



Northumberland County Council

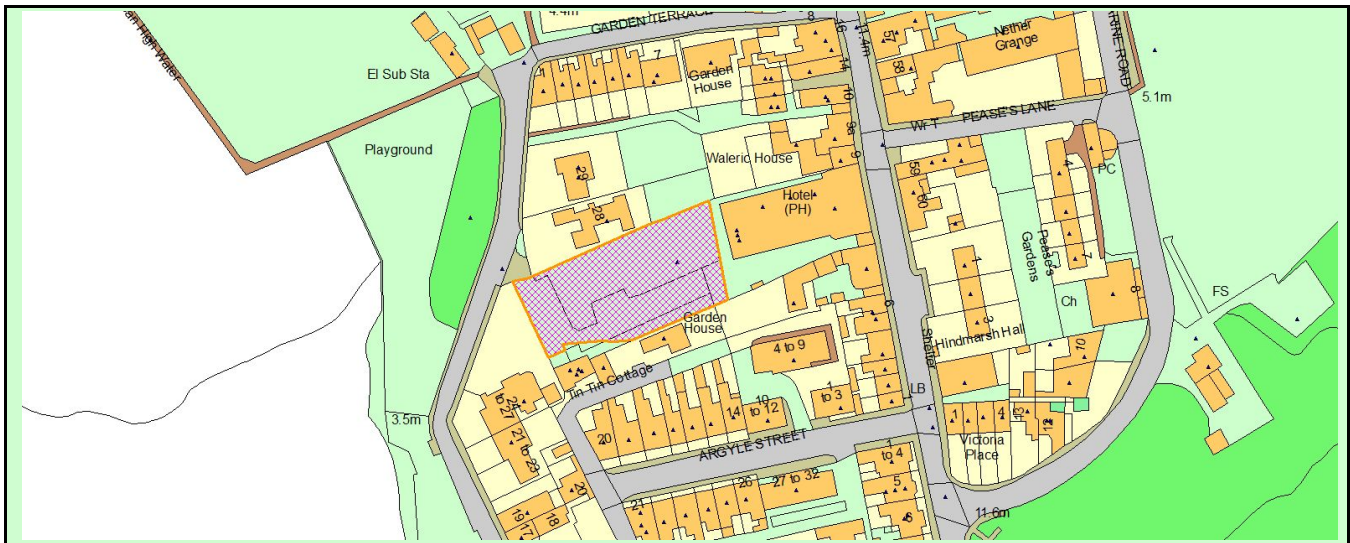
North Northumberland Local Area Committee
18th October 2018

Application No:	18/02275/FUL		
Proposal:	Erection of Seven residential units, including garden areas, parking and landscaping - Amended 13/09/18		
Site Address	Land West Of Schooner Hotel, Northumberland Street, Alnmouth, Northumberland		
Applicant:	Mr J Orde C / O George F White, 4-6 Market Street, Alnmouth, Northumberland NE66 1TL	Agent:	Miss Laura Dixon 4-6 Market Street, Alnmouth, Northumberland, NE66 1TL
Ward	Alnmouth	Parish	Alnmouth
Valid Date:	16 July 2018	Expiry Date:	31 October 2018
Case Officer Details:	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: Ragu.Sittambalam@northumberland.gov.uk		

Recommendation:

That Members authorise the Head of Service to GRANT permission subject planning conditions and a Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:

- £31,500 Off-Site Affordable Housing Contribution;
- £3600 Coastal Mitigation Contribution;



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1. Introduction

- 1.1 Under the provisions of the Council's current Scheme of Delegation, this application is to be recommended for approval contrary to a valid objection from Alnmouth Parish Council to the originally submitted proposal. 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 subject to conditions and S106 Legal Agreement.

- 1.2 The application was amended as follows;

- 25/09/18 - Submission of Visual Assessment
- 13/09/18 - Submission of Visual Assessment
- 07/09/18 - Revisions to the dwellings to change the materials used
- 21/08/18 - Submission of Ecology Assessment with mitigation on a site plan
- 13/08/18 - Submission of a Ground Gas Addendum
- 10/08/18 - Submission of Drainage Calculations

- 1.3 The application is a re-submission of 17/03669/FUL which was withdrawn due to insufficient information and concerns raised over the development. This application has been subject to officer advice prior to submission.

2. Description of the Proposals

- 2.1 The application site is located within Alnmouth set on land to the rear of the Schooner Hotel, which fronts Northumberland Street, the main thoroughfare running through the village. The land drops considerably in level from east to west with vehicular access set to the western point accessible from the east side of Riverside Road onto a narrow lane emerging onto Estuary Drive which

runs the length of the site to the south side with a parking area at the south-east corner.

2.2 The land is cleared with no significant features aside the change in levels with boundary planting to the north side. There are properties that immediately front the southern boundary with a greater level of separation to nearest properties afforded to the north. The land previously accommodated space associated with the now converted Schooner Hotel and Alnmouth Squash Courts.

