

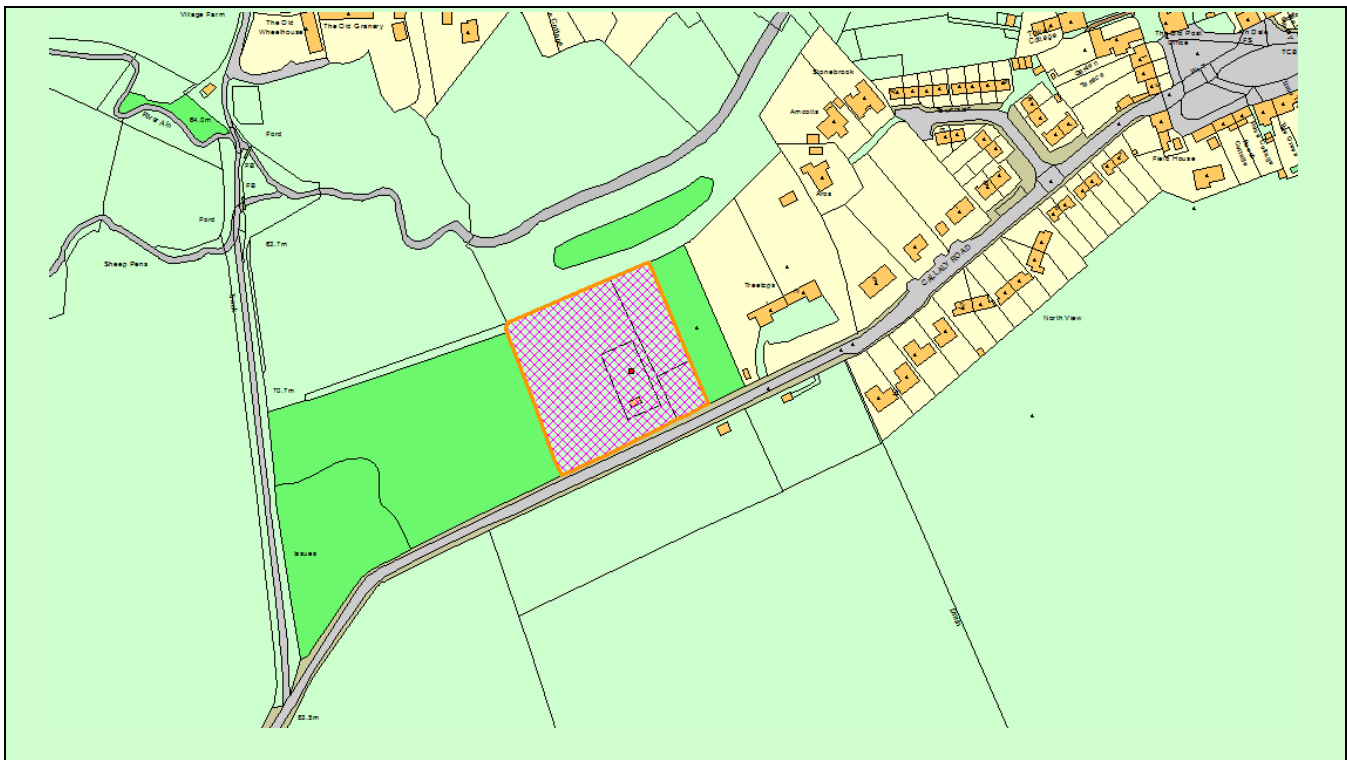
NORTHUMBERLAND

Northumberland County Council

North Northumberland Local Area Council

21th December 2017

Application No:	17/01799/FUL		
Proposal:	Development of 12no. Twin Unit Residential Lodges/Bungalows (as amended 03/07/17)		
Site Address	Land West Of Treetops , Callaly Road, Whittingham, NE66 4RG		
Applicant:	Mr Robert Young Treetops West, Whittingham, Alwick, Northumberland NE66 4RG	Agent:	Napper Architects 3 Waterloo Square , Newcastle Upon Tyne, NE1 4DR,
Ward	Rothbury	Parish	Whittingham
Valid Date:	1 June 2017	Expiry Date:	22 September 2017
Case Officer Details:	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: Ragu.Sittambalam@northumberland.gov.uk		



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1. Introduction

- 1.1 The application has been called to be heard at the North Northumberland Local Area Council by Cllr Thorne.
- 1.2 The application was amended as follows;
 - 03/07/17 - Submission of a drainage plan.

