

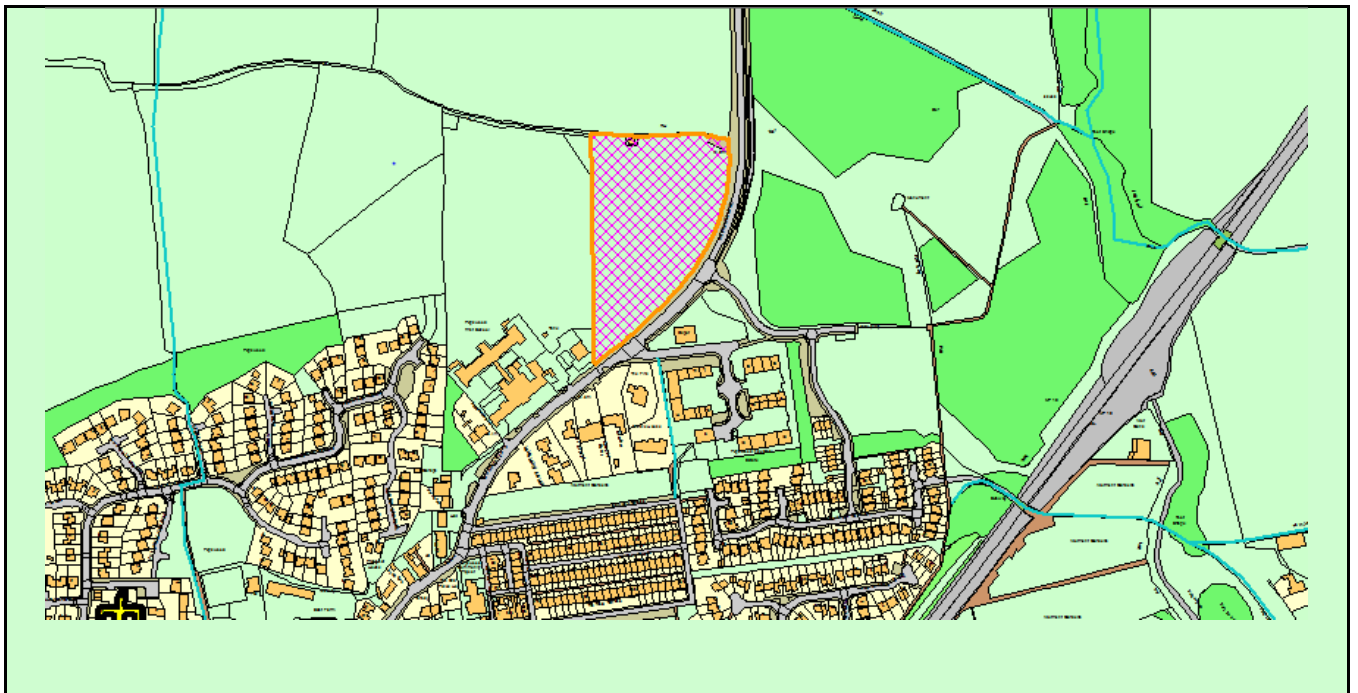


# Northumberland County Council

## Castle Morpeth Local Area Council 14<sup>th</sup> October 2019

|                              |                                                                                                                        |                                   |                 |
|------------------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------|
| <b>Application No:</b>       | 19/02747/FUL                                                                                                           |                                   |                 |
| <b>Proposal:</b>             | Detailed planning application for the erection of 61no. 2, 3 and 4 bedroom two-storey dwellings with associated works. |                                   |                 |
| <b>Site Address</b>          | Land North East Of Pegswood First School, Butchers Lane, Pegswood, Northumberland                                      |                                   |                 |
| <b>Applicant:</b>            | Mr Chris Dodds<br>Cameron House, Pinetree<br>Way, Gateshead, NE11<br>9XW                                               | <b>Agent:</b>                     | None            |
| <b>Ward</b>                  | Pegswood                                                                                                               | <b>Parish</b>                     | Pegswood        |
| <b>Valid Date:</b>           | 6 August 2019                                                                                                          | <b>Expiry Date:</b>               | 5 November 2019 |
| <b>Case Officer Details:</b> | <b>Name:</b>                                                                                                           | Mrs Tamsin Wood                   |                 |
|                              | <b>Job Title:</b>                                                                                                      | Senior Planning Officer           |                 |
|                              | <b>Tel No:</b>                                                                                                         | 01670 625545                      |                 |
|                              | <b>Email:</b>                                                                                                          | tamsin.wood@northumberland.gov.uk |                 |

**Recommendation:** That this application be GRANTED permission



## 1. **Introduction**

- 1.1 This application is being referred to the Castle Morpeth Planning Committee given the proposal in part as a consequence of the comments of Parish Council and in part due to the decision to refuse the previous planning application for the same proposal on the same site. The report will explain this in more detail.

## 2. **Description of the Proposals**

- 2.1 The application site is situated on land at Butcher's Lane, Pegswood, and extends to 1.83 hectares (4.52 acres). The site lies within the settlement boundary as identified in the Morpeth Neighbourhood Plan. It is not shown to be in the settlement boundary of Pegswood in the Castle Morpeth Local Plan. Pegswood is predominantly residential with existing dwellings situated close to a number of amenities, including schools and shops.
- 2.2 The site is green field and comprises unused overgrown farmland. The land is roughly triangular in shape and is bounded by further farmland to the north, a playing field sits to the west and Butcher's Lane is to the east/south-east. Pegswood Primary School is adjacent to the south-western corner.
- 2.3 The Planning Statement submitted in support of the proposal by Gleeson states that the 61no. units will comprise a mix of house-types including 19no. 2 bedroom starter homes; 21no. 3 bedroom semi-detached; 17no. 3 bedroom detached and 4no. 4 bedroom detached. The various house-types are proposed to be pepper-potted across the development.
- 2.4 The layout proposed seeks to safeguard living conditions in the development and all of the properties within the development benefiting from private rear gardens to provide personal outdoor living space. The layout seeks to maximise the use of the site and provide a feature without causing a loss of amenity to existing properties.
- 2.5 The principal access for vehicular traffic and pedestrians would be off Butcher's Lane and existing footpaths surrounding the site would be reconstructed to adequate highway standards.
- 2.6 In terms of materials, these are proposed to blend and reflect the local vernacular comprising a range of different finishes from full render to textured red brick with flat tiled concrete roof tiles. A two-tone approach would be adopted using plain profile concrete roof tiles and two brick colours of a different texture selected to blend with local surrounding buildings.
- 2.7 In more general terms, the applicant (Gleeson) cites the location for this development as accessible in terms of its proximity to the railway station, GP surgery, pharmacy, primary school and local Co-op convenience store, all of which are located within half a mile of the site.