2.3 The application seeks planning permission to erect 7 no. dwellings as follows;

- Form an estate road off the existing access with a shared surface footpath/road broadly in line with the existing arrangement providing 1 no. visitor space.
- 3 x 3-bedroom three storey rendered terraced properties (l:12.6m x w:5.4m), stone ground floor and a slate covered pitched roof for each unit. The terrace would be finished with natural timber to the exposed sides and rear with a hip onto the rear and stepped access to curtilage space. There would be 2 no. parking spaces at the front of each dwelling and the terrace would be located to the west end of the site.
- 2 x 3-bedroom two storey timber clad semi-detached properties (l:12.1m x w:5.5m), stone ground floor with slate covered gable roofs benefitting from curtilage space to the side and rear with 2 no. parking spaces for each properties.
- 1 x 3-bedroom two storey timber clad detached property (l:11.4m x w:7.6m), stone ground floor with a part slate covered gable roof and flat sedum roof. The property would have curtilage space to the side and rear with 2 no. parking spaces at the front.
- 1 x 2-bedroom single storey timber clad detached property (l:11.6m x w:9.7m) with stone base course of a trapeze form with a flat sedum covered roof. The dwelling would be located to the east end of the site.

2.4 The site is subject to the following environmental constraints;

- Alnmouth Conservation Area
- Northumberland Coast Area of Outstanding Natural Beauty
- Grade II Listed Building
 - Old Harbour Wall (70m west)
 - The Schooner Hotel (east of site)
 - 7 & 7A Northumberland Street (east of site)

3. Planning History

Reference Number: 14/01538/DISCON

Description: Discharge of conditions 3, 6, 7, 9 and 10 relating to planning permission 12/02960/VARYCO (Removal of condition no. 6 (occupancy) relating to planning permission A/2008/0101 as replaced by 11/00220/FUL (Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation))

Status: Part Consent/Part Refusal

Reference Number: 17/01521/TREECA

Description: Fell 1 Sycamore.

Status: No Objection

Reference Number: 17/03669/FUL

Description: Erection of eight residential units, including garden areas, parking and landscaping

Status: Withdrawn

4. Consultee Responses

Alnmouth Parish Council	<p>Objects;</p> <p>I am on Alnmouth parish council, they wish to apologise for being late in submitting but they say their observations and comments that were submitted to the initial application are the same.</p> <p>Original Comments (17/03669/FUL);</p> <p><i>(1) We consider this to be an over-development, with too many units for the site available, too little green space and too much hard landscaping.</i></p> <p><i>(2) There appears to be insufficient parking. According to Table 1 of NCC's Car Parking Standards, Column A, there should be 2 in curtilage car parking spaces for a 2 bed house and 3 for a 3 bed house. The proposed development contains one 2 bed and seven 3 bed properties, thereby requiring 23 in curtilage car parking spaces as a minimum provision. Currently there are only 12.</i></p> <p><i>(3) The proposed access is insufficient to meet the needs of the contractor regarding the entry and exit of plant and materials, especially if these building materials are delivered via large vehicles.</i></p> <p><i>(4) Riverside Road is a very busy road. In view of its narrowness and its history of congestion, especially as only one exit route is possible, APC would welcome a requirement that materials be transferred to smaller vehicles prior to delivery to site.</i></p> <p><i>(5) The increased volume in traffic will increase the danger to children using Pease's Park, which is immediately opposite the proposed development.</i></p> <p><i>(6) During the applicant's previous development, the residents of Riverside Road were subjected to multiple 20 tonne 8-wheel lorry deliveries of soil to the site. It would appear that, if planning permission for this development is granted, the residents would have to suffer all over again during the removal of said soil.</i></p> <p><i>(7) What provision will be made by the contractors to protect the residents of Riverside Road from the unacceptable level of disruption which they have experienced in the past during construction work?</i></p> <p><i>(8) What restrictions would be placed on working hours etc., to protect neighbours from the sort of disruption which they have experienced in the</i></p>
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	<p><i>past, during the protracted conversion of the back of the Schooner into 6 apartments?</i></p> <p><i>(9) In view of a previous sewage problem at this site, what assurances have been given regarding adequate sewage provision?</i></p> <p><i>(10) What steps are to be taken regarding the issue of contaminated land?</i></p> <p><i>(11) In view of previous failure to observe conditions required by NCC, what steps would be taken to ensure that conditions are enforced?</i></p> <p><i>(12) Would there be a condition of planning for any development on this site to include an element either of affordable housing or application of Section 106?</i></p> <p><i>(13) In line with Policy S1 of the Alnwick Core Strategy and to protect the interests of the Northumberland Coast AONB, would a restriction be imposed to ensure that any development is only for permanent residents and to prevent any future units from becoming holiday lets or second homes?</i></p> <p><i>(14) The development would obscure the current iconic view of the rear of the 17th century, Grade II listed Schooner Hotel and apartments. One person's visually attractive design is another person's blot on the landscape, but such a modern design would not be in keeping with the fact that this site is within the conservation area of the village and within the AONB.</i></p>
<p>Affordable Housing (AH)</p>	<p>Obligation Required; £31,500</p> <p>This site is not a suitable location for affordable homes and a commuted sum will be required in this instance.</p> <p>In the Northumberland Coast Area of Outstanding Natural Beauty and the North Pennines Area of Outstanding Natural Beauty an affordable housing contribution will be expected on all proposals of more than five units. Given the successful allocation of homes for affordable rent in the area, new homes for rent would be welcomed. However the design and layout of the homes in this application do not lend themselves to affordable housing and only commuted sums are allowed for developments of between 5 and 10 in the AONB. Therefore the contribution to affordable housing should be in the form of a commuted sum.</p> <p>It is understood that the applicant will have provided RICS evidence to verify that the average market value of the completed homes is £277,500 and will fall in the £250,001-300,000 range in the protocol.</p> <p>Based on this the calculation for the sum is: $7 \times 15\% \times 30,000 = £31,500$ Note that this is at 15% and not 20% contribution at this point in time.</p> <p>A commuted sum of £31,500 is required based on the assumption that at the time planning permission is granted the contribution rate has not increased to 20%.</p> <p>The sum is payable following completion of the last unit and in practice it is suggested after the sale of the 3rd unit.</p> <p>The requirements when finalised should be detailed in a section 106 agreement.</p>