- 01/08/17 - Submission of a heritage statement.
 - 04/09/17 - Amended site plan submitted to address highways conditions.
 - 25/09/17 - Submission of a drainage statement, management plan and SUDS risk assessment.
 - 13/11/17 - Submission of an affordable housing statement.
 - 14/11/17 - Submission of an amended site plan.
 - 05/12/17 - Submission of revised Heritage and Supporting Statement including visuals.
 - 06/12/17 - Revision of Supporting Statement and additional visual
- 1.3 The site benefits from extant consent under 12/02936/FUL for; five detached dwellings, garages and associated estate access road on vacant land to the west of property 'West Treetops', Callaly Road, Whittingham. Conditions have been discharged under 16/02197/DISCON and works have commenced allowing the consent to be considered extant. The site area of this application is the same as that of the previously approved scheme.

2. Description of the Proposals

- 2.1 The application site is located outside the main settlement envelope of Whittingham set to the north side of Callaly Road, a main route running through the south of the village. The site is set to the west end with tree belts to the north, east and somewhat to the south. The site is greenfield (with an extant consent) of approximately 0.68 ha. The topography of the site notably drops in level toward the north allowing the tree belts to provide a fair level of screening, although the site itself benefits from some screening provided by existing hedgerows and trees along the highway boundary.
- 2.2 The application seeks planning permission to;
- Form a track bearing off the existing access from Callaly Road. New parking spaces would be provided directly off the track.
 - Site 12 no. 2-3 bedroom units arranged around the site with 5 no. to the southern end of the site and the remainder set to the north. The units would be mobile homes sitting on concrete rafts.
 - The units would comprise of two types (l:6.7m x w:13.7m x h:3.0m-4.0m eaves-ridge) of single storey height with a pitched roof. The materials have not been specified as part of the application but in an example unit image attached to the agent statement, to be of a brown coloured roof with a tan coloured cedar cladding and grey framed windows as a preferred option.
 - There are protected trees to the east of the site, however no works are proposed to them.
- 2.3 The site has been set out to accommodate 'residential lodges' intended for use within use class C3 as permanent dwellings. The lodge/bungalows would be of prefabricated construction to be sited on concrete rafts across the site. The site would be operated by an owner/manager providing plots on a leasehold basis with the actual units owned by the plot holder. The occupation of the units would not be restricted allowing for permanent occupation or second home/holiday use with no tie for plot holders to keep their units on the site (from a planning perspective only). The operation of the site would be subject to licensing controls governed by the Local Authority licensing

department, with whom it is requisite that site rules are agreed and made available for public viewing. The application refers to the proposal as Mobile Homes Act complaint; whilst not relevant to planning legislation, the act seeks to provide a legislative framework for the facilities, levels of amenity, licensing and enforcement for residential mobile home sites. Site rules will set out the conditions of occupation, standards of presentation and provisions enabling owner intervention in breach of site rules; however this would not be subject to planning control or management. This description has been agreed with the applicant prior to the preparation of this report.

2.4 The site is subject to the following environmental constraints;

- Conservation Area - Whittingham
- Impact Risk Zone: SSSI
- Tree Preservation Order - PKT 0013 (located to the east of the site)

2.5 Upon site visit and in accordance with the existing permission, an access had been formed with a track that winds across the length of the site, no building works have commenced.

3. Planning History

Reference Number: 12/02936/FUL

Description: Five detached dwellings, garages and associated estate access road on vacant land to the west of property 'West Treetops', Callaly Road, Whittingham

Status: Permitted

Reference Number: 14/00145/TREECA

Description: Works to trees in a conservation area - Fell approximately 50 trees, comprising Ash, Blackthorn, Hawthorn and Birch

Status: No Objection

Reference Number: 14/01121/VARYCO

Description: Variation of condition 2 of 12/02936/FUL (Five detached dwellings, garages and associated estate access road on vacant land to the west of property 'West Treetops', Callaly Road, Whittingham)

