

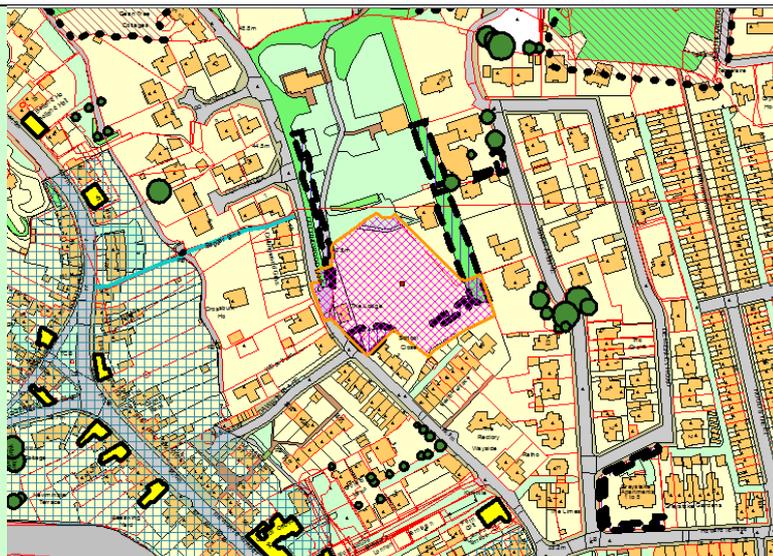


Northumberland County Council

7th December 2020, Castle Morpeth Local Area Committee

Application No:	20/01601/FUL		
Proposal:	Residential development of 18no. units with associated infrastructure and open space, including demolition of existing bungalow.		
Site Address	Land South Of King Edward High School, Cottingwood Lane, Morpeth, Northumberland		
Applicant:	Ashford Residential Ltd C/o Agent , Lichfields, Newcastle, NE11RF	Agent:	Mr Alastair Willis St Nicholas Building, St Nicholas Street, Newcastle, NE1 1RF
Ward	Morpeth North	Parish	Morpeth
Valid Date:	28 May 2020	Expiry Date:	22 December 2020
Case Officer Details:	Name: Mrs Tamsin Wood Job Title: Senior Planning Officer Tel No: 01670 625545 Email: tamsin.wood@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to the applicant entering into a Section 106 Agreement which provides a contribution of £180,000 towards Affordable Housing and up to £108,000 towards Education; and subject to conditions



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1. Introduction

- 1.1 This application needs to be determined at Castle Morpeth Local Area committee given the amount of public interest. This application is also recommended for approval contrary to more than 5 written objections.

2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of 2 apartment blocks providing a total of 18 dwellings on a grassed area located within the grounds of the King Edward VI School. 10no. apartments would be provided in what is known as the north building and 8no. apartments would be provided in the east building. A total of 7no. two bedroom apartments and 11no. three bedroom apartments would be provided. In addition associated infrastructure and landscaped garden areas around the buildings would be provided. To enable access to the site part of the proposal includes the demolition of an existing bungalow on the site.
- 2.2 Both buildings would have four stories in total. However, given the difference in levels around the site the lower ground floor level which would be the same level at Cottingwood Lane would appear as the 'undercroft' below ground floor level to what is the existing ground floor level of the majority of the site. At this level pedestrian and vehicular access onto the site from Cottingwood Lane would be provided which would lead to the 'undercroft' car parking under both of the two buildings. Above this level the two buildings would appear as two storey buildings with rooms in their roofs, when viewed from next to these buildings. These levels would be above what is the existing ground floor level across the majority of the site. The plans show the two apartment pavilion styled buildings whilst of slightly different scales given 1 block would have 7 apartments and the other 11 apartments, do actually share many design features, so they can be read as a cohesive pair. The differences are the east building has fewer apartments with its southern end being designed differently in order to mitigate effects on privacy and amenity for residents in adjacent houses and types and locations of some of the windows and balconies, in order to bring variety to the scheme and to also mitigate against impact on privacy of adjacent residents. Similarly, both buildings would be built in a red brick with central natural stone sections. Both would have natural stone detailing and features such as chimneys and the corner bay windows and pitched natural slate roofs, which all further reflect houses in the locality of the site and reflect the dominant materials of the generous houses on Kings Avenue, which the applicant states has inspired this proposal. The windows on both buildings are also of the same design and proportions and all will be painted timber sliding sash. Dormer windows are also on the roofspace on both buildings, which will have the same flat roof, vertical window appearance. The height of each building will also be similar.
- 2.3 The applicant states the apartments have been designed to reflect the scale and character of houses on adjacent Kings Avenue. All the apartments have access to private outdoor space in the form of either a private patio, balcony or modest roof terrace. The shared gardens include carefully located and specified planting to create privacy for the residents in School Close and South Terrace, which would help screen the new buildings from these

neighbours.

- 2.4 The site is generally a plateau with a gentle rise of 1m across 55m, from south to north. It does not follow the contours of the surrounding properties of Cottingwood Lane to the west and of Kings Avenue to the east. Both these roads and the adjacent properties fall from north to south. As a result the site, when it gets within 20m of the southern boundary, falls quickly towards South Terrace. The properties on South Terrace, are approximately 5m below the general level of the site. The main part of the site is approximately 2.5m higher than the adjacent Cottingwood Lane and 2m above Kings Avenue. There is also a steeper approximate 5m change in level with School Row. The bank to the northern edge of the site rises approximately 1.5m towards the car park to the Adult Learning Centre to the north of the site.
- 2.5 The development site is located just to the north of Morpeth town centre, occupying an informal grassed area located within the grounds of the King Edward VI School, immediately north of the rear of South Terrace, to the east of Cottingwood Lane and west of Kings Avenue, which is a mainly residential area. An Adult Education Centre lies immediately to the north and this will be retained in its current use. To the north are also the remainder of the school grounds and associated car parking for the education centre. There is an existing single storey lodge building to the west of the site, which will be demolished in order to accommodate the development.
- 2.6 The site lies in the settlement boundary of Morpeth.

Background

- 2.7 The history shows that a planning application under reference 12/01106/FUL for the erection of retirement living housing for the elderly consisting of 51 retirement flats (category II type accommodation), communal facilities, landscaping and car parking and new access onto Cottingwood Lane following demolition of existing bungalow, was refused for the following reasons:

1) The site is a greenfield site located outwith the town centre of Morpeth. As there are more sustainable and sequentially preferable brownfield sites available closer to the town centre it is considered that the proposal would thus be contrary to the requirements of the National Planning Policy Framework which encourages the reuse of brownfield land.

2) The proposed development will generate additional traffic, which will access and egress off Cottingwood Lane, and be prejudicial to road safety. An inadequate number of parking spaces are proposed within the site which would encourage parking on the highway with consequent risk of additional hazards to all users of the road.

3) The scale and massing of the proposed building would be out of character with the surrounding area. The development would thus have a dominating effect on the immediate locality and amenities of surrounding properties. The

proposal would be contrary to the requirements of the National Planning Policy Framework and Local Plan Policy H15.