## **Background**

2.8 This application is a resubmission of an application which was previously refused at committee on the 8<sup>th</sup> April 2019. It was refused for the following reasons:

1. *The proposed development does not provide for an appropriate mix of affordable homes, including units that will remain affordable for further eligible households, and is therefore contrary to Policy H9 (parts i and ii) of the Castle Morpeth Local Plan, Policy Hou4, and Policy Hou3 (part A) of the Morpeth Neighbourhood Plan.*
2. *The proposed development has failed to demonstrate adequate footways, reversing distances, additional requirement of car parking, visitor car parking spaces, drive widths, refuse storage details and highway improvement details. Further, a Stage 1 Road Safety Audit remains outstanding. As such, the development currently fails to comply with Policy Tra3 of the Morpeth Neighbourhood Plan, Policy T5 of the Castle Morpeth District Local Plan and paragraph 109 of the NPPF.*
3. *The application has not been supported by the requested Ecological Assessment to enable the County Council to carry out an appraisal of the likely on site impacts of the development on protected species and habitats. Further, the application has not been supported by a mitigation proposal via green-space provision. The proposal therefore fails to comply with Policy Env1 of the Morpeth Neighbourhood Plan and Policy C11 of the Castle Morpeth District Local Plan,*
4. *The proposed development will have an adverse effect on the integrity of the Northumbria Coast SPA and so 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.*
5. *The application is to be supported by a S106 legal agreement to secure on-site affordable housing, and financial contributions towards education provision within the Pegswood vicinity, health care provision and coastal mitigation. The S106 legal agreement has not been secured and therefore fails to comply with the Town and Country Planning Act 1990, the Community Infrastructure Levy Regulations, Policy 12 of the Castle Morpeth District Local Plan and the provisions of the NPPF.*

2.9 This current application is for the same amount of dwellings with only a very slight change to the layout and number of house types.

### 3. Planning History

**Reference Number:** 17/04414/FUL

**Description:** Detailed Planning Application for the erection of 61 no. 2, 3 and 4 bedroom two-storey dwellings with associated works

**Status:** Refused

**Appeals****Reference Number:** 19/00077/REFUSE**Description:** Detailed Planning Application for the erection of 61no. 2, 3 and 4 bedroom two-storey dwellings with associated works**Status:** In progress**4. Consultee Responses**

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pegswood Parish Council | <p>The Parish Council recognises that this area of land is identified for housing under the Morpeth Neighbourhood Plan but with a recommended limit of 50 houses, as per Housing Site Allocation Outline Methodology and Potential Sites (MNP 7.3.10). The Parish Council considers that the adherence to the Morpeth Neighbourhood Plan is critical and therefore views the proposal for 61 houses as a possible overdevelopment. Although the design of the development and the types of houses proposed, especially the number of two-bedroom properties, are supported.</p> <p>However, The Parish Council would like to see a slight reduction in the number of units to reflect the Neighbourhood Plan and supporting documents. The Parish Council also considers that the affordable homes policy attached to any permission should ensure that the affordable nature of those properties is maintained in perpetuity.</p> <p>The Parish Council is disappointed to see that the proposed S106 Agreement with this application fails, again, to provide direct support for the village and its residents. It is noted that the applicant refers to resources in the village available to potential new residents. Two of these resources, the Community Hub and the Welfare Hall are both in danger of closing because of lack of funding. The Parish Council considers that it would be more beneficial to Pegswood that the S106 should include an element to assist these charities, rather than the Northumbria Coast SPA, for example.</p> <p>The Parish Council considers that a S106 Agreement should provide for a more direct support to this village, the most appropriate way of which would be to work more directly with the Parish Council as the key representative body of the residents of Pegswood.</p> <p>The Parish Council note the Construction Management Plan with this application. It is extremely concerned, however, that the direct route for deliveries etc. is past the Primary School. The County Council has recently begun a scheme of works in relation to traffic management and road safety in the village, specifically around the Primary School.</p> |
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|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        | <p>Appropriate safeguards to pupils, parents and teachers must be considered paramount given the proximity to the school of this proposed site.</p> <p>The Parish Council consider that a condition must be attached to any permission to either; redirect delivery traffic via an alternative route; or ensure any deliveries are after or before the school attendance period in the mornings and afternoons.</p> |
| Natural England                        | No objection subject to appropriate mitigation.                                                                                                                                                                                                                                                                                                                                                                     |
| Public Protection                      | No objection subject to conditions.                                                                                                                                                                                                                                                                                                                                                                                 |
| County Ecologist                       | Require the submission of further information.                                                                                                                                                                                                                                                                                                                                                                      |
| County Archaeologist                   | No archaeological work is required.                                                                                                                                                                                                                                                                                                                                                                                 |
| Highways                               | No objection subject to conditions.                                                                                                                                                                                                                                                                                                                                                                                 |
| North Trees And Woodland Officer       | No response received.                                                                                                                                                                                                                                                                                                                                                                                               |
| Waste Management - South East          | No response received.                                                                                                                                                                                                                                                                                                                                                                                               |
| Education - Schools                    | A contribution of £99,000 would be required to mitigate the impact on the SEND educational infrastructure.                                                                                                                                                                                                                                                                                                          |
| Lead Local Flood Authority (LLFA)      | No objection subject to conditions.                                                                                                                                                                                                                                                                                                                                                                                 |
| Health Care CG                         | Seek a contribution of £34,800 towards healthcare facilities.                                                                                                                                                                                                                                                                                                                                                       |
| Environment Agency                     | No response received.                                                                                                                                                                                                                                                                                                                                                                                               |
| The Coal Authority                     | No objection.                                                                                                                                                                                                                                                                                                                                                                                                       |
| Northumbrian Water Ltd                 | No objection subject to conditions.                                                                                                                                                                                                                                                                                                                                                                                 |
| Affordable Housing                     | Comments received.                                                                                                                                                                                                                                                                                                                                                                                                  |
| Architectural Liaison Officer - Police | No objection.                                                                                                                                                                                                                                                                                                                                                                                                       |
| Fire & Rescue Service                  | No objection.                                                                                                                                                                                                                                                                                                                                                                                                       |
| Northumbria Ambulance Service          | No response received.                                                                                                                                                                                                                                                                                                                                                                                               |
| County Ecologist                       | Further information awaited                                                                                                                                                                                                                                                                                                                                                                                         |

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Morpeth Town Council | Morpeth Town Council endorse the comments submitted by Pegswood Parish Council, in particular with reference to adherence to the Morpeth Neighbourhood Plan, in this case the application is for more than the plan allocation of 50 houses on the site. We are also somewhat disappointed to hear that NCC's commitment to include parish councils in s106 discussions has not been implemented on this occasion. |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## 5. Public Responses

### Neighbour Notification

|                               |                                 |
|-------------------------------|---------------------------------|
| Number of Neighbours Notified | 18                              |
| Number of Objections          | 1 Morpeth Town Council as above |
| Number of Support             | 0                               |
| Number of General Comments    | 0                               |

