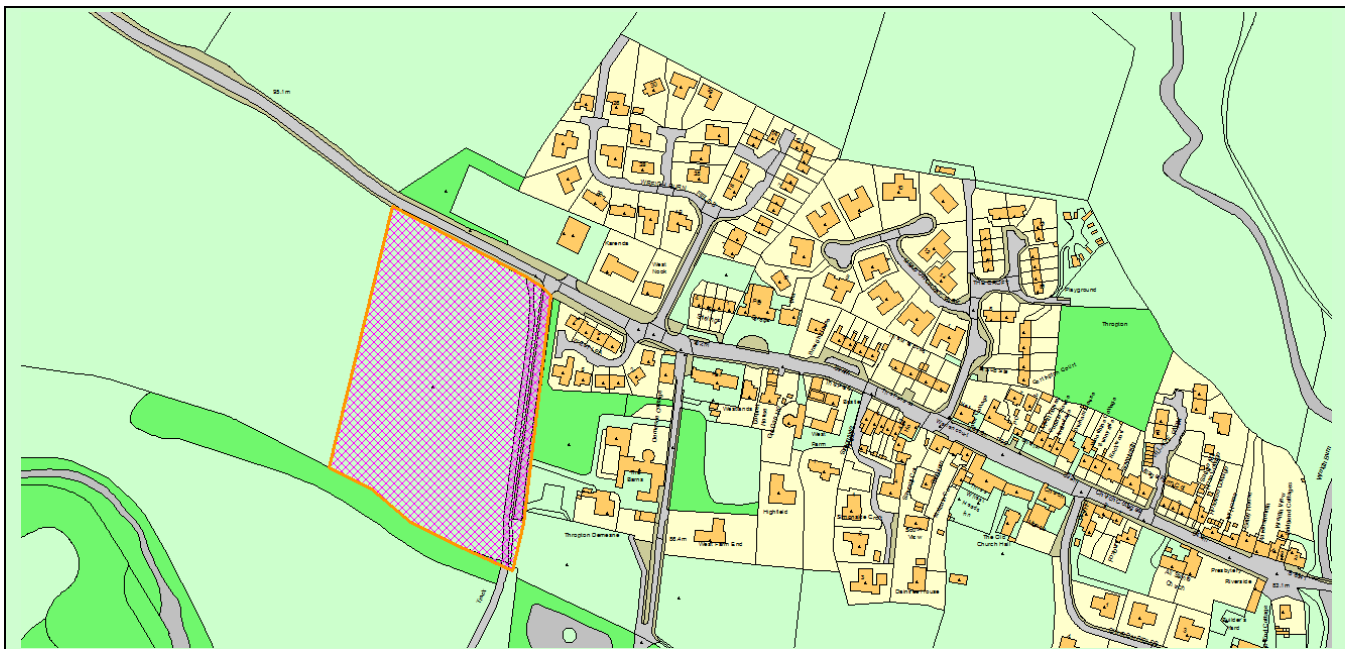




Northumberland County Council

North Northumberland Local Area Committee
20th September 2018

Application No:	18/02244/OUT		
Proposal:	Outline Application (All Matters Reserved); 18 Dwellings		
Site Address	Land West Of Thropton Demesne, Thropton, Northumberland		
Applicant:	Mr J Aynsley C/ o George F White LLP ,	Agent:	Miss Laura Dixon Arch 2 Westgate Road , Newcastle upon Tyne , NE1 1SA
Ward	Rothbury	Parish	Thropton
Valid Date:	24 July 2018	Expiry Date:	23 October 2018
Case Officer Details:	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: Ragu.Sittambalam@northumberland.gov.uk		



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

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 Thropton Parish Council. The application has been reviewed by the Head of Service and the Planning Chair of the North Northumberland Local Area Council confirming that the application should be referred to Planning Committee for determination.

The application is recommended for APPROVAL.

- 1.2 Under s.92 of the Town and Country Planning Act 1990 (as amended), an application for outline planning permission allows for a decision on the general principles of how a site can be developed, this application is submitted with all matters reserved. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.

2. Description of the Proposals

- 2.1 The application site is located on the outer edge of the built-up area of Thropton, set to the south side of the B6341 at the west end of the settlement. The site is bound to the north by an existing car garage which again sits on the edge of built development with existing development to the east and open countryside to the south and west.
- 2.2 The land is of an agricultural use, there is an existing field access to the north but otherwise there are limited landscape or defining features within the site. The site area is 2.2ha and sits as a substantial stretch of land spatially constrained by field boundary/existing development to the south, but less so to the west with a garage site opposite.
- 2.3 Of relevance is an existing consent under 13/03894/OUT for 60 dwellings (reserved matters yet to be approved) to the north of the site covering an extensive area of land to the west and 17/03350/FUL which approved 3 dwellings to the south-east of the site spatially sitting alongside the southern portion of the application site.
- 2.4 The application seeks Outline Permission with All Matters Reserved to;
- Develop 18 no. dwellings.
- 2.5 The site is subject to the following environmental constraints;
- Grade II Listed Building - Barn & Gingang North East of Thropton Desmesne Farmhouse (100m east)
 - River Coquet & Coquet Valley Woodlands Site of Special Scientific Interest (SSSI) - Located immediately south of the site
 - Impact Risk Zone to SSSI

3. Planning History

No relevant planning history.

4. Consultee Responses

Thropton Parish Council	<p>Objection;</p> <p>This is a much more sympathetic proposal than that proposed on the Northern 4x4 site, however if these 44 dwellings are approved, a further 18 would add to a significant increase in the size of the village, ie. approximately 33%. This would alter the character of the village and put substantial pressure on all support services and infrastructure.</p> <p>Our understanding from the draft Local Plan is that "Indicative Distribution of Housing Requirements 2016-2036" would be 140 dwellings in Coquetdale, with 7 as the average No dwellings per year." However, Thropton parish could potentially have 62 new dwellings in little more than 12 months, and these figures do not take into account development in the rest of Coquetdale.</p> <p>We need transparency in the provision of affordable housing and to know the correct balance between affordable housing, market value housing and high end housing. It is clear we need the total range of affordable houses, Thropton has had an incremental increase in high end dwellings and this trend is continuing strongly at the present time. As well as the maximum number of affordable houses, we also need middle range homes.</p> <p>Thropton parishioners would expect the utmost scrutiny be given to the proposals for this small village and parish.</p>
Affordable Housing (AH)	<p>Obligation Required; 3 Affordable Units</p> <p>Although the draft Northumberland Local Plan indicates that to deliver affordable homes to meet the needs of those not met by the market, a minimum of 20% of homes on new permissions will be expected to be provided as affordable housing products, a 15% requirement is currently sought in this instance.</p> <p>However, please note that as the planning application progresses; the affordable housing requirement may change when the implications of the updated SHMA are considered further. You will of course be notified, if the affordable housing requirement changes.</p> <p>The application site is considered to be a suitable location for affordable homes with good access to reasonable local services.</p> <p>It is unlikely that an RP would be interested in taking only 3 homes for rent in this location although an RP would be more likely to have an interest in the larger number of 8 on the site opposite. However taking both sites together 11 rented homes is felt to be too much for the village. Therefore this points to providing the 15% affordable contribution as DMV homes. For a development of 18 no. homes this equates to 3 DMV homes and it is understood the applicant is willing to include those in a s106 agreement. Given that there could also be 5 no. DMV homes generated on the site opposite it would be prudent to include clauses in the s016 agreement to allow flexibility of tenure or conversion to a commuted sum if there were issues with supply versus demand for DMV homes, particularly if all DMV homes in the village hit the market within a similar time frame.</p>