<p>Northumberland Coast AONB (NCAONB)</p>	<p>No Objection;</p> <p>The Northumberland Coast AONB Partnership welcomes the provision of the site visualisations which are helpful.</p> <p>The Partnership has always acknowledged that the site could accommodate development but that the three storey townhouse to the south of the site was of concern in terms of scale and mass. The visualisations illustrate that the three storey element are visually prominent and masks the falling topography of the site.</p> <p>The Partnership maintain a reduction in the height of this element would help ameliorate the impact of the development and enhance the cascading nature of the developments in Alnmouth.</p>
<p>County Archaeologist (CA)</p>	<p>No Objection;</p> <p>The proposed development has been the subject of a number of geotechnical test pits and boreholes which have demonstrated that there is a substantial build-up of made ground/disturbance across the site containing ash, brick and concrete. Given the nature and location of these deposits, this is likely to have impacted on the survival of earlier archaeological remains within the depth of construction.</p> <p>Based on the available evidence I have concluded that the site is unlikely to contain significant archaeological remains which will require further archaeological investigation.</p> <p>The geotechnical test pits and boreholes undertaken on this site have demonstrated that the proposed development area is unlikely to contain significant archaeological remains that will be affected by the proposed development. I therefore have no objections to this application and no archaeological work will be required.</p>
<p>Building Conservation (BC)</p>	<p>Less Than Substantial Harm; (Comments prior to amendment)</p> <p>The site that is the subject of this application is to the rear of the Sunset Point which shares a historic burgage plot with the grade II listed building Schooner Inn. The site is within the Alnmouth Conservation Area. The site is currently open with a recently developed road to the south giving access to and parking for the Sunset Point and several other adjacent dwellings.</p> <p>Building Conservation supplied comments on the application as initially submitted on 7 August 2018. Following submission of a revised plan reference ED S102 Rev C we supplied further comment on 4 September 2018. Further information has now been uploaded dated 7th -13th September to which this third response is directed. This comment should be considered in the context of earlier Building Conservation responses.</p> <p>It is noted the materials palette has been amended to natural slate with horizontal and vertical timber cladding referred to variously as cedar or similar. Subject to the submission of satisfactory samples this could produce a more sympathetic development than materials previously proposed. Should the LPA resolve to approve the proposal conditions should control details of windows, doors rooflights and rainwater goods notwithstanding the details given in the application. Composite windows and upvc rainwater goods are unlikely to be acceptable. It will be prudent to remove permitted development rights. Two visual assessments dated September 2018 have</p>

	<p>been supplied. These are helpful in illustrating materials and form but cannot be part of the approved documents to control heights.</p> <p>The revised materials palette is welcome subject to samples and final finishes. As the applicant has not amended the layout or heights proposed it follows the Building Conservation response remains as set out in previous responses in this regard. We consider the proposal would fall to paragraph 196 of the NPPF: that is, less than substantial harm.</p>
<p>Historic England (HE)</p>	<p>Less than Substantial Harm;</p> <p>The amendments represent an improvement to the previous scheme – a simplified palette of colours and cladding gives the proposal a more cohesive and unified character – and the latest visualisations submitted presenting the proposal within its wider setting show that the height of the proposal would remain lower than the Victorian adjacent buildings, which is welcome.</p> <p>However, there are still aspects of the proposal which could benefit from further revision to respond more sympathetically to and enhance the character of the place – the layout and roofscape being an important consideration mentioned in previous letters – and further information could be helpful to assess this point – complete elevations to Estuary Drive could help assessing how the proposal works in relation to its immediate context.</p> <p>As it currently stands, we consider that the level of harm can be assessed in line with paragraph 196 of the NPPF, which requires harm to be weighed against the public benefits of the proposal. We acknowledge that there may be public benefits to the proposal that your authority needs to have into consideration. In making that balanced judgement we ask you to take into account the requirements of paragraphs 193 and 200 of the NPPF, which ask local authorities to look for opportunities for new development within conservation areas and within the setting of listed buildings to make a positive contribution to local character and distinctiveness, seeking to enhance or further reveal of the historic assets’ significance. In this sense, we ask your authority to consider if this is the most sympathetic scheme for the area and whether sufficient has been done to understand and minimise harm and seek enhancement. This can be discussed and details agreed with your in house conservation specialists, who will also be able to advise you of any necessary conditions.</p>
<p>County Ecologist (CE)</p>	<p>No objection, obligation and conditions.</p> <p>The applicant will contribute to the Coastal Mitigation Service, and therefore I have completed the Habitats Regulations Assessments and conclude there is unlikely to be a significant impact on coastal designated sites with that mitigation. This is in accordance with the comments of Natural England as statutory consultee.</p> <p>I have also received and assessed the report <i>Site West Of Schooner Hotel, Alnmouth Proposed Developments Preliminary Ecological Assessment</i> August 2018, Ruth Hadden/Ryal Ecology. The report concludes that “<i>The site itself has negligible value due to the habitat present. The native flora species recorded are common and representative of the widespread habitats in which they occur.</i>” Mitigation and enhancement recommendations are made in the report.</p>

