

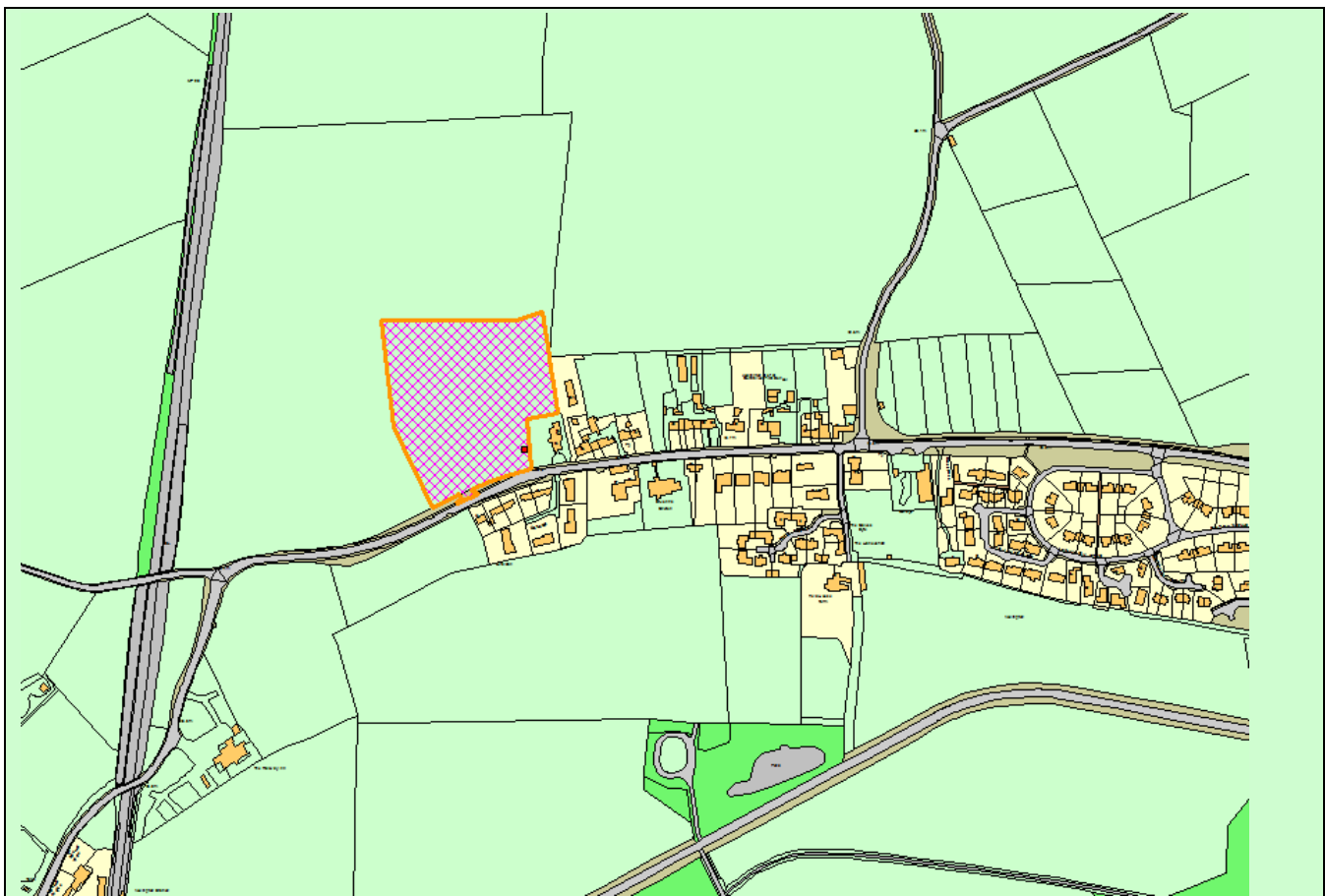
NORTHUMBERLAND

Northumberland County Council

North Northumberland Local Area Council

22 February 2018

Application No:	17/01670/FUL		
Proposal:	Development of 22 dwellings including 4 three bedroomed affordable homes, new access and landscaping		
Site Address	Land West Of Village Hall, Acklington Village, Acklington, Northumberland		
Applicant:	Mr M Clippingdale C/O George F White,	Agent:	Mr Craig Ross 4-6 Market Street, Alnwick, NE66 1TL,
Ward	Amble West With Warkworth	Parish	Acklington
Valid Date:	11 May 2017	Expiry Date:	2 February 2018
Case Details:	Officer	Name: Mr Tony Lowe Job Title: Senior Planning Officer Tel No: 01670 622708 Email: tony.lowe@northumberland.gov.uk	



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1. Introduction

1.1 Due to the issues raised and the number of local objections and the issues raised by the Parish Council, it is considered appropriate that the application should be determined by a Planning Committee.