	<p>The inclusion of 3 no.affordable DMV homes is supported by the Affordable Housing Team. The homes should be sold at a discount of 30% from OMV and the council has a proven procedure for approving qualifying applicants and a suitable suite of clauses for inclusion in s106 agreements. The requirement should be detailed in a section 106 agreement with conversion clauses for tenure flexibility.</p>
<p>Education</p>	<p>Obligation Required; £24,000</p> <p>Context The site is in the Rothbury ward, within the Morpeth Schools Partnership Area.</p> <p>First The first school in the catchment area is Thropton Village First School. Its current role is 33 of a total capacity of 50 it is therefore 66% full, so no Primary Contribution is requested in relation to the 2 first school age children likely to be generated by this development .</p> <p>Middle School The middle school within the catchment area is the Dr Thomlinson Middle School King Edward VI School in Morpeth. The school currently has 222 pupils, compared to a total capacity of 258, it is therefore 86% full, so no contribution is required in respect of the 2 middle school age children likely to be generated by this development.</p> <p>High School The high schools within the catchment area is King Edward VI . School. Please note that these figures are without taking into consideration the estimated 2281 developments which have already been granted planning permission within the Morpeth Partnership Area, which are forecast to yield a further 261 secondary age pupils.</p> <p>A requested contribution of £24,000 is in respect of the additional high school pupil at for whom there is currently no capacity.</p> <p>SEND Provision Due to the relatively small size of the development and consequently the relatively low probability of an impact on SEN pupil numbers, no SEN contribution is requested.</p> <p>Summary and Conclusion A total contribution of £24,000 is requested in respect of this development, on the basis of high school places.</p>
<p>Northumberland National Park - Planning Department (NNP)</p>	<p>No Objection; Informative Advised</p>
<p>County Archaeologist (CA)</p>	<p>Further Information Required;</p> <p>The proposed development is located in wilder landscape containing known remains from the prehistoric period onwards including finds of Mesolithic and Neolithic date, Neolithic cup and ring marked stones, Bronze Age Cairns, Iron Age settlement and the medieval settlement at Thropton which dates back to at least the 13th century.</p>

	<p>As indicated in the desk-based assessment submitted in support of this application, the proposed development site has the potential to contain previously unrecorded archaeological features and deposits which could be affected by the proposed development. In line with paragraphs 189 of the updated NPPF, the LPA should require the developer submit a field evaluation to inform the determination of the application. In this instance the evaluation should comprise geophysical survey followed by trial trenching.</p> <p>It will therefore be necessary for the applicant to commission an archaeological evaluation exercise involving geophysical survey followed by archaeological trial trenches across the site in line with an agreed method statement/written scheme of investigation (WSI). The results of the staged evaluation will help inform the scope and detail of any archaeological mitigation work which may be required. This might include, for example, targeted programmes of archaeological excavation and/or monitoring or the identification of areas which should be subject to 'mitigation by avoidance' (preservation in-situ of archaeological features). Equally if archaeological remains are not revealed during the staged evaluation, no further work may be required.</p> <p>I would request that the application is not determined until the archaeological evaluation is completed, the results submitted in support of the application and I have had time to provide you with my final comments.</p>
<p>Building Conservation (BC)</p>	<p>No Objection; No Harm</p> <p>The land for the proposed site is to the west and well outside of the curtilage of the Grade II listed Barn and Gin-Gang North East of Thropton Demesne Farmhouse. The listing describes all of the buildings to the south-east and west as being of no special conservation interest, which are nearest to the proposal site location.</p> <p>Building conservation does not make any comment on the public benefits of the scheme, however we do conclude that there would unlikely be any harm to the setting of the listed building from the proposal due to the location, screening and distance to the listed building.</p> <p>In summary, the proposed new buildings are not considered to result in a significant impact on the setting of the listed building.</p> <p>Building Conservation raises no objection to the proposed dwellings to the west of the listed building as mentioned above.</p>
<p>County Ecologist (CE)</p>	<p>No Objection; Conditions Advised</p> <p>The application documents and ecological survey report indicate that the site itself is of generally low overall ecological value, and carries no statutory or non-statutory ecological designation, though it does lie adjacent to the River Coquet & Coquet Valley Woodlands Site of Special Scientific Interest to the south. It is comprised largely of arable agricultural land with some grassed margins bounded by hedges on the northern, eastern and southern boundaries with scattered mature hedgerow trees particularly along the northern boundary. Some of the trees are likely to have potential for roosting bats and a range of farmland birds are likely to be present in the area and may nest in the trees, hedgerows and marginal grassland. Bats, birds, red squirrels and small mammals are likely to commute and forage across the site but most particularly along the existing boundary hedgelines. A full formal response from the consultation with Natural England is currently awaited and as a result a full final response with respect to</p>

	<p>ecological issues is not possible until that response has been received given that there may be matters, specifically relating to the proximity of the site to the SSSI, that Natural England may wish to comment on.</p> <p>Subject to the receipt of comments from Natural England the following conditions may be likely to apply in this instance. I would be grateful to be informed once a response from Natural England has been received.</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. The recommended conditions are therefore advised for inclusion should permission be granted.</p>
<p>Natural England (NE)</p>	<p>No Objection; Condition Advised</p> <p>We consider that without appropriate mitigation the application would:</p> <ul style="list-style-type: none"> - damage or destroy the interest features for which River Coquet & Coquet Valley Woodlands Site of Special Scientific Interest has been notified. <p>In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:</p> <ul style="list-style-type: none"> - Mitigation measures as set out in the Preliminary Ecological Assessment Report - Mitigation measures to prevent fluvial flood waters from entering the SuDS basin. - If waters are discharged to the SSSI, mitigation measures to ensure sufficient water quality from the SuDS <p>We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.</p>
<p>Public Health Protection (PHP)</p>	<p>No Objection; Conditions & Informatives Advised</p> <p>The applicant has submitted a Phase 1 desk top study and has concluded that the risk of contamination is low and that no further works are recommended for the site. The Public Health Protection Unit concur with this conclusion and would only recommend a condition to the Local Planning Authority for the applicant to address unexpected contamination should it be found during the development.</p> <p>Contrary to the statement by Elliot Environmental in the Phase 1 report, although the site does fall within a radon affected area, as shown in the BGS/PHE Radon Potential Dataset, 2007, this is in the class of 1-3 per cent of dwellings being at or above the Radon Action Level (200 Becquerel / m3).</p> <p>At this level, there is no statutory requirement for any radon gas protection measures to be incorporated into any dwellings in this area. However, the applicant may wish to include protective measures as a precautionary measure.</p> <p>The site is south of the B6341 road where traffic flows are very low. The B6341 continues on to Hepple & Elsdon, then joins the A696 south of Otterburn.</p>