	<p>I have no objection, subject to the Coastal Mitigation Service contribution being secured and conditions to implement the mitigation and enhancement in the ecology report.</p>
<p>Natural England (NE)</p>	<p>No Objection; Obligation Required</p> <p>Habitats Regulations Assessment - Recreational Impacts on European Sites</p> <p>This development falls within the 'zone of influence' for the Northumbria Coast Special Protection Area (SPA) and Ramsar Site. Since this application will result in a net increase in residential accommodation, impacts to the SPA and Ramsar site may result from increased recreational disturbance. Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the SPA. Our advice is that this needs to be confirmed by the Council, as the competent authority, via an appropriate assessment to ensure there is no adverse effect on the integrity of the site in accordance with the Conservation of Habitats and Species Regulations 2017.</p>
<p>Public Health Protection (PHP)</p>	<p>No Objection; Conditions Advised</p> <p>In principle this Service is in agreement with this proposal.</p> <p>The applicant is seeking to develop residential accommodation on land at to the west of the Schooner. The applicant has now submitted enough information to allow</p> <p>Public Health Protection to consider the impact of the proposal. If members are minded to grant planning permission the advised conditions are recommended.</p>
<p>Highways Development Management (HDM)</p>	<p>No Objection; Conditions & Informatives Advised</p> <p>When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.</p> <p>The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle to the proposals. It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable.</p> <p>It is noted that this application is a resubmission of the previously withdrawn planning application 17/03669/FUL.</p> <p>The imposition of conditions and informatives with regards to refuse storage, car parking, cycle storage, surface water drainage, access works and the impacts during the construction phase will address any concerns with the proposed development.</p>
<p>Waste Management - North</p>	<p>No Objection; Comment</p> <p>All the refuse bins for these properties will need to be at a collection point at Riverside Road. Because of the layout of this area in Alnmouth we cannot</p>

	<p>get a refuse vehicle into the location of the new properties to carry out refuse collection. There is no room to turn a vehicle and the access from Riverside Road is too tight to get our vehicle around and onto the new layout. A bin store would need to be provided at the bottom of the site next to Riverside road. Assisted collections would also need to be carried out from that location and not from the front or side of the properties.</p>
Lead Local Flood Authority (LLFA)	<p>No Objection; Conditions Advised</p> <p>Previously we objected to this planning application on flood risk / drainage grounds. In response to this we have received additional information. Reviewing this information we are now in a position to remove our objection to the development and recommend that the recommended conditions are appended to any granted planning permission.</p>
Northumbrian Water Ltd (NWL)	<p>No Objection; Condition & Informative Advised</p> <p>In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. Having assessed the proposed development against the context outlined above we have the following comments to make.</p> <p>The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the recommended condition.</p>
Environment Agency (EA)	<p>No Objection; Informative Advised</p> <p>We have no objection to the proposal and offer an informative.</p>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	20
Number of Objections	8
Number of Support	0
Number of General Comments	0

Notices

Site Notice - Affecting Conservation Area & LB

Press Notice - Northumberland Gazette 26th July 2018

Summary of Responses:

5.1 During the consultation period, 8 no. objections were received raising the following issues;

- Overdevelopment of site
- Limited amenity space for each property.
- No affordable housing contribution.
- Adverse impact on AONB.
- Adverse privacy impact on privacy to the north.
- Highway safety issues.
- Concerns over parking provision.

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=PAXAG4QSHEZ00>

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/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)

Planning Obligations

6.3 Other Documents/Strategies

SHMA - Northumberland Strategic Housing Market Assessment (2018)
Northumberland Five-year Supply of Deliverable Sites: 2017 to 2022 (2017)
Developer Fund for Affordable Housing Protocol (2016)
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.

The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 The 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.

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

- Principle of Development
 - Sustainability
 - Housing Land Supply
 - Summary
- Planning Obligations
 - Affordable Housing
 - Coastal Mitigation
- Visual Impact
 - AONB
 - Design
 - Summary
- Historic Environment
 - Archaeology
 - Conservation Area
 - Listed Building
 - Harm & Public Benefit
 - Summary
- Amenity
- Natural Environment
 - Ecology

- Contaminated Land
- Transport
- Water Management
- Other Issues
 - Public Consultation
 - Conditions
- Procedural Matters

Principle of Development

Sustainability

7.4 The application seeks residential development on land within Alnmouth immediately adjacent residential development to three sites. Alnmouth has a good service base with further access 1.4 miles north-west at Lesbury and 0.7 miles west at Hipsburn with Bilton beyond.

7.5 *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.

7.6 The site is located within Alnmouth which is categorised with Lesbury, Hipsburn and Bilton as 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'. Development in this location should accord with the hierarchy and reflect the services present and accessibility. The site is located within the main built up area of Alnmouth to the rear of the Schooner Hotel that adjoins development to three sides.