Status: Permitted

Reference Number: 16/02197/DISCON

Description: Discharge of conditions 5 (Highways) 6 (Highways), 10 (Highways) and 13 (Northumbrian Water) relating to planning permission 12/02936/FUL (Five detached dwellings, garages and associated estate access road on vacant land to the west of property 'West Treetops', Callaly Road, Whittingham)

Status: Partial Consent/Partial Refusal

4. Consultee Responses

<p>Whittingham, Callaly And Alnham Parish Council</p>	<p>Objects;</p> <p>The Parish Council consider that the proposal does not comply with the following guidelines for development within a conservation area. The following is not exhaustive and much of the information about conservation areas on the NCC website is inconsistent with this proposal.</p> <p>The proposal to site lodges is inappropriate and not in keeping with conservation area status or the character of the village of Whittingham. The development would be highly visible from the north side and have a detrimental impact on the visual amenity of the area and quality of life for residents.</p> <p>Northumberland County Council as local planning authority has created a precedent for development in this conservation area, setting stringent standards requiring the use of high quality building materials.</p> <p>Given the number of units proposed and therefore the likely number of vehicles and pedestrians arising from that, there are concerns about the increase in use of the Callaly road for this increased volume of traffic. The road is narrow. There is limited visibility at the entrance to the village from the west and there are no footpaths.</p> <p>Concerns about possible greater flooding risk to the Aln with the increased surface water run-off from additional hard surfacing. The Aln has flooded in places, including areas near this location.</p> <p>There is limited infrastructure in Whittingham to support developments of clusters of new build.</p> <p>The road layout on the plans suggests potential future expansion to the west.</p> <p>Concerns about the presence of what appears to be a site office' at the entrance, suggesting a caravan site type of development. This leads on to concerns as to the type of occupancy and the intended market, e.g. holiday lets.</p>
<p>Highways Development Management</p>	<p>No Objection; Conditions & Informative Advised;</p> <p>It is considered that the proposal is in accordance with the NPPF in highways terms and the principle of development acceptable.</p> <p>Details of the necessary highway works (road widening to 5.5 metres, provision of footway with associated street lighting and drainage, and relocation and replacement of 30mph signs and roundell road markings) will be required as part of this application, and will be secured by condition.</p> <p>Amendments are required to the car parking provision and the refuse servicing strategy, however it is considered that these details can be secured by condition.</p> <p>The imposition of conditions and informatives with regards to refuse storage, car parking and the impacts during the construction phase will address any concerns with the proposed development.</p>
<p>Northumbrian Water Ltd</p>	<p>No Comment;</p>

	<p>Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make, as no connections to the public sewerage network are proposed in the application documents. Should the drainage proposal change for this application, we would request re-consultation.</p>
County Ecologist	<p>No Objection;</p> <p>I note the report by George Dodds Ecological report for Treetops, Whittingham (2012) and the letter updating that report dated 16th May 2017</p> <p>I have no objection to the application with the following condition securing works in accordance with the submitted ecology report.</p>
Historic England	<p>No Comment;</p> <p>We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>
Building Conservation	<p>Less than Substantial Harm;</p> <p>The proposed site is situated in Whittingham Conservation Area which is a designated heritage asset. It is located on the west of the A697 approximately 12 miles west of Alnwick. The Whittingham Conservation Area was designated in 1972. Alnwick District Council commissioned a conservation area character appraisal in 2006. Following recommendations within the appraisal the boundary was reduced to its present extent.</p> <p>It is accepted the careful selection of materials and colours for the lodges will have an impact on the extent to which the development will fit into its context. It is not clear the extent to which the LPA would have control over this process of change and renewal of the lodges now and in the future. Given the lodges are manufactured offsite using a palette of standard materials gives rise to concerns over the extent to which they will reflect local distinctiveness. There will be other impacts from the lodges including vehicle parking, refuse and lighting that might conflict with the existing rural context.</p> <p>It is considered having regard to the legislative framework outlined above the application is contrary to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act as it fails to preserve or enhance the character of the conservation area. Applying the relevant tests within NPPF the level of harm is considered to fall within paragraph 134 of the NPPF; that is less than substantial harm. This requires that harm is balanced against public benefits. While public benefit may lie to the wider economy it is difficult to identify where a compensatory public benefit lies to the wider community.</p>
Natural England	<p>No Comment;</p> <p>Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.</p>
Lead Local Flood Authority (LLFA)	<p>No Objection; Conditions Advised</p> <p>Following the submission of further information in relation to flood risk and surface water disposal from the development site, we are now in a position to remove our objection to the proposed development, we ask that the submitted documents related to drainage are added to the list of approved</p>