- 2.8 An appeal was submitted for this application and was dismissed. In response to the first reason for refusal the Planning Inspector stated:

‘Examining the potential of brownfield sites first is a sound approach in response to one of the core planning principles of the National Planning Policy Framework (the Framework) which encourages the effective use of land by reusing land that has been previously developed. However, since the recent revocation of the Regional Strategy, there is no longer a policy basis in the development plan restricting development on the basis of a sequential approach. Although the Framework advocates a sequential approach in relation to town centre uses and for sites susceptible to flooding, such an approach to the location of housing development is not reflected in the Framework. This is confirmed in a recent Secretary of State Decision.¹ Therefore, there is no justification to restrict the use of this broadly sustainable, albeit greenfield site on the basis of sequentially preferable sites elsewhere in the town, even if sites were readily available.’

- 2.9 In terms of the second reason for refusal the Planning Inspector concludes ‘I am not persuaded that the accessibility of the development for the elderly residents of the proposed dwellings, nor the proposed highway access in this challenging position in Cottingwood Lane, would secure a safe environment for users of the highway. The Framework requires, amongst other things, development to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians. It has not been demonstrated satisfactorily that the proposed development, due to the deficiencies in the design of the access and the lack of safe and secure routes for pedestrians and wheelchair users, would accord with this requirement of the Framework to which I attach significant weight.’

- 2.10 In terms of the third reason for refusal the Inspector said ‘Despite the attempt to break up the appearance of the building with varying elevations and roofs, its overall scale and mass, accentuated by the elevated position, would not be sympathetic to the urban grain of the area. It would dominate the surroundings, particularly when seen from windows to habitable rooms and rear patios and gardens of the nearby properties. As I saw on my site visit, the ground floor of the proposed building would be higher than the first floor bedroom windows in the houses in South Terrace, from where the over-dominant impact of the development would be seen....the car park in such close proximity to domestic gardens would not respect the verdant character of the area...would also harm the resident’s enjoyment of their garden...conclude on this issue that the proposal, due to its scale, mass, over-dominance and potential loss of trees would be detrimental to the character and appearance of the area and surrounding properties and would not enhance the amenity of existing residents contrary to these objectives of the Framework.’

- 2.11 The applicant in their supporting information for this current application states the previous refused application was for 52 retirement living apartments with associated internal and external spaces. The development was a mix

of two and three storeys above the garden level with an entrance storey below. The design of the proposals made little reference to the surrounding context.

2.12 The applicant in their supporting statement states 'This planning application seeks approval for 18 dwellings consisting of high-quality apartments as follows:

- 10no. apartments in the north building and 8no. in the east building. A total of 7no. two bedroom apartments and 11no. three bedroom apartments;
- An off-site affordable housing contribution, will be determined in accordance with planning policy;
- Car parking provision accords with Northumberland County Council's requirements, with two spaces for each apartment, plus 10 visitor spaces. Provisions of electric vehicle charging points (one per apartment) and secure cycle parking for residents (two per apartment) exceed than the County Council's requirements. 10 visitor parking spaces are located in the landscaped forecourt;
- The secure parking area for residents is served by two lifts, one for each of the two buildings above, thus giving direct lift access between the apartments and parking;
- The character of the development is designed to reflect that of the adjacent generously sized domestic buildings in the surrounding streets, in particular on Kings Avenue;
- The physical mass of the development is reduced by splitting the development into two buildings sitting within landscaped gardens, and keeping the height of the buildings to two storeys, with the third storey of accommodation within the roof space. This represents a significant improvement on the previous McCarthy & Stone proposals.
- The retention of existing tree cover has greatly influenced the masterplanning of the site with proposed tree removal being restricted to a few specimens (mainly category C trees) in the vicinity of the site entrance, and vegetation within Groups 1 and 2 (part).
- The visual effects of this tree removal would be minimal and new tree planting across the site would mitigate this loss.
- Site access will be achieved via a reconfigured access from Cottingwood Lane. The detailed design of the access has responded to the concerns of the previous scheme and has been subject to a Stage 1 Road Safety Audit. Implementation of the access requires the demolition of an existing bungalow on the Cottingwood Lane frontage.
- On the southern site boundary a lot of work has been undertaken to address concerns raised by local residents regarding issues of privacy and visual amenity, resulting in the creation of communal garden for use by neighbouring residents as a 'buffer' space.

3. Planning History

Reference Number: 12/01106/FUL

Description: Erection of retirement living housing for the elderly (category II type accommodation), communal facilities, landscaping and car parking. Creation of new access onto Cottingwood Lane following demolition of existing bungalow.

Status: REF

Reference Number: 15/02444/PRUTPO

Description: Works to trees protected by TPO: Crown lift 1 no lime tree (T1) to 4m and remove deadwood. Crown reduce 1 no copper beech (T2) by 2m.

Status: PER

Appeals

Reference Number: 12/00068/REFUSE

Description: Erection of retirement living housing for the elderly (category II type accommodation), communal facilities, landscaping and car parking. Creation of new access onto Cottingwood Lane following demolition of existing bungalow.

Status: DISMIS

4. Consultee Responses

Highways	No objections subject to conditions.
Morpeth Town Council	<p>Morpeth Town Council regret the decision to release this land (the Headmasters Lawn at KEVI) for development both from a heritage and an environmental perspective, but we recognise the Schools need to realise capital receipts.</p> <p>We are aware that a previous application on this site was rejected on access and highways grounds, and we note that the applicant has made considerable efforts to mitigate this issue, to the point that if NCC Highways are satisfied with the immediate access issues, we are too.</p> <p>However, we are concerned about the impact that additional traffic will have on the already heavily-used wider road network (Howard Road junction, Howard Road, Wellway, Manchester St, Stanley Terrace) and we would welcome further information and assurances on this.</p> <p>Although not explicitly designated in the Morpeth Neighbourhood Plan, the site is part of the "local green infrastructure" supporting the designated wildlife corridor along the line of the Cotting Burn.</p> <p>This wildlife corridor is already under considerable pressure from fairly dense development along Cottingburn Lane and Newgate St, and we need reassurance that this development will not impact further on the wildlife</p>

	<p>corridor. We are also concerned that adequate measures should be taken during construction to safeguard wildlife. We welcome the design and choice of materials to be used which appear to be in keeping with more attractive older school buildings. However we note that given the contours of the site there is a risk that massing (overlooking, loss of light) could impact on South Terrace and School Close.</p> <p>South Terrace is also currently at risk from flooding from surface water run-off down the length of Collingwood Lane, though the new reservoir at the top of the Cotting Burn has partly mitigated this risk. However, development on this site could increase the risk of run-off flooding South Terrace, and we seek reassurances that mitigation measures proposed by the developers will be adequate.</p>
Northumbrian Water Ltd	Request condition for a detailed scheme for the disposal of foul and surface water to be submitted.
Affordable Housing	A contribution of £180,000 is required.
Waste Management - South East	No response received.
Education - Schools	A contribution of £108,000 is required.
Open Spaces South East Area	No response received.
Lead Local Flood Authority (LLFA)	<p>1)Object</p> <p>2)Object</p> <p>3)Comments awaited.</p>
County Ecologist	<p>1)Require further info</p> <p>2)No objection subject to conditions</p>
Public Protection	In agreement subject to conditions.
North Trees And Woodland Officer	No response received.
Forestry Commission	<p>It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless “there are wholly exceptional reasons and a suitable compensation strategy exists” (National Planning Policy Framework paragraph 175).</p> <p>We also particularly refer you to further technical information set out in Natural England and Forestry Commission’s Standing Advice on Ancient Woodland – plus supporting Assessment Guide and Case Decisions.</p>