7.7 *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.*

- 7.8 Whilst there is a good service base within the settlement, there would be access services from other smaller settlements nearby (defined as partners with Alnmouth in consideration as a Sustainable Village Centre). Notwithstanding the village's standing within the ACS; having regard to 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.
- 7.9 From this, the site is considered to be a suitable location to support new residential development.

Housing Land Supply

- 7.10 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.
- 7.11 *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.*

Paragraph 74 of the NPPF clarifies what is required to demonstrate a five year supply of deliverable housing sites.

- 7.12 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.
- 7.13 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.
- 7.14 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

- 7.15 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.
- 7.16 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

- 7.17 *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.*
- 7.18 *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.*
- 7.19 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

- 7.20 The site is not major development but proposes over six residential dwellings proposing an off-site contribution. The application has been subject to consultation with Affordable Housing (AH).
- 7.21 *S6 of the ACS seeks a 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 not considered up-to-date.*

- 7.22 *Paragraph 63 of the NPPF stipulates that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).*
- 7.23 *Paragraph 31 of the PPG (Planning Obligations) sets out that in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty.*
- 7.24 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.
- 7.25 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.
- 7.26 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.
- 7.27 AH have set out that an off site affordable housing contribution of £31,500 is considered acceptable based on average valuations provided and in conjunction with the Council's protocol. AH have set out that the trigger would be upon completion of the last unit or sale of the third unit which would be reflected in a future legal agreement.

Coastal Mitigation

- 7.28 When developers apply for planning permission for new residential or tourism development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects. The County Ecologist has been consulted in conjunction with Natural England.

7.29 *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

7.30 *Paragraph 176 of the NPPF affords the same protection as habitat sites to other designated sites.*

Paragraph 177 of the NPPF states that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

7.31 There is consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. Recreational pressure is also adversely affected dune grasslands which are also protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.

7.32 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, minor developments within 7km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.

7.33 The applicant has agreed to pay £4,200 toward the Council's coastal mitigation scheme based on £600 per unit which to be secured by legal agreement. From this, the Council has completed a Habitats Regulations Screening Assessment and Appropriate Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation, and has similarly concluded that there will be no significant harm to any designated sites. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.34 From this, the off-site ecological impacts of the development can be suitably mitigated.

Visual Impact

AONB

- 7.35 The site is located within the Northumberland Coast Area of Outstanding Natural Beauty. Sections 84(4) and 85(1) of the Countryside and Rights of Way Act 2000 set out that a planning authority must take steps to accomplish the purpose of conserving and enhancing the natural beauty of an AONB; and must have regard to that purpose in exercising any function in relation to, or affecting land in, an AONB. This is done in consultation with the Northumberland Coast AONB Partnership (NCAONB). Objections received have been considered within this section.
- 7.36 *RE16 of the ALP sets out that planning permission will not normally be granted for developments which would adversely affect the Area of Outstanding Natural Beauty or the Heritage Coast except in circumstances of overriding national need, where no suitable alternative locations for development can be found.*
- 7.37 *Paragraph 172 of the NPPF sets out that Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.*
- 7.38 NCAONB are in agreement that the site can accommodate development on the site and acknowledge changes made to the proposal but have raised concern particularly over three storey dwellings located at the lower end of the site. Following the submission of additional visual information showing how the development would sit from a wider range, NCAONB have not objected but again have raised concern over the prominence of the three storey dwellings which mask the falling topography of the site.
- 7.39 In considering the visuals and the impact that the larger development has on the wider area it should be noted that the larger properties would be set back from the building line of the adjacent Victorian building and would be of a lower overall height which would allow the development to be of a subordinate appearance comparatively. Overall there is acknowledged to be an impact to the built up area but it is not considered to be substantial.
- 7.40 The impact on the AONB is therefore considered acceptable in accordance with RE16 of the ALP and the NPPF.

Landscape

- 7.41 The site sits to the western edge of Alnmouth on land that slopes down from the Schooner Hotel fronting onto the Aln Estuary. The appraisal of Landscape considers the physical mass and character impact of a development proposal; the application has been submitted with a Design and Access Statement. Objections received on this issue have been considered in this section.

- 7.42 *S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district.*
- 7.43 As the site is spatially bound by existing development the proposal would be clearly read in the context of other built form in the background with the larger units that would sit closest to Riverside Road, being of a height that would not dominate the townscape and compete with other more historic structures appearing of a simple form.
- 7.44 The landscape impact is considered acceptable in accordance with S13 of the ACS.

Design

- 7.45 The application is for full planning permission including details design, visuals and materials as part of the proposal. Design considers the appearance of the development independently and as part of the immediate streetscene. Issues raised over the consultation period have been addressed in this section.
- 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 The proposed dwellings would vary in height across the site being of three storeys to the base with a single storey unit at the highest part. The design of the dwellings respond to the immediate context with subtle variations amongst them. The application was subject to amendment to alter the materials to utilise natural slate and natural timber as finishes alongside elements of stone. The dwellings overall would be of a prevalent gable form for the most part but of contemporary finishes and detailing.
- 7.50 Whilst this would be a deviation from the local vernacular, as a standalone backland development of a reasonable size and number and relative to the site's location in Alnmouth; it is considered that the appearance of the

dwellings taken as a whole would sit reasonably with a fair set back from Riverside road and the dwellings at the base largely screening further development behind, much in the same way that the building to the south does along Riverside Road.