1.2 The application was subject to a committee site visit on 22nd January 2018.

2. Description of the Proposals

2.1 Full planning permission is sought for the construction of 22 dwellings on land located to the west of Acklington Village Hall. Existing residential development in Acklington includes both one and two storey dwellings as detached semi-detached and terrace units, with a mix of external finishes including brick stone and render. The application site extends to 1.3 hectares in area to west of Acklington Village Hall. The land is currently in agricultural use and sits within the Impact Risk Zone (10 or more dwellings) for:

The Northumbria Coast Ramsar - 5.6km east

The Northumbria Coast Special Protection Area (SPA) - 5.6km southeast of the site;

Northumberland Marine SPA - 5.6km east of the site.

Northumberland Coast Site of Special Scientific Interest – 5.6km east of the site;

2.2 The proposal utilises an existing access direct from the B6545, which is the main road that runs east to west serving the village and the access currently serves 58 - 62 Acklington Village. The eastern boundary of the site is adjoined by existing development and an agricultural field, to the north and the west by agricultural fields and the B6545 is to the south, with development beyond.

2.3 Submitted details indicate that the external finish will be red hand made brick, with artificial cast stone heads and cills, black uPvc fascia and barge boards white painted uPvc fenestration and doors with dark grey concrete tiles over. The Housing Density (dph) would equate to a approximately 20 dph gross. The proposed housing mix is for:

Market units - 18no. 4 bedroom, 2 storey dwellings, with integral garaging - indicated as both Type A and Type B units;

Affordable units - 2 pairs of 3 bedroom semi-detached dwellings - equates to approx 15%;

3. Planning History

Reference Number: 12/03345/FUL

Description: 4 no. new build affordable units (in conjunction with conversion of traditional farm buildings to 11 no. residential units)

Status: PER

Reference Number: A/2008/0350

Description: Change of use from agricultural land to form garden area for Acklington Village Hall

Status: PER

4. Consultee Responses

Acklington Parish Council	<p>We reiterate that if the proposed scheme was to be approved, the parish council asks for the following conditions to be strictly applied and enforced:</p> <ol style="list-style-type: none">1. The proposed road system clearly allows for further development at a future date. It must therefore be assumed this proposal is part of a larger, long-term development plan. A strict condition should be applied to ensure no further development is permitted without consideration and consultation on how this would redefine the boundary of the village which is in danger of being extended by 'development creep'.2. The hedgerows should be retained.3. On-site working times should be specified to minimise impact on surrounding residents, e.g. traffic, machinery noise etc. We ask that working hours should be restricted to 8am - 6pm on weekdays and 9am - 1pm on Saturdays. No Sunday working should be permitted.4. All HGV vehicles should access the site from the west end of the village to minimise the impact on the rest of the village. Wheel washing facilities should be provided for any construction vehicles and all efforts made to prevent debris or rubbish being blown into neighbouring properties.5. A full archaeological survey should be carried out prior to development.6. The construction materials should be sympathetic to those of existing dwellings and reflect the character of the village.7. The management of the affordable housing should be transferred to an appropriate third party such as Homes for Northumberland. To the best of our knowledge the existing 'affordable' houses on the site remain under the control of the site owner. We also ask that the properties are made available to those with a connection to the Parish in the first instance, those from immediate surrounding parishes in the second instance and then advertised further afield. The Parish Council should be kept informed of all stages of advertising.8. The Parish Council would welcome involvement in any S106 discussions to the development
Highways	Following the submission of further information, no objection subject to conditions set out in the report
County Archaeologist	No objection, subject to a completion of a scheme of archaeological work
County Ecologist	No objection subject to conditions set out in the report and a financial contribution to the Northumberland Coastal Mitigation Service.
Public Protection	No objection, subject to conditions set out in the report
Natural England	Following the submission of further information, no objection
Northumbrian Water Ltd	No objection, subject to condition set out in the report