	<p>However, depending upon the final layout of dwellings on the site, the applicant may wish to consider the inclusion of a close-boarded fence along the northern perimeter of the site to ensure a good level of noise mitigation to garden areas.</p> <p>Therefore, no formal road traffic noise assessment will be required to support this application.</p>
<p>Highways Development Management (HDM)</p>	<p>No Objection; Conditions & Informatives Advised</p> <p>The proposed development has been assessed in conjunction with the National Planning Policy Framework and is considered acceptable in principle in regards to highway matters.</p> <p>It should be noted that there is an approved outline application for the field North of the site referenced 13/03894/OUT for approximately 60 dwellings. There are factors that may impact both developments in regards to access, speed signage movement and widening the existing carriageway at certain points to 5.5m with 2m footways.</p> <p>In principle, residential development on the site is acceptable. However, due to the lack of internal layout, including a finalised vehicular access point, the applicant is advised to enter into pre-application discussions with the Local Planning and Highway Authority in respect of the internal layout of the development area in order to establish broad principles of the adoptable highway network.</p>
<p>Countryside/ Rights Of Way (PRW)</p>	<p>No Objection;</p> <p>I have no objection to the application on the condition that Public Footpath No.3 & No 4 are protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.</p>
<p>Lead Local Flood Authority (LLFA)</p>	<p>No Objection; Conditions & Informative Advised</p> <p>The LLFA has the following comments and no objections to this application provided the recommended conditions are added to the the application.</p> <p>The proposed SuDS infiltration / Attenuation basin borders national floodzone 2. The basin should be located fully outside the floodplain. Plan provided show the proposed basin to be boarding floodzone 2, mitigation measures such as a bund should be constructed to prevent fluvial flood waters from entering the basin. Infiltration should take place at the detailed design stage to confirm if infiltration testing is possible on site. If the basin infiltrates there needs to be at least 1m clearance between its base and the water table.</p>
<p>Northumbrian Water Ltd (NWL)</p>	<p>No Objection; Condition Advised</p> <p>An enquiry was received by NWL from the applicant for allowable discharge rates & points into the public sewer for the proposed development. In this document it states:</p>

	<p>The foul flows can discharge without restriction into the 150mm diameter foul public sewer via manhole 5306 and if the more sustainable options prove to be unfeasible, a restricted surface water flow of 9 l/sec would be permitted to discharge into the 300mm diameter surface water sewer via manhole 5101.</p> <p>Because the applicant has not submitted a drainage scheme with the application that shows the exact discharge points which will be used, NWL request the recommended condition.</p>
Environment Agency (EA)	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	18
Number of Objections	5
Number of Support	0
Number of General Comments	0

Notices

General site notice - 30th July 2018

Press notice - Northumberland Gazette - 2nd August 2018

Summary of Responses:

5.1 5 objections raised the following issues;

- Site is in an unsustainable location.
- Impact on local services/infrastructure.
- Inaccuracies in the submission relating to the site and its context.
- Adverse landscape impact.
- Cumulative impact from proposal alongside existing consent (to opposite side of road)
- Impact on residential amenity from overlooking.
- Adverse ecological impact.
- Highway capacity issues.
- Highway safety concerns.

5.2 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=PAVFRUQSHDF00>

6. Planning Policy

6.1 Development Plan Policy

ACS - Alnwick LDF 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
- S14 Development in the open countryside
- S15 Protecting the built and historic environment
- S16 General Design principles
- S23 Planning obligations

ALP - Alnwick District Wide Local Plan (1997)

- BE2 Regional and local archaeological significance
- BE8 Design in New Dwellings
- Appendix B Design in New Dwellings
- CD32 Controlling development that is detrimental to the environment and residential amenity
- TT5 Controlling car parking provision (and Appendix E)
- Appendix E Car parking standards for development

6.2 National Policy

NPPF - National Planning Policy Framework (2018)
PPG - Planning Practice Guidance (2014 - as updated)

6.3 Other Documents/Strategies

Northumberland Five-year Supply of Deliverable Sites: 2017 to 2022 (2017)
SHMA - Northumberland Strategic Housing Market Assessment (2018)
Alnwick Landscape Character Assessment Supplementary Planning Document

6.4 Emerging Policy

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (2018)

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.

- 7.2 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).
- 7.3 The Northumberland Local Plan was published in draft for consultation on 04/07/18, in accordance with Paragraph 48 of the NPPF; the policies contained within the document at this stage carry minimal weight in the determination of planning applications.
- 7.4 The main issues in the consideration of this application are;

- Principle of Development
 - Sustainability
 - Housing Land Supply
 - Summary
- Planning Obligations
 - Affordable Housing
 - Education
 - Landscape Buffer
- Visual Impact
 - Landscape
 - Design
 - Summary
- Historic Environment
 - Archaeology
 - Listed Buildings
- Amenity
- Natural Environment
 - Ecology
 - Off-Site Impact
 - Contaminated Land
- Transport
 - Highway Safety
 - Rights of Way
- Water Management
- Other Matters
 - Public Consultation
 - Conditions
- Procedural Matters

Principle of Development

Sustainability

- 7.5 The NPPF seeks to promote sustainable development with paragraph 8 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 which are interdependent and need to be pursued in mutually supportive ways. The application seeks residential development on land immediately adjoining Thropton partially separated from the main built area by an access lane to the east but bound by existing development within the

settlement to the north and east. Thropton has a good service base with further access 1.9 miles east at Rothbury which has a strong service base. In-principle issues raised over the consultation period have been appraised in this section.

- 7.6 *S1 of the ACS sets out the hierarchy of settlements to inform the location and scale of development in the former Alnwick District. The location and scale of new development should accord with the settlement hierarchy and reflect the services present, accessibility and character of each settlement.*

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. However limited weight can be attached to this policy as the NPPF does not require a sequential test for this development type.

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. These include that the development is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car, and there is adequate existing or planned capacity in the physical and community infrastructure, or that additional capacity can be provided, as well as matters of environmental impacts.

