

NORTHUMBERLAND

Northumberland County Council

North Northumberland Local Area Council

21st December 2017

Application No:	17/03462/FUL		
Proposal:	Construction of Timber Frame Function Room - Amended 20/11/17		
Site Address	Land South Of Sports Club Breamish Valley Cottages, Branton, Northumberland,		
Applicant:	Mr Peter Moralee 4 Duke Street, Alnwick, NE66 1QU,	Agent:	None
Ward	Wooler	Parish	Ingram
Valid Date:	26 September 2017	Expiry Date:	22 December 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 Under the provisions of the Council's current Scheme of Delegation, this application is to be recommended for approval contrary to a valid objection from Ingram Parish Council. The application has been referred to the Head of Service and the Planning Chair of the North Northumberland Local Area Council for consideration to be given as to whether the application should be referred to Planning Committee for determination.

The proposal was duly considered under these provisions, confirming that the matter should be dealt with by Committee.

1.2 The application was amended as follows;

- 18/10/17 - Submission of a Landscaping Plan and Statement.

- 20/11/17 - Submission of a Noise Management Plan

2. Description of the Proposals

- 2.1 The application site is located in the settlement of Branton, west of Powburn accessed to the west of the A697. The land is located to the north side of the highway within an existing wooded area on land that serves Breamish Valley Cottages and Sports Club set toward the settlement edge on a corner plot. There is further residential development to the east of the site with open countryside to the south and west.
- 2.2 The application seeks planning permission to;
- Erect a two storey function room (l:8.0m x w:24.0m) with a gable roof and an attached porch to the south elevation (l:2.0m x w:2.5m) with a catslide and entrance ramp. The building would be clad in burnt larch to the elevations with a natural slate roof covering. There would be openings to all elevations with a fully glazed west elevation.
 - The building would be sited within an existing wooded area to the south of the sports club. The function room would be used to diversify the current offering of the existing business to supplement the operations of the sports club and Breamish Valley Cottages limited to a maximum of 64 covers tied to the use of the holiday cottages.
 - Parking would be adjacent to the site as well as within an identified area of overflow parking as set out on the site plan, whilst not included within the red line boundary of the application; it is covered by the blue line and within the applicant's control.
- 2.3 The site is subject to the following environmental constraints;
- Grade II Listed Building - Branton West Side (25m East)
 - Impact Risk Zone - SSSI

3. Planning History

Reference Number: 17/01032/FUL

Description: Development would include the construction of a commercial log cabin building to be used as a wedding venue and wine bar

Status: Withdrawn

Reference Number: 15/02413/VARYCO

Description: Variation of condition 11(Holiday let restriction) of application N/02/B/0077 - Erection of 5 no. single storey holiday cottages

Status: Permitted

Reference Number: N/93/B/0461/P

Description: Conversion of pottery to 3 holiday cottages - erection of games room and swimming pool with gymnasium.

Status: Permitted

Reference Number: N/93/B/0461/D

Description: Conversion of pottery to 3 holiday cottages - erection of games room and swimming pool with gymnasium -drainage details in compliance with condition 7 rec. 06.03.95.

Status: Permitted

Reference Number: N/93/B/0461/C

Description: Conversion of pottery to 3 holiday cottages - amended to 2 cottages within former pottery building details rec. 16.11.94.

Status: Permitted

Reference Number: N/93/B/0461/A

Description: Conversion of pottery to 3 holiday cottages - erection of games room and swimming pool with gymnasium - letter & sample rec. 7.2.94 change of materials.

Status: Permitted

Reference Number: N/87/B/0139/P

Description: 3 Holiday units.

Status: Permitted

Reference Number: N/81/B/0309/P

Description: Change of use from farm buildings into holiday let units.