### Notices

Site notice - departure from Local Plan, 15<sup>th</sup> August 2019  
Northumberland Gazette 15th August 2019

### Summary of Responses:

None received.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PVLXU3QS0IS00>

## 6. Planning Policy

### 6.1 Development Plan Policy

Morpeth Neighbourhood Plan 2016

Sus 1 - Sustainable development principles

Env 1 - Landscape and wildlife corridors

Emp 3 - Pegswood village centre

Des 1- Design principles

Set 1- Settlement boundaries

Set2 - Development in Hebron, Hepscott, Mitford and Pegswood

Hou 1 - Housing developments

Hou 3 - Housing mix

Hou 4 - Delivery of affordable housing

Hou 5 - Infrastructure

Tra 3 - Transport requirements for new developments

Tra 4 - Development of footpath and cycleway networks

Inf 1 - Flooding and sustainable drainage

Castle Morpeth District Local Plan (CMLP) (2003)

C1 – Settlement boundaries

C11 - Protected species

C15 - Trees in the countryside and urban areas

H1 - Housing land supply

H8 - Affordable housing

H9 - Affordable housing in rural areas

H15 - New housing developments

H16 – Housing in the countryside

RE5 - Surface water run-off and flood defences

RE6 - Service infrastructure

RE8 - Contaminated land

## 6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance (NPPG 2019)

## 6.3 Other Planning Policy Documents

Northumberland Local Plan Publication Draft Plan (Regulation 19)

Policy STP 1 Spatial strategy (Strategic Policy)

Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)

Policy STP 3 Principles of sustainable development (Strategic Policy)

Policy QOP 1 Design principles (Strategic Policy)

Policy QOP 2 Good design and amenity

Policy QOP 4 Landscaping and trees

Policy QOP 5 Sustainable design and construction

Policy QOP 6 Delivering well-designed places

Policy HOU 2 - Provision of new residential development (Strategic Policy)

Policy HOU 3 - Housing requirements for neighbourhood plan areas (Strategic Policy)

Policy HOU 5 - Housing types and mix

Policy HOU 6 - Affordable housing provision (Strategic Policy)

Policy HOU 9 - Residential development management

Policy TRA 1 Promoting sustainable connections (Strategic Policy)

Policy TRA 2 The effects of development on the transport network

Policy TRA 4 Parking provision in new development

Policy ENV 1 Approaches to assessing the impact of development on the natural,

historic and built environment (Strategic Policy)

Policy ENV 2 Biodiversity and geodiversity

Policy ENV 3 Landscape

Policy WAT 3 Flooding

Policy POL 2 Pollution and air, soil and water quality

Policy INF 6 Planning obligations

## 7. **Appraisal**

- 7.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that: If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Therefore the starting point from a planning perspective in considering the acceptability or otherwise of the proposals is the development plan.
- 7.2 The development plan in respect of the application site comprises the Morpeth Neighbourhood Plan (2016) and the saved Policies of the Castle Morpeth District Local Plan 2003.
- 7.3. The NPPF advises at paragraph 213 that, in respect of Development Plans adopted prior to publication of the NPPF, local planning authorities (LPAs) should afford due weight to relevant Policies according to their degree of consistency with the NPPF (the closer the Policies in the Plan to the policies in the NPPF, the greater the weight that may be given).
- 7.4 Paragraph 11 of the NPPF provides definitive guidance on how applications should be determined by stating:
- 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:*
- i. 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*
- ii. 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.*
- 7.5 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 further advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.
- 7.6 The main issues for consideration in respect of this application comprise:
- Principle of development
  - Affordable housing
  - Design and Residential amenity impact
  - Impact on the character of the area
  - Ecology
  - Highway safety/transportation
  - Flooding and drainage
  - Contamination and ground conditions
  - Archaeology
  - Planning obligations



## Principle of Development

- 7.7 The Morpeth Neighbourhood Plan (2016) is the most recent and up to date adopted plan. The site is clearly defined as lying within the settlement boundary of the MNP and therefore carries full weight. In respect of the policies of the Castle Morpeth District Local Plan (2003), only those saved policies which align with the National Planning Policy Framework (2018) are relevant (as specified in paragraph 48 of the NPPF). In this case, the application site lies out with the settlement boundary for Pegswood within the CMDLP and, as such, would not comply with saved policy C1.
- 7.8 The Northumberland Local Plan - Regulation 19 was submitted for examination on 29th May 2019. The policies contained within the Plan carry some weight in the determination of the application, at this stage. The most relevant policies in respect of this proposal are STP1, which aims to deliver sustainable development; STP2, which follows the line of the NPPF with a presumption in favour of sustainable development; and STP3, which looks at the principles of sustainable development.
- 7.9 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. 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 this Plan pre-dating the NPPF. Morpeth Neighbourhood Plan (2016)
- 7.10 It is considered that the principal of housing on the site complies with the Morpeth Neighbourhood Plan (2016). Whilst the application site lies out with the settlement boundary for Pegswood within the CMDLP given the age of the neighbourhood plan this should be given more weight. 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.
- 7.11 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.
- 7.12 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 with this application site being listed within the policy as an existing allocation.

- 7.13 Policy Hou3 states that housing development shall be designed to include a range of property sizes, types and tenures including affordable housing and housing for younger and older people, so as to promote a balanced housing market. This proposal does provide for a range of sizes.
- 7.14 Policy Hou4 of the MNP discusses that the delivery of affordable housing 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.
- 7.15 The proposal hereby under consideration does provide affordable housing in accordance with an up to date housing need (i.e. the SHMA).
- 7.16 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.
- 7.17 The Council's Strategic Housing Land Availability Assessment identifies the site as being a potential source of housing land. The SHLAA tables the land with a yield of 50 dwellings, and is considered to be suitable, available and achievable.
- 7.18 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 in that the SHLAA informed the evidence used to prepare the Morpeth Neighbourhood Plan.
- 7.19 Overall, the principle of the proposal is considered to be acceptable and in accordance with the policies contained in the Morpeth Neighbourhood Plan and NPPF.

*Northumberland Local Plan - Regulation 19 (Published 30th January 2019)*

- 7.20 Policies HOU5 and HOU9 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) support social inclusion encouraging a range of good quality homes with a mix of tenures and housing types and sizes, and seeks development that contributes to a sense of place. It should, however, be reiterated to Members that only some weight can be given to the Local Plan at this stage. Notwithstanding this, these policies demonstrate the direction of travel of the emerging plan in supporting affordable housing options to members of the community looking for private ownership as well as those who have only rental options available to them.