- 7.7 The site is located on the periphery of Thropton, a 'Sustainable Village Centre' where development is permitted that is well-related to the settlement as per S1 which states that there is a 'strong service base' although it should be noted that there has been a decrease in the service provision available. Development in this location should accord with the hierarchy and reflect the services present and accessibility. The site is located on the edge of the village (bordering development to two sides) and would be accessible to services within the settlement.

- 7.8 *Paragraph 78 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Where there are groups of smaller settlements, development in one village may support services in a village nearby.*

- 7.9 Whilst there is a limited service base within the settlement, Thropton is considered to be accessible to Rothbury (identified as a Secondary Rural Service Centre albeit as a village) providing a wider range of services. Having regard to these other settlements nearby, residential development in this location is considered permissible through its potential to access services in the neighbouring village which in turn would contribute to the vitality of one another.

- 7.10 From this, the site is considered to be a suitable location to support new residential development.

Housing Land Supply

- 7.11 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.12 *Paragraph 73 of the NPPF sets out that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.*
- 7.13 *Paragraph 74 of the NPPF clarifies what is required to demonstrate a five year supply of deliverable housing sites.*
- 7.14 As set out in paragraph 73 of the NPPF, where the strategic policies are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Northumberland's local housing need figure is currently 717 dwellings per annum. Against this requirement, and taking into account the supply identified in the Council's latest Five Year Supply of Deliverable Sites 2017 to 2022 report, the Council can demonstrate a 12.1 years supply of housing land. Therefore Northumberland clearly has more than a 5-year housing land supply, and as such, in this context, the presumption in favour of sustainable development does not apply.
- 7.15 This supply position updates that presented in the Council's Position statement following withdrawal of the draft Core Strategy (Nov 2017), and in the Five Year Supply of Deliverable Sites 2017 to 2022 report (Nov 2017) which used an Objectively Assessed Need of 944 dwellings per annum, informed by superseded evidence. While the draft Northumberland Local Plan includes a housing target of 885 dwellings per annum, given that the plan is not yet adopted, this target has not been used for the calculation of the Council's five year housing land supply position, as to do so would not reflect the NPPF.
- 7.16 The housing land supply figure is a minimum and not a maximum, new development on sites that would alter or extend settlement limits are subject to a balanced assessment to consider whether development is sustainable having regard to Paragraph 8 of the NPPF.

Summary

- 7.17 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 in the area and in social terms would deliver market housing in an appropriate location, which would help to sustain the existing community and associated services, as well as being able to

contribute to improvements to existing services. Its environmental role is subject to assessment of further considerations.

- 7.18 It is therefore considered that the principle of development is acceptable and in accordance with S1 and S3 of the ACS and the NPPF.

Planning Obligations

- 7.19 *S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.*

- 7.20 *Paragraphs 54 and 56 of the NPPF sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Obligations must meet all of the following tests;*

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

- 7.21 The following planning obligations have been assessed in respect of this application which are to be secured by legal agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended).

Affordable Housing

- 7.22 The application has put forward that 15% of dwellings proposed would be on-site affordable housing to be delivered on site (6 dwellings). The application has been subject to consultation with Affordable Housing (AH). The response from Thropton Parish Council raised issues of affordable housing which have been considered in this section.

- 7.23 *S6 of the ACS seeks an appropriate level of affordable housing within the site on all housing sites of 10 units or more or 0.33 hectares or more in Alnwick and Amble. The policy had stated a need for 35% however this is no considered up-to-date.*

- 7.24 *Paragraph 64 of the NPPF stipulates that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.*

- 7.25 The Northumberland SHMA Update (June 2018) provides detailed market analysis of housing needs at the County level, and across local Housing

market sub-areas. It also provides up-to-date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 151 dwellings per annum over the period 2017 to 2022, and recommends that 50% of affordable homes are provided for rent, and 50% provided as affordable home ownership products.

- 7.26 The updated SHMA, helped inform the 20% affordable homes requirement in the draft Northumberland Local Plan. Until the implications of the updated SHMA have been considered further, the Council will not normally seek an affordable housing contribution in excess of 15% unless other up to date evidence indicates a higher contribution is required to meet local need.
- 7.27 However, pending Cabinet ratification, at the present time of writing 15% of new homes will continue to be suggested to be provided as affordable housing products in line with the evidence from the previous 2015 SHMA.
- 7.28 AH have set out that the provision put forward is considered acceptable setting out that tenure of three discount market value would be acceptable, this is due to the size of the site and the likelihood that a Registered Provider would take on one or two of the units for affordable rent.
- 7.29 Given that the application is outline with all matters reserved, the future provision would be bound by condition as set out in the recommendation to secure an affordable housing strategy alongside legal agreement. It may be the case that through changing market circumstances (noting in particular the site to the north which is required to deliver thirteen affordable units on-site) that a different form of provision is agreed such as an off site contribution with this flexibility allowed for within the legal agreement (otherwise referred to as a conversion clause).

Education

- 7.30 In respect of major housing applications, issues of school capacity and potential impacts of new development are considered through consultation with Education. Contributions where necessary, are sought for physical infrastructure improvements. Issues raised during consultation are addressed in this section.
- 7.31 *Paragraph 94 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities going on to;*
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.*
- 7.32 The consultation response from Education sets out that there is surplus capacity in catchment first and middle schools however there are capacity at the secondary level. Pupil numbers at King Edward VI School in Morpeth are at capacity and therefore a contribution has been sought, based on the pupil yield from the development (one pupil) to calculate a contribution of £24,000 which has been agreed by the applicant.

Landscape Buffer

- 7.33 The application proposes development on the edge of the village that would expand the village limits, as such landscaping to the west of the site has been sought as part of the proposal. Alongside this is the requirement for commitment to the management and maintenance to ensure a future scheme is delivered and maintained for a suitable period of time to secure the benefits for which it was originally requested.
- 7.34 The applicant has agreed to the inclusion of this as part of a legal agreement should the application be approved and is considered significant due to the necessity for the successful implementation of this aspect of the proposal.

Visual Impact

Landscape

- 7.35 The site comprises of agricultural land to the west end of the settlement that sits alongside an access track to the east providing an element of separation from built form but bound to the opposite side of the highway by existing/proposed development. Of relevance is a larger approval for 60 dwellings north-west of the site. The land is open field that where there is a right of way and open countryside beyond. The appraisal of Landscape considers the physical mass and character impact of a development proposal; the application is outline with scale and layout reserved. Given the potential long range impact of the proposal, the application has been subject to consultation with Northumberland National Park (NNP). Issues raised regarding landscape have been considered in this section.
- 7.36 *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.*
- S16 of the ACS states that proposals should take full account of the need to protect and enhance the local environment.*
- 7.37 *Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by;*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*
- 7.38 The proposed access has been indicatively proposed centrally along the width of the frontage onto the B6341. The site is visible from the approach from the west but would be viewed alongside existing development to the north which is of a greater prominence than existing development to the south (which is screened to an extent by existing planting). Notwithstanding this; spatially the development, whilst deviating from the building line of development to the east would remain constrained by existing development to the north. It should also be taken into consideration that the scale of the proposal to the north (if

implemented) would have a far greater impact on the character and appearance of the area than what has been presented in this application. Overall the impact of new development could be softened through landscaping to be addressed at the reserved matters stage along with the layout and density of new development.