Strategic Estates	No response received.
Fire & Rescue Service	No objection in principle.
Architectural Liaison Officer - Police	Provide comments on design.
Northumbria Ambulance Service	No response received.
Building Conservation	The site lies to the east of the Morpeth Conservation Area and is not in close proximity to any listed buildings. Building Conservation consider that the design and materials reflect local distinctiveness and that if consent is granted that conditions should be attached regarding external materials, including windows and doors and hard and soft landscaping, in order to achieve a high standard of development.
West Tree And Woodland Officer	No objection.
Natural England	No comment.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	37
Number of Objections	119
Number of Support	1
Number of General Comments	3

Notices

General site notice, 26th June 2020

Morpeth Herald 18th June 2020

Summary of Responses:

119 letters of objection have been received which in summary raise concerns regarding the following:

- Loss of privacy to School Row, South Terrace and other properties.
- The increase in traffic caused by the development and that this will impact on road safety and pedestrian safety and will add to congestion, access on blind bend on a road which already had an inadequate width, is a hazard, and has

congestion and safety problems, already narrow Road is unsuitable/busy. It will exacerbate existing problems. Danger to pupils. Entrance/ access to site is dangerous due to restricted sightlines and the speed of cars coming down the road

Cottingwood Lane is already heavily congested at school start & finish times with two vehicles unable to pass due to resident parking, this coupled with large groups of children also walking on the road represents a significant road safety risk. Additional traffic using this section of road for access/egress to the proposed development would increase this risk.

. Accidents have occurred at the site of entrance.

-Impact on roads from construction lorries- safety, noise, disruption, dust

-Adequacy of parking/ layout

-Conflicts with shared access

-Impact on trees

-Inappropriate design... incongruous, pastiche of elements, not original, not in character with area, overbearing, over developed, density, incongruous mass, building out of keeping with the surrounding residence, lay out

-No history of block developments

-Impact on health services

-Destroy amenity value of site and open space in town. Little green space left.

-Increase surface water run off and flooding / drainage concerns. No evidence of detailed investigations into the numerous springs that run through this area of

land and the effect this will have on flooding. Concern foundations/ under ground parking will impact on water table.

- Existing sewer is outdated and over capacity.

-Visual intrusion/ impact on townscape

-Noise impact

-Loss of light/ overshadowing

- footprint and density is inappropriate in an elevated position

-Impact on nature conservation/ lack of ecological surveys.

-Overbearing mass impacting on School Row.

-Houses south of the site lie at foot of a steep slope with the site above at the top. Contour gradients submitted stop at the end of School Close gardens, but in reality relative levels are well over 5m apart. The effect is to greatly amplify massing of the block construction. Houses south of the site lie at foot of

a steep slope with the site above at the top

-Trees offer limited screening. Lack of screening detail.

-Impact of buildings on trees and roots

-Burden from existing trees from debris

-No fundamental changes to the 2012 application. The Planning Inspector concluded that the detrimental impacts on the character and appearance of the area, on surrounding properties, and on highway safety significantly outweighed value benefits to the school and an additional retirement home supply. The current Proposals, on this occasion for two blocks of flats, do not resolve these basic issues.

-Suggest amendments to the scheme- reduce numbers.

-Objections to planning process

-Conflicts with policies- MNP, design principles

-Process is flawed. Planning process during Covid.

-Light pollution

- More housebuilding in Morpeth is not necessary

- Impact on the local health service, schools and council services
- Questions over traffic survey
- no attempt to meet net zero carbon standards
- Current use of the greenfield by local community groups- scouts
- Light Pollution
- Flaws in traffic survey- road safety audit- Firstly, the traffic survey included for Cottingwood Lane relates to February 2018 when KEVI was on half term holiday (this can be checked on the school's website). Consequently, this means that the report is based on a serious underestimation of the volume of traffic using the road. Other traffic data obtained from NCC also shows that over 30% of cars speed along this road when the school is in session. Secondly, the report was compiled by Alan Bawn who is the father of Councillor Bawn who is a KEVI foundation governor and, therefore, has a huge interest in the development being approved. It cannot be regarded as an independent report. data provided by NCC during active term show traffic flows 2.1 times higher than shown in developers audit, twice as much traffic travelling..with encounters between vehicles increasing. Speeders rises by 9.4 in terms times.

Northumbrian Wildlife Trust- The proposed development lies within 200m of Cotting Woods Local Wildlife Site (LWS), a site designated for its ancient woodland habitat and here are already significant pressures facing this LWS as a result of public use, and the ground flora is being destroyed by the use of quad bikes within the site. The Trust is concerned that further development within the area will lead to an increase in pressure on this site, and we would therefore ask that the planning be refused

General comments - The road safety issue must be satisfactorily addressed. Cottingwood Lane is very narrow at the proposed entrance and blind to vehicles travelling down the lane .

Letter of support- The buildings are well designed to a very high standard , surrounded by mature trees and well screened from Cottingwood Lane and residents views. It would be an asset to the area and I fail to see why there can be any objection to it. There will be no "on road" parking problems during construction or for future residents as there is ample facility on site.

The above is a summary of the comments. The full written text is available on our website at:

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

6. Planning Policy

6.1 Development Plan Policy

Morpeth Neighbourhood Plan- Made 2011-2031

Policy Sus 1 – Sustainable Development Principles

Policy Des 1- Design Principles

Policy Set 1- Settlement Boundaries

Policy ENV1- Landscape and Wildlife Corridors

Policy ENV5- Local Wildlife Site

Policy HOU1- Housing Development
Policy HOU2- ST Georges Hospital, Morpeth
Policy HOU3- Housing Mix
Policy HOU4- Delivering Affordable Housing Mix
Policy HOU5- Infrastructure to serve new Housing Development
Policy Tra 2- Traffic Congestion
Policy Tra 3- Transport Requirements for New Developments
Policy Tra 4- Development of Footpath and Cycleway Networks
Policy Inf1- Flooding and Sustainable Drainage

Castle Morpeth Local Plan

C1 Settlement boundaries
H15 New housing developments
H16 Housing in the countryside
RE5 Surface water run-off and flood defences
RE6 Service Infrastructure
RE8 Contaminated Land
C11 Protected Species
C15 Trees in the Countryside and Urban Areas
C3 Areas of High Landscape Value
C10 Sites of Local Conservation Interest
H8 Affordable Housing
H16 Housing in the Countryside
R4 Childrens Play
R8 Public Footpaths and Bridleways
R10 Local Nature Reserves, Woodlands, Wildlife Habitats and Public Access
MC1 Settlement Boundary
MC2 Areas of High Landscape Value
MH1 Housing: Land Supply

6.2 National Planning Policy

National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (amended, 2019)

6.3 Other Documents/Strategies

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 STP 6 Green Infrastructure
Policy STP 7 Strategic approach to the Green Belt (Strategic Policy)
Policy STP 8 Development in the Green Belt (Strategic Policy)
Policy HOU 1 Making the best use of existing buildings (Strategic Policy)
Policy HOU 2 Provision of new residential development (Strategic Policy)
Policy HOU 3 Housing requirements for neighbourhood plan areas (Strategic Policy)
Policy HOU4 Housing development site allocations
Policy HOU 5 Housing types and mix
Policy HOU 6 Affordable Housing provision
Policy HOU 8 Residential Development in the open countryside