Lead Local Authority (LLFA)	Objection due to lack of clarity on surface water disposal however, the LLFA are confident that a solution can be found and are supportive a recommendation for approval subject to final agreement and conditions.
Education - Schools	No objection, subject to a financial contribution to First School Infrastructure

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	22
Number of Objections	85
Number of Support	5
Number of General Comments	0

Notices

General site notice, 14th June 2017

Northumberland Gazette 25th May 2017

Summary of Responses:

During neighbour consultation and re-consultation a total of 85 objections have been received, 50 on first consultation and the remainder from the second, some from the same addresses. The main issues that have been raised include:

Highways impact, including access and safety;
Impact on the village hall;
Drainage impacts;
The proposed external finish;
The proposed development is too large and there is a lack of need for this type of housing;
Potential for other developments;
Lack of services in the village;
Flooding, drainage;
As a Local Needs Centre it is contrary to policy;

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=OPQ911QSGTS00>

6. Planning Policy

6.1 Development Plan Policy

S1 Location and scale of new development - Alnwick LDF Core Strategy

S2 The sequential approach to development - Alnwick LDF Core Strategy

S3 Sustainability criteria - Alnwick LDF Core Strategy

S4 The phased release of housing land - Alnwick LDF Core Strategy

S6 Provision of affordable housing - Alnwick LDF Core Strategy

S11 Locating development to maximise accessibility and minimise impact from travel - Alnwick LDF Core Strategy

S13 Landscape character - Alnwick LDF Core Strategy

S16 General design principles - Alnwick LDF Core Strategy

S20 Providing for open space, sport and recreation - Alnwick LDF Core Strategy

TT5 Controlling car parking provision (and Appendix E) - Alnwick District Wide Local Plan

S23 Planning obligations - Alnwick LDF Core Strategy

APPENDIX A Design and layout of new dwellings - Alnwick District Wide Local Plan

BE8 Design in new residential developments and extensions (and Appendix A and B) - Alnwick District Wide Local Plan

CD32 Controlling development that is detrimental to the environment and residential amenity - Alnwick District Wide Local Plan

6.2 National Planning Policy

National Planning Policy Framework (2012)

National Planning Practice Guidance (2014, as updated)

6.3 Other Documents

Northumberland Landscape Character Assessment (2010)

Five Year Supply of Deliverable Sites 2017 to 2022

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- Principle of development
- Housing land supply

- Affordable housing
- Landscape and visual impact
- Residential amenity
- Highways impact
- Flood risk and drainage
- Ecology
- Archaeology

Principle of development

7.2 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 development plan for this site is comprised of the "saved" policies of the Alnwick District Wide Local Plan (1997) and the Alnwick District LDF Core Strategy (2007). The saved policies of the Local Plan and Core Strategy continue to constitute the development plan and therefore remain relevant to the determination of this application. However, the weight that can be afforded to these policies varies due to their differing degree of conformity, or conflict, with the NPPF. Furthermore, paragraph 14 of the NPPF provides definitive guidance on how applications should be determined by stating:

"At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- *Approving development proposals that accord with the development plan without delay;*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate that development should be restricted."*

However, where there are specific policies that indicate otherwise within the NPPF this presumption may be restricted in areas such as assessment under the Habitats Directive (HRA).

7.3 Any application will need to be assessed on the basis of whether it achieves a sustainable form of development having regard to relevant policies of the development plan, and particularly the sustainable development objectives of the NPPF in respect of social, economic and environmental considerations. Whilst a scheme may be able to demonstrate social and economic benefits, to be sustainable development the proposal should also be acceptable in terms of environmental impacts.

7.4 The adopted Development Plan for the area within which the application site is located comprises the saved policies of the Alnwick LDF Core Strategy (ACS) and the Alnwick District Wide Local Plan (ALP). These policies are still relevant in the determination of this application and remain the starting point for determining the proposal. These policies set out the basic principles against which new residential development proposals will be assessed, in line with the advice contained in the National Planning policy Framework (NPPF).

7.5 The NPPF operates under a presumption in favour of sustainable development and identifies there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles.

7.6 Policy S1 of the ACS identifies Acklington as a Local Needs Centre;

"Settlements with limited services, or which are peripherally located in relation to employment and transport. Development in these centres will be restricted to that satisfying local needs only."