7.39 Setting has been defined through APP/N1730/W/15/3127962;

In a conventional interpretation of the word this would mean the surroundings or environment of something or object. By my interpretation, particularly in a planning context, the term should express some element of experiential understanding or...the surroundings in which a settlement, or part of a settlement, is experienced...

7.40 There are considered to be issues of detrimental character impact on the setting of the village and the loss of field, however read alongside existing and approved development, this impact is not considered to be significant. In addition, should the permission to the north lapse or not be implemented, the delivery of this site could be achieved without compromising the spatial definition of the main built up area of Thropton. In the interests of good design having regard to Paragraph 170 of the NPPF, a condition has been imposed to secure a landscape buffer to the western boundary of the site which would be further detailed in a reserved matters application.

7.41 In terms of the impact from the National Park, the NNP has set out informally that there are no objections to the proposal with the written response awaiting. Members will be updated on this issue at Committee.

7.42 *S5 of the ACS sets out the density required for new build housing, at 30 dwellings per hectare as a minimum. In rural areas and elsewhere where there is a need to preserve or enhance the character of the area, particularly on settlement edges, lower densities may be considered.*

7.43 In considering the density of the proposal, the net area for development (2.30ha approx.) has been used which would result in a density of 8 dwellings per hectare which is of a lower number than set out in S5 but is appropriate given the edge of settlement location within a village, topography of the site and the requirement for landscaping.

7.44 From this it is considered that the landscape impact of the proposal is acceptable, in accordance with S5, S13 and S16 of the ACS and the NPPF.

Design

7.45 The application has been submitted with layout, massing and appearance reserved. Design considers the appearance of the development independently and as part of the immediate streetscene.

7.46 *S16 of the ACS states that proposals should take full account of the need to protect and enhance the local environment.*

7.47 *BE8 of the ALP specifies the relevant appendix to assess proposals for new dwellings and extensions (in this case Appendix A). Appendix A covers criteria relating to layout, access, car parking, design, materials and landscaping. It is acknowledged that this policy in part is not fully compliant with the NPPF in terms of its prescriptive nature.*

7.48 *Paragraph 127 of the NPPF states that Planning decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*

7.49 Having regard to other development in the nearby area, it would be expected for house types and material treatments to respect the vernacular of the area. A detailed assessment of the visual impact for the outline element can only be carried out at the reserved matters stage. However based on the submitted indicative plan and associated documents, it is considered that a residential development could be accommodated on this part of the site without causing a significant adverse visual impact.

Historic Environment

7.50 *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.*

7.51 *Paragraph 184 of the NPPF sets out that Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation*

Archaeology

7.52 The proposed development is located in wilder landscape containing known remains from the prehistoric period onwards. The application has been submitted with an archaeological desk-based assessment which has been reviewed by the County Archaeologist (CA).

7.53 *BE2 of the ALP sets out that planning permission will not be granted for development detrimental to sites of regional or local archaeological importance, unless there is an overriding need for the development and no alternative location can be found. Where the impact of the development is not clear, the developer will be required to provide an archaeological assessment.*

- 7.54 *Paragraph 189 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*
- 7.55 The CA has reviewed the submitted information concluding that whilst a desk-based assessment has been submitted, further site work is required to provide a comprehensive understanding of the potential presence of archaeological features of significance. The applicant has agreed to undertake the site investigations prior to issue of a decision should Members be minded to approve the application with any recommended conditions from the CA included in a future decision.
- 7.56 The recommendation is therefore subject to this aspect of the development proposal to ensure accordance with BE2 of the ALP, S15 of the ACS and the NPPF.

Listed Building

- 7.57 The site is located within the vicinity of Barn and Gin-gang north east of Thropton Demesne Farmhouse, a Grade II Listed Building with the development having the potential to affect its setting. The application has been submitted with a Heritage Statement and has been subject to consultation with Building Conservation (BC).
- 7.58 *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.*
- 7.59 *Annex 2 of the NPPF sets out that the setting of a heritage asset is The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*
- 7.60 The response of BC sets out that the site is separated by a track and mature tree/hedge line west of the listed building separated by 75m and as a result BC states that there would unlikely be any harm to the setting of the listed building. It should however be noted that a further assessment would be required at the reserved matters stage.
- 7.61 Overall the impact on the setting of the Listed Building is considered acceptable and in accordance with S15 of the ACS and the NPPF.

Amenity

- 7.62 The assessment of neighbour issues seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed

use. Issues raised over the consultation period in respect of this have been considered in this section.

7.63 *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.*

7.64 *Paragraph 127 of the NPPF states that planning decisions should;*

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.65 As part of the consultation response from Highways Development Management (HDM), a construction method statement has been approved that secures 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. In addition, Public Protection (PHP) has requested a condition to secure details of dust management over the construction period in the interests of amenity. Alongside this would be measures to manage surface water drainage as set out by the Lead Local Flood Authority (LLFA) over the construction period.

7.66 A detailed assessment of amenity for the outline element can only be done at the reserved matters stage. However given the proximity of neighbouring properties to the application site relative to the indicative layout, it is considered that the development could be accommodated without having a significant adverse impact on amenity in terms of privacy, mass and land use.

7.67 It is considered that impacts on amenity arising from the development would not have an adverse impact on neighbouring properties, proposed properties or the wider environment. The neighbour issues of the proposal are therefore considered acceptable in accordance with CD32 of the ALP and the NPPF.

Natural Environment

Ecology

7.68 Due to the site bordering the open countryside and proximity to a ecologically designated sites with potential for tree removal, there is considered to be potential for the development to have on-site ecological impacts. The application has been submitted with a Preliminary Ecological Assessment, which has been reviewed by the County Ecologist (CE). Objections on this issue have been considered in this section.

7.69 *S3 of the ACS sets out within its sustainability criteria that there should be no significant adverse effects on the environment, biodiversity and geodiversity.*

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.

7.70 *Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by;*

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

7.71 The CE has reviewed the application setting out that the land is largely of arable land bounded by hedges to the north, east and southern boundaries, with potential habitats within these areas for mammals and protected species. No objection has been raised subject to conditions to ensure accordance with the submitted mitigation measures, restrictions to the removal of trees/hedgerows, landscaping and hedgehog provision which all have been set out in the recommendation. This would be further assessed at reserved matters stage.