Policy HOU 9 Residential development management
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 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 ICT 2 New developments and infrastructure alignment
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 1 Water quality
Policy WAT 2 Water supply and sewerage
Policy WAT 3 Flooding
Policy WAT 4 Sustainable Drainage Systems
Policy POL 1 Unstable and contaminated land
Policy POL 2 Pollution and air, soil and water quality
Policy INF1 Delivering development related infrastructure (Strategic Policy)
Policy INF6 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. The development plan in respect of the application site comprises the Morpeth Neighbourhood Plan and Castle Morpeth Local Plan. 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).
- 7.2 In accordance with paragraph 48 of the NPPF weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The latest version of the NLP was submitted to the Secretary of State for examination in May 2019 and is currently at examination. Relevant policies in this document are a material consideration in determining this application and it is considered that such policies can be afforded some weight at this time.
- 7.3 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.

Housing Land Supply

- 7.4 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.
- 7.5 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.
- 7.6 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 affordability ratio (March 2020 –ONS), this gives a minimum Local Housing Need of 651 dwellings per annum. Allowing for the 5% buffer therefore means that the SHLAA's identified 'deliverable' supply would equate to a 10.9 years housing land supply, giving a percentage of 218% Northumberland's identified supply of potentially 'deliverable' housing development sites is therefore evidenced to be significantly in excess of its current 5-year housing land supply requirement, by about three times the minimum requirement. Therefore, in the context of Footnote 7 of the NPPF, the presumption in favour of sustainable development would not apply.
- 7.7 The main issues for consideration in the determination of this application are:
- Principle of the development and other considerations
Planning Obligations/ Viability

Design, Impact on character of area
Layout and impact on residential amenity
Ecology
Trees
Foul Sewerage and Surface Water
Land contamination/ Stability
Highway Safety/transportation
Other

Principle of Development

- 7.8 Although the Castle Morpeth District Local Plan was adopted prior to 2004, it is considered that the policies relevant to the determination of the proposed development are in line with the NPPF objectives. This means that due weight can still be given to the Local Plan policies referred to this report. The application site is located in the Morpeth settlement boundary as shown on the Castle Morpeth Local Plan. Local Plan Policies C1 and MC1 permit in principle new development within the settlement boundary of Morpeth. As the site is located within the defined settlement boundary of Morpeth it is considered that the proposal accords with the NPPF and Local Plan Policies C1 and MC1 in this respect.
- 7.9 Notwithstanding the above allocation, the Morpeth Neighbourhood Plan (MNP) (2016) is the most recent and up to date adopted plan and as such more weight should be given to this. In terms of the MNP the site is clearly located within the settlement boundary of Morpeth as defined on the proposal map. In turn 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.' As such the principle of housing on this site is considered to be acceptable and complies with the Morpeth Neighbourhood Plan (MNP) (2016).
- 7.10 Furthermore 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. It also sets out that proposals should contribute towards the sustainability of settlements and be accommodated within settlements boundaries other than those circumstances defined in SET1. This aligns with the principles and aims of the NPPF in supporting sustainable development. Given the sites location within the settlement boundary of Morpeth and in close proximity to services, it is considered the proposal would contribute towards the sustainability of the area, in accordance with Sus1 and the NPPF. The principle of the development would therefore accord with Local Plan Policies C1 and MH1 a and neighbourhood plan policy Sus1 and the NPPF. Whilst the site is considered to be a 'greenfield site ' there is no requirement in the NPPF that a sequential test should be carried out for such a site in this location in order to see if there are any available brownfield sites. In addition the site is also not public open space, but privately owned land.

- 7.11 In terms of the emerging Northumberland Local Plan 'spatial strategy' (Policy STP 1) continues to regard Morpeth as a 'Main Town' (one of twelve) that will be 'the main focus for employment, housing, retail and services'. STP1 also states that Sustainable development will be supported within the constraints of the Green Belt and settlement boundaries defined on the Local Plan policies map or in neighbourhood plans.'

Planning Obligations

- 7.12 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. Para 56 of the NPPF states Planning obligations must only be sought where they meet all of the following
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 7.13 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.
- 7.14 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.
- 7.15 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

- 7.16 Policy Hou3 of the Morpeth Neighbourhood Plan (MNP) 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 would provide a specific property type comprising 2 and 3 bed roomed apartments which would help towards the mix on Morpeth which has recently seen a surge in family sized detached dwellings.

- 7.17 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.
- 7.18 Policy H8 of the Castle Morpeth District Local Plan seeks an element of affordable housing on this site and Policy H9 of the Castle Morpeth District Local Plan 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 notwithstanding the requirement for local needs, housing developments shall comply with Policy H15 (new housing developments).
- 7.19 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. It defines affordable housing in Annex 2. In addition 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.
- 7.20 Given how long ago the former district Plan was prepared and adopted, in accordance with national policy it is now more appropriate to take account of more recent up-to-date evidence and emerging policies as material considerations in the assessment of planning applications.
- 7.21 The emerging new Northumberland Local Plan (Regulation 19 publication draft, January 2019) is currently progressing through its examination stages, so has some weight in decision-making in accordance with NPPF paragraph 48. The Plan's requirements could therefore change during the time that a planning application is being assessed and a decision made. Draft Policies HOU5 (Housing types and mix) and HOU6 (Affordable housing provision) require that development proposals should be assessed in terms of how well they meet the housing needs and aspirations identified in the most up-to-date Strategic Housing Market Assessment (SHMA) or local housing needs assessment.
- 7.22 The draft Local Plan notes at paragraph 7.35 that the latest SHMA Update (June 2018) identifies a countywide net affordable housing need shortfall of 151 dwellings per annum over the period 2017-2022, which equates to a

residual 17% affordable housing need in terms of the draft Plan's overall average annual housing requirement for the plan period 2016-2036. However, it should be noted that, due to the ongoing independent examination, the draft Policy HOU6 approach to breaking down this affordable housing needs requirement according to viability value areas only has limited weight at this stage and is therefore not currently being applied for decision-making purposes. So pending adoption of the new Local Plan, the minimum affordable housing requirement being applied countywide is currently 17%.

- 7.23 As regards the tenure split of the affordable housing to be provided, as noted at paragraph 7.38 of the draft Local Plan, the SHMA Update recommends a 50:50 split between affordable/social rented and affordable home ownership products. This takes into consideration the Government's drive towards enabling home ownership. However, given the NPPF paragraph 64 requirement for at least 10% of the total number of dwellings on major development sites to be for affordable home ownership (subject to certain exceptions), a 50:50 split of the current 17% affordable housing ask is not possible, unless a scheme proposes 20% or more of the total dwellings to be affordable. The guideline tenure breakdown in draft Policy HOU6 seeks to address this, but due to the limited weight able to be given to the viability value area provisions at this stage it is not currently being applied, so for the time-being the tenure split should be negotiated as appropriate taking the NPPF requirement into consideration.
- 7.24 In terms of housing mix, types and sizes, paragraphs 7.28 and 7.39 of the draft Local Plan summarise the SHMA Update's identified predominant overall and affordable housing needs respectively.