Whilst the proposal represents a minor departure from the requirements of policy S1 this policy is not considered fully in accord with the provisions of the NPPF, Acklington is not a remote rural location, with the village in relatively close proximity to Amble and Hadston.

7.7 The site in question is greenfield in nature and set adjacent to the settlement. ACS Policy S2 sets out a sequential approach development however, whilst the NPPF does encourage the effective use of land by reusing previously developed sites, it does not set out a strict sequential approach to site selection, such as that set out in Policy S2, thereby limiting the amount of weight that can be attached to this policy in the decision making process, given that the Policy is considered not to be wholly consistent with the NPPF. The site is considered to be a suitable location in relation to the village.

7.8 Policy S3 of the ACS sets out sustainability criteria for new development that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops, services the transport network and modes of transport other than the private car; that there is adequate existing or, planned capacity in the physical and community infrastructure; environmental constraints can be mitigated; potential implications of flood risk have been assessed; and there would be no significant adverse effects on the environment. It also refers to new development helping to build communities by sustaining or, providing community services and facilities, or through the provision of affordable housing to meet identified local need.

7.9 Acklington benefits from some local facilities and services that are within reasonable walking distance of the site, which include Village Hall, Church, First School (under consultation for closure), public transport links (East End) and public house/ restaurant (Railway Inn).

7.10 Additional development in this location would help sustain the existing services in the village and those in neighbouring villages. The proposed scale of development, whilst not small in scale in the context of Acklington, is not considered to be so significant that it would result in unacceptable impacts upon the local infrastructure either singly or, in conjunction with existing consents in the village.

7.11 Therefore it is considered that the proposals would be in general accordance with ACS policy S1, in accord with policy S3 in this respect and will accord with the provisions and intentions of the NPPF.

Housing Land Supply

7.12 The NPPF aims to significantly boost the supply of housing, and paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up to date if a five year supply of deliverable sites cannot be demonstrated. These will also need to be considered having regard to the housing land supply within an area. Policy S4 of the ACS seeks to manage the supply of dwellings throughout the former Alnwick District by identifying broad areas of development. However consistent with the NPPF presumption in favour of sustainable development, the housing figures are a minimum and should not be viewed as a ceiling/ cap for development.

7.13 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirements. The five year housing land supply position is pertinent to proposals for residential development in that paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. In such cases, the presumption in favour of sustainable development, as stated in paragraph 14 of the NPPF will be engaged.

7.14 For details of the five year housing land supply assessment, the Council's Five Year Supply of Deliverable Sites 2017 to 2022 report, published in November 2017 identifies housing land equivalent to a 6.5 years supply. Therefore, in the context of paragraph 49 of the NPPF, policies for the supply of housing should not be considered out of date. However, the need to ensure a 5 year housing supply is a minimum and not a maximum and therefore additional housing can be permitted, providing it is sustainable. The key consideration is whether the proposed development is considered sustainable development, in line with the NPPF.

7.15 The principle of new dwellings within Acklington would generally be acceptable and would not undermine the ability to manage the housing supply within the county. This site is within a sustainable location for new housing and it is considered that there would be no adverse effects on housing land supply should permission be granted.

7.16 The site is located immediately adjacent to existing development within the village and policies within the Local Plan indicating settlement boundaries were not 'saved', following the Secretary of States Direction of 2007. Set adjacent to a sustainable village centre and the site is suitable for appropriate new development and the site is free of other constraints, including flood risk, subject to condition. Given the presumption in favour of sustainable development, subject to HRA and in light of the above considerations the principle of development on the site for residential dwellings is acceptable. The need for the type and tenure of market housing proposed is considered to be market driven and does not, in this instance, pertain to planning.

7.17 This is a sustainable location for new development that is well-related to an existing village settlement. The NPPF sets out a presumption in favour of sustainable development with this comprising the three dimensions of economic, social and environmental. It is considered that the principle of new housing in this

location would be in accordance with the general principles of sustainable development. New housing would help to support the existing community and services and make a contribution towards local affordable housing need. The proposal is considered to represent sustainable development and would be in accordance Policies S1, S3 of the ACS and the provisions and intentions of the NPPF.