Status: Permitted

4. Consultee Responses

Building Conservation	<p>No Objection; Less than Substantial Harm</p> <p>There are no designated heritage assets within the red line boundary. Breamish Valley Cottages are located to the south east. These are listed Grade II.</p> <p>Building Conservation provides further comment following the uploading of further information on 18 October 2017. The applicant has set out landscape proposals and a landscape plan with regard to the screening effect provided by the existing trees and planting adjacent to the listed building at Westside House. It is inevitable that the screening effect provided by the above will be lessened following removal to accommodate the proposed function room although it is noted the effect will be least at the point closest to the listed building. It is further noted the proposals to retain and enhance screening although given the red line boundary is drawn tight around the proposed function room it is not clear how conditions might be imposed to secure this.</p> <p>Building Conservation considers by partial removal of the screening trees to accommodate the function room there will be potential harm to the setting of the listed farmhouse and buildings. However, given the retention of much of the coverage in the south east the impact will be relatively contained. Any harm would be less than substantial harm within the parlance of the NPPF.</p>
Ingram Parish Council	Objects;

	<p>There were no public notices so residents were unaware of this renewed application until the Parish Council arranged a meeting and invited residents of Branton to attend</p> <p>Councillors were sceptical of the acoustic report - it cannot be assumed that all the music will be pre-recorded or kept at a certain level</p> <p>The noise from a supposed maximum of 64 guests will vary in levels - particularly on warm days and nights when windows and doors are open to allow fresh air into the venue. To say that all doors and windows will remain closed at all times is unrealistic, guests will be outside smoking and chatting, guests arriving and leaving the venue will, inevitably, make a noise</p> <p>It is suggested in the application that the venue will be used by a maximum of 64 people, all of whom will be staying in the holiday cottages around the proposed venue. This presupposes that all wedding guests will only be able to attend the function if they are renting the cottages.</p> <p>The roads in Branton are not designed to take extra traffic and are not suitable for verge parking.</p> <p>The application states that overflow parking will be in the area already designated in the swimming pool car park. If this is already full because members are using the pool facility, where will the additional cars be parked.</p> <p>Concern was raised about the potential danger to children attending the village school.</p> <p>Catering for a minimum of 64 people requires food deliveries - fresh or ready made. There will therefore be external catering/delivery vans arriving at the venue.</p> <p>Councillors and members of the public pointed out that there is already a choice of local village halls available for events similar to those outlined in this application.</p> <p>Potential use of a marquee or other structure.</p> <p>Site visit requested.</p> <p>The opening hours are not clear and what events are for outsiders or locals.</p>
Northumbrian Water Ltd	<p>No Comment;</p> <p>In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.</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.</p>
Highways	<p>No Objection; Conditions & Informatives Advised</p> <p>It is understood that the proposed function room will be provided for users of the exiting Breamish Valley Cottages and no external functions will be held.</p> <p>On this basis, which we recommend should be conditioned, the highway impacts are similar to that already occurring with the existing cottages and therefore the development is considered to accord to local and national transport policy.</p>

	<p>The submitted car parking layout submitted does not allow for adequate turning space but there is sufficient space within this car park, the overflow car parking area and the applicant's ownership to accommodate car parking and hence this can be secured through condition;</p> <p>The existing access will require upgrading to current highway standards and the surfacing of the car park will require changes to prevent loose bound material being dragged onto the highway.</p> <p>No amendments are required to the submitted plans and the Highway Authority have no objection to the development subject to the imposition of conditions relating to the use of the development, limiting covers within the function room, car parking, improvements to the access and surfacing of the car park.</p>
County Ecologist	<p>No Objection; Conditions & Informative Advised</p> <p>The application documents and ecological survey report indicate that the site is largely made up of immature relatively recently planted trees with a more mature hedge to the northern boundary. The ground beneath the trees has been heavily mulched with bark chippings and as a result ground flora is minimal. The trees are not yet mature enough to provide suitable habitat for roosting bats though the hedges and some of the larger trees may provide possible nesting habitat for birds. Bats, birds and terrestrial animals, such as hedgehog, may commute and forage through the area which will provide useful connecting habitat between the built up area of Branton and the wider countryside to the west. A number of log piles in the wooded area may present a low risk of providing some shelter for small mammals, reptiles and amphibians.</p> <p>The applicant has indicated that the young trees currently present in the woodland can be relocated to an area within the 'blue line' of the site to the north west.</p> <p>No other protected, threatened or notable habitats and/or species are likely to be affected by the proposals.</p> <p>No objections to the proposals on ecological grounds are raised on condition that the avoidance, mitigation and enhancement measures detailed in the report are carried out in full.</p>
Public Protection	<p>No Objection; Conditions & Informatives Advised</p> <p>In principle this Service does not object to this proposal as the applicant has demonstrated that they can have entertainment without adversely impacting on the nearest noise sensitive receptors. However, Public Health Protection have reservations that the proposed operating level may not be acoustically viable for an entertainment venue and further works would be required to provide additional noise insulation should the applicant seek to increase the entertainment noise level.</p> <p>The proposed development is for a function room. Such premises are inherently noisy and are likely to provide amplified music or some form of amplified entertainment. Therefore, it is essential that the proposed unit is constructed appropriately to contain entertainment noise and should ensure that excessive noise does not adversely affect current occupiers of properties in the vicinity.</p> <p>Noise control measures should be incorporated into the design stage of the development. It is recommended that information and a schedule of the noise control measures to be employed, together with the relevant standards of control that will be adopted, shall be required by condition to be submitted to and agreed</p>