Identifying Local Housing Needs and Demand

- 7.25 The mix and tenure of affordable homes on development sites should reflect our current housing needs evidence base. Sources are:
Strategic Housing Market Assessment Update
Homefinder statistics
Information from other registered affordable home providers
Information from Neighbourhood Plans
Information from Local Housing Need Assessments where applicable
- 7.26 In conclusion 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. For this development of 18 homes the AH requirement at 17% is 3.06 units. The standard 'ask' would have been 10% AH ownership options and 7% AH rent as described above. However in this case as there is concern over potential un-affordable service charges, the requirement will be in the form of a commuted sum. This has been calculated using the council's published protocol: 18 units x 17% AH x 60,000 (from table 1) =£180,000 (based on 3 dwellings).
- 7.27 *Health* – given the development has less than 30 dwellings no contribution is required.

- 7.28 *Sport and Play* – given the size of the site being less than 1 hectare no play area is required on site and no contribution has been requested towards any sport facilities.
- 7.29 *Coastal Mitigation*- none required given distance.
- 7.30 *Education*- Education have confirmed that the financial implications arising from the likely additional pupils to be generated by this development include the requirement for a contribution of £54,000 to mitigate against the impact of the proposal on Morpeth First School (7 pupils to be funded) , £48,000 would be required to mitigate the impact of the proposed additional housing on Newminster Middle School and £24,000 would be required to mitigate the impact of the proposed additional housing on KEVI School. In this case, a total contribution of £108,000 is therefore requested to be secured via a S106 agreement towards Education.

Design and impact on character of area

- 7.31 This application is for a substantially different development to that refused under the 12/1106/ful application, in terms of design and positioning. The previous application was for one building of quite a modern appearance comprising a mix of two/ three and four stories. This application is for two distinct buildings of a very different design comprising a mix of single to 4 stories, which includes rooms in the room.
- 7.32 In terms of design whilst objection has been raised that the buildings now proposed contain a 'pastiche' of features of buildings in the area, it is considered that these design features which do reflect some of those on the 19th century and early twentieth century residential properties in the area, including red brick and stone walls, slate roofs, sliding sash windows, circular turrent styled windows would actually ensure the buildings look in keeping in the area and definitely more so than the previous proposal. Building Conservation have also been consulted and consider that the design and materials reflect local distinctiveness and that if consent is granted that conditions should be attached regarding external materials, including windows and doors and hard and soft landscaping, in order to achieve a high standard of development.
- 7.33 The area is also comprised by a mix of different sized buildings ranging from terraced to more substantial detached properties. Therefore, whilst the proposed buildings would be quite substantial in scale in comparison to many buildings around including the adult learning centre also on the site, actually given the variety in sizes of buildings around and that the proposed buildings would also be set in their own substantial grounds with the frontage of the north buildings facing within the site and the frontage of the east buildings elevation set approximately 57m from Cottingwood Lane, it is considered that the scale of the buildings would be acceptable and not appear over bearing or dominant when viewed from Cottingwood Lane and in the context of its surroundings. In addition due to the differences in levels, the buildings would also appear as two storey properties with rooms in the roof ridge, when viewed from certain sides, helping them to assimilate further in the area, especially those on Kings Avenue and De Mereley Road which are

mostly wide fronted, detached or semi-detached substantial two storey properties, many with rooms in a second storey within the roof space

- 7.34 The land around the site would be landscaped to provide shared outdoor amenity space for residents. This type of amenity space is considered to be acceptable for the type of development proposed.
- 7.35 Overall it is considered that the scale and design of the buildings is considered to be acceptable and it is considered that the proposed development would not have a detrimental visual impact upon the character of the area. Therefore subject to conditions the development would therefore accord with the requirements of the NPPF and Local Plan Policy H15 in relation to design.

Layout and impact on residential amenity

- 7.36 A number of objections have been received in regard to potential impact upon residential amenity, including loss of privacy, light, outlook and over bearing appearance. Concern was also raised by the Planning Inspector in regard to the previous proposal in terms of the over dominant impact of the proposal when viewed from nearby properties, especially that on South Terrace. Concern was also raised about potential noise impact on residents of School Row from the parking area. Whilst this proposal is quite different to that previously proposed significant consideration has still been given to these objections and impact upon amenity.
- 7.37 In considering this application and against that previously refused, it is considered that the overall height of the buildings now proposed is approximately the same reaching approximately 13.5m compared to approximately 13.75, when taken from the ground floor of the undercroft levels on both proposals to the ridge height. The over all height above ground floor level is also virtually the same reaching approximately 10.20m, for both applications .
- 7.38 This current application however is designed very differently and positioned differently than that previously refused, which impacts on how the proposal would effect the amenity of nearby residents. Under this current application the nearest building to South Terrace, which lies directly to the south of the application site, would be the proposed east building. The main two storey south elevation of this eastern building would however be set approximately 39.2m from the rear of number 6 and 8 South Terrace, which are the nearest properties on this terrace and approximately 35.5m from the single storey side project on this south elevation. The proposed building would also be set at an angle to this terrace unlike the previous application. So whilst the ground floor level of South Terrace is approximately 6m lower than the ground floor level of the proposed east building being, given the separation distances from the two storey part of the east building and that the building is angled to South Terrace, it is considered the residents at South Terrace would not be impacted upon in terms of loss of light, outlook or privacy, to any degree that would warrant refusal of this application. There are also trees and further planting is proposed between these buildings which would also help to reduce any impact.

- 7.39 As there would also be approximately 24m to the shared rear boundary with Kings Avenue from the nearest elevation of the east building, and 36m to the nearest rear elevation on Kings Avenue, whilst a third floor is proposed in the roof space and there is a slight gradual fall in the land, these residents along this street would also not be impacted upon in terms of loss of light, outlook or privacy, to any degree that would warrant refusal of this application. There are also a number of trees inbetween these buildings which would help to reduce any impact.
- 7.40 The properties at School Row also lie next to the application site, to its south western side. The properties here are also set at a much lower level than the majority of the application site, by approximately 5m. Whilst the ground floor of the proposed east building would however be 42.5m in height and it would rise to approximately 10.2m in height above this, also given the approximate 37 m distance to these properties and position of the east building, these properties too would also not be impacted upon significantly in terms of loss of light, outlook and privacy. Further tree planting inbetween would also help to reduce impact. The car park layout and position is also as such now that it would not create any significant impact on the residents of School Row in terms of noise impact. Public Protection have also been consulted and not raised any concerns regarding noise impact. As the northern building would be set 60m from School Row, 88m from South Terrace and approximately 56m from Kings Avenue the residents of these properties would not be impacted upon by this building.
- 7.41 In regard to the properties on Cottingwood Lane the ground floor of the north building would be set approximately 3m higher, with its nearest elevation approximately 28.5m from the nearest properties on Cottingwood Lane. This elevation would reach approximately 5.6m to its eaves like all the other elevations and the roof would be hipped away so its highest ridge level is approximately 34m from these properties. Whilst a balcony is proposed on this facing west elevation of this north building at roof level and windows also at first floor level, actually given the distance and position of intervening trees/ landscaping and boundary walls and hedges, it is also considered these properties would not be impacted upon to any significant amount that would warrant refusal of this application.
- 7.42 Notwithstanding the objections and concern raised with regard to impact on residential amenity of surrounding properties, it is therefore considered given the position of the buildings and associated parking, as described above, the impact of the proposal upon the residential amenity is considered to be acceptable. Given the position of the buildings too which is quite different to that previously refused it is also considered that the proposal would not have an overbearing impact when viewed from both Cottingwood Lane and properties around. As such in this respect the development would accord with Local Plan Policy H15 and the NPPF and Des 1 of the MNP.