7.72 The on-site ecological impact of the proposal is considered acceptable, in accordance with S3 and S12 of the ACS and the NPPF.

Off-Site Impact

7.73 The land is located to the north of the River Coquet & Coquet Valley Woodlands Site of Special Scientific Interest (SSSI). As new development to the land, there is considered to be potential for residential dwellings to impact the SSSI, the application has been subject to consultation with the CE and Natural England (NE).

7.74 *Paragraph 175 of the NPPF states that in determining planning applications, local planning authorities should apply the following principles;*

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest

7.75 The CE has raised no substantive issues subject to a condition to secure details of potential water pollution mitigation which is echoed in the response from NE which alongside the aforementioned requirement is also seeking details of fluvial water management given the potential to enter the watercourse as a precautionary measure; the conditions have been set out in the recommendation.

7.76 From this, the off-site impacts of the proposal are considered acceptable, in accordance with S12 of the ACS and the NPPF.

Contaminated Land

- 7.77 The site is within the low risk coal referral area, the site otherwise has no history of previous significant contaminative uses. The application has been submitted with a Preliminary Environmental Risk Assessment (Phase 1 ground investigation) report which has been assessed by Public Health Protection (PHP).
- 7.78 *S3 of the ACS sets out within its sustainability criteria that any physical and environmental constraints on the development of the land as a result of contamination, or land stability can be mitigated.*
- 7.79 *Paragraph 178 of the NPPF states that decisions should ensure that;*
- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation.*
- Paragraph 179 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.*
- 7.80 PHP have reviewed the submission setting out that there are not considered to be significant issues arising in terms of land contamination with the submitted report setting out that the risk of contamination is low and no further works are recommended. PHP have advised precautionary condition which has been set out in the recommendation.
- 7.81 From this, issues arising from contaminated land have been suitably addressed in accordance with S3 of the ACS and the NPPF.

Transport

Highway Safety

- 7.82 Highway safety considers the impact the development would have in terms of vehicle movements, the internal layout of development and pedestrian connectivity. The application has been assessed by Highways Development Management (HDM). The application has been submitted with a Transport Statement. Objections regarding highway safety have been considered in this section.
- 7.83 *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.*
- 7.84 *Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

7.85 HDM have reviewed the application setting out that the approved outline scheme to the north of the site may have an overlap in terms of highway works but that this would be resolved at the Reserved Matters stage for both applications. There are not considered to be issues over highway capacity or safety raised subject to the conditions set out in the recommendation and detailed assessment at the Reserved Matters stage.

7.86 The conditions as recommended by HDM have been set out within the recommendation. In terms of off-site highway works, the development would provide the following which has been agreed by the applicant;

- Localised widening of the B6341 carriageway fronting the site extending eastwards, together with associated works;
- Vehicular access to site to be constructed to Type 'C' access specification incorporating 5.5m entry width and 6m radii (2.43m visibility splays);
- Provision of footway along the site frontage extending eastward to link in with the existing footway network, together with associated works;
- Provision of gateway feature and interactive speed sign on B6341, including relocation of 30mph speed limit signs;
- Associated street lighting, drainage, signs, road markings etc;

7.87 Which are not only considered to benefit the development site but also properties in the immediate vicinity.

7.88 As a result, the impact on highway safety is therefore considered acceptable; neither causing an unacceptable impact on highway safety nor cumulatively leading to a severe impact, in accordance with S11 of the ACS and the NPPF.

Rights of Way

7.89 There is a Public Right of Way running to the south of the application site that is located outside of the site area. Development that would affect Rights of Way is subject to assessment by Public Rights of Way (PRW).

7.90 *Paragraph 98 of the NPPF states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*

7.91 The development is not considered to affect the right of way subject to further assessment at the Reserved Matters stage. PRW have raised no objection on the basis that the footpath is protected throughout which has been set out in an informative given the location of the right of way.

7.92 The impact on Rights of Way is therefore considered acceptable in accordance with the NPPF.

Water Management

- 7.93 The proposal has indicatively set out a mains connection for foul drainage with surface water attenuated via a Sustainable Drainage System (SuDS) basin which would be located to the south of the site. There is a very minor overlap into Flood Zone 2 for the basin however the Environment Agency sets out that it would not be within their remit provide response given that the application site is outwith of any designated Flood Zones. The application is for major development and has been accompanied by a flood risk and drainage strategy which has been subject to consultation with the Lead Local Flood Authority and Northumbrian Water.
- 7.94 *Paragraph 165 of the NPPF states that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*
- 7.95 NWL has raised no objection subject to a condition to secure details of surface and foul water drainage. The LLFA have also raised no objection subject to further details to ensure that the basin is located outside of the Flood Zones and that the integrity of the basin is suitably designed to manage the potential loading along with measures to prevent fluvial flow from entering the basin which have been set out in conditions but would be subject to further assessment at Reserved Matters.
- 7.96 From this it is considered that water management can be successfully undertaken on site in accordance with the NPPF.

Other Issues

Public Consultation

In response to issues raised over the consultation period that have not been addressed in the main body of the report;

- 7.97 *Impact on local services/infrastructure.*

Whilst all new development will have an impact on existing services and infrastructure, contributions have been sought where there is considered to be a substantive planning policy base to do so, the details of which are set out in the recommendation.

- 7.98 *Inaccuracies in the submission relating to the site and its context.*

Whilst this has been raised by an objection, an assessment has been carried out on site and in accordance with consultee comments which would address perceived discrepancies in the submission.

- 7.99 *Cumulative impact from proposal alongside existing consent (to opposite side of road)*

It is acknowledged that the proposal taken alongside the outline consent to the north would result in a significant expansion of the village (if both were fully implemented), the on site impacts in terms of technical matters and landscape/character issues of this proposal are not considered to be

significant to warrant refusal. Nor is there a policy basis with sufficient weight to resist development on the edge of the settlement. Whilst it is appreciated that there is a large housing supply, this aspect of the emerging policy remains untested at the time of writing.

Conditions

- 7.100 Paragraph 55 of the NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 7.101 Prior to preparation of this report, the applicant has confirmed agreement of the conditions set out in the recommendation. Pre-commencement conditions have been imposed as part of this permission although planning permission is reliant upon an approved Reserved Matters application.