## *Housing Land Supply*

- 7.21 The NPPF seeks 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.
- 7.22 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 requirement. The five year housing land supply position, as well as the Housing Delivery Test, is pertinent to proposals for housing in that paragraph 11(d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where recent housing delivery is below a 75% threshold. This situation is the principal means (albeit not the only way) by which existing policies relevant to housing can be deemed out-of-date.
- 7.23 As identified in the Northumberland Strategic Housing Land Availability Assessment (September 2019), the Council can demonstrate a plentiful five-year housing land supply from 'deliverable' sites against the County's minimum Local Housing Need figure. Using the 2014-based household projections for the 2019-2029 period, together with the latest 2018 affordability ratio, gives a minimum Local Housing Need of 676 dwellings per annum (Figure 3). Allowing for the 5% buffer therefore means that the SHLAA's identified 7,956 dwellings 'deliverable' supply would equate to a 11.2 years housing land supply (Figures 12-14).
- 7.24 The Housing Delivery Test result records that Northumberland achieved 197% delivery against its minimum housing need for the initial three years 2015-18, while delivery over the last three years 2016-19 means that the HDT result for 2016-19 is expected to be even higher at 238% (Figure 2). Therefore, in the context of paragraph 11(d) and Footnote 7 of the NPPF, the presumption in favour of sustainable development does not apply.

## Affordable Housing

- 7.25 Policy Hou4 of the Morpeth Neighbourhood Plan seeks the delivery of affordable housing on developments resulting in a net gain of ten dwellings or more, in accordance with the Development Plan or an up-to-date housing needs assessment. An off-site affordable housing financial contribution can be accepted in lieu of provision on site where it can be justified. In line with policy Hou4, this should be within the same town or village.
- 7.26 Policy H9 of the CMDLP promotes the development of affordable housing to meet local needs, subject to all of the following criteria:
- i) the proposal accords with priorities identified in the Council's housing needs study;
  - ii) the housing provided is reserved for local needs, both initially and on subsequent change of occupant;
  - iii) the development is appropriate in location, scale and design to the

settlement;

iv) the development is in keeping with local building styles and incorporates appropriate landscaping, and

v) notwithstanding the requirement for local needs, housing developments shall comply with Policy H15 (new housing developments).

7.27 The NPPF equally supports this objective in Chapter 5 stating that at least 10% of homes should be available for affordable home ownership on major Developments.

7.28 Annex 2 of the NPPF defines affordable housing as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

7.29 Policy HOU6 is clear in its objectives around affordable Housing, particularly at point 3, which states:

*The affordable housing provision and/or contribution will be secured by a Section 106 planning obligation. For affordable housing for rent, discount*

*market sales housing, or where public grant funding is provided towards other affordable routes to home ownership, the Section 106 agreement will ensure that the on-site provision remains affordable in perpetuity.*

- 7.30 As mentioned earlier in the report, it is acknowledged that the Northumberland Local Plan (Reg 19) only carries some weight at this stage, the direction of travel remains to secure affordable housing in perpetuity. It is also acknowledged that point D in Annex 2 of the NPPF does not request the perpetuity element, this does not align with the aforementioned direction of travel, which the Council would not look to support.
- 7.31 The Northumberland Local Plan - Publication Draft Plan (Regulation 19) is the policy document for the coming years until 2036, which defines the direction of travel for Northumberland in general. Whilst the document carries some weight at this stage, the intentions behind how it envisages Northumberland will be shaped in that period are clearly set out. In respect of affordable housing, this is to ensure that the benefits are not only achieved on the first sale of the properties, but on subsequent sales thereafter, ensuring the longevity of benefits affordable housing provides for buyers/rent in the long term are sustained.

#### *Housing Need*

- 7.32 The mix and tenure of affordable homes on development sites should reflect our current housing needs evidence base. Sources are:
1. The 2018 Strategic Housing Market Assessment Update
  2. Homefinder statistics
  3. Information from other registered affordable home providers
  4. Information from Neighbourhood Plans
  5. Information from Local Housing Need Assessments where applicable

#### *Northumberland Strategic Housing Market Assessment*

- 7.33 The Northumberland SHMA Update (June 2018) provides detailed market analysis of housing needs at the County level, and across local Housing market sub-areas. It also provides up-to-date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 151 dwellings per annum over the period 2017 to 2022, and recommends that, overall, 50% of affordable homes are provided for rent, and 50% provided as affordable home ownership products.

#### *Homefinder Statistics*

- 7.34 There are currently 103 applicants on the register from Pegswood with an average time on that register of 1.9 years. 56% of those are in band 2R (low housing need) - and above i.e. in housing need. 73% are aged 55 and over. Bidding for rented homes in Pegswood is very strong; during the period from Feb 2018 to Feb 2019 there were 24 advertised properties which received 451 bids, which equates to an average of 18 bids per property. This demonstrates that Pegswood is a desirable place to live and to rent an affordable home.

- 7.35 The majority of the affordable homes in Pegswood (334 out of 336) are owned by Karbon and Johnnie Johnson Housing (JJH). Karbon has requested that more affordable homes for rent are delivered, particularly houses to compliment the bungalows for rent they are acquiring on the neighbouring site. JJH report good demand for rented home in the village, particularly one and two bedrooms.

*The Site and the requirement for Affordable Housing*

- 7.36 In order to meet the affordable housing identified in the SHMA, a minimum of 17% of homes on new permissions will be expected to be provided as affordable housing products.
- 7.37 Based on the above evidence it is the Council's position to see 17% Affordable Homes delivered on site, which is aligned to the updated evidence base. The SHMA evidence also indicates a tenure split of 50/50 affordable rent/affordable home ownership. This would mean 8.5%/8.5%, however, the NPPF requires that at least 10% of affordable housing on site should be home ownership options. This results in a tenure split of 10% affordable home ownership and 7% affordable rent. Translated into units for a 61 unit development, this means a total of 10 or 11 affordable homes with 4 or 5 of these being for affordable rent, the remainder being for affordable home ownership.
- 7.38 Whilst under the previous application the applicant did not agree to providing this mix of affordable housing under this current application the applicant has agreed to sell 10% (6 units) on the development as affordable home ownership units in line with NPPF Annex 2 definition d, being a 20% reduction from local market levels. In addition they have agreed to sell 7% (4 units) as affordable rented units. The provision of this is to be secured through the sec106. As such the proposed amount and type of affordable housing now proposed is considered to be acceptable and in line with the NPPF and SHMA.

Design and Impact on Residential Amenity

- 7.39 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.
- 7.40 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.
- 7.41 Policy H15 of the Castle Morpeth District Plan seeks good design and to protect the amenity of residents.
- 7.42 There would be no neighbouring residents of the site to the north, east or west. The nearest residents would be located to the south of the site across

Butcher's Lane, although these are not considered to be in particularly close proximity.