Ecology

- 7.43 Morpeth Neighbourhood Plan Policies ENV1- and ENV5- seek to protect and enhance Landscape and Wildlife Corridors and Local Wildlife Sites. Policy C10 of the Castle Morpeth District Local Plan states that the Council will not permit development which would affect the integrity of sites of local

conservation interest unless it can be demonstrated that the benefits from the proposed development outweigh the need to safeguard the intrinsic nature conservation value of the site. Policy C11 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 or their habitat. Policy R10 also seeks to protect Local Nature Reserves, Woodlands, Wildlife Habitats and Public Access. The NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken. It 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. Emerging Local Plan Policies ENV1 and ENV2 reflect these objectives. The NPPF requires that planning decisions enhance the natural environment and provide net gains for biodiversity (para. 170) and that LPAs encourage opportunities for incorporating biodiversity improvements in and around developments (para. 175), and so it is important that the scheme is re-designed to secure biodiversity enhancements.

- 7.44 The site is not covered by any nature conservation designations. Given the potential for the proposal to however still impact upon protected species and biodiversity the County Ecologist has been consulted. An ecology survey and after initial consultation with the County Ecologist a updated bat report has been submitted with the application. The County Ecologist in their final comments state that 'the application documents and ecological survey report indicate that bats commute and forage across the site, but no roosts were identified in the cottage though there remains a small risk that individual or small numbers of non-breeding bats may be present in any suitable crevice at any time. As a result, works can proceed to a robust method statement and careful working methods.' As such the County Ecologist now has no objections to the proposals on ecological grounds subject to conditions which ensure mitigation and enhancement measures detailed in the ecology/ bat reports are carried out in full and other conditions are proposed to help mitigate against the impact on hedgehogs and birds. A landscaping condition and condition which would also ensure trees which aren't been removed are protected through out development are also proposed. In terms of the Northumbrian Wildlife Trusts concerns, the necessary Ecological surveys including an additional bat survey have been submitted and consulted upon as above. The County Ecologist has also made the Northumbrian Wildlife Trust aware of this. In addition whilst the site is within 200m of Cotting Woods Local Wildlife Site (LWS), and close to other wildlife sites it is considered it would be an unreasonable requirement to make the applicant install posts and rails to prevent quad bikes from accessing these sites, as it is not considered this would pass the planning obligation tests. One that the proposal would otherwise be unacceptable if these works weren't carried out as no concern was raised in regard to this from the County Ecologist.
- 7.45 As such whilst concern has been raised to impact on the proposal on ecology subject to the above conditions the proposal is considered overall to be acceptable in ecology terms and in accordance with relevant policies in the Morpeth Neighbourhood Plan, Castle Morpeth District Local Plan, the NPPF and the Council's emerging Local Plan.

Impact on trees

- 7.46 The proposed development would sit on the former headmaster's lawn area, which is part of King Edward VI school complex. There are TPO'd trees immediately to the west of the access road, which leads up to the school as well as other groups on the eastern and southern boundaries of the proposed site. As the development would affect a number of trees a tree report has been submitted with the application. The submitted arboricultural report, from Elliott Consultancy, has identified all of the trees on site, categorised them in accordance with BS5837 and has recommended special protection measures to those trees which may be impacted by the proposed development.
- 7.47 The tree report also shows that the development would require the removal of T1,2,3,4,5,6, T15 and TG1, which are all on the Cottingwood Lane side of the site, adjacent to the current Lodge and school access lane. The removals being necessary for the new site access. Comparing the TPO for the area no trees would be impacted upon on within Groups 2, 3 and 4 of the Land at Cottingwood Lane TPO no 10 of 2011. Group 1 is located in southern/northern axis next to the access up to the school and is identified as having 5 pine trees, 1 beech tree, 8 yew trees, 1 oak tree, 3 holly trees and 1 cyprus conifer tree. In this vicinity close to the entrance to the school a holly tree, 1 yew and 1 beech have been identified for removal. Comparing the TPO plan though to the plan in the tree report whilst it is not completely clear, it doesn't appear the holly and yew tree are in the TPO although the beech tree (T6) may be. Whilst it is not completely clear if these three trees fall within Group 1 of the TPO or lie outside the group and have possibly been self seeded from the TPO'd trees, the County Tree Officer does state still that the loss of T1-6 and TG1 (which is a group of trees to be removed to make way for the new entrance) would not greatly impact on the local amenity, as they are small in stature and of relatively poor quality. T15 is classified as B and therefore of moderate quality, however it is not protected by a TPO and the County Tree Officer also states its loss would not result in a long-term negative impact on the area.
- 7.48 The County Tree Officer has also confirmed that the location and type of protective fencing is appropriate in relation to the Root Protection Area (RPA) of adjacent trees, where the construction methods require access inside the RPA, as may be the case with T7, the Arboricultural consultant has recommended appropriate ground protection measures and the proposed landscape plan has included, across the site, approximately two dozen new trees in order to break up the visual impact of the development to surrounding areas, as well as compensating for the loss of the trees removed to accommodate the new access way. As such having considered all of the provided tree related information with this application, the Tree Officer confirms that he has no objections to the proposals from an arboricultural perspective.
- 7.49 Whilst the Planning Inspector previously stated the proposal, due to its scale, mass, over-dominance and potential loss of trees would be detrimental to the character and appearance of the area and surrounding properties in terms of comparison, whilst this current proposal would involve the removal of more trees, the majority of trees to be removed now as confirmed by the tree officer are of poor quality. It is also only trees around the entrance which are to be

removed. The previous proposal also included changing levels in the area of root protection of some of the major trees in the south west corner of the site which was potentially putting them at risk although they were not shown as being removed, which the Inspector was concerned about. This proposal doesn't change the levels in that location. The previous scheme also showed a retaining wall running around the edge of the RPAs of the group of trees to the south of their proposed site entrance. It's not clear how high this wall was intended to be, but depending on the method of construction the footprint of the engineering works required could have had a notable impact on the RPA of these trees and significantly shortened their reasonable life expectancy. This scheme has moved the proposed site entrance north to pull it away from these trees to avoid the risk of any adverse effects. So although concern was raised by the Inspector previously, under this application further consideration has been given to the root protection areas of retained trees, to ensure their life span is not impacted upon. Given this, the number of retained trees, and the position of the buildings overall it is considered the proposal would not be over-dominant and detrimental to the character and appearance of the area.

- 7.50 Overall subject to conditions it is considered that the proposed development will not have a detrimental impact on trees and will accord with Local Plan Policy C11.

