. The immediate neighbouring bungalow to the north lies adjacent to the existing vehicle access into the sawmill site whilst the neighbouring bungalow to the south has a greater degree of separation from the site with its detached double garage lying between this dwelling and the existing sawmill buildings.

7.29 The precise layout and design of the proposed dwellings is not as yet established due to the application being in outline. However, an illustrative layout provided with the application shows that there is sufficient space within the application site to accommodate up to 9 dwellings whilst also providing for a satisfactory degree of separation between these dwellings themselves and the existing neighbouring properties to the north and south.

7.30 As stated earlier, the proposals would result in the complete removal of the sawmill use and its buildings from the application site and the adjacent land to the west and it is therefore considered that the proposals would be beneficial to neighbour amenity in this regard due to the removal of a potentially 'bad neighbour' general industrial use.

7.31 Overall it is considered that a suitable form of development is achievable on the site that would not have unacceptable effects upon the privacy or amenity of residents and that the removal of the sawmill use is beneficial in residential amenity terms.

Highway Safety/transportation matters

7.32 Neighbourhood Plan Policy PNP29 states that development proposals will be supported where it can be demonstrated that there would be no severe impact on the highway network, adequate public transport access can be provided and there are

safe and effective connections to services and facilities. Policy PNP32 further states that development proposals to improve the attractiveness of public transport services as a sustainable mode of travel will be supported.

7.33 NPPF paragraph 111 states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Paragraph 110 further stresses the need to promote access to developments by a choice of means of transport, access for those with disabilities, safe secure and attractive places, allowance for the efficient delivery of goods and access for emergency vehicles and provision for low emission vehicles. However, paragraph 103 does acknowledge that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision making.

7.34 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. NLP Policies TRA1 and TRA2 reflect the above.

7.35 The Council's Highway Authority have assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. A review of the information provided has been undertaken and it is considered that the proposals are acceptable in terms of their impact on the local highway network.

7.36 In terms of car parking it is considered that sufficient space exists within the application site to provide adequate car parking in accordance with NLP Policy TRA4.

7.37 As stated above, the site is not readily accessible to local services on foot or by public transport given its location in open countryside to the north of Ponteland and the nearest bus stops being around 840 metres away to the south east adjacent to the southern entrance into Kirkley Hall with no lit footway connection between the site and these bus stops. However, as previously discussed this needs to be balanced against other considerations and it is the view of officers that such other beneficial considerations related to visual and residential amenity improvement outweigh the harm arising from poor pedestrian and public transport accessibility bearing in mind the relatively small scale of development proposed.

7.38 Therefore overall the proposals are considered acceptable on highways grounds subject to conditions regarding various detailed matters.

Drainage and Flooding

7.39 Neighbourhood Plan Policies 27 and 28, Castle Morpeth District Local Plan Policy RE5 and NLP Policies WAT3 and WAT4 seek to ensure that flood risk and surface water drainage matters are satisfactorily addressed.

7.40 The NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere.

7.41 The vast majority of the site lies within Flood Zone 1 and is therefore considered to be at low risk of flooding. However, a small section of the site's south east corner lies within the floodplain of Cadgers Burn, a tributary of the River Blyth.

7.42 After reviewing the submitted information the LLFA and Environment Agency have advised that they have no objections subject to conditions. The proposals are therefore considered to be acceptable in this regard subject to the requested conditions.

Ground contamination

7.43 Policies RE8 and RE9 of the Castle Morpeth District Local Plan and NLP Policy POL1 seek to ensure that contaminated land and ground stability matters are satisfactorily addressed.

7.44 The applicant has undertaken extensive investigation in respect of ground contamination including intrusive site investigation works. Such investigation has revealed some contamination on site and at the request of the Council's Public Protection team the applicant has produced a remediation strategy to tackle such contamination. The Council's Public Protection team have examined this and raise no objections on contamination grounds subject to a condition to ensure that the remediation strategy is implemented and a validation report provided and a further condition to address any further contamination that may be found on site during construction works.

Ecology matters

7.45 Neighbourhood Plan Policy PNP13 and NLP Policy ENV2 seek to promote biodiversity in developments whilst Castle Morpeth District Local Plan Policies C11 and C15 and NLP Policy QOP4 seek to safeguard protected species and important trees.

7.46 Bat Surveys have been submitted with the application. These show some bat activity within the buildings on site including the use of certain buildings for roosting purposes and therefore a licence would need to be obtained from Natural England prior to redevelopment of the site.

7.47 The Council's ecologist raises no objection on ecology grounds subject to conditions regarding bats and nesting bird mitigation.

7.48 Overall the proposals are considered acceptable in ecology terms subject to these conditions being attached.

Aircraft safety

7.49 Newcastle Airport have advised that they have no objections subject to no crane's exceeding 40 metres in height being used during construction. It is unlikely that a crane of such height would be required and the proposals are therefore considered acceptable in this regard subject to condition.