	in writing prior to commencing construction. If the development is to be approved then conditions will be required to prevent loss of amenity to local residents.
Tourism, Leisure & Culture	No response received.
Natural England	No Comment; Natural England has no comments to make on this application. 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.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	29
Number of Objections	10
Number of Support	3
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

Notices

Site Notice - Affecting Listed Building, 20th October 2017

Press Notice - Northumberland Gazette 5th October 2017

Summary of Responses:

During the consultation period, 10 objections were received raising the following issues;

- Impact on the character of the area.
- Unsustainable location for tourism development.
- Overdevelopment of the site.
- Adverse impact on residential amenity from use and potential frequency of use.
- Issues with noise report.
- Potential odour impact.
- Ecological impact on wildlife through development and lighting.
- Landscape impact through possible works to trees.
- Highway impact through increased traffic/parking.

Further issues were raised regarding the red line boundary which is against the outline of the function room only, however the application sets out with a blue line, the wider area of ownership which has facilitated the imposition of grampian conditions relating to the land use with particular regard to the overflow parking,

translocation of trees and tying the use of the function room to Breamish Valley Cottages.

Reference was also made to Branton's identification in the spatial hierarchy of Alnwick District Policy, however Branton sits within the former Berwick-Upon-Tweed Borough.

Objections stated that no public notice had been posted, the details of publicity are set out below.

3 representations of support were also received raising the following points;

- Economic benefits to the area.
- Improvement to community facilities.

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=OWU6XLQSJJ400>

6. Planning Policy

6.1 Development Plan Policy

BLP - Berwick-upon-Tweed Local Plan (1999)

- F1 Environmental Wealth
- F3 Kylee Hills and Glendale Area of Landscape Value
- F10 Protected Species
- F12 Trees and Woodlands
- F31 Social and Economic Welfare
- M14 Car Parking Standards

6.2 National Planning Policy

NPPF - National Planning Policy Framework (NPPF) - 2012

NPPG - National Planning Practice Guidance (NPPG), updated 2014

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 Berwick-Upon-Tweed Borough Local Plan (1999).

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

- Principle of Development

- Landscape
- Design
- Listed Building
- Amenity
- Public Protection
- Ecology
- Highway Safety
- Water Management
- Other Matters

Principle of Development

7.3 *F1 of the BLP gives primary importance is given to development that sustains and enhances environmental wealth, including its landscape and coast, native biodiversity and human heritage.*

F31 of the BLP alongside F1 allows weight to be given to proposals that enhance the quality of life of communities or to complement the range of social or economic functions which any of them performs.

7.4 *Paragraph 28 of the NPPF promotes a strong rural economy, whereby local and neighbourhood plans should;*

- *support the sustainable growth and expansion of all types of businesses and enterprise in rural areas.*
- *promote the development and diversification of agricultural and other land-based rural businesses.*

7.5 The application seeks to erect a building to be used as a function room to supplement an existing business. The introduction of this development is considered to contribute to the vitality of the settlement and other nearby settlements as part of the growth of the business, providing diversification that is well related to the primary function of Breamish Valley Holiday Cottages and leisure facilities.