- 7.51 Overall the design of the development is considered acceptable and in accordance with S16 of the ACS and the NPPF.

Amenity

- 7.52 The assessment of amenity 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. Objections received on this issue have been considered below.
- 7.53 *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.*
- 7.54 *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.*
- 7.55 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. Alongside this would be measures to manage surface water drainage as set out by the Lead Local Flood Authority (LLFA) over the construction period. Public Health Protection (PHP) have also requested conditions to outline noisy working hours. Together these conditions would address concerns raised over the consultation period, particularly those from Alnmouth Parish Council.
- 7.56 The properties that area located to the south side of Estuary Drive would be sufficiently separated from the development so as not to have a significant adverse impact. The dwellings to the top of the site would go from single storey with a flat roof with a small element of separation but notably at a lower levels so as not to obscure the view from the rear of the Schooner. The next property would be a mix of single and two storeys which again would have limited scope to affect the Schooner and other nearby properties.
- 7.57 The main impact of the proposal would be from the properties to the west of the site that sit adjacent those that front Riverside Road to the north which are two storeys with single storey elements toward the application site. The edge of no.28 would be seperated (side-side) by 4m to the nearest point which would be at the rear of the three storey units but given the current layout with side openings providing an existing publicly available view to the northern

elevation of the proposal, there would be limited scope for overlooking nor would there be considered to be substantive massing issues with the dwellings at a height of 7.2m to eaves with a hip to the rear roof area. The two storey dwellings that sit behind would not have scope for significant amenity impacts overall.

- 7.58 To manage this amenity impact in future, permitted development rights for the properties have been removed which is considered prudent considering the potential allowances which could affect amenity of adjoining occupants. In addition, a condition requesting site levels is considered prudent given the density of development.
- 7.59 As a result it is considered that the development would contribute to some amenity impacts in terms of massing and privacy, however their contribution is not considered significant to warrant refusal. The impact on amenity is therefore considered acceptable in accordance with CD32 of the ALP and the NPPF.

Historic Environment

- 7.60 *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.*
- 7.61 *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

- 7.62 The proposed development is located in wilder landscape that was previously considered to have potential for undiscovered archaeological features. The application has been submitted with a Heritage Statement with an archaeological desk-based assessment which has been reviewed by the County Archaeologist (CA). Of relevance is information contained within the Site Investigation Report.
- 7.63 *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.*
- 7.64 *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.*

7.65 The CA has reviewed the submitted information concluding that the boreholes have demonstrated that the proposed development area is unlikely to contain significant archaeological remains that would be affected by the proposed development requesting no further work or conditions.

7.66 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.

Conservation Area

7.67 The site is within the Alnmouth Conservation Area, due to the scale of the development there is considered potential to affect its setting. The application has been submitted with a heritage statement which has been subject to consultation with Building Conservation (BC) and due to its scale Historic England (HE).

7.68 *Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.*

7.69 BC have responded to consultation setting out that a high density of development is not typical for burgage plots within this conservation area and that the development would affect long range views across the estuary. BC notes improvements to the design resulting from the changes to the material treatments and whilst raising issue that the land levels could not be controlled relative to other buildings, would be managed through the previously mentioned levels condition. BC has recommended conditions to secure details of external building materials, landscaping details and removal of permitted development rights which is set out within the recommendation.

7.70 HE have responded to consultation following the submission of visuals showing the long range view into the Conservation Area which has shown that the dwellings fronting the development would be lower than their Victorian neighbours and that there would not be an excessive pressure on the site. HE have however set out that there is potential for the development to enhance the character of the conservation area through changes to the layout and roofscape.

7.71 The position identified in terms of harm is that of less than substantial.

Listed Building

7.72 The site is located within the rear curtilage of the Grade II Listed Schooner Inn 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).

7.73 *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.

7.74 *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.*

7.75 Whilst BC has made no direct reference to the impact on the setting of the Listed Building the position identified of less than substantial harm.

Harm & Public Benefit

7.76 BC and HE have commented that there would be a degree of harm afforded to heritage assets in this application which has been identified to be less than substantial.

7.77 *Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

7.78 In balancing the harm attributed to the setting and impact on the listed building; the assessment is done through consideration of 'significance' a qualification of the special qualities that cumulatively 'make' a heritage asset. Fundamentally, all elements of the scheme must have regard to the significance of the heritage asset and balance the potential of 'harm' against 'public benefit'. The level of harm in this instance is less than substantial, therefore an evaluation of public benefit must be undertaken to ascertain the acceptability of the proposal.

7.79 The level of harm is not considered to be overly significant given the amendments made to the materials of the proposal and the visual information submitted in respect of how the development would affect long range views into the Conservation Area. There would be short term benefits over the development period resulting through employment and a modest boost to housing supply with an off site affordable housing contribution; these benefits are however considered small. The main benefit would be through the comprehensive redevelopment of a brownfield site in a sustainable location that would contribute socially and economically within Alnmouth.

7.80 From this, it is considered that the public benefits of the proposal outweigh the level of harm afforded. Therefore the impact on the historic environment is considered acceptable in accordance with S15 of the ACS and the NPPF.

Natural Environment

Ecology

7.81 Due to the site's currently undeveloped state, bordering toward the coast, there is considered to be potential for the development to have on-site

ecological impacts. The application has been submitted with an Ecological Assessment which has been reviewed by the County Ecologist (CE).