- 7.43 It is accepted that the development would impact on the general visual amenity of the residents to the south as their visual aspect currently is one of clear fields and open space. The development of the site would inevitably change its character from a green field unused and overgrown farmland site to a housing development. It is, however, important to have regard to other standards of amenity relating to privacy, outlook, light and overbearing impact.
- 7.44 In this case, the surrounding built form and character has been taken into account with the development has been designed. The proposal seeks to furnish the site with two-storey dwellings to reflect its neighbouring properties and wider setting more accurately. In doing so, the scheme will maintain separation distances thereby protecting privacy and overlooking.
- 7.45 The chosen house-types have been designed with the surrounding residential properties in mind and have been adapted specifically for this location. The dwellings have also been positioned to be sympathetic to the existing buildings. Whilst the Parish Council have raised concerned that 50 rather than 61 dwellings should be accommodated on the site it is considered that when taking into account the form of development which includes pairs of semi detached properties, the numbers would naturally fluctuate. The layout also shows the site can comfortably fit 61 dwellings on the site with acceptable privacy distances and as set out below without impacting detrimentally on the character of the area.
- 7.46 The principal access to the site for both pedestrians and vehicles would be via Butcher's Lane, which is the public highway to the east of the site. This should not impact on the neighbouring existing residents to a harmful or unreasonable degree. Public Protection have been consulted however and commented that certain plots may be impacted upon by noise from the Sanders Plant and Waste Management site and as such recommend a condition requiring an acoustic barrier to be placed on the gardens of these plots to help alleviate this concern. In addition Public Protection have also recommended conditions in terms of times of construction and times of deliveries / collections to further protect the amenity of local residents.
- 7.47 Taking this into account, it is considered that the proposals would not have an overall adverse impact on the living conditions of the existing residential Neighbours and the design is considered to be acceptable. As such, in the context of the NPPF and local plan policies, the proposals are considered to comply.

#### Impact on the Character of the Area

- 7.48 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. Policy QO24 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) supports good design and amenity and strives to preserve the amenity of those living in, working in or visiting the local area.

- 7.49 The site located within the defined settlement limit of Pegswood in the Morpeth Neighbourhood Plan. Housing in the immediate area is predominantly two storeys in height, but varies in terms of design. The site is set against a backdrop of fields and farmland to the north, east and west, which contributes to the character of the site and the area.
- 7.50 In terms of landscape matters in particular NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by, inter alia, protecting and enhancing valued landscapes and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.
- 7.51 Whilst it is acknowledged that there will be an inevitable impact on the landscape given the introduction of a new housing development on land that is currently open, the test is the degree of that impact and if it is considered to be acceptable or harmful to the character of the landscape.
- 7.52 The proposed layout shows 61 no. dwellings which would be evenly spread across the site. These would comprise of 2, 3 and 4 bedroom semi-detached and detached dwellings. The landscape within the application site is not considered to be of high quality and it is considered that the site has the potential to accommodate a reasonably large scale development, such as this proposed. The site does not form part of a conservation area and, as shown in the Morpeth Neighbourhood Plan and the emerging Local Plan, the site falls within the settlement boundary. In this respect, it is considered that the proposals would be acceptable in terms of their appearance and impact on the character of the area. As such, the proposals would be in line with the policies listed above contained within the Morpeth Neighbourhood Plan, the Castle Morpeth District Local Plan, the Northumberland Local Plan - Publication Draft Plan (Regulation 19) and the NPPF.

### Ecology

- 7.52 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. It further states that the Council will not permit development which would adversely affect protected species or their habitats unless it can be demonstrated that the reasons for the proposed development outweigh any adverse effect on the species of their habitat.
- 7.53 Paragraph 175 of the NPPF seeks to conserve and enhance biodiversity and



sets out that assessment of potential impacts from development should be undertaken.

- 7.54 Paragraph 177 states that the presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered, planned or determined.
- 7.55 Policy ENV2 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) seeks to minimise the impact of new development on biodiversity and geodiversity.
- 7.56 Almost the entire coastline in Northumberland is included in a range of designated sites which are protected under national legislation (Sites of Special Scientific Interest) and international legislation (Special Protection Areas designated under the EU Habitats Directive and Wetlands of International Importance designated under the Ramsar Convention). When determining planning applications that could have impacts on these sites, the Council has a range of legal duties that it must fulfil. Briefly, these amount to ensuring that the capacity of the protected area to support the features for which it was designated is not reduced or compromised by the proposed development being considered.
- 7.57 The Council's Ecologist has assessed the proposal and has requested that further information is submitted regarding the hedgerows and buffers to them and that mitigation measures and enhancement measures are added to the site plan. At the time of compiling the report, all this information remains outstanding and has not been received from the applicant. As such, and in terms of Ecology, the proposal conflicts with Chapter 15 of the NPPF, policy Env1 of the MNP, policy C11 of the CMDLP and policy ENV2 of Northumberland Local Plan - Publication Draft Plan (Regulation 19). The applicant is however in the process of obtaining this additional information in order to resolve any outstanding issues before committee. Committee will therefore be updated on this matter.

### Highway Matters

- 7.58 Policy T5 of the CMDLP states that in considering proposals for development, Regard will be had to existing public transport facilities and the possibility of their extension to serve new developments.
- 7.59 NPPF paragraph 109 advises that development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety or residual cumulative impacts arising from development on the road network would be severe.
- 7.60 Policies TRA1, TRA2 and TR4 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) equally seek to promote sustainable connections deliver development that will have minimal effect on the transport network, or can be mitigated where the impact is more severe and ensure parking provision in new development is up to standard.

- 7.61 The applicant has submitted various documents for the Highway Authority to consider including layout plans, drive details, layouts showing vehicles tracking, road construction details parking statement, a construction management plan and a transport statement.
- 7.62 The Highway Authority have been consulted and have commented that the current application is effectively a resubmission of the layout and plans for a similar development refused by the Castle Morpeth Local Area Council under planning reference 17/04414/FUL. The Highway Authority had no concerns in respect to this previous development subject to the imposition of conditions related to the highways impacts, including those relating to outstanding matters that had not been addressed following comments on that application primarily in relation to drive surfacing and bin drag routes. As there has been no significant change in transport policy since this latter application that has sufficient weight to change the recommendation, the Highway Authority have commented that their view in relation to the development remains as it was under 17/04414/FUL. As such they have no objection to the proposal in terms of parking and access and impact on local highway . Given this and subject to the conditions proposed by the Highway Authority the proposal is therefore considered to be acceptable in terms of impact on the highway, highway safety and parking, in accordance with Local Plan Policy T5 and the NPPF and Tra 3 and 4 of the Morpeth Neighbourhood Plan. Whilst the Parish Council have raised concerns over the route of construction/ delivery traffic, a condition is proposed which requires a Construction Management Plan to be submitted and agreed still. This will cover routes and times of delivery/ construction traffic.