7.6 *F3 of the BLP is underpinned by F1 as an area based policy that supports development that;*

- i) (a) *within or immediately adjoining an existing settlement;*
(b) *it will expand the Borough's infrastructure for tourism, compatible with the area's existing tourism role and its primary attractions of the natural and built environments.*
- v) *that it accords with policies elsewhere within the plan.*

7.7 The proposal seeks to develop a site within the settlement that would expand the infrastructure for tourism in an area/within a business that seeks to promote tourism and leisure in the area.

7.8 *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.

- 7.9 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 the growth of an existing established business and in social terms would help to sustain the existing and nearby community along with associated services, as well as being able to contribute to improvements to existing services both within and in other settlements. In terms of its environmental role there would not be any significant or unacceptable harmful impacts on the site and wider area and the development could be assimilated into this location, subject to further consideration of the final layout, landscape and appearance of the dwellings. The principle of development is therefore considered acceptable and in accordance with F1, F3 and F31 of the BLP and the NPPF.

Landscape

- 7.10 *Policy F3 of the BLP permits development that accord with its surroundings by virtue of its scale, density, height, massing, layout and materials, hard and soft landscaping including indigenous species, means of enclosure and access.*
- 7.11 *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.*
- 7.12 The proposed building would be set within an existing wooded area on a corner plot, the size of the building would be two storeys with a maximum height of 7.6m to the ridge, appearing of a form and scale that would be typical of an agricultural building but clad in blackened timber with large glazed openings to give it a more contemporary appearance. This taken in its context of a wooded area allows the building to better fit in with its surroundings with a steep roof pitch to mitigate the building's mass. In addition, there would be a landscaping that sits alongside the proposal to provide a partial level of screening to the building.
- 7.13 The result is a well designed building that would fit into its surroundings despite its size, therefore the landscape impact of the proposal is considered acceptable and in accordance with F3 of the BLP and the NPPF.

Design

- 7.14 *Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in new developments.*
- 7.15 As set out above, the introduction of a building of this size to the area would have an impact on landscape from long range but also in terms of the streetscene. The use of blackened timber, large areas of glazing and beam framing helps to mitigate the overall length of the building introducing verticality through the types of openings but appearing as a barn like structure. To the southern facing elevation wall would be less openings and no roof windows providing a more simple façade toward the highway. The roof would also utilise a natural coving of slate that would be broadly in keeping with other buildings in the area.
- 7.16 A condition to secure material samples has been set out in the recommendation to manage the future appearance of the building which is considered important within this relatively small settlement. The visual impact of the proposal is considered acceptable and in accordance with F3 of the BLP and the NPPF.

Listed Building

- 7.17 *Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.*
- 7.18 Building Conservation have responded to formal consultation raising no objection to the proposal but siting that the impact to Breamish Valley Cottages to the south-east of the site would be less than substantial. From the removal of screening trees it is acknowledged that trees to the south east corner would be retained, reducing the overall impact. Building Conservation had queried the control of implementing works that were not within the red line boundary relating to tree planting, this has been secured through grampian condition to secure off-site works in association with this permission in association with the recommendation of the County Ecologist.
- 7.19 *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.*
- Paragraphs 133 and 134 of the NPPF 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.*
- 7.20 In balancing the harm attributed to the setting and impact on the listed building; the assessment is done through consideration of 'significance' a quantification of the special qualities that cumulatively 'make' a heritage asset. Fundamentally, all elements of the scheme must have regard to the significance of the heritage asset and balance the potential of 'harm' against 'public benefit'. The level of harm whilst less than substantial is lessened

through the impact presiding with setting issues only, with the building of a natural appearance that spatially would be accommodated within the settlement amongst existing built form. The proposed building would however contribute to the vitality of the existing building, its settlement and wider area realising a recognisable public benefit.

- 7.21 Therefore given the considered low level of harm afforded by the proposal, the public benefit of the proposal is considered to outweigh the harm, therefore the impact on the setting of the listed building is considered acceptable and in accordance with the NPPF.

