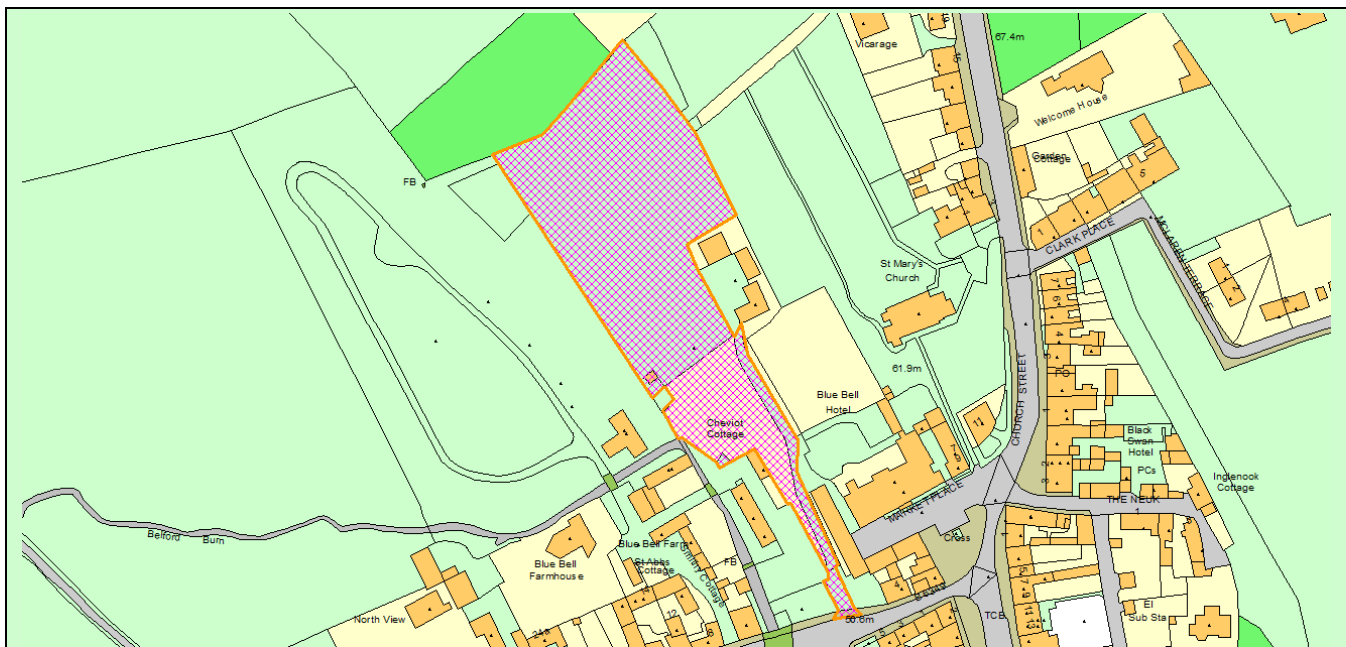




# Northumberland County Council

North Northumberland Local Area Council  
24<sup>th</sup> May 2018

<b>Application No:</b>	17/04574/FUL		
<b>Proposal:</b>	Proposed sites for 9 new houses and change of use of agricultural to 14 unit Camp/Caravan site - Amended 12/01/19		
<b>Site Address</b>	Land Rear Of Blue Bell Hotel, West Street, Belford, Northumberland		
<b>Applicant:</b>	Moorlands Holdings NE Ltd. Blue Bell Hotel, Belford	<b>Agent:</b>	Design Workshop Ltd Belmont, North Bank, Belford, NE70 7EU United Kingdom
<b>Ward</b>	Bamburgh	<b>Parish</b>	Belford
<b>Valid Date:</b>	3 January 2018	<b>Expiry Date:</b>	31 March 2018
<b>Case Officer Details:</b>	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: <a href="mailto:Ragu.Sittambalam@northumberland.gov.uk">Ragu.Sittambalam@northumberland.gov.uk</a>		



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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 Belford and Middleton Parish Council. The application has been reviewed by the Head of Service and the Planning Chair of the North Northumberland Local Area Council confirming that the application should be referred to Planning Committee for determination.
- 1.2 The application was amended as follows:-
- 12/02/18 - Submission of a Heritage Statement
  - 30/01/18 - Submission of Revised Highways Proposals, Noise and Acoustic Assessments
  - 06/04/18 - Submission of an Archaeological Desk Based Assessment
- 1.3 A Committee site visit is scheduled for 21/05/18.