Foul Sewerage and Surface Water

- 7.51 Morpeth Neighbourhood Plan Policy Inf1-deals with Flooding and Sustainable Drainage. Castle Morpeth District Local Plan Policies RE5 and RE6 states that the Council will consider the implications of granting planning permission for new developments as they affect t 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.
- 7.52 The NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere.
- 7.53 Policies WAT3 and WAT4 of the emerging Local Plan likewise seek to ensure that developments are acceptable on drainage and flood risk grounds and incorporate sustainable drainage infrastructure where possible.
- 7.54 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 and Drainage Assessment (FRA), along with detailed drainage plans and calculations. Surface water attenuation is proposed in the form of storage tanks before flowing to outfalls. Foul drainage from the development would be dealt with by connecting to the existing mains sewer system.
- 7.55 Concern has been raised with regard to surface water run off /drainage and flooding off site, given the change in levels around the site and that there are under water springs. The LLFA have been made aware of these concerns and have also requested further investigation work and information to be submitted with the application. After reviewing the submitted information and additional information whilst concern has been raised by a number of local

residents the LLFA now raises no objections to the drainage details subject to conditions. As such any concern they had in regard to flood risk has now been overcome. The applicant has stated that foul sewerage would be disposed of by mains sewer. Northumbrian Water have stated that the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess their capacity to treat the flows from the development and therefore request a condition requesting these details to be submitted. Although concern has been raised with regard to infrastructure capacity Northumbrian Water would therefore look at this as part of their assessment. As such subject to the suggested conditions, it is considered that the proposal is acceptable in relation to drainage, flood risk and foul sewage, in accordance with the Castle Morpeth District Local Plan and the NPPF.

Land Contamination

- 7.56 Policy RE8 of the Castle Morpeth District Local Plan 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.
- 7.57 The site lies in an area at low risk from previous mining activities as such the Coal Authority have not needed to be consulted. Public Protection have however been consulted and concur with the applicants submitted desk top contaminated land assessment which demonstrates a low risk to the proposed end users. Public Health Protection agree with this conclusion and state further work can be controlled by condition. Overall subject to their conditions regarding contaminated land and ground gas protection are added to the decision it is considered that the proposal will be acceptable in terms of impact from contamination, in accordance with Local Plan Policy RE8.

Highway Safety/transportation

- 7.58 Morpeth Neighbourhood Plan Policy Tra 3 deals with Transport Requirements for New Developments and Policy Tra 4 deals with Development of Footpath and Cycleway Networks. Castle Morpeth District Local Plan Policy H15 in respect of new housing developments refers to the need for adequate off-street parking, for pedestrians and cyclists to be given priority through layouts that are not highways dominated and for traffic calming measures to be designed into layouts. NPPF paragraph 109 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Policies TRA1 and TRA2 of the emerging Local Plan reflect the above planning policy.
- 7.59 This application has been accompanied by a Transport Statement which assesses the implications of the development related travel on the existing highway and transport networks, along with the proposed site access, car parking and servicing arrangements and the accessibility of the site by sustainable modes of transport. Layout plans have also been submitted which

show a bungalow would be demolished to make way for the access to the site which led to some external parking and undercroft parking, together with modified vehicular access to the Adult Learning Centre and improved pedestrian connectivity.

- 7.60 The Highway Authority have been consulted and have assessed the submitted documentation and plans. When they assess the proposal this includes an assessment of matters such as the accessibility of the development; trip generation; highway safety; highways works necessary to facilitate the development; parking; highways assets and if the proposed development will be satisfactorily accommodated on the local highway network without resulting in any severe impacts on the free flow of traffic. Having assessed the application the Highway Authority have confirmed that the development will not have a severe impact on highway safety, and there are no objections in principle to the proposals. They consider that the proposal is in accordance with the NPPF in highways terms, and the imposition of conditions and informatives with regards to car parking, electric vehicle charging, cycle storage, deliveries and servicing, highway works, surface water drainage and the impacts during the construction phase will address any concerns with the proposed development. The Highway Authority have also been made aware of the concerns relating to the impact of the proposal on the highway network, highway safety and concerns regarding traffic assessments and the town councils concerns regarding impact on nearby roads, however they have confirmed they still have no objection to the proposal.
- 7.61 Therefore overall and subject to the highways conditions it is therefore considered the proposal is acceptable in terms of proposed access and other highways matters, in accordance with Local Plan Policies H15 and Morpeth Neighbourhood Plan Policies Tra 3- Transport Requirements for New Developments and Policy Tra 4- Development of Footpath and Cycleway Networks. Whilst only limited weight can be given to the emerging plan the proposal would also accord with Policies TRA1 and TRA2.

Other

- 7.62 Whilst not individually identified in the report, all the representations received have been considered in the assessment of the application. For the above reasons however the application is recommended for approval.

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 this application be GRANTED permission subject to the applicant entering into a Section 106 Agreement which provides a contribution of £180,000 towards Affordable Housing and up to £108,000 towards Education; and subject to conditions

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. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1583-1-1Rev H - LANDSCAPE STRATEGY PLAN
1583-1-2 Rev D Cross section showing proposed screen planting proposals
3827 10 01 REV B LOWER (ENTRANCE LEVEL) Proposed site Plan
3827 10 02 Rev A Upper (Garden level) Proposed Site Plan
3827 20 01 North Building Plans
3827 20 02 REV A East building plans
3827 30 01 North building elevations
3827 30 02 REV A East building elevations
Site location Plan
Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural
Method Statement, Tree Protection Plan Ref: ARB/AE/1953
Transport statement
Site Sections- 3827 10 03 Rev A
Site Sections- 3827 10 04 Rev A
Drainage Strategy Drawing Number MD1427/0100 Rev F produced by M
Design dated 24.11.2020
Technical note regarding ground water DID/139448/09 – Cottingwood Lane,
Morpeth produced by Fairhurst dated September 2020

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

03. Before development commence above damp proof course level details of the
materials to be used for the external walls and roofs and boundary treatments
shall be submitted to and approved by the Local Planning Authority. The
materials used shall not be other than those approved.

Reason: In the interests of the appearance of the area. In accordance with
Local Plan Policy H15 and the NPPF.

04. Before development commences details of the proposed windows and
external doors, including colour for the windows, and details of the materials
and colour for the external doors, 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 the appearance of the area. In accordance with
Local Plan Policy H15 and the NPPF.

05. Before development commences details of all external lighting to be used
within the site, and on the building, shall be submitted to and approved in
writing by the Local Planning Authority. The details shall include an indication
of the light spillage from all external lighting proposed. The development shall
thereafter be carried out in accordance with the approved details, unless
otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of the area and local residents. In
accordance with Local Plan Policy H15 and the NPPF.

06. The developer shall appoint a qualified arboricultural consultant who shall be
on site for a period to be agreed in writing with the Local Planning Authority to

observe and supervise the excavations and to ensure that the development is carried out in accordance with the measures agreed under Condition 7.

Reason: To protect the trees on the site. In accordance with Local Plan Policy C15.