Affordable housing

7.18 Policy S6 of the ACS seeks an appropriate level of affordable housing provision on all sites of three units or, more or, with an area of 0.1 hectares or more in settlements other than Alnwick or Amble; the proportion of affordable housing and its type sought on each site will depend on the assessment of affordable housing need in the housing market area and in the local area.

7.19 Paragraph 50 of the NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need

7.20 The application has been submitted with proposals to develop 4 no. affordable dwellings at an affordable rent, in perpetuity. This would result in approximately 18% affordable housing on the site, which is considered generally in line with identified requirements within the SHMA of 15%.

7.21 In this instance, the applicant is prepared to invest in and take the financial responsibility for the dwellings, where it is doubtful a Registered Provider would. During the course of the application the council's affordable housing officers have provided advice that they support the principle of this level of provision, with units available for affordable rent and set no more than 80% of market rents inclusive of any service charges, on the site.

Landscape and visual impact

7.22 Having regard to its scale and location the proposal will have an impact upon the character and appearance of the site and wider area. New development is required to satisfy Policy BE8 / Appendix A of the Local Plan, policies S5, S13 and S16 of the ACS, and the provisions of the NPPF in terms of landscape protection and achieving a high quality of design that would be appropriate to the site and surrounding area.

7.23 The Government attaches great importance to the design of the built environment and, through Part 7 of the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. Paragraph 57 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. Paragraph 64 reinforces this message by stating that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.24 Policy 13 of the ACS states all proposals will be considered against the need to protect and enhance the distinctive landscape character of the district, and will be assessed on their impact on the landscape. Policy S16 of the ACS advises that all development would be expected to achieve a high standard of design reflecting local character and distinctiveness, proposals should take full account of the need to protect and enhance the local environment having regard to their layout, scale, appearance, access and landscaping.

7.25 The site occupies a relatively prominent position at the western edge of the village. Development in this area, is generally linear and less dense, in comparison to the pattern of development on the western side of the village. Development includes both two and single storey dwellings, including the the more recent development adjacent to the village hall. With dwellings set out as detached, semi-detached and terraced along the main road. Given the site's location, adjacent to existing development, it would be seen in the context of the existing built form and any visual impact would be more limited to longer-range views as opposed to more prominent effects on the street scene.

7.26 Policy S5 of the ACS seeks a minimum site density of 30 dwellings per hectare, although it does go on to state that where there is a need to preserve or, enhance the character of the area, particularly on settlement edges, lower densities may be considered. The overall gross density of development on the site equates to approximately 20dph, this is considered acceptable given this edge of settlement location, and in the context of its relationship to surrounding development.

7.27 Objections have been received on the grounds of the scale and appearance of the proposed development. It is acknowledged that there are variations in the design and materials of development throughout the village, within the more central area there are more traditional stone built properties, whilst moving westwards more modern housing development is evident with the use of a mix of stone, render and brick exterior finishes.

7.28 Submitted details indicate that the external finish will be red hand made brick, with artificial cast stone heads and cills, black uPvc fascia and barge boards white farmed uPvc fenestration and doors with dark grey concrete tiles over. Given their nature and scale it is not expected that these would result in any adverse effects on the development or surrounding environment.

7.29 Whilst there would clearly be an impact upon the character and appearance of the area, the proposed layout and design are considered to be acceptable, whilst the overall scale of development is not considered to result in significant adverse impacts on the character and appearance of the wider area.

7.30 The proposed development would not result in significant or, unacceptable harmful impacts on the character and appearance of the site and surrounding area. The proposed development will not have any significant or, harmful effects in relation to landscape impact and would not be so visually intrusive as to justify a refusal of the application. Furthermore, any change to the character and appearance of the area is also felt to be outweighed by the benefits arising from the development in relation to the delivery of new housing and affordable housing in a sustainable location.

7.31 The proposal would therefore be in accordance with Policy BE8/Appendix A of the Local Plan, Policies S3, S5, S12, S13 and S16 of the ACS and the NPPF.

Residential amenity

7.32 The proposed development has the potential to impact upon the amenity of residents in the vicinity of the site given its proximity to the adjacent, existing development. This would primarily be in relation to occupants of dwellings immediately south north and south of the main road where views across open fields would be changed and increased vehicle movements through the access to the site would occur. The development would also potentially impact upon amenity further afield due to the increase of associated traffic from the site, as well as visual amenity, although more direct impacts would be in respect of those immediately adjacent to the site.