#### Flood Risk and Drainage

- 7.63 CMDLP Policy RE6 states that the Council will consider the implications of granting planning permission for new developments as they affect land drainage, water supply and sewerage. Where development is likely to require the improvement or provision of additional services, consideration will be given to the need to impose planning conditions or seek legal agreements as appropriate.
- 7.64 Paragraph 163 of 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. The site lies within Flood Zone 1 and in order to address flood risk given the size of the site, the applicant has submitted a Flood Risk Assessment (FRA). Paragraph 165 also requires where possible the use of sustainable drainage n respect of major developments.
- 7.65 Policy WAT4 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) discusses sustainable drainage systems (SuDS). It specifies that SuDS will be incorporated into development whenever necessary, in order to separate, minimus and control surface water run-off.
- 7.66 A flood risk and drainage statement and various plans has been submitted in support of the application. The statement clarifies that there is a small watercourse to the north of the site.

- 7.67 The site is located within Flood Zone 1 based on Environment Agency data. The initial plans submitted as part of the application showed no overland SuDS, which is contrary to the NPPF. The Environment Agency surface water maps also show a large area within the site as being at high risk of surface water flooding.
- 7.68 The application has been considered by the LLFA and they have no objection to the proposal, subject to conditions being attached to any planning permission granted. Northumbrian Water were also consulted on the proposal and raised no objection, subject to conditions.
- 7.69 Having regard to the above, it is considered that the proposal would accord with paragraph 14 of the NPPF and the policies contained within the CMDLP and the Northumberland Local Plan - Publication Draft Plan (Regulation 19).

#### Pollution and Ground Conditions

- 7.70 The site is in a Coal Authority Development High Risk Area where a precautionary approach should be formed because of the potential risks legacy coal mining present and to ensure the utmost protection for current and future residents of Northumberland. Pegswood has particular legacy mining issues resulting from the three named collieries which operated from 1868 to 1969. There are mine entries around and within the town with shallow workings under part of it. As such policies that deal with unstable and contaminated land are relevant. 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.
- 7.71 Policy RE8 of the CMDLP states that the Council will require proposals for the development of all land identified as being, or potentially being contaminated by previous developments or mineral workings to be accompanied by a statement of site investigation outlining the tests undertaken and the evaluation of results, in order that the Council may assess any direct threat to health, safety or the environment.
- 7.72 Policy RE9 states that the Council will require proposals for development which is on unstable or potentially unstable land to be accompanied by a statement on ground stability, together with details of measures proposed to deal with any instability.
- 7.73 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.
- 7.74 Policy POL1 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) seeks to support development where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measure can be taken to effectively mitigate the impact. . POL2 also states that development will be required to help maintain soil quality standards,

improve water quality standards and maintain air quality standards.

- 7.75 The Council's Public Protection Officer has been consulted on the proposal and has advised that whilst under 17/04417/ful the submitted information to relax the requirement for full gas protection was previously accepted and that only a heavy duty DPM and ventilated sub-floor void was required, that public protection now have a procedure to deal with sites such as this and the applicant will be required to install gas protection to a minimum of Characteristic Situation 2 (CS2) with verification. Conditions relevant to this have therefore been proposed. In terms of ground contamination Public Protection have also advised that the Geoenvironmental Appraisal has not recommended any further investigation works or the need for any remedial works relating to general contamination on the site and as such a precautionary condition has been recommended for the applicant to address unexpected contamination should it be found during the development of the site. The Coal Authority have also raised no objection to the proposal. As such, and with the inclusion of the suggested conditions, it is considered that the proposal complies with both the national and local plan policies in terms of impact on the proposal from unstable land and contamination.

#### Archaeology

- 7.76 The County Archaeologist has been consulted and has confirmed that no archaeological work is required for the site. As such it is considered that the proposal is unlikely to adversely affect significant archaeological remains in accordance with the NPPF.

#### Planning Obligations

- 7.77 When considering the use of planning obligations under Section 106 of the Town & Country Planning Act regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, obligations can only constitute a reason for granting planning permission if they are 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.
- 7.78 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.
- 7.79 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.

- 7.80 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.
- 7.81 Policy INF 6 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19) equally seeks to secure planning obligations in relation to any physical, social, community and green infrastructure and/or any mitigation and/or compensatory measures reasonably necessary to make a development acceptable in planning terms.

#### *Affordable Housing*

- 7.82 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.
- 7.83 Meeting affordable housing needs is central to the Council's approach on housing.
- 7.84 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.
- 7.85 Based on up to date evidence the Council's current requirement is for 17% of homes on development sites to be affordable. This will be sought through a S106 Agreement, as set out in the earlier affordable housing section.

#### *Education*

- 7.86 Primary:

The primary school in the catchment area is Pegswood Primary School. As at January 2019 Census, the school had 183 Pupils on roll, with a net capacity of 242 pupils, i.e. 76% full. Actual numbers of pupils in Pegswood are stable and while the intake of the school would be above its current capacity if all pupils in its catchment attended, the close proximity of Morpeth means that parents are able to take up available surplus places in that partnership. Given the size of this application and the other small planned development at Longhirst (in the Pegswood Primary catchment) it is not expected that the 12 additional pupils (2 per year group) expected to be generated by this application would necessitate the need for additional educational infrastructure at the school. Therefore, a contribution towards educational infrastructure is not requested to mitigate planning obligations within regard to this application.

- 7.87 Secondary:

The secondary school within the catchment area is Ashington Academy. As at

January 2019 School Census, its role is 871, with a total capacity of 1050, (Yrs 7 to 11 incl); it is therefore 83% full. As it is not expected that the 7 additional pupils (1 per year group) arising from this development for the secondary phase would necessitate the need for additional educational infrastructure at the academy, no contribution is requested to mitigate planning obligations in relation to this application.

7.88 Special Educational Needs and Development (SEND):

It is calculated that 61 dwellings will yield 1 pupil who would require specialist SEND provision (see Section 4) and therefore a contribution of £99,000 would be required to mitigate the impact on the SEND educational infrastructure.

*Health*

7.89 The National Planning Practice Guidance sets out that the healthcare infrastructure implications of any relevant proposed local development can be considered in determining planning applications.

7.90 The NHS Northumberland Clinical Commissioning Group has advised that due to the large numbers of new homes in the village and the current capacity pressure on the GP practice, an expansion of infrastructure will be needed.

7.91 In this case, a contribution of £34,500 would be requested and secured via a S106 agreement

*Children's play/ sport/ open space*

7.92 Policy Hou5 of the Morpeth Neighbourhood Plan, in accordance with paragraph 92 of the NPPF, makes provision for or contributions towards children's play areas. This is also supported by policy INF6 of the Northumberland Local Plan - Publication Draft Plan (Regulation 19).

7.93 The Castle Morpeth Local Plan Policy H15 states that open spaces and children's play area must be included in all residential of 10 or more dwellings.

7.94 In terms of open space, the 35 ha of Pegswood Country Park is located within the vicinity of the proposal site. As such, it is considered that the open space aspect is adequately provided for through the Country Park

7.95 In terms of play provision, it is not considered necessary to seek a financial contribution towards play provision in order to make a development acceptable in planning terms. There is ample recreational and play provision within the site locality that could accommodate the development. There has been no change in policy since the determination of the previous application 17/4144/ful on the 8/4/19 either which would in addition require any contribution towards sport in the area.