	drawings and that conditions are appended to any granted planning permission.
Affordable Housing	<p>No Objection; Contribution Sought</p> <p>I can confirm that the offer made by the applicant and detailed by Andrew Young in his email dated November 13 is acceptable to the Affordable Housing Team.</p> <p>The location, numbers and type of development does not lend itself to delivering any affordable homes on site and therefore a commuted sum to be detailed in a Section 106 Agreement is an appropriate way forward. SHMA evidence supports a contribution equivalent to 15% on site affordable housing which will be used in the provision of off site affordable housing.</p> <p>This is an unusual situation as the applicant will not be fully developing the site with conventional homes for market sale. We have therefore agreed with the applicant that the estimated open market values of the finished lodges can be used to calculate the commuted sum using the Council's Protocol.</p> <p>The commuted sum of £15,000 calculated by the applicant using the Protocol has been agreed in principle and the relevant calculations have been checked.</p>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	5
Number of Support	1
Number of General Comments	0

Notices

Site Notice - Affecting Conservation Area, 23rd June 2017

Press Notice - Northumberland Gazette 15th June 2017

Summary of Responses:

During the consultation period, five objections raised the following issues;

- Development would be out of character with the area.
- Development will appear as a holiday development.
- Inadequate service provision.
- Adverse Visual Impact.
- Adverse impact on the Conservation Area.
- Risks to highway safety.
- Adverse ecological impacts.

The comment in support was for the following reasons;

- There is a need for affordable and mixed housing and the development will meet the need.
- The development will be attractive and not dominate the scenery.
- There is substantial planting screening the site.
- There would be a minimal impact on landscape or ecological habitats.
- The site would not appear dense.
- There will be no adverse impact on the Conservation Area and other designated heritage assets.
- There is no risk to community safety.

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

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=OQ5G9NQSH0A00>

6. Planning Policy

6.1 Development Plan Policy

ALP - Alnwick District Wide Local Plan (1997)

BE8 Design in New Residential Developments and Extensions
 Appendix A Design and Layout of New Dwellings
 TT5 Controlling Car Parking Provision (and Appendix E)
 Appendix E Car Parking Standards for Development
 CD32 Controlling Development that is Detrimental to the Environment and Residential Amenity

ACS - Alnwick Core Strategy (2007)

S1 Location and Scale of New Development
 S2 The Sequential Approach to Development
 S3 Sustainability Criteria
 S5 Housing Density
 S6 Provision of Affordable Housing
 S11 Locating Development to Maximise Accessibility and Minimise Impact from Travel
 S12 Protecting and Enhancing Biodiversity and Geodiversity
 S13 Landscape Character
 S15 Protecting the Built and Historic Environment
 S16 General Design Principles

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2012)

NPPG - National Planning Practice Guidance (updated 2014)

6.3 Other Documents/Strategies

Alnwick Landscape Character Assessment Supplementary Planning Document
 Whittingham Conservation Area Character Appraisal

7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 The main issues in the consideration of this application are;

- Principle of Development
- Housing Land Supply
- Landscape
- Design
- Conservation Area
- Amenity
- Affordable Housing
- Ecology
- Highway Safety
- Water Management
- Other Matters
- Procedural Matters

Principle of Development

7.3 The principle of residential development has already been established on the basis of 'local needs' in this location through the previous grant of permission which has been implemented. The site area is the same for this application, proposing unrestricted C3 use but differs in-principle through the delivery as a park home (or equivalent) site as opposed to traditional residential development based on local needs.