7.82 *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.

7.83 *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.

7.84 The CE has set out that there are no issues arising from the proposal subject to the avoidance, mitigation and enhancement measures set out in the report which is reflected in conditions as set out in the recommendation.

7.85 Therefore the ecological impact of the proposal can be suitably mitigated in accordance with S3 and S12 of the ACS and the NPPF.

Contaminated Land

7.86 Part of the site to the east is within the high risk coal referral area, the site has also been subject to previous agricultural uses. The application has been submitted with a Ground Investigation Report with Gas Monitoring which has been assessed by Public Health Protection (PHP).

7.87 *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.*

7.88 *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.

7.89 PHP had originally objected to the proposal on due to further ground monitoring being required which was duly submitted by the applicant. PHP have subsequently raised no objection subject to conditions set out in the recommendation.

7.90 Issues of contaminated land have therefore been suitably mitigated in accordance with S3 of the ACS and the NPPF.

Transport

7.91 Transport considers the impact the development would have in terms of vehicle movements, the internal layout of development and pedestrian connectivity. The site would be accessed from Estuary Drive off Riverside Road maintaining the existing route to access properties off it. The application has been assessed by Highways Development Management (HDM).

7.92 *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.*

7.93 *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.*

7.94 HDM have raised no objection to the principle of new development in this location or with issues of highway capacity relating to the existing route into the development . The requested conditions have been set out in the recommendation which would address detailed matters of the proposal at the development phase.

7.95 The transport impact is therefore considered acceptable; neither causing an unacceptable impact on highway safety or cumulatively leading to a severe impact, in accordance with S11 of the ACS and the NPPF.

Water Management

7.96 The application is for major development and has been accompanied by a drainage strategy. The development would dispose of foul water to the mains and surface water via sustainable drainage and mains which has been subject to consultation with the Lead Local Flood Authority (LLFA) and Northumbrian Water (NWL).

7.97 NWL has raised no objection subject to a condition to secure a specific drainage strategy for both foul and surface water. The LLFA have also raise no objection subject to conditions including the of sustainable drainage throughout the development.

7.98 Therefore water management can be successfully undertaken on site in accordance with the NPPF.

Other Issues

Public Consultation

7.99 In response to issues raised by Alnmouth Parish Council it should be noted that the response related to the previous submission for eight dwellings and not to the amended scheme presented. The issues raised have been

addressed in the main body of the appraisal at the agreement of consultees. Issues arising over the construction period is not a material planning consideration, however conditions have been imposed to secure a suitable arrangement of working practices that could be enforced should the developer breach them.

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.

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.
- 7.103 *Crime and Disorder Act Implications*
- 7.104 These proposals have no implications in relation to crime and disorder.
- 7.105 *Human Rights Act Implications*
- 7.106 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.
- 7.107 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.

- 7.108 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 as backland development within a service accessible village.
- 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 The main impact of the proposal is upon the Conservation Area and setting of Listed Building which has been quantified as less than substantial. Following amendments to the scheme, this harm has been lessened to a point that the public benefit is considered to outweigh the harm afforded.
- 8.4 In addition, the impact on the AONB would through the amendments and submitted visual information, be read in the context of the wider settlement thus preventing an adverse impact upon the special qualities of the AONB.
- 8.5 The applicant has agreed to an off-site affordable housing contribution which is considered policy compliant.
- 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 obligation is set out in the recommendation.

9. Recommendation

That Members authorise the Head of Service to GRANT permission subject to a Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:

- £31,500 Off-Site Affordable Housing Contribution;
- £3600 Coastal Mitigation Contribution; and

The recommended conditions

Conditions

01. Time to Commence Development

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

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

02. Approved Plans

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

ED HT1-EL1 Rev A - HT1 Elevations
ED HT2/3-EL1 - HT2/HT3 Elevations
ED HT2/3-PL1 - Type 2/3 - 3B Semi - Ground Floor Plan
ED HT2/3-PL2 - Type 2/3 - 3B Semi - First Floor Plan
ED HT4-EL1 - HT4 Type 4 Elevations
ED HT4-PL1 - Type 4 - 3B House Plans
ED HT5-EL1 - HT5 Type 5 Elevations
ED HT5-PL1 - Type 5 - 2 Bed Bungalow
ED HT1-PL2 - Type 1 - 3 Bed Townhouse Left
ED HT1-PL3 - Type 1 - 3 Bed Townhouse Middle
ED HT1-PL4 - Type 1 - 3 Bed Townhouse Right
ED S102 Rev C - Proposed Site Layout

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

Development Management

03. Details of Site Levels to be Submitted

Notwithstanding details contained within the approved documents, prior to the construction of the development hereby approved, details to be shown on annotated site plans to include;

- a) Existing site levels;
- b) Proposed site levels; and
- c) Proposed finished floor levels

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be constructed in accordance with the approved levels.

Reason: To ensure that the development is delivered in accordance with the submitted documents in the interests of visual and residential amenity in accordance with Policy S16 of the Alnwick LDF Core Strategy and National Planning Policy Framework.