*Coastal Mitigation*

7.96 The site lies approx 7- 10km from the nearest point of the Northumberland Shore SSSI on the Blyth estuary to the east which is also included in the

Northumberland Marine SPA with the Northumbria Coast SPA/Ramsar site on the open coast beyond that to the east.

- 7.97 As this is a proposed residential development within 10km of the coast, consideration has been given to the impact of increased recreational disturbance to bird species that are interest features of the coastal SSSIs and European sites, and increased recreational pressure on dune grasslands which are similarly protected.
- 7.98 When developers apply for planning permission for new residential development within the coastal zone of influence, the Local Planning Authority has to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites. The Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service which will be used to fund coastal wardens who will provide the necessary mitigation.
- 7.99 Contribution to the Coastal Mitigation Service (CMS) enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is set at £600 per unit within 7km of the coast and £300 per unit for those between 7-10km of the coast. Minor developments of 9 units or less contribute £600 per unit within 7km of the coast but are exempt beyond that. This is secured by a S.106 agreement payable on first occupation, or by unilateral undertaking payable prior to commencement for schemes that do not otherwise have S.106 agreements.
- 7.100 In this particular case the site lies within 7 to 10km distance from the relevant protected sites and as a result a contribution of £18,300 is required.
- 7.101 The applicant has agreed to contribute to the Coastal Mitigation Service through a section 106 agreement. This will ensure that adequate mitigation will be provided to address increased recreational disturbance and damage within the coastal designated sites and so will enable the Council to reach a conclusion that there will be no adverse effect on site integrity in respect of this issue when they undertake the Habitats Regulations Assessment for this development which will need to be completed and signed by Natural England.
- 7.102 Whilst the Parish Council have raised concerns that the application fails to support the community hub and welfare hall, given the details of this application are virtually identical to that previously submitted and policy has not changed, it would be unreasonable to request any further contribution in this instance.

#### 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 have no implications in relation to crime and disorder.

#### 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. Recommendation**

That subject to the completion of s section 106 securing contributions towards Coastal Mitigation, Education, Health and affordable housing provision, and subject to further comments of the County Ecologist, this application be GRANTED permission subject to the following:

#### Conditions/Reason

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



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

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on the following plans and documents:

201 dwelling type- 201/2G  
202 dwelling type-202/1F  
301 dwelling type- 301/1H  
304 dwelling type- 304/1E  
307 dwelling type- 307/1B  
309 dwelling type-309/ 1E  
310 dwelling type-310/1D  
311 dwelling type-311/1B  
313 dwelling type-313/1-  
314 dwelling type- 314/1-  
403 dwelling type-403/1J  
405 dwelling type- 405/1E

Detached double garage details- SD701, Rev D  
Detached single garage details- SD700, Rev C  
Planning layout  
Post and wire fence, SD103, Rev C  
Proposed cut and fill- D600 Rev B

Terraced double garage , SD703, Rev D  
Timber fence section, SD -100, Rev F  
Location Plan, LOC-01  
Flow control Manhole details, 17206 D202 REV A  
Proposed drainage plan, 17206 D200 Rev H  
Proposed drainage details, 17206 D701 REV B  
Manhole schedule, 17206 D201 REV E  
Drainage Viability Statement (RO/DVS/17206.1 version 1) Produced by RWO Consulting engineers  
Flood Risk and Drainage Statement (17206/FRA/1 version 4) Produced by RWO Consulting engineers  
Proposed Sections Through Earth Reinforced Boundary Slopes dated 23.01.2019 Produced by RWO consulting Engineers, Drawing 17206 REV E  
17206 D200 RevC "Proposed Drainage" Produced by RWO Consulting engineers  
Rising main route long sections, D300  
Section 104 plan  
Proposed levels plan.

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

03. Notwithstanding any description of the materials in the application, no dwellings shall be constructed above damp proof course level until precise details of the materials to be used in the construction of the external walls and roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority. All roofing and external facing materials used

in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in accordance with Policy H15 of the Castle Morpeth Local Plan.

04. Prior to the commencement of development above damp proof course level a detailed landscaping scheme, showing both hard and soft landscaping proposals, shall be submitted to, and approved in writing by, the Local Planning Authority. It shall include landscape planting of the site and the plan shall detail the location and species and number of trees, hedgerows, shrubs and use only Northumberland native species and species beneficial to pollinators. It shall also include the location of areas of hardstanding, pathways, etc and their surface treatments, areas to be seeded with grass and other works or proposals for improving the appearance of the development including all boundary treatments. Any areas of hardstanding areas (patio, driveways etc.) within the development shall be constructed of a permeable surface too where possible. The development shall then be carried out in accordance with the approved plan and the soft landscaping shall be implemented in full during the first planting season (November March inclusive) following the commencement of development. Any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years of planting shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site and in accordance with the provisions of Local Plan Policies C11 and C15.

05. The development shall not be occupied until details of the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

Reason: In the interests of visual amenity and highway safety, and in accordance with the provisions of Local Plan Policies C11 and C15

06. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS 8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with the NPPF and Local Plan Policy RE8.

07. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 6, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with the NPPF and Local Plan Policy RE8.

08. If during redevelopment contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the 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.

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 the NPPF and Local Plan Policy RE8.

09. No dwelling shall be constructed until details of a 2 metre high acoustic barrier has been submitted to and approved in writing by the Local Planning Authority. The submission shall include a plan showing the location and extent of the acoustic barrier, a specification of materials to be used and the design of the barrier. The details shall be clear that the barrier will have a superficial mass of at least 10 kilogrammes per square metre. Thereafter, the approved acoustic screening shall be implemented in full before the occupation of the first dwelling, maintained as approved and retained in perpetuity.

Reason: In the interests of amenity and to protect occupants from undesirable noise impacts. In accordance with the NPPF and Local Plan Policy H15.

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.

Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in an investigation as to whether a statutory nuisance is being caused.

Reason: To protect the amenity of local residents. In accordance with the NPPF and Local Plan Policy H15.

11. No deliveries or collections shall be made to or from the site outside the hours of Monday to Saturday 0700 to 1900 during the construction phase.

Reason: To protect the amenity of local residents. In accordance with the NPPF and Local Plan Policy H15

12. Prior to construction above ground floor level, a detailed scheme for the disposal of foul water from the development hereby approved must be

submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF, in accordance with the provisions of Local Plan Policies RE5 and RE6.

13. Notwithstanding details submitted and prior to commencement of development, details of the materials to be used in the construction of the external surfaces of the private shared drives and individual parking areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

14. Notwithstanding details submitted and prior to commencement of the development details of the materials to be used on paths and bin drag routes from the approved bin storage locations to the highway or temporary refuse storage areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

15. 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.