07. All trees and hedges within, and to the boundaries, of the site identified on either the approved tree survey or the approved application plans as being retained, shall be retained and protected throughout the course of development in accordance with a detailed scheme of works which shall first be submitted to, and approved in writing by, the Local Planning Authority. These measures shall be implemented in complete accordance with the approved scheme and shall remain in place throughout the course of the construction of the development, unless otherwise approved in writing with the Local Planning Authority. Any trees or hedges removed without the written consent of the Local Planning Authority, or dying or being severely damaged or becoming seriously diseased before the completion of development or up to 12 months after occupation of the last dwelling shall be replaced with trees or hedging of such size, species in a timescale and in positions as may be approved in writing by the Local Planning Authority.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with the provisions of Local Plan Policy C15.

08. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (Ecology Report Cottingwood Lane, Morpeth August 2020, EcoNorth Ltd., Version V05, Final, 10.8.20) including, but not restricted to, adherence to timing restrictions; adherence to precautionary working methods and a Bat Method Statement to be submitted to and agreed in writing with the LPA before works commence; preconstruction check for badger, red squirrel and non-native invasive plants not more than 1 calendar month before works commence with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the LPA before works commence; removal of Cotoneaster as specified; adherence to external lighting recommendations and in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Professionals, 2018; 6No. bird nesting features and 6No. bat roosting features (bat/bird bricks or tiles) to be incorporated into the new structures with types, numbers and locations to be agreed in writing with the LPA before works commence; any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for terrestrial animals that might otherwise become entrapped; retention of dense area of bryophytes (as specified); landscape planting and management as specified; an updating ecological survey (including active season (May to August inclusive) bat and bird nesting survey) to be carried out in the event that works do not commence before the end of August 2022 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the

LPA before works commence.

Reason: To maintain the favourable conservation status of protected species. In accordance with Local Plan Policy C11.

09. No development /demolition, removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law. Hedgehogs, included in s.41 of the NERC Act 2006 and in both the UK. In accordance with Local Plan Policy C11.

10. All new garden boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species. In accordance with Local Plan Policy C11.

11. No development shall be carried out other than in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012 and Tree Protection Plan included in Land At Former Headmasters Lawn Cottingwood Lane Morpeth - Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan, Elliott Consultancy Ltd., May 2020 and fully implemented as approved.

Reason: To maintain and protect the existing landscape and biodiversity value of the site. In accordance with Local Plan Policy C11.

12. A detailed landscape planting and management plan, including the planting and sowing of locally native species of local provenance, shall be submitted to and agreed in writing with the LPA. It shall also show where existing hedgerows and trees are to be retained and areas of new planting. This shall include, where required, the planting of trees and shrubs, the provision of and details of screen walls, retaining walls or fences, the mounding of earth, areas to be seeded with grass, areas of hard surfaces and proposed surface materials and other proposals for improving the appearance of the development. The scheme shall be carried out in accordance with the approved drawings before the end of the year in which the development starts, or within such other time as may be agreed with the Local Planning Authority in writing beforehand. The landscaped areas shall be subsequently maintained to ensure rapid and complete establishment of the agreed scheme, including watering, weeding and the replacement of any plants which fail.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site. In accordance with Local Plan Policy C11.

13. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. 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 Local Plan Policy RE5.

14. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:
Monday to Friday - 08:00 to 18:00
Saturday - 08:00 to 13:00
With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise. In accordance with Local Plan Policy H15.

15. During the construction period, there should be no noisy activity, i.e. noise from the construction activities which is audible at or beyond the site boundary, on Saturdays, Sundays or Bank Holidays or outside the hours:
Monday to Friday - 0800 to 1800,

Reason: To protect residential amenity and provide a commensurate level of protection against noise. In accordance with Local Plan Policy H15.

16. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:
- a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.
 - b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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 Local Plan Policy RE8

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

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

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

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

19. 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 BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

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

20. No building shall not be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in 19, which has been approved in writing by the LPA.

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

21. The development shall not be brought into use until a Servicing and Deliveries Management Plan has been submitted to and approved in writing by the Local Planning Authority. The document shall include:
- i. details of the access and egress arrangements for delivery and servicing vehicles;
 - ii. details of the type and size of delivery and servicing vehicles to be used;
 - iii. delivery and servicing times/days;
 - iv. general swept path arrangements for delivery and servicing vehicles.
- Thereafter, any requirements of the plan shall be strictly adhered to, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to achieve the requirements of the Service Management Plan, and in accordance with the National Planning Policy Framework.

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

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

23. Notwithstanding the details submitted, development shall not commence until revised details of the proposed highway works (modified access/junction arrangements, provision of footway and crossing facilities, including any street lighting, drainage, signage and all associated works) have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

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

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

25. 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.

26. Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development , in accordance with the National Planning Policy Framework.

27. Development shall not commence until a Construction Method Statement , together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:
- i. details of temporary traffic management measures, temporary access, routes and vehicles;
 - ii. vehicle cleaning facilities;
 - iii. the parking of vehicles of site operatives and visitors;
 - iv. the loading and unloading of plant and materials;
 - v. storage of plant and materials used in constructing the development

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

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

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

29. Any balcony screens shall be of opaque material.

Reason: To help protect against loss of privacy, in accordance with the NPPF.

30. Development shall not commence until details of who will be adopting and maintaining the outfall and pipework shown on drawing MD1427/0100 Rev F produced by M Design dated 24.11.2020 have been submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with these approved details.

Reason: To ensure the pipework is fully maintained. In accordance with Local Plan Policy RE5.

31. Development shall not commence until details of what mitigation measures for ground water will be included on the development have been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the ground water mitigation measures in DID/139448/09 – Cottingwood Lane, Morpeth produced by Fairhurst dated September 2020 . The development shall then be carried out in accordance with these approved details.

Reason; To ensure ground water is managed on site. In accordance with Local Plan Policy RE5.

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

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

- * Construction details (component drawings, materials, vegetation)

- * Health and Safety file;

- * Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards. In accordance with Local Plan Policy RE5.

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

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime. In accordance with Local Plan Policy RE5.

34. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features. In accordance with Local Plan Policy RE5.

Informatives:

1. Ecology

The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them. Applicants and contractors should note that the protected species legislation

operates, independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works. In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

2. Public Protection

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.

3. Highways

1. INFO28 Section 278 Agreement and works in adopted highway

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 to progress this matter.

2. INFO29 Highway condition survey

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.

3. INFO30 Highway works under Section 278 Agreement

The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980: [modified access/junction arrangements, provision of footway and crossing facilities, including any street lighting, drainage, signage and all associated works] .

4. INFO33 Reminder to not store building material or equipment on the highway

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,

5. INFO34 Technical Approval of Highway Structures

You should note that Technical Approval of Highways Structures is required. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk

6. INFO35 Contact Lighting Section

You are advised to contact the Councils Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

7. INFO40 Reminder to not deposit mud/ debris/rubbish on the highway

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

8.INFO41 Road Safety Audits

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 or 01670 622979

9.INFO46 Containers Required for the Storage of Waste

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.

However it is assumed that provision for garden waste is not required for flats. Or Bins provided to flats

The level of bin provision is based upon the number of properties. For developments of up to 17 individual properties individual 240 litre bins should be used. Provision needs to be made for 1 x 240 litre residual refuse bin and 1 x 240 litre dry recycling bin. For developments of 18 individual properties and more communal bins will be used (1100 litre) along with glass recycling facilities.

Date of Report:

Authorised by:

Date:

Background Papers: Planning application file(s) 20/01601/FUL