Procedural Matters

Equality Duty

- 7.102 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

- 7.103 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

- 7.104 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.105 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations

identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

- 7.106 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

Planning Balance

- 8.1 The location of development is considered a suitable location for new residential properties. It is acknowledged that there will be an environmental impact resulting from the introduction of development to the area although this impact in part is lessened due to committed development. Irrespective of this, the proposal would have an impact on the character of the site and setting of Thropton.
- 8.2 *Paragraph 8 of the NPPF sets out the three overarching objectives (economic, social and environmental) stating that they are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure gains across each of the different objectives).*
- Paragraph 9 of the NPPF sets out that the objectives are not criteria which every decision can or should be judged and that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so take local circumstances into account, to reflect the character, needs and opportunities of each area.*
- 8.3 Whilst there are no saved restrictive policies to prevent development adjacent to the settlement, the proposal is considered to develop open countryside. As a result a balance of the benefits is required if the environmental impact of the development is to be overcome.
- 8.4 The environmental impact of the proposal is not considered to be significant given the spatial constraint to existing development. In order to address the sensitive edge, to which the new development would form, the inclusion by legal agreement to secure the management of the landscaping scheme is considered necessary to ensure that the development is delivered in an appropriate manner and that the extant consent to the north does not form a revised extended base a defensible limit upon.

- 8.5 From this, the environmental impact can be suitably mitigated through the conditions set out in the report and the planning obligation.
- 8.6 The proposal is therefore considered sustainable development in the context of the NPPF.

Summary

- 8.7 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Neighbourhood Plan and Local 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.
- 8.8 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.
- 8.9 A legal agreement to secure the obligations/contributions is set out in the recommendation.
- 8.10 The technical issues affecting the proposal have been suitably addressed to progress the application committee. However there are outstanding archaeology matters which are to be resolved prior to a decision being issued.
- 8.11 Subject to resolution of the outstanding matter, the application would have addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.

9. Recommendation

That Members authorise the Head of Service to GRANT permission subject to resolution of outstanding matters and the imposition of additional conditions deemed necessary and relating to;

- County Archaeologist - Submission of archaeological evaluation;

A Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:

- 5-year Management Plan for the Landscape Buffer;
- 3 Units of Affordable housing (15%);
- £24,000 Education contribution;

The following conditions;

Conditions

01. Time to Commence Development

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended)

02. Approved Outline Site

The development hereby permitted at outline stage shall be in accordance with the approved site boundary. The approved plan for this development is:-

1. 03 - Site Location Plan

Reason: To provide the site extents of the outline permission.

03. Reserved Matters

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Notwithstanding details contained within the approved plans, approval of the details of;

- a) Access;
- b) Appearance;
- c) Landscaping;
- d) Layout; and
- e) Scale

Hereinafter called the reserved matters shall be obtained from the Local Planning Authority.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended)

Development Management

04. Details of Landscape Buffer Scheme to be Submitted

Notwithstanding details contained within the approved documents, details of a Landscape Buffer Scheme to the western boundary of the application site to include;

- a) Overall dimensions of the landscape buffer;
- b) Details of planting and/or drainage features;
- c) Details of boundary treatments; and
- d) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The landscape buffer shall be implemented in accordance with the program of delivery unless the requirement is otherwise dispensed of in writing by the Local Planning Authority following submission of an appropriate Reserved Matters application.

Reason: To protect the landscape and scenic beauty of the open countryside.

Affordable Housing

05. Affordable Housing Strategy to be Submitted

Notwithstanding details contained within the application, prior to construction of the development hereby approved, an affordable housing strategy incorporating 15% of the total number of units approved within this permission to include;

- a) The units to be put forward as affordable housing;
- b) The tenure of the affordable units proposed;
- c) Details of off-site affordable housing contributions (if applicable);
- d) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The delivery of affordable housing shall then be carried out in accordance with the approved strategy and retained in accordance with the terms of the Legal Agreement alongside this permission.

The affordable housing provision will be expected to be delivered on site.

Reason: To allow for flexibility in the provision of affordable housing relative to market conditions.

County Ecologist

06. Prior to commencement of the development hereby approved, a Construction Method Statement to include;

- a) Details for the protection of the SSSI and watercourse (River Coquet);
- b) Prevention methods of pollution or contamination of the watercourse and its associated habitat, including a buffer zone to the SSSI boundary not less than 5m wide.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to throughout the construction period.

Reason: To ensure that the SSSI and watercourse is not polluted or contaminated during development works or subsequently.

07. Details of Avoidance, Mitigation & Enhancement Measures to be Submitted

No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Land at Thropton, Proposed Development Preliminary Ecological Assessment Report', Ruth Hadden, November 2017) including, but not restricted to;

- a) Inclusion of 'in built' features for roosting bats and nesting birds at a ratio of 1 feature per dwelling with numbers, types and locations to be agreed in writing with the Local Planning Authority before development commences;
- b) Adherence to timing restrictions;
- c) Adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK' Bat Conservation Trust/Institution of Lighting Engineers, 2008;
- d) 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;
- e) Retention of the 5 No. mature ash trees along the northern boundary;
- f) An updating ecological survey to be carried out in the event that works do not commence before the end of November 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.

Please note that (a) and (f) shall be submitted to and approved in writing by the Local Planning Authority. The approved matters shall be implemented prior to occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain the favourable conservation status of protected species.

08. Arboricultural Method Statement to be Submitted

Prior to construction of the development hereby approved, details to include;

- a) arboricultural method statement (and subsequent tree protection plan) and the guidance set out in 'BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations' British Standards Institution, 2012.

Shall be submitted to and approved in writing with the Local Planning Authority. The approved method statement shall be adhered to and implemented throughout the construction phase.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

09. Landscaping Plan to be Submitted

Prior to construction of the development hereby approved, a landscaping plan to include;

- a) Planting plan consisting of the planting of locally native species of local provenance within the site;
- b) Details of the reinstatement of the northern boundary hedgeline; and
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the program of delivery which will be expected to be 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.

10. Hedgehog Mitigation

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

Reason: To maintain the population of a priority species.

Natural England

11. Pollution Prevention Strategy to be Submitted

Prior to construction of the development hereby approved, a pollution prevention strategy to include;

- a) Details of proposed mitigation to prevent impacts arising from construction on the River Coquet & Coquet Valley Woodlands Site of Special Scientific Interest.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented throughout the construction phase unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect ecologically designated sites in accordance with the National Planning Policy Framework.

12. Details of Fluvial Floodwater Mitigation to be Submitted

Prior to construction of the development hereby approved, a Fluvial Floodwater Mitigation Strategy to include;

- a) Mitigation measures to be implemented to prevent fluvial floodwaters from entering the SuDS, to prevent impacts on water quality within the SSSI;
- b) In the event that the basin discharges to the river directly, measures to ensure that there would be no impact on water quality entering the SSSI which may require the SuDS to include treatment stages; and
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented in accordance with the program of delivery unless otherwise agreed in writing by the Local Planning Authority and retained thereafter.

Reason: To protect ecologically designated sites in accordance with the National Planning Policy Framework.

Public Health Protection

13. Details of Dust Management During Construction to be Submitted

Prior to construction of the development hereby approved, a scheme to;

- a) Details measures to control dust, to be implemented for the duration of the site works. Such a scheme shall include methods to control dust from works and site management responses to incidents and complaints about dust arising from the site.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the construction period and removed upon completion of construction unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

14. Contamination not Previously Discovered

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

- a) The method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.
- b) In the event that no further contamination is found, a signed statement indicating this shall be submitted to and approved in writing by the Local Planning Authority.