7.4 *S1 of the ACS sets out the hierarchy of settlements to inform the location and scale of development in the former Alnwick District.*

7.5 *Paragraph 55 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. For examples, where there are groups of smaller settlements, development in one village may support services in a village nearby.*

7.6 The site is located on the periphery of Whittingham, a 'Local Needs Centre' where there is a limited service base. Whittingham is accessible to Glanton (1.7 miles north) and Powburn (2.8 miles north) both of which are set out within S1 as Local Needs Centres with a limited service base. In the wider area there is access to stronger service bases at Thropton and Rothbury (up to 9.8 miles south). S1 states that within Local Needs Centres, development is restricted to those that satisfy local needs only; however this aspect of S1 does not fully accord with the NPPF particularly in the context of Paragraph 55. Having regard to settlements nearby, residential development in this

location is considered permissible through its potential to access services in neighbouring villages which in turn would contribute to their vitality.

- 7.7 *S2 of the ACS sets out a sequential approach for development where weight is given to previously developed land or buildings before other suitable sites within the built up area of settlements.*
- 7.8 Limited weight can be attached to this policy as the NPPF does not require a sequential test in residential development.
- 7.9 *S3 of the ACS sets out sustainability criteria stipulating that development must satisfy the criteria with exceptions to compensate for sustainability shortcomings through condition/legal agreement but also states that it may be necessary to allow development which does not meet one or more of the criteria.*
- 7.10 The site would be accessible to the main settlement without the need for private car, bordering onto a predominantly residential context. There are also other settlements where services could be accessed within reasonable proximity.
- 7.11 *The NPPF seeks to promote sustainable development with paragraph 7 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element.*

Paragraph 14 of the NPPF then establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise); approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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; or specific policies in the Framework indicate development should be restricted.

- 7.12 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new housing and in social terms would deliver market housing in an appropriate location, which would help to sustain the existing and nearby community and associated services, as well as being able to contribute to improvements to existing services. The policy framework would be accepting of a scheme such as this in-principle according with S1 and S3, and S16 of the ACS.
- 7.13 In terms of its environmental role there are considered to be significant impacts on the site and wider area from the proposed development and its ability to be assimilated into this location as set out in Landscape.

Housing Land Supply

- 7.14 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirements. The five year housing land supply position is pertinent to proposals for residential development in that paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. In such cases, the presumption in favour of sustainable development, as stated in paragraph 14 of the NPPF will be engaged.
- 7.15 For details of the five year housing land supply assessment, the Council's Five Year Supply of Deliverable Sites 2017 to 2022 report, published in November 2017 should be referred to. This report identifies housing land equivalent to a 6.5 years supply. Therefore, in the context of paragraph 49, policies for the supply of housing should not be considered out of date.

Affordable Housing

- 7.16 *Paragraph 50 of the NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need.*
- 7.17 *Policy S6 of the ACS seeks an appropriate level of affordable housing provision. The proportion of affordable housing and its type sought on each site will depend on the assessment of affordable housing need in the housing market area and in the local area. The policy refers to a target proportion of 35% based on the extent of need at the time between 2005 – 2010, however this is now clearly out of date.*
- 7.18 *Paragraph 31 of the NPPG sets out that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. The circumstances are that;*
- *Contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area).*
- 7.19 The Northumberland Strategic Housing Market Assessment (SHMA - October 2015) includes up to date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 191 dwellings per annum over the period 2014 to 2019. To address this, an affordable housing contribution will continue to be sought on all proposals involving residential development except in the circumstances set out in Planning Practice Guidance paragraph 31. This will be expected to be delivered on-site.
- 7.20 Given the nature of how the plots/dwellings would be occupied and relatively small scale of the development it is not considered practical to secure an

on-site provision in respect of affordable and therefore an off-site contribution has been sought.

- 7.21 The proposal would fall within the criteria as set out above; the applicant has agreed to providing an off-site affordable housing contribution to the sum of £15,000. The obligation in respect of this proposal is considered necessary and acceptable to facilitate the approval of this application as development over ten dwellings. It is acknowledged that statements and representation by the applicant refers to the development as providing affordable housing however within the context of the NPPF the proposal cannot be considered 'affordable' (as there is no discount on the market value). Notwithstanding this there has been pricing information on the units stating that they would range between £120,000 and £150,000 to provide single storey housing in a rural area, this may be considered as low cost but again should not be considered affordable.
- 7.22 If Members are minded to approve the application the financial contribution can be secured by a s106 legal agreement.