Amenity

- 7.22 *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.*
- 7.23 As part of the consultation response from Highways Development Management, a construction method statement is to be discharged from the outset of development to secure details of on site operations during the construction period. This in turn would ensure good practise having regard to amenity issues for nearby occupants prior to completion of the development.
- 7.24 The application proposes a large building that would run parallel to the existing sports club to the north, the new building would be two storeys with a steep roof separated from properties immediately adjacent to the site by 31m to the north-east and 22m to the south east (assuming shortest distances). This level of separation distance is sufficient to limit potential impacts in terms of the building appearing overbearing or impacting on privacy.
- 7.25 The amenity of neighbouring residents in terms of privacy or outlook would not be subject to an unacceptable impact in accordance with CD32 of the ALP and Paragraph 17 of the NPPF. Issues regarding noise and statutory nuisance are set out below.

Public Protection

- 7.26 *Paragraph 109 of the NPPF sets out that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.*
- 7.27 There are residential properties within the settlement that potentially be subject to noise related issues from the proposed function room. The application was amended to include a noise management plan, following initial consultation with Public Health Protection (PHP) who had raised concern over the potential noise impacts of the function room. Following re-consultation PHP have accepted that the applicant has demonstrated that entertainment can operate from the proposed building without adversely impacting on the nearest noise receptors but require further information about

how the operating noise levels set out in the report, would be secured to allow the building to function as an entertainment venue (based on a background noise level of 80dB). As a result, strict conditions relating to the acoustic design and subsequent operation of the venue have been set out in the recommendation.

- 7.28 This includes the detailing of an acoustic design scheme which seeks design measures and building envelope specification alongside a noise mitigation plan to address noise emanating from the site. This is tied together with the use of a noise limiting device set at a specified level (80dB) in line with the submitted acoustic report through condition. Operating hours, and sound from ventilation plant have also been specified by condition to prevent any ambiguity in the application documents and the permission. The use has also been tied into the wider business to prevent the establishment of the venue as an individual premises in planning terms. Notwithstanding the above, there would be a separate licencing application required to allow operation of the premises for this purpose in future but is not a material planning consideration.
- 7.29 Subject to the conditions set out in the recommendation, the issues arising relating to statutory nuisance could be adequately addressed in accordance with the NPPF.

Highway Safety

- 7.30 *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.*
- 7.31 Highways Development Management (HDM) have raised no objection to the proposal, on the basis that the function room is for the users of Breamish Valley Cottages which is subject to a condition. HDM has stated that the car parking provision is acceptable in conjunction with the specified overflow car park falling within the applicant's ownership which again is secured through condition. There is concern over the layout and details of the car park and overflow, however these aspects are subject to conditions to secure layout and surfacing prior to the development being brought into use. Further works to upgrade the access will be required as part of the development along with further details about car parking/surfacing to ensure that an adequate provision for car parking is provided from first operation.
- 7.32 In tying the proposed use to that of the existing business, utilising the existing and overflow car parking facilities (subject to information to be provided), the cumulative impacts of development are not considered to be severe. On this basis the impact on highway safety is considered acceptable and in accordance with the NPPF.

Ecology

7.33 *F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species-protection provisions which apply.*

F12 of the BLP states that trees or woodlands which would be adversely affected by development will, in appropriate circumstances, if planning permission for is granted, preserve or protect trees within the vicinity of the development by imposing appropriate planning conditions.

7.34 Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.

7.35 The application has been accompanied by an ecological report and landscaping plan. The County Ecologist has raised no objection subject to conditions to secure working practices in accordance with the submitted report and to secure the provisions of the landscaping plan/statement involving the translocation of young trees within the site. Overall this would sufficiently address the ecological impacts of the proposal in accordance with F10 of the BLP and the NPPF.

Water Management

7.36 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.

7.37 The application has set out that foul water would be disposed of via an existing package treatment plant serving the wider development with surface water drained to a soakaway. Overall water management can be successfully be undertaken on site in accordance with the NPPF.

