

19/00226/Ful Land West of 65 Station Road, Station Road, Stannington

Update

To replace para 7.44 with the below:

The applicant has agreed in writing to contribute towards the coastal mitigation scheme as the site is within 7km of the coast, which would be sought under a unilateral undertaking. However, a legal agreement securing the contribution has not as yet been entered into and therefore the Council is unable to conclude at this time that there will be no adverse effect on site integrity in respect of this issue when undertaking the Habitats Regulations Assessment for this development. Given the above, the County Ecologist objects to the scheme as it is not in accordance with the NPPF or Local Plan Policy C11. Whilst limited weight can be given to the Northumberland Local Plan (NLP) the proposal would also be contrary to Policy ENV2 which seeks to protect and enhance biodiversity and geodiversity. In terms of the NPPF, in the absence of secured mitigation, paragraph 177 is of relevance which states that the presumption in favour of sustainable development does not apply in such circumstances. It is important to note that Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 states that planning permission can only be granted when it has been concluded that a proposal will not have an adverse effect on the integrity of any European sites, and therefore it would be unlawful to grant planning permission in this instance.

Add the below as a Reason for refusal

6) In the absence of a completed planning obligation securing a financial contribution to the Council's Coastal Mitigation Service or any other satisfactory alternative mitigation the proposed development will have an adverse effect on the integrity of the Northumbria Coast SPA and therefore approval of this application would be contrary to Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017. Similarly it will have an adverse effect on the interest features of the Northumberland Shore SSSI and therefore approval of the application would be inconsistent with the LPA's duties under S.28G of the Wildlife and Countryside Act 1981 as amended. Overall the proposals would therefore be contrary to saved Policy C11 of the Castle Morpeth District Local Plan and the National Planning Policy Framework (NPPF).