Landscape

- 7.23 *S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district.*
- 7.24 In line with the principle of development, the landscape impact has been accepted through the approval of 5 no. dwellings that would be three storeys in height occupying a large proportion of the site for the development. This application differs in that the number would be greater, of a modest footprint and single storey in height in an inevitably more dense arrangement. What assists with limiting the landscape impact is are existing features through tree belts that are set around the site and the topography of the land which falls to the north. The majority of the proposed units (7 no.) would be set to the north of the site with the remainder set back from the highway by approximately 10m.
- 7.25 The application includes a landscape visual impact assessment which has been supplemented with proposed visuals of the site showing the scheme along with associated landscaping that is crucial to the integration of the site with the wider environment. The submitted report sets out the limited level of prominence of the site despite its location and topography relative to routes around the village.
- 7.26 It is recognised however that the comparative footprint against the extant consent would be similar but in massing terms would differ significantly in height which, coupled with the topography of the land would have a lower physical landscape impact. The success of this would be subject to the materials and landscaping undertaken on site, to achieve the illustrative depiction of the proposal set out in the visualisations. Therefore the landscape impact from a purely physical point of view is acceptable but is only due to the legacy planning position of the site.

- 7.27 *S16 of the ACS sets out that all development will be expected to achieve a high standard of design reflecting local character or distinctiveness as well as taking into full account the need to protect and enhance the local environment.*
- 7.28 *Paragraph 17 of the NPPF sets out its core planning principles to be applied in plan-making and decision-taking, taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.*
- 7.29 It is established that the introduction of development to the site compromised partially compromised its landscape value, however the way in which this proposal differs from the extant permission is the way in which residential development is delivered. From the introduction it has been clarified that the on-site works associated with the permission involve the formation of concrete rafts whereby plot owners could site a mobile home, this form of development be it through mobile homes or caravan sites are not present within Whittingham nor within close proximity to the application site. In considering a proposal of this type, there should be cognisance to the site context, namely the intrinsic character of the settlement and distinctiveness through the typology of built form within Whittingham.
- 7.30 It is with regard to this aspect that the application is considered to fail; through the introduction of a mobile home site to a historic village which is qualified through the sites inclusion within the Conservation Area and where residential properties are of a permanent nature in a settlement of a relatively small scale within the County recognised through Whittingham's classification within the spatial hierarchy of the ACS (S1). Notwithstanding the physical intervention, development of the site form permanent built residential dwellings would retain the character of the village and maintain continuity as a development type, however the semi-permanent nature of mobile homes, their tenure and operation is not conducive to maintaining character.
- 7.31 Therefore irrespective of the fall back position and the acceptance of the physical implications of development in this location the impact on local character and distinctiveness is considered significant to warrant refusal, conflicting with S16 of the ACS and the NPPF.

Design

- 7.32 *S16 of ACS sets out that all development will be expected to achieve a high standard of design reflecting local character and distinctiveness in traditional or contemporary design and materials.*
- 7.33 *Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in new developments.*
- 7.34 The dwellings proposed would be of a small scale arranged sporadically about an access track that meanders around the site. The individual forms of the proposed units would be simple, as gable structures with a cladded exterior and roof covering. Overall the arrangement, scale of the dwellings and their layout is considered acceptable from an on-site visual impact point of view independent of the wider setting.

- 7.35 However the nature of the proposed development raises concern, as pre-fabricated units there is a potential for the units to appear out of keeping/character through the appearance of the units and the wider context, which has been raised by objections. The applicant has set out the owner/manager would be able to control the appearance of the lodges. In order to address this issue further information would be required prior to the siting of any property on this development which includes the site/sales office.
- 7.36 Additional information has been provided through a visual assessment that shows substantial landscaping proposals that would contribute to the visual amenity of the development. Whilst the character of the development is not considered to be compatible with the wider setting of Whittingham, the proposal in isolation would put forward a heavily planted/landscaped setting.
- 7.37 On balance, the visual impact of the development in isolation would not pose a significant adverse visual impact to warrant refusal in its own right and is therefore considered acceptable, in accordance with S16 of the ACS and the NPPF.