7.33 Due to the proposed separation distances and orientation of the proposed and existing, neighbouring dwellings, the layout and scale of the proposed new dwellings would not have any adverse effects on the amenity of neighbours. With regard to the proposed scale of development, although relatively large in the context of the village, this is not considered to result in any significant or unacceptable impacts on residential amenity in the wider area.

7.34 The proposal is considered to accord with ALP policy CD32.

Highways Impact

7.35 Policy TT5 / Appendix E of the Local Plan relates to car parking provision within development, and Policy S11 of the ACS relates to accessibility principles and the impacts of travel from new development. Paragraph 32 of the NPPF advises that development should only be prevented or, refused on transport grounds where the residual cumulative impacts of development are severe.

7.36 A number of the objections received raise concerns in respect of the effects of the proposed development on highway safety, including additional traffic.

7.37 In terms of access, the proposed development site is to be accessed from a revised priority junction on the main road (B6345), with 5.5 metre entry width, 6 metre radii, and visibility splays of 2.4 by 43 metres. This part of the road has a 30mph speed limit in force.

7.39 In order to maintain pedestrian connectivity to and from the site, footway connections including a footway which extends around the new access junction radii, and dropped kerb pedestrian crossing points, leading east into the village have been proposed as part of the development.

7.40 The nearest bus stop is on the eastern side of the village close to the junction of the B6345 and the C104, providing links to Amble and Newcastle and cyclists are able to utilise the existing highway.

7.41 The application has been assessed by the Highway Authority, which has no objection to the proposal, subject to conditions. They advise that the existing highway network is adequate to cope with any additional traffic resulting from the development, the proposed arrangements for access/ egress will allow the safe and efficient movement of vehicles, the internal circulation arrangements will be able to absorb vehicular traffic without queues forming on the B6345, and provision has been made for larger servicing vehicles. It is therefore considered that the proposed development of 22 dwellings on this site is in accordance with the NPPF, and will not have a severe impact upon highway safety.

7.42 No objection is raised subject to conditions, including details of estate roads, parking, construction method statement, site levels and refuse storage. It is therefore considered that the proposed development is in accordance with Policy S11 of the ACS and will not have a severe impact upon highway safety having regard to the NPPF.

Flood risk and drainage

7.43 Part 10 of the NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere.

7.44 The site lies within Flood Zone 1 and in order to address flood risk given the size of the site, the applicant has submitted a Flood Risk Assessment (FRA).

7.45 The proposal has been examined by the lead Local Flood Authority (LLFA) and Northumbrian Water Ltd (NWL). The FRA identifies that foul flows will connect to the existing NWL system and concludes that:

- the surface water flows from the development will be discharged into a suitable size soakaway and the site will therefore not increase the risk of flooding elsewhere;
- full drainage plans provided prior to construction;
- The flood risk to the site has been assessed and the site is not at risk from flooding from rivers, sea, surface water or reservoir flooding.

7.46 NWL has raised no objection to the development and proposals for foul and surface water drainage subject to a condition requiring development to be undertaken in accordance with the submitted FRA.

7.47 The LLFA has commented in respect of the surface water drainage and still has some outstanding concerns but are confident that these can be overcome.

7.48 Therefore subject to the condition requested by NWL and successfully overcoming the LLFA concerns it is considered that the proposal is acceptable in relation to drainage and flood risk, in accordance with ACS policies S3 and S16 of the Alnwick Core Strategy and Part 10 of the NPPF.

Ecology

7.49 Policies S3 and S12 of the ACS are relevant in relation to assessing the potential effects on protected species, ecology and biodiversity whilst Paragraph 118

of the NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken.

7.50 Submitted details indicate that the site is of generally low overall ecological value with the existing hedges and hedgerow trees providing the main significant habitat features on the site. No evidence of badgers or newts was noted on or near the site has been noted. The site itself carries no statutory or non-statutory ecological designation however it is within 5.6km the Northumbria Coast Ramsar, the Northumbria Coast Special Protection Area, the Northumberland Marine Special Protection Area and is within the Impact risk Zone of the Northumbrian Coast Site of special scientific Interest.

7.51 The proposal has been examined by both Natural England (NE) and the County Ecologist which identified potential impacts on these designated sites. Following the submission of further information, including proposed mitigation measures, and detailed assessment by the county ecologist, the potential impacts of the development on this site are considered ecologically sensitive, particularly to increased disturbance to nearby designated sites.