## 2. Description of the Proposals

- 2.1 The application site is located within the settlement of Belford, set to the north side of West Street beyond properties that front the highway. The site is bound by open fields to the north, land at St. Mary's Church to the east, existing development to the south with a caravan/static home site to the west.
- 2.2 The land levels rise considerably to the north and is accessed from West Street, adjacent to residential properties to the east which connects to Church Street, a main thoroughfare running through Belford.
- 2.3 There is an existing track uphill that accesses newly built properties under application ref: N/04/B/0896 that sit part way along the site.
- 2.4 To the west is open land that drops in level considerably, the site comprises land to the north of the above mentioned dwellings and land to the west (that sits behind Cheviot Cottage) bordering onto the caravan/static home site.
- 2.5 The application seeks planning permission to;

### Residential Development

- Form a cul-de-sac of 5 no. properties to the south of the site comprising of;
- 3 no. 3-bedroom detached brick and larch clad properties (l:6.8m x w:10.0m) with a slate covered hipped roof. The dwellings would be three storeys (part of which would sit into the gradient of the land) with openings to the front and rear only and set to the southern end of the area.
- 2 no. brick with stone quoin 3-bedroom detached properties (l:10.0m x w:11.0m) with slate covered hipped roof. The dwellings would be three storeys (part of which would sit into the gradient of the land) with openings to all elevations but side windows serving as secondary openings to habitable accommodation set to the northern end of the area.

- Extend the existing estate road to the northern end of the site to allow the development of 4 no. properties comprising of;
- 2 no. 3-bedroom 'L' plan stone fronted with brick and rendered features (l:6.0-12.5m x w:6.0-11.7m) one and a half storey dwellings with slate covered roof and catslide to front and rear.
- 1 no. 3-bedroom two storey brick built property with stone quoins (l:10.0m x w:10.0m) with a slate covered hipped roof. The dwelling would benefit from a detached garage (l:5.6m x w:4.2m) of matching materials set to the east of the dwelling. This property would be set between the above mentioned bungalows.
- 1 no. 4-bedroom three storey brick built dwelling with stone quoins (l:9.4m x w:12.9m) with a slate covered hipped roof. The dwelling would be set to the north of the site.

#### Holiday Accommodation

- Form an access from the estate road north of the above cul-de-sac of dwellings to span the length of the site to access 14 no, glamping pods placed on a gravel hardstanding with associated parking.
- Erect a single storey rendered toilet/shower block (l:6.5m x w:10.0m) with a green coloured hipped roof. The amenity block would be sites to the south-west corner of the campsite.
- Install a shelter belt to the eastern boundary of the campsite.

2.6 The site is subject to the following environmental constraints;

- Belford Conservation Area (Site is Within)
- Grade II Listed Building: Church of St Mary (East of site)
- Grade II Listed Building: Watch House Circa 20 Yards South West of Church of St Mary (East of site)
- Grade II Listed Building: The Blue Bell Hotel (South of site)
- Grade II Listed Building: Garages and Outbuildings South and West of the Blue Bell (South of site)
- Western part of site within Flood Zones 2 & 3
- Impact Risk Zones for the Berwickshire and North Northumberland Coast SAC, Lindisfarne SPA and Lindisfarne SSSI