04. Material Samples to be Submitted

Notwithstanding any description of the materials in the application, no construction of the dwellings hereby approved above damp proof course level (or 150mm above ground level) shall commence until;

- a) Details, to include samples, of the materials to be used in the construction of the external walls, to include details of fixing, coursing, pointing and texture (where applicable) of the units;
- b) Details, to include samples, of the materials to be used in the construction of the roof surfaces and rainwater goods to be used on the units; and
- c) Details of materials to be used to all boundary treatments of the development.

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

Reason: To retain control over the external appearance of the development in the interests of visual amenity and in accordance with the provisions of Policy S16 of the Alnwick LDF Core Strategy.

05. Remove Permitted Development Rights

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no;

- a) Extensions;
- b) Outbuildings;
- c) Wall Openings;
- d) Roof Openings;
- e) Roof extensions (beyond 150mm projection).

Shall be added to or constructed within the curtilage of the resulting property hereby permitted without the prior grant of planning permission from the Local Planning Authority.

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

Public Health Protection

06. Restrict Deliveries & Collections

Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

- a) Monday to Friday - 08:00 to 18:00; and
- b) Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

07. Restrict Noisy Working

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:

- a) Monday to Friday - 0800 to 1800; and
- b) Saturday - 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise

Highways Development Management

08. 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.

09. Details of Means of Vehicular Access to be Constructed

Prior to the occupation of the development hereby approved, details of the access to include;

- a) Type and arrangement of the access;
- b) Detailed plans of the access; and
- c) Program of delivery.

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

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

10. 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.

11. 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.

12. Details of Cycle Parking to be Submitted

No dwelling shall be occupied until details of cycle parking to include;

- a) Cycle parking provision; and
- b) Programme of delivery

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

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

13. Implementation of Car Parking Area

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

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

Northumbrian Water / Lead Local Flood Authority

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

Development shall not commence until a detailed scheme to include;

- a) Details of foul water disposal;
- b) Details of surface water disposal; and
- 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. Thereafter the approved scheme shall be implemented in accordance with the program of delivery.

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

Lead Local Flood Authority

15. Details of Surface Water Disposal over Construction Phase to be Submitted

Prior to commencement of development, details to include;

- a) Measures for the disposal of surface water from the development through the construction phase.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be adhered to throughout the construction phase until such time that the approved surface water drainage scheme (of this permission) has been fully implemented.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

16. Surface Water Drainage Scheme to be Submitted

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

- a) Utilise infiltration and soakaways in the first instance. Full details of the soakaways including sizing, location, permeability rates and associated calculations are to be submitted and agreed with the local planning authority.
- b) If infiltration is not feasible, discharge from the development shall be restricted to 5l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the LLFA and the local planning authority. Definitive routing of all pipes and sewers shall be undertaken and submitted. Surface water shall be discharged to the Northumbrian Water sewerage network.
- c) Provide attenuation on site for the 1 in 100 year plus climate change event.
- d) Incorporate vegetated sustainable drainage techniques throughout the development such as green roofs, wherever possible and practicable, justification for alternatives should be by means of a viability assessment.
- e) Source control SuDS such as permeable paving shall be incorporated throughout the development; and
- f) Provide a program 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 program of delivery.

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

17. Details of Adoption & Maintenance of Sustainable Drainage Systems (SuDS) to be Submitted

Prior to first occupation details of SuDS management to include details of;

- a) The adoption of all SuDS features;
- b) Maintenance schedule and log; and
- c) Programme of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme for SuDS management shall be implemented in accordance with the programme of delivery and the approved details.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the development's lifetime.

17. No development will take place unless in accordance with the recommendations of the report *Site West Of Schooner Hotel, Alnmouth Proposed Developments Preliminary Ecological Assessment* August 2018, Ruth Hadden/Ryal Ecology, including

- To prevent any destruction of active bird's nests, the removal of any ivy, climber or hedge trimming to be avoided during the peak-nesting season (March to August inclusive). Any nest located to be left in-situ until the nestlings have fledged.
- No clearance at the base of the northwest boundary to be carried out between November and March inclusive to prevent disturbance to hibernating hedgehogs.
- Hedges will be retained along the northwest boundary as at present if possible.
- Additional native shrubs recommended for any further plantings being Elder, Blackthorn, Crab Apple, Dog Rose, Field Maple, Guelder Rose and Hazel.
- Measures to be made to ensure that there is no runoff (herbicides, wheel washing, cement washings etc.) either during construction to prevent pollution or sediment issues, or after development. (See Environment Agency's Pollution Prevention Guidelines (PPG5) for guidance).
- Two integrated Vivara Pro Cambridge Brick Faced Swift Nest Box to be sited at a height of at least 5m, with a clear flight path to the entrance on an east and northwest facing wall.
- Two integrated Build-in WoodStone Bat Boxes to be built into a west and south facing wall at a height above 3m.

Reason: to maintain and enhance the biodiversity value of the site in accordance with the provisions of the NPPF.

Informatives

1. Flood Mitigation

The developer may wish to consider including measures to mitigate the impact of more extreme future flood events. Measures could include raising ground/ finished floor levels and/ or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>

2. Surface Water Drainage Information

The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates & points into the public sewer

network. This can be done by submitting a point of connection enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6646.

3. 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.

4. 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.

5. 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.

6. Containers Required for the Storage of Waste

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

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

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

7. Alterations to Vehicle Crossing Point (S184)

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

northernareahighways@northumberland.gov.uk.

Date of Report: 08.10.2018

Background Papers: Planning application file(s) 18/02275/FUL