Other Matters

7.38 In response to issues raised over the consultation period;

- Impact on the character of the area.
This has been addressed in the Principle of Development and Landscape sections (7.3-7.14). Overall it is felt that as an expansion to an existing business that would diversify the County's tourism offering, the impact on character is acceptable.
- Unsustainable location for tourism development.
There is policy support for development of this type from F3 of the BLP.
- Overdevelopment of the site.
The scale of the building and visual impact is addressed in Landscape and Design (see 7.10-7.16).
- Adverse impact on residential amenity from use and potential frequency of use.
See Amenity and Statutory Nuisance (7.22-7.29).

- Issues with noise report.
See Statutory Nuisance (7.26-7.29).
- Potential odour impact.
Given the location of the proposed kitchen, the separation distances of properties and the proposed use, PHP have not raised substantive concern over odour related issues. The installation of commercial grade equipment would require planning permission in its own right.
- Ecological impact on wildlife through development and lighting.
See Ecology (7.33-7.35).
- Landscape impact through possible works to trees.
See Ecology (7.33-7.35).
- Highway impact through increased traffic/parking.
See Highway Safety (7.30-7.32)

8. Conclusion

- 8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.
- 8.2 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore recommended for approval.

9. Recommendation

That this application be GRANTED subject to the following:

Conditions

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

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

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

1. Location Plan - Breamish Valley Cottages
2. 51/17 Sheet 1 - Proposed Floor Plans
3. 51/17 Sheet 2 - Proposed Elevations
4. Breamish Valley Cottages Landscaping Plan
5. Breamish Vallet Cottages Car Parking Plan

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

Development Management

03. Notwithstanding any description of the materials in the application, no development above damp proof course level (or 150mm above ground level) shall be commenced until;
- Precise details, to include samples, of the materials to be used in the construction of the external walls, roof and other facade treatments to the building;
 - Precise details to include the layout, height and materials for the proposed boundary treatments

have been submitted to, and approved in writing by, the Local Planning Authority. All approved details are to be used in the construction of the development shall conform to the materials approved and retained thereafter.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of Policy F4 of the Berwick-Upon-Tweed Borough Local Plan.

04. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any other re-enacting or revoking Order with or without modification), the premises shall only be used for the benefit of the occupiers of the Breamish Valley Cottages and for no other purpose.

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

05. The number of covers in the proposed function room shall not exceed 64 at any time.

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

Highways

06. Development shall not commence until a Construction Method Statement 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 shall, where applicable, provide for:
- i. vehicle cleaning facilities;
 - ii. the parking of vehicles of site operatives and visitors;
 - iii. the loading and unloading of plant and materials;

iv. 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.

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

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

08. Notwithstanding details submitted, the development shall not be brought into use until details of car parking area have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details.

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

09. Prior to commencement of development samples of the materials to be used in the construction of the external surfaces of the car park have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

10. The development shall not be brought into use until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

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

Ecology

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 Construction: Recommendations' British Standards Institution, 2012 with a resulting Tree and Hedge Protection Plan to be submitted to and agreed in writing with the Local Planning Authority before development commences.

Reason: To maintain and protect the existing landscape and biodiversity value of the site in accordance with Policy F10 of the Berwick-Upon-Tweed Borough Local Plan.

12. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Ecology Assessment - Land South of Sports Club, Breamish Valley Cottages, Branton, Northumberland', Budhaig Environmental, Final Version, 29.8.17) including, but not restricted to, the erection of a variety of bird boxes in the remaining woodland area with numbers, types and locations to be agreed in writing with the Local Planning Authority before works commence; adherence to timing restrictions; adherence to precautionary working methods including the careful removal/relocation of existing log piles within the wooded area; adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK' Bat Conservation Trust/Institution of Lighting Engineers, 2008 with any external lighting to be low wattage and directed away from existing hedges and mature trees; 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 ground animals that might otherwise become entrapped; an updating ecological survey to be carried out in the event that development works do not commence before the end of August 2019 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 Local Planning Authority before development works commence.

Reason: To maintain the favourable conservation status of protected species in accordance with Policy F10 of the Berwick-Upon-Tweed Borough Local Plan.

13. No development, 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 bird's 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.