16. Development shall not commence until details of the approved highways works, along with any associated infrastructure, have been submitted to and approved in writing by the Local Planning Authority. The approved highways works shall comprise:
- Site Access junction to Butchers Lane;
  - 2m wide footway on the west side of Butchers Lane, with associated kerbing to the existing carriageway, from Pegswood First School northwards to the relocated 30mph gateway to the north of the development site, including relocation of existing signage conflicting with the new footway;
  - New Northbound bus stop on Butchers Lane near Plot 50, comprising, including DDA compliant kerbing, shelter, bus stop flag, bus stop clearway sign and bus cage road marking;
  - Improvements to existing southbound bus stop on Butchers Lane to south of development site comprising DDA compliant kerbing, shelter, bus stop clearway sign and bus cage road marking;
  - Pedestrian dropped crossing to south of development site on Butchers Lane to allow safer crossing to access southbound bus stop

- Two 2m wide pedestrian footway connections to the turning heads at Plot 30 and Plot 50 within the development site;
  - Vehicular dropped crossings, with pedestrian priority, at the proposed access points to the Electricity Sub-Station and Foul Pumping Station;
  - Relocated 30mph speed limit change to a point north of the development site on Butchers Lane, including associated signage, road markings, gateway feature and street lighting and removal of existing features.
- No dwelling shall 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.

17. 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.

18. Notwithstanding details submitted, 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.

Reasons: 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.

19. Notwithstanding details submitted, 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.

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.

20. 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 the 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.

21. 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.

22. 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.

23. Notwithstanding details submitted, no development shall take place to Plot 34 and the road serving Plots 34-37 and 43-50 until details amending the highway verge to the north of the drive to Plot 34 to allow manoeuvring into/out of Plot 34 have been submitted to and approved in writing by the Local Planning Authority. Plot 34 shall not be occupied until the details 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. No access shall be created from the Estate Street between Plots 10 and 11 for the purpose of enabling agricultural vehicles to access adjacent agricultural fields.

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

25. 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 highway facing 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.

26. The development shall not 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 the 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.

27. Notwithstanding details submitted, development shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition and construction period. The Demolition and 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
  - vi. highway dilapidation survey, including photographic evidence of the condition of the highway along the defined construction traffic route.

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

28. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the development's lifetime, in accordance with the provisions of Local Plan Policies RE5 and RE6.

29. Before development commences 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. These approved details shall then be implemented throughout the construction phase.

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, in accordance with the provisions of Local Plan Policies RE5 and RE6.

30. Prior to commencement of development an investigation into installing a trash screen / grille at the existing culvert adjoining the highway culvert shall be undertaken. If a feature is required this shall be installed in full prior to works commencing.

Reason: To prevent the risk of blockages and flood risk downstream, in accordance with the provisions of Local Plan Policies RE5 and RE6.

31. Prior to the commencement of development cross sectional as built drawings of the existing watercourse and bank on the development side, depicting before and after development levels shall be submitted to the local planning authority. The development shall then be constructed in accordance with these approved details.

Reason: To ensure the capacity within the watercourse does not decrease as a result of the development and in accordance with the provisions of Local Plan Policies RE5 and RE6.

32. Prior to construction the applicant will fully investigate using permeable paving in driveways and areas of non adoptable public highway. This shall be agreed with the Lead Local Flooding Authority and Local Planning Authority. In the event that permeable paving can not be used then reasoning shall be submitted. The development shall then be constructed in accordance with these approved details.

Reason: To meet the requirements of P163 and P165 of 2019 NPPF to ensure SuDS are fully utilised on the development and in accordance with the provisions of Local Plan Policies RE5 and RE6.

Informative(s)

1. Public Protection.

a)Dust Management

Dust minimisation and control shall have regards to guidance such as :  
The Institute of Air Quality Management has produced very current documentation

entitled "Guidance on the Assessment of Dust from Demolition and Construction"

available at: <http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London's office has produced robust supplementary guidance document entitled "The Control of Dust and Emissions During Construction and Demolition" which is available at:

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and>



b) Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice

In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

c) Burning Materials Onsite

There shall be no burning of any material associated with the construction phase on the site.

2. How to Satisfy the Condition 12

The developer should contact Northumbrian Water to agree a discharge point for foul water into the public sewer network. Further details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6559.

Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

3. Highways

a) You are advised to contact the Council's Highway Development Management team at

[highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

b) You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980.

These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense.

You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.

c) You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

d) You are advised to contact the Council's Traffic Management Section at [highwaysprogramme@northumberland.gov.uk](mailto:highwaysprogramme@northumberland.gov.uk) before and during the construction period in respect of the proposed highways works and the effect on Traffic Regulation Orders.

e) Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

f) You are advised to contact the Council's Lighting Section on [HighwaysStreetLighting@northumberland.gov.uk](mailto:HighwaysStreetLighting@northumberland.gov.uk) before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

g) The applicant is advised to obtain the written approval of the Local Highway Authority for the details required under condition [HWD10], prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority. You can contact the Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

h) The applicant is advised that to discharge condition [HWD11] the Local Planning Authority requires a copy of a completed agreement between the applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. You can contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

i) Submission of details of adoptable streets - The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge condition [HWD12] of this permission. You can contact the Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

j) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

k) You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offer this service. You should contact [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) or 01670 622979.

L) For new individual properties the following will be required to be provided:

- 240 litre wheeled bin for residual refuse
- 240 litre wheeled bin for recycling

Developers should be aware that an additional 240 litre brown bin may also need to be accommodated for garden waste which is a subscription seasonal scheme.

M) The Highway Authority considers that the overall provision of visitor car parking on the site is not well designed and has the potential for adverse implications for the operation of the residential highway network in some locations. Whilst this may fall short of the creation of severe harm that would justify refusal of planning permission it is recommended that the developer and future residents are aware of the possibility of indiscriminate use of visitor car parking resulting in obstruction and nuisance.

N) Should the Planning Authority approve development to the west of the application site accessed by the Estate Street between Plots 10 and 11, the visitor car parking space adjacent to Plot 11 shall be relocated within the adjacent development site within 10m of its current location and reinstated to a 2m wide footway.

4. LLFA

a) Any works within an ordinary watercourse will require the will require the prior written consent of Northumberland County Council, under the Land Drainage Act (1991). Please contact the FCERM team (fcerm@northumberland.gov.uk) for further information.

b) Any areas within the front garden of the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable driveway:

- Using gravel or a mainly green, vegetated area.
- Directing water from an impermeable surface to a border rain garden or soakaway.
- Using permeable block paving, porous asphalt or concrete.

Further information can be found here -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7728/pavingfrontgardens.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf)

In addition the development should explore looking at and installing rain water harvesting units and water butts.

**Date of Report: 30th September 2019**

**Background Papers:** Planning application file(s) 19/02747/FUL