7.52 The proposed mitigation measures, which involve the provision of homeowner packs, dog bins, interpretation panels and signage, are not considered sufficient to address the potential impacts. The LPA 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.

7.53 Both Natural England and the County Ecologist advise of growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves. To improve their mitigation measures, the applicant has agreed to a financial contribution of £600 per unit to be used in the Northumberland Coastal Mitigation Service. strategic mitigation project on the designated sites. This contribution can be secured by a S106 Legal Agreement and paid on occupation of the first unit.

7.54 Therefore, subject to successful completion of the obligation and compliance with requested conditions relating to landscaping, biodiversity enhancement and compliance with mitigation the proposal is not considered to have an adverse impact on ecology. The development of the site would not be likely to result in significant impacts and would be in accordance with policy S12 of the Alnwick Core Strategy and Part 11 of the NPPF.

Archaeology

7.55 Para 128 of the NPPF is clear that where assessment, including evaluation trenching, is required, it should be undertaken prior to determination. The County Archaeologist considers that further stages of assessment are merited in this particular case. Initially the County Archaeologist required archaeological works to be conducted prior to determination. Following further assessment it is now considered that, members may wish to consider a recommendation of minded to approve subject to completion of a scheme of archaeological work being undertaken.

Education

7.56 The proposal has been examined by the Education Authority which has advised that there is sufficient capacity within the catchment area secondary School. However, reading Primary School for the area is Acklington C of E First School, which is currently under consultation for closure, with the expected student yield from a development of this scale unlikely to have a material effect on this. The Education authority anticipate the Broomhill First School catchment area will be extended to take account of the Acklington area. Broomhill has a planned capacity of 75, but currently has 77 pupils. Therefore the education authority request a contribution of £39,300 based on 3 anticipated new First School students.

Equality Duty

7.57 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

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

Human Rights Act Implications

7.59 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.

7.60 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.

Other matters

7.61 Public Protection officers raise no objection subject to conditions in respect of Noise and contaminated land.

7.62 A number of the objections refer to concerns in respect of the lack of employment and services, or impacts on existing village infrastructure such as the doctor's surgery and schools outside of the village. It is acknowledged that there are no larger-scale employment opportunities in villages such as Acklington however, it is considered a sustainable location for appropriately sized development. The proposed scale of development, in addition to other recent developments within the village, is not considered to be out of scale with the village, either on its own or, cumulatively. The development would assist in sustaining existing facilities and public transport links within Acklington, as well as supporting services in other settlements, as set out within paragraph 55 of the NPPF.

8. Conclusion

8.1 Whilst the ACS identifies Acklington as a Local Needs Centre the application site is considered to be a suitable location for new housing delivery. The proposal would satisfy the NPPF presumption in favour of sustainable development in relation to the three dimensions: social (supporting and sustaining the local community and provision of new housing, including the provision of affordable housing); economic (delivery of new housing and increasing employment opportunities); and environmental (the proposal is not considered to have any significant or adverse effects upon the site and wider environment, subject to relevant conditions where appropriate).

8.2 Given the government's intention to boost the supply of housing and that the site is free of constraint, including flood risk, the proposal is considered to result in an acceptable and sustainable form of development, in a suitable location that would deliver an acceptable mix of new housing well related to existing development in the village. The proposed development is not considered to result in any significant or, unacceptable impacts upon the character and appearance of the site, immediate locality or the wider environment, or the amenity of adjoining residents and land uses.

8.3 Following consultation with the relevant bodies the application has demonstrated that it is possible to satisfactorily address and mitigate issues in relation to highway safety, foul and surface water drainage and flood risk, ecology, public right of way, and ground conditions. The proposal would therefore result in a sustainable form of development that would be in accordance with Policies BE8 / Appendix A, TT5 / Appendix E of the Local Plan, Policies S1, S3, S5, S6, S11, S12, S13, S16 and S23 of the ACS and the NPPF.