Archaeology

7.50 The Council's Archaeologist has assessed the proposals and raises no objections.

Infrastructure Provision

7.50 The Council's Education team have advised that a small education contribution would be required to fund 2 additional places at Ponteland Primary School. No secondary education contribution is required. The applicant has agreed to this contribution and it would be secured through a Section 106 Agreement. The proposals are therefore considered compliant with Neighbourhood Plan Policy PNP3 and NLP Policies INF1 and INF6.

Equality Duty

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

These proposals are considered acceptable in relation to crime and disorder prevention matters.

Human Rights Act Implications

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 wellbeing 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.

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.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal.

Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 In terms of the overall planning balance the proposals are considered to constitute sustainable development. Whilst the application site lies outside of the settlement boundary of Ponteland in open countryside and is not readily accessible to local services for pedestrians and public transport users, the proposals are relatively small scale and would not result in encroachment into open countryside. In this regard the site is visually unattractive previously developed land which is occupied by a potentially 'bad neighbour' general industrial use in close proximity to 6 existing dwellings and the proposals present an opportunity to improve the visual appearance of the site and secure the removal of a potential 'bad neighbour' use. This would include the removal of buildings and hardstanding on adjacent land to the immediate west and the return of this land to soft landscaping.

8.2 The proposals are acceptable in all other respects subject to various conditions and the applicant entering into a Section 106 Agreement to secure an education contribution.

9. Recommendation

That this application be GRANTED permission subject to the following conditions and the applicant entering into a Section 106 Agreement to secure an education contribution as specified by the Council's education team:

Conditions/Reason

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

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development hereby approved shall be limited to no more than 9

dwellings, the total cumulative floor space of those dwellings shall not exceed 2700 square metres and the height of any such dwelling shall not exceed 7.4 metres above existing ground levels.

Reason: In the interests of the satisfactory appearance of the development upon Completion and to safeguard the openness of the Green Belt in accordance with the National Planning Policy Framework.

5. No dwelling hereby permitted shall be occupied unless and until the area shown edged in blue on the location plan comprising part of approved drawing no.15-1242-01 Rev A2 has been cleared of all existing buildings and hardstanding and soft landscaped in full accordance with details submitted to and approved in writing by the local planning authority.

Reason: In the interests of the satisfactory appearance of the development upon Completion and to safeguard the openness of the Green Belt in accordance with the National Planning Policy Framework.

6. No dwelling hereby approved shall be occupied unless and until a detailed Open Space Management and Maintenance Scheme for the maintenance and management of all areas of open space (excluding private gardens) within the application site and the land referred to in condition 5 has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full upon the substantial completion of the landscaping works approved under Conditions 1 and 5 (or as may otherwise be approved in writing by the Local Planning Authority). Details to be submitted shall include;

- i) Details of landscape management and maintenance plans
- ii) Details of planting, grass cutting, weeding and pruning
- iii) Inspection, repair and maintenance of all hard landscaping and structures
- iv) Management, monitoring and operational restrictions
- v) Maintenance and planting replacement programme for the establishment period of landscaping
- vi) Establish a procedure that would be implemented in the event of any tree (or item of soft landscaping) being removed, uprooted/ destroyed or dying which shall ensure that any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing. The open space areas provided shall be retained for their intended purpose at all times thereafter unless otherwise is approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, the satisfactory appearance of the development, to maintain and protect the landscape value of the area and to enhance the biodiversity value of the site in accordance with Policies PNP2 and PNP13 of the Ponteland Neighbourhood Plan and Policies C11 and C15 of the Castle Morpeth Local Plan.

7. Any landscaping approved under condition 1 above shall be completed in all respects within 6 months of the substantial completion of plot development.

Reason: In the interest of amenity, ensuring a satisfactory form of development

having regard to Policies PNP2 and PNP13 of the Ponteland Neighbourhood Plan and Policies C11 and C15 of the Castle Morpeth Local Plan.

8. The Reserved Matters to be submitted under Condition 1 shall include details of the proposed boundary treatments for each dwelling to which those Reserved Matters relate and no dwelling shall be occupied unless and until the boundary treatments for that dwelling as approved by the local planning authority have been provided in full. All garden boundary fences or walls shall include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: In the interests of visual amenity, highway safety and biodiversity, in accordance with Policies PNP2 and PNP13 of the Ponteland Neighbourhood Plan and Policies C11 and C15 of the Castle Morpeth Local Plan and the National Planning Policy Framework.

9. The development hereby permitted shall not be brought into use or continue in use until two full copies of a full closure (Verification Report) report have been submitted to and approved in writing by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

10. If during redevelopment 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 in accordance with Policy RE8 of the Castle Morpeth District Local Plan and the NPPF.

11. Demolition or works to any of the buildings shall not in any circumstances commence unless the local authority has been provided with a copy of a licence issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead. This will include submission to the local planning authority, for agreement in writing, the Method Statement and details of any seasonal restrictions for the works (no works to take place during May-August).

Reason: To maintain the favourable conservation status of a European Protected

Species and thereby meet the third test under Regulation 55 of the Conservation of Habitats and Species Regulations 2017.

12. If development does not commence before May 2018 an updating checking survey will be required to inform the licence application to Natural England and inform detailed mitigation.