Conservation Area

- 7.38 *The legislative framework has regard to Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.*
- 7.39 *S15 of the ACS sets out that the District Council will conserve and enhance a strong sense of place by conserving the district's built and historic environment.*
- 7.40 *Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The more important the asset, the greater the weight should be.*
- 7.41 Historic England has returned consultation without comment. The site is located within the Whittingham Conservation Area subject of a character appraisal which had de-designated certain areas of the Conservation Area but retained the application site. In respect of the submitted statement and its conclusion of the site's significance, the site is considered relevant to the Conservation Area.
- 7.42 Building Conservation have acknowledged that the development will be clearly visible from Callaly Road looking north comparatively; stating that it would be a significant change in view and that the impact could be mitigated through the elevational treatment of the dwellings, raising concerns over the extent to which they will reflect local distinctiveness. The response concludes that comparatively against the extant permission, which relied on the architectural quality of the larger dwellings, that this proposal would fail to respect local character and therefore have a greater impact on the Conservation Area.

- 7.43 *Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The more important the asset, the greater the weight should be.*
- 7.44 *Paragraph 133 and 134 set out how the basis for dealing with developments that result in substantial and less than substantial harm respectively. Where development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.*
- 7.45 The position of Building Conservation is that the level of harm afforded by this development is less than substantial. In line with the framework above, this harm must be balanced against the public benefit of the proposal.
- 7.46 To balance this issue, consideration must given to ‘significance’, a quantification of the special qualities that cumulatively ‘make’ a heritage asset. The Whittingham Conservation character appraisal has selectively included this land as part of the Conservation Area which is more than just buildings and includes the open space that contributes to its setting. The eastern edge of Whittingham off Callaly Road comprises of open paddock land, well defined by an existing tree belt that is protected under Tree Preservation Order. This provides a significant and substantive buffer between the built form of the village and open space on its approach. The significance when looking at this site is the role it plays on the entrance to the village utilising natural features and the lay of the line to provide an open undeveloped aspect of the settlement beyond.
- 7.47 Before undertaking the balance, a material consideration is the extant permission which allowed the erection of 5 no. three storey dwellings over much of the application site. This, in line with the appraisal above disrupts the open aspect on the approach to the village with large scale new built form. However it is acknowledged that the approved buildings are of an architectural quality which facilitated the approval despite their siting within the Conservation Area.
- 7.48 The view of the Council’s Building Conservation Officer is that this development would have a greater impact on significance. Building Conservation have also assessed the proposal having regard to the previously approved scheme, identifying that the character of a park home site to be a significant deviation from a residential development.
- 7.49 Notwithstanding the view relating to significance, the level of harm afforded is less than substantial. The key differences in the current proposal are the tenure of unit provided, as single storey two-three bedroom units of a modest scale. The applicant has agreed to an off-site affordable housing contribution, in addition the proposal offers an alternative tenure of the dwellings compared to that of Whittingham, providing accommodation of modest scale, which, coupled with Whittingham’s identification as a Local Needs Centre could benefit from additional housing that in turn would contribute to its vitality, either by owner-occupiers or infrequent occupancy.

- 7.50 Overall it is considered that the public benefit is limited when balanced to the type of harm afforded by the development (character/distinctiveness). The application proposes development that would not be in keeping with the character of the area conflicting with the rural context of the site. The proposal would not be of an equivalent quality in design terms of the previously approved scheme. Therefore the impact on the Conservation Area is considered unacceptable and in accordance with the NPPF supplementing the previously mentioned reason for refusal.

Amenity

- 7.51 *Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.*
- 7.52 *Paragraph 17 of the NPPF sets out its core planning principles, to underpin both plan-making and decision-taking. One of these principles is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*
- 7.53 Given the level of separation from other properties in the area, there would not be a significant impact on amenity resulting from the proposal in terms of the development appearing overbearing or having an adverse impact in terms of the proposed use. The units would be sited close together, however this is typical of the arrangement found in developments such as this.
- 7.54 Highways Development Management requested the imposition of conditions relating to the construction phase that is in the interests of highway and public safety.
- 7.55 The impact on amenity is therefore considered to be acceptable and in accordance with CD32 of the ALP and the NPPF.