9. Recommendation

9.1 That Members are minded to GRANT permission subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure:

1. The on site provision of 4 Affordable homes at no more than 80% of market rent inclusive of any service charges, to be provided in perpetuity;
2. An education contribution of £39,600 towards First School infrastructure;

3. An ecology contribution of £600 per dwelling into a strategic ecology mitigation project;

And,

Subject to a scheme of archaeological assessment (evaluation trenching), which will be undertaken on site, a review of the results of the assessment with the potential to require a mitigation response by way of planning conditions;

And,

Subject to the submission of an acceptable scheme for the disposal of surface water, a review of the scheme, with the potential to require further conditions relating to drainage:

Conditions

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

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

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

1. Drawing number 1, Proposed Block Plan;
2. Drawing number 2, Plan and Elevations – House Type B;
3. Drawing number 3, Plan and Elevations – House type A;
4. Drawing number 4, Plan and Elevations – 4 Affordable Houses;

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Alnwick Core Strategy policy S16.

04. Development shall not commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

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

05. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

06. The development shall not commence until details of the car parking areas for the existing four dwellings, together with modifications to the entry exit tapers of visitor parking spaces within the development area, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the car parking areas shall be implemented in accordance with the approved details and retained in accordance with the approved details.

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

07. 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.

08. Development shall not commence until details of the required highway works (construction of the modified site access/junction to the B6345, including widening/resurfacing improvements to the footway leading east, and associated street lighting and drainage) have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

09. No development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been 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.

Reasons: 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.

10. No development shall commence until full engineering, drainage, street lighting and constructional details of 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 Planning 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.

11. No dwelling shall be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

12. Prior to occupation, details of surface water drainage to manage run off from private land have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

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

13. Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary construction access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. measures to control the emission of dust and dirt;

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

14. No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Chapter 7 of the National Planning policy Framework.

15. 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 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.

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.

16. No dwelling shall be constructed until an acoustic design scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that internal noise levels of 35dB LAeq during the day and 30dB LAeq and 45dB LAMax during the night can be achieved in the main habitable rooms with windows open at the dwellings closest to the East Coast Main Line (ECML). The scheme shall include internal room layouts to show that the main habitable rooms shall have access to a window which can be opened without causing the ingress of obtrusive noise above guidance levels. Thereafter, the approved acoustic design scheme shall implemented in full before the occupation of the dwelling it relates to and retained in perpetuity.

Reason: To ensure a commensurate level of protection against obtrusive noise.

17. The development shall not be brought into use or continue in use until the applicant has provided a noise impact assessment, for written approval by the Local Planning Authority, which demonstrates that the impact of rail traffic noise on at least one facade of the dwellings closest to the East Coal Main Line (ECML) can achieve an external LAeq limit of 45dB and LAMax of 60dB at night-time and an external LAeq limit of 50dB during the daytime.

Reason: To ensure a commensurate level of protection against obtrusive noise.

18. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk & Drainage Assessment. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6907 and ensure that surface water discharges to the existing watercourse or soakaways.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

19. No development will take place unless in accordance with the mitigation measures detailed in the report Preliminary Ecological Appraisal Land at Acklington, Northumberland April 2017, Final by E3 Ecology. Including:

Vegetation clearance will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.

Buffers to the site boundaries will be created and sown with a diverse grassland mix. The northern buffer will be landscaped, with diverse grassland and tree planting to create opportunities for biodiversity and to buffer the adjacent trees. Species utilised will be native and either berry or fruit bearing.

The mature trees adjacent to the site will be retained and protected in accordance with the measures stipulated by British Tree Standard BS5837:2012.

Soft landscaping should seek to include low nutrient areas seeded with a locally native wildflower mix.

Any trenches left open overnight will have a means of escape for mammals, including badger, comprising a ramp a minimum of 300mm wide and with a slope no greater than 45.

Lighting post development will be low level and low lux and should be directed away from the site boundaries, in particular at the north eastern boundary, where the mature trees were recorded. Light spill to areas of soft landscaping should also be designed to be low.

Reason: to maintain and enhance biodiversity in accordance with Paragraph 118 of the NPPF

20. No development shall commence until a scheme for biodiversity enhancement, to include in-built bird/bat provision at a ratio of one item per dwelling landscaping proposals which seek to optimise opportunities for pollinating insects and birds, has been submitted to and approved in writing by the Local Planning Authority.

Reason: to maintain and enhance biodiversity in accordance with Paragraph 118 of the NPPF

Date of Report: 05.12.2017

Background Papers: Planning application file(s) 17/01670/FUL