14. No development shall take place unless in accordance with the Landscape Plan and Landscape Statement as submitted including the translocation of young trees from the site to areas within the 'blue line' of the site to the north west, to be fully implemented during the first full planting season (November - March inclusive) following the commencement of development'.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site in accordance with Policy F10 of the Berwick-Upon-Tweed Borough Local Plan.

Public Health Protection

15. Prior to commencement of construction of the building an acoustic design scheme shall be submitted to and agreed in writing by the local planning authority. The scheme shall detail the design measures and building envelope specifications, including glazing and ventilation (options) that will achieve as a minimum the sound reduction index (SRI) specified within the Acoustics report provided by Northburn Acoustics, Report number 17-51-527 Rev 1. Dated 2nd September 2017. The scheme shall include the provision of an acoustic lobby at the entrance to the building with two sets of doors. The approved works shall be retained for the life of the development unless agreed in writing with the planning authority.

Reason: To protect the amenity of the locality in accordance with National Planning Policy Framework.

16. Prior to operation of the building hereby approved, a scheme shall be submitted to and agreed in writing by the local planning authority that specifies the provisions that will be implemented for the control of noise emanating from the site. The noise mitigation scheme shall be maintained for the life of the approved development and shall not be altered without the prior written approval of the local planning authority.

Reason: To protect the amenity of the locality in accordance with National Planning Policy Framework.

17. Prior to operation of the building hereby approved, a noise limiting device shall be installed and set at a maximum 80 dB(A) in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. The noise limiting device shall be maintained as such thereafter unless otherwise agreed in writing by the the Local Planning Authority and all amplified speech and music shall pass through the noise limiter.

Reason: To protect the amenity of the locality in accordance with the National Planning Policy Framework.

18. The rating level of sound emitted from any mechanical ventilation or kitchen extraction equipment shall not exceed background sound levels (taken as a 15 minute LA90 determined or calculated one metre from the facade of the nearest noise sensitive properties).

All measurements and assessments of mechanical ventilation or kitchen extraction equipment to be installed shall be made in accordance with the methodology of BS4142:2014 (Methods for rating and assessing industrial and commercial sound), submitted to and approved in writing by the local planning authority.

Where access to the nearest noise sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

Reason: To protect the amenities of the locality in accordance with the National Planning Policy Framework.

19. The use hereby permitted shall not be open to customers outside the following times:

09:00 - 22:00 Monday - Thursday
09:00 - 23:30 Friday - Saturday
10:00 - 18:00 Sunday and Bank holidays

Reason: To protect the amenity of the locality in accordance with the National Planning Policy Framework.

20. The level of Entertainment Noise (LP) emitted from the site shall not exceed the levels specified below, as measured at the boundary of any noise sensitive premises over any 5 minute period.

Limit of background noise level octave band centre frequencies Octave Band Centre Frequency (Hz)

Octave Band Centre Frequency (Hz) / LP(dB)
63/32 125/21 250/19 500/17 1K/16 2K/16 4K/18

Reason: To protect the amenity of the locality, in accordance with the National Planning Policy Framework

21. All doors and windows to the premises shall be kept closed at all times when amplified speech/music or other music is played on the premises, except for the explicit purposes of entry to or exit from the premises.

Reason: To protect the amenity of the locality, in accordance with the National Planning Policy Framework

Informatives

1. 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 residual 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 them, their nests, eggs 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. Applicants and contractors can obtain advice and a list of appropriately qualified consultants by telephoning Natural England's bat advice line on 0845 1300 228.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

2. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:

North northumberland - northernareahighways@northumberland.gov.uk

Tynedale - westernareahighways@northumberland.gov.uk

Castle morpeth - centralareahighways@northumberland.gov.uk

Ashington, Blyth and Cramlington Bedlington please use - blythdepot@northumberland.gov.uk

3. 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.
4. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
5. 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.

The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

6. The site is within an area affected by radon gas as shown in the PHE/BGS Radon Potential Dataset, 2007. Radon maps for the area suggest that 3-5% of properties are at risk of being above the action level for radon which is 200 Becquerel's per cubic metre (Bq m⁻³). For further information on radon please refer to the Public Health England radon website <http://www.ukradon.org/>.

Date of Report: 08.12.2017

Background Papers: Planning application file(s) 17/03462/FUL