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

Highways Development Management

15. Construction Method Statement (including Plan) to be Submitted

Prior to commencement of the development hereby approved a Construction Method Statement where applicable, to provide for:

- a) Details of temporary traffic management measures, temporary access, routes and vehicles;
- b) Vehicle cleaning facilities;
- c) The parking of vehicles of site operatives and visitors;
- d) The loading and unloading of plant and materials;
- e) Storage of plant and materials used in constructing the development; and
- f) Measures to control the emission of dust and dirt.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction/demolition period.

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

16. Details of Off-Site Highway Works to be Submitted

Notwithstanding the details provided, prior to construction of dwellings on the development hereby approved, schemes to provide:

- a) Localised widening of the B6341 carriageway along the site frontage, including resurfacing of the carriageway, together with associated works;
- b) a vehicular access/estate road junction to the site from the B6341, together with visibility splays and associated works;
- c) a gateway/traffic calming feature on the B6341 road, on the approach to the new estate road junction, including interactive speed sign, relocation of 30mph speed limit signs, together with associated works;
- d) a footway along the site frontage (B6341) extending eastwards, to link with the existing footway network, including street lighting, drainage, dropped kerb crossing points, together with associated works; and
- e) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be delivered in accordance with the programme of delivery which will be expected to be prior to occupation.

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

17. Management and Maintenance of Estate Streets

Prior to commencement (but excluding demolition) of the development hereby approved details of;

- a) Proposed arrangements for future management of streets;
- b) Details of maintenance of the proposed streets.

Shall be submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

18. Details of Adoptable Streets to be Submitted

Prior to construction of the development hereby approved, details to include

- a) Full engineering;
- b) Drainage;
- c) Street lighting; and
- d) Constructional details

For the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework

19. Details of Surface Water Drainage From Private Land to be Submitted

Prior to occupation of the development hereby approved, a scheme for surface water to include;

- a) Details to manage run off from private land;
- b) Details of maintenance;
- c) Programme of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the programme of delivery and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

20. Details of Refuse Storage & Strategy to be Submitted

The development hereby approved shall not be occupied until details of;

- a) Refuse storage facilities; and
- b) Refuse storage strategy.

Have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development is occupied. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with the approved details.

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

21. Details of Boundary Treatments to be Submitted

The development shall not be occupied until details of the proposed boundary treatment to include;

- a) Type of boundary treatment;
- b) Location of boundary treatments; and
- c) Height of boundary treatments

Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details and retained thereafter.

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

22. Details of Car Parking to be Submitted

No dwelling shall be occupied until details of;

- a) Car parking areas including garages, associated with each plot; and
- b) Programme of delivery

Have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the programme of delivery.

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

Lead Local Flood Authority

23. Details of Surface Water Drainage to be Submitted

Prior to commencement of development a scheme to dispose of surface water from the development shall

- a) Restrict discharge from the development to Qbar for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by LLFA and the local

planning authority. Infiltration testing in accordance with BRE DIGEST 365 at the location of the SuDS basin. In the event that infiltration is found to be feasible then this gives preference to discharge to watercourse

b) Adhere to the principles as set out in the drainage strategy from ID Civils Design reference 4874/FRA01B Revision B

c) Provide attenuation on site for the 1 in 100 year plus climate change event. Storage shall be calculated with a 10% allowance for urban creep.

d) Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment.

e) Provide details of the adoption and maintenance of all surface water features on site.

f) Provide detail on how surface water flow routes will be managed during construction.

g) Program of Delivery

Shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the program of delivery.

Reason: To ensure the effective disposal of surface water from the development.

24. Details of Sustainable Drainage Systems (SuDS) Integrity to be Submitted

Prior to first occupation an assessment into the structural integrity of the proposed SuDS basin shall be undertaken. This assessment shall;

a) Ensure the structural integrity of the drainage system and any adjacent structures or infrastructure;

b) Anticipate loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance; c) The pond will be located outside of floodzones 2 and 3 and include mitigation measures to prevent fluvial flood water entry if bordering the floodzones;

d) Provide long and cross sectional drawings; and

e) Set out the program of delivery

To be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the program of delivery and retained thereafter.

Reason: To ensure the basin is structurally secure, limiting the possibility of any breaching.

25. Details of Foul & Surface Water Drainage to be Submitted

Prior to commencement of the development hereby approved, a scheme to include;

a) Details of surface disposal;

b) Details of foul water disposal;

c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. The

approved scheme shall be implemented in accordance with the program of delivery and retained thereafter.

Reason: To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework.

Informatives

1. Pre-application discussions for site layout

The applicant is advised to enter into pre-application discussions with the Local Planning and Highway Authority in respect of the internal layout of the development area in order to establish broad principles of the adoptable highway network.

2. New vehicle crossing point - Type Access C (S184)

You should note that under the Highways Act 1980 a vehicle crossing point is required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (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

3. Section 38 Agreement and adoption of highways

You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

4. Section 278 Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

5. Road Safety Audits

You should note that Road Safety Audits are required to be undertaken regarding the off-site highway works. Northumberland County Council offer this service. You should contact 01670 620295

6. Highway Condition Survey

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

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

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

8. Contact Local Highway Authority - Management and Maintenance of Estate Streets

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

9. Contact Local Highway Authority - Submission of details of adoptable streets

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

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

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

11. Contact Lighting Section

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

12. Protected Species

The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works.

All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the

Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

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

13. Dust Management

Dust minimisation and control shall have regards to guidance such as :

The Institute of Air Quality Management has produced very current documentation entitled "Guidance on the Assessment of Dust from Demolition and Construction" available at:

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

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

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

14. Noisy Working during the Construction Phase

During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800

Saturday - 0800 to 1300.

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

15. Restriction on Deliveries / Collections during the Construction Phase

No deliveries or collections shall be made to or from the premises outside the hours of:

Monday to Saturday 0800 to 1800
and not at all on Sundays or Bank Holidays.

16. Statutory Nuisance

The Public Health Protection Unit would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice.

Failure to address issue of noise, dust and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

17. Burning Materials Onsite

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

18. Protect Public Footpath

Public Footpath No.3 & No 4 are protected throughout. No action should be taken to disturb the path surface, without prior consent from Rights of Way as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.

If the developer, wishes to discuss any of the above please phone 01670 624 135.

19. Northumberland National Park

As the application is in close proximity to the Northumberland International Dark Sky Park, it is advised that any street lighting required in association with the development is Dark Sky compliant.

Date of Report: 11.09.2018

Background Papers: Planning application file(s) 18/02244/OUT