Reason: To maintain the favourable conservation status of a European Protected Species and thereby meet the third test under Regulation 55 of the Conservation of Habitats and Species Regulations 2017.

13. No development shall commence until the applicant has submitted amended plans for approval in writing by the local planning authority showing full details of the ecological mitigation recommendations of the reports Extended Phase 1 Habitat Survey and Bat Roost Potential Survey Kirkley Sawmill, Kirkley October 2015 , Bat Roost Potential and Nocturnal Bat Survey Kirkley Sawmill, Kirkley October 2015 and Nocturnal Bat Survey, Kirkley Sawmill, Kirkley September 2016 by Delta-Simons Environmental Consultants Ltd. and appropriate mitigation for the receptors on and off site, including;

- i) in-built bat and bird roost/nests in the new buildings.
- ii) seasonal restrictions to works encompassing bird nesting and bat maternity seasons.
- iii) lighting which complies with Institute of Lighting Engineers/Bat Conservation Trust guidance.
- iv) wildlife friendly planting.
- v) protection measures for buffer habitats on the site including tree protection plans.
- vi) pollution prevention measures during construction and occupation.

Thereafter such mitigation shall be implemented in full.

Reason: to maintain and enhance the biodiversity value of the site in accordance with the NPPF.

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

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

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

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

16. 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.

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

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

18. 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.

19. Development shall not commence until a Demolition/Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition/Construction Method Statement shall be adhered to throughout the demolition/construction period. The Demolition /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;

vii) measures to be put in place to safeguard during construction works the existing trees and hedgerows on and adjacent to the boundaries of the site;

viii) details in respect of any temporary lighting, which shall be designed so that lighting levels are minimised in accordance with the document 'Bats and Lighting in the UK', Institute of Lighting Engineers and BCT, 2009; and

ix) arrangements to ensure that all trenches and excavations deeper than 0.3 metres left open overnight have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals;

x) aircraft safeguarding measures to be put in place if a crane(s) exceeding 40 metres in height is/are to be used during demolition or construction works.

The approved statement shall be implemented and complied with for the full duration of the construction works associated with that phase.

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

20. No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework.

21. The Reserved Matters to be submitted under Condition 1 above in respect of the development hereby permitted, shall include full details of the proposed levels including finished floor levels of any buildings and associated structures, compared to existing levels on the site. Thereafter the development shall be constructed in full accordance with the approved levels unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual amenity of the area, in accordance with Policies PNP2 of the Ponteland Neighbourhood Plan and H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

22. The reserved matters to be submitted under Condition 1 above in respect of any dwelling hereby permitted shall include a schedule of all proposed external facing materials to be used in respect of that dwelling. The development shall thereafter be carried out in full accordance with the approved details.

Reason: In the interests of visual amenity of the area, in accordance with Policies PNP2 of the Ponteland Neighbourhood Plan and H15 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

23. Prior to the commencement of development a scheme for the management and disposal of foul sewerage from development in that phase shall be submitted to and approved in writing by the local authority. Thereafter that approved foul sewerage infrastructure shall be provided in full prior to the first occupation of any dwelling and shall remain in place at all times thereafter and shall be managed and maintained in full accordance with the approved details.

Reason: To prevent the increased risk of flooding pollution from any sources in accordance with Policies PNP27 of the Ponteland Neighbourhood Plan and RE5 of the Castle Morpeth District Local Plan and the National Planning Policy Framework

24. The Reserved Matters to be submitted under Condition 1 shall include details to ensure that the dwellings to which those Reserved Matters relate are sustainable with regard to energy efficiency and/or renewable energy generation. Thereafter, the construction of those dwellings shall incorporate in full the approved energy efficiency / renewable energy generation measures.

Reason: To ensure that the development contributes to a reduction in carbon emissions in accordance with the National Planning Policy Framework.

25. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no extensions, porches, dormer windows or free standing buildings or structures in respect of the dwellings hereby permitted shall be constructed within the curtilage of those dwellings without the prior grant of planning permission from the Local Planning Authority.

Reason: In order to safeguard the openness of the Green Belt in accordance with the NPPF.

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

i. Restrict discharge from the development to 2.9l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the LLFA and the local planning authority.

ii. Adhere to the principles as set out in the drainage strategy plan Drainage Strategy Drawing 18298 C-50 Rev A produced by Topping Engineers.

iii. Provide attenuation on site for the 1 in 100 year plus climate change event.

iv. Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment.

v. Provide details of the adoption and maintenance of all surface water features on site.

Thereafter, the development shall be constructed and maintained in full accordance with the approved details.

REASON

To ensure the effective disposal of surface water from the development in accordance with Policies PNP27 and PNP28 of the Ponteland Neighbourhood Plan and Policy RE5 of the Castle Morpeth District Local Plan.

27. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

i. As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);

ii. Construction details (component drawings, materials, vegetation);

iii. Health and Safety file;

iv. Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage system are designed to the DEFRA non technical standards.

Date: 18/03/19

Background Papers: Planning application file(s) 17/03123/OUT