Ecology

- 7.56 *S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.*
- 7.57 *Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.*
- 7.58 Consultation was carried out with Natural England due to the site's location within an Impact Risk Zone to the SSSI. No objection has been raised against the proposal with regard to designated sites. The County Ecologist has reviewed the submitted ecology report and raised no objection subject to adherence with the measures outlined that could be secured by condition.
- 7.59 The ecological impact and the effect on designated can be appropriately mitigated in accordance with S12 of the ACS and the NPPF.

Highway Safety

- 7.60 *S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.*
- 7.61 *Paragraph 32 of the NPPF sets out the considerations of decisions with regard to highways issues, stating that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*
- 7.62 Highways Development Management have identified that there are no existing footways or street lighting outside of the site, and has set out that a footway connection from the site access leading to the east would be required with associated street lighting and drainage.
- 7.63 Due to the vehicular access onto the Callaly Road entering onto a 60mph speed limit there would be works required to extend to the 30 mph speed limit at the site access including the relocation of signage. The provision of access as constructed in accordance with the previously approved scheme is acceptable but the measures outlined above are necessary due to the increased density of the development. There is also considered to be additional traffic flow resulting from the higher units put forward and so, highway carriageway widening is also required. These works would be secured through s278 agreement requiring a technical approval.
- 7.64 29 no. parking spaces have been provided on site which is considered acceptable subject to minor amendments which can be secured by condition. Due to the topography of the site and the minimum allowance in terms of gradient (maximum 1 in 12) for safety, site levels are required. Further information is also required in respect of refuse strategy and street lighting.
- 7.65 Subject to conditions set out in the recommendation, the impact on highway safety is considered acceptable and in accordance with S11 of the ACS and the NPPF.

Water Management

- 7.66 *Paragraph 94 of the NPPF states that Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply demand considerations.*
- 7.67 The Lead Local Flood Authority have accepted the principle of surface water drainage being undertaken on the site (established from the previously approved scheme) and following the further submission of drainage details require no further conditions in respect to surface water management

Other Matters

- 7.68 In response to issues raised by representations made during consultation;
- Development would be out of character with the area. This has been appraised in Landscape (7.22-7.30).

- Development will appear as a holiday development.
The tenure proposed is open market housing, whilst there is potential to appear as a holiday development, each unit is standalone with no on-site communal facilities, although it is acknowledged that units are relatively mobile.
- Inadequate service provision.
The principle of development was previously established through the earlier grant of consent for residential dwellings. Notwithstanding out of date policy implications, the Principle of Development has considered sustainability with regard to service provision (7.3-7.13).
- Adverse Visual Impact.
This has been appraised in the Landscape and Design sections (7.8-7.17).
- Adverse impact on the Conservation Area.
This has been appraised in the Conservation Area section (7.37-7.49).
- Adverse ecological impacts.
This has been appraised in the Ecology section (See 7.55-7.58).
- Risks to highway safety.
This has been appraised in the Highway Safety section (See 7.59-7.63).

Procedural Matters

- 7.69 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.

8. Conclusion

- 8.1 The main planning considerations in determining this application have been set out and considered above in accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF).
- 8.2 The principle of the development is acceptable. The development is also acceptable with regards to residential amenity, ecology, flood risk and drainage. The development is also acceptable in highway terms. Furthermore, the applicant proposes a financial contribution towards affordable housing off site (£15,000). Should Members be minded to approve the application the contribution can be secured by way of a s106 Legal Agreement.

- 8.3 However and notwithstanding the above, and indeed the planning legacy of the site, the application proposes an inappropriate form of development that would deviate from the character of the area introducing a development that would not be akin to the rural village of Whittingham and having an adverse impact on the character and distinctiveness of the Conservation Area. Therefore, the proposal is not considered compatible with the site context, conflicting with development plan and national policy. The proposal is therefore recommended for refusal.

9. Recommendation

That this application be REFUSED subject to the following:

Reason

01. The application presents development that would not reflect the local character or distinctiveness of Whittingham and its Conservation Area, presenting an incongruous type of development that would have an adverse impact on the setting of a historic rural village by virtue of the proposed type and tenure of the development. The application therefore conflicts with Policy S15 and S16 of the Alwick LDF Core Strategy and the National Planning Policy Framework.

Date of Report: 08.12.2017

Background Papers: Planning application file(s) 17/01799/FUL