### 3. Planning History

**Reference Number:** 17/02099/FUL

**Description:** Alterations and extension to form master bedroom

**Status:** Permitted

### 4. Consultee Responses

Highways	No Objection; Conditions & Informatives Advised  Further to our previous comments, additional information and revised plans have been submitted.
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	<p>The majority of our concerns have been addressed, with the remainder either not having an impact upon the operation and safety of the highway or that can be conditioned as part of any permission.</p> <p>As such, there are no highway objections to the application subject to the imposition of conditions.</p> <p>As the internal road network is to remain private, municipal waste collection vehicles would not access the site, unless specifically contracted to in a private arrangement by the applicant. The vehicle swept path analysis submitted shows that the site can be serviced by large refuse vehicles so we are satisfied that this servicing will not impact upon the highway and large vehicles will not need to reverse down the access road and onto the highway. However, details in respect to a refuse strategy to ensure private collection are requested, or these can be secured by condition if not provided as part of the application.</p>
Building Conservation	<p>Less Than Substantial Harm;</p> <p>Building Conservation supplied initial comments on 24 January 2018. The applicant has supplied certain revised revised information uploaded on 12 February 2018 and further Building Conservation is requested.</p> <p>Plot 4 Area C has now been annotated as 4 bedroom. The Design and Access and Heritage Statement has been revised in line with the minimum requirements of paragraph 128 of the NPPF.</p> <p>In the Building Conservation comment of 24 January 2018 it was stated "The graveyard until recently enjoyed open views to the wider landscape. St Cuthbert's Drive has interrupted this view which now looks out over the backs of houses. Area C will add a further cumulative negative impact. Views from the wider landscape looking back towards the church and its setting must also be assessed.</p> <p>It is not evident from the revised statement that impacts on the wider landscape have been assessed by the applicant. While reference is made to screening effects of existing trees these are partial and not in the control of the applicant. Building Conservation holds to the view expressed above there will be a negative impact. Under the terms of the NPPF this is considered to be less than substantial harm.</p> <p>If notwithstanding the harm identified the decision is to grant consent Building Conservation suggest suitably worded conditions to control certain aspects of the development to include:</p> <ul style="list-style-type: none"> <li>o Materials - samples to be submitted and agreed to ensure natural slate, natural stone for dressings and timber window frames and doors.</li> <li>o Control over permitted development rights of dwellinghouses.</li> </ul>
County Ecologist	<p>No Objection; Obligation, Conditions &amp; Informatives Advised</p> <p>I note Natural England's request for mitigation for impacts from recreational disturbance on protected sites including the Berwickshire and North Northumberland Coast SAC, Lindisfarne SPA and Lindisfarne SSSI.</p> <p>I understand that the applicant has elected to pay into the Coastal Mitigation Service. A Habitats Regulations Assessment has been carried out and provided the applicant uses this service adverse impacts on the protected sites have been screened out.</p>

	<p>Dwellings and static caravans are considered to be capable of year round occupancy. This is a development for dwellings and static caravans within 7km of the coastal sites and as such would need to contribute £600 per unit to the service. For touring caravan and glamping pitches the contribution is £350 per unit (based on an occupancy rate at 7 months a year). Contributions towards the Coastal Mitigation Service are secured through a S.106 agreement and are payable on first occupation.</p> <p>In relation to onsite ecological impacts, I have no objections to the proposals on ecological grounds, on condition that the avoidance, mitigation and enhancement measures detailed below are carried out in full and the recommended condition is imposed on any grant of planning permission.</p>
Belford & Middleton Parish Council	<p>Belford Parish Councillors have considered the above planning application and agreed to object on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The access is not appropriate for the possible increased level of traffic.</li> <li>2. The site to be developed is not suitable due to the level of exaction work which will be required</li> <li>3. The visual impact on historic Coaching Inn and St Mary's Church.</li> </ol>
County Archaeologist	<p>No Objection;</p> <p>The submitted assessment notes that Belford was a settlement of some significance from at least the later post-medieval period, potentially with origins in the early medieval period. Documentary evidence records an attack on the site by William I of Scotland in AD 1174.</p> <p>The assessment notes that the area proposed for housing as part of the present application is relatively level, but has been partially impacted by earthworks / spoil movement and the installation of serviced associated with a recent development. The site and the open trenches were inspected as part of a walkover survey to inform the desk-based assessment. The assessment concludes that the potential for significant unrecorded archaeological features to occur within the proposed development is low.</p> <p>Having regard to the submitted assessment, and in particular the topography of the site and recent development impacts, it is considered that the risk of significant archaeological features being impacted by the proposed development is low.</p> <p>There are therefore no objections to the proposed development on archaeological grounds and no further archaeological work is recommended.</p>
Housing Department	<p>No Objection; No Contribution Sought</p> <p>National Planning guidance states that 'contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area)</p> <p>The proposal would be for less that 10 units with the combined floorspace below 1000sqm.</p> <p>Therefore no contribution in respect of affordable housing is sought for this development.</p>
Waste Management - North	<p>No Objection;</p>

	<p>There is concern is that the access road runs across the front of the hotel and this would mean 24 tonne refuse vehicles been operated in close proximity to persons visiting/ leaving the hotel.</p> <p>The proposed access road would also have to be of sufficient strength to support the weight of the refuse vehicle with adequate room to turn.</p>
Lead Local Flood Authority (LLFA)	No Objection; Conditions Advised
Environment Agency	<p>No Objection; Condition Advised</p> <p>We have no objections to the proposal as submitted, and consider the proposed development will be acceptable providing the recommended condition is imposed on any grant of planning permission.</p>
Natural England	<p>No Objection;</p> <p>The proposed mitigation would ensure that there would be no likely significant on:</p> <ul style="list-style-type: none"> <li>● Lindisfarne Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI)</li> <li>● Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)</li> <li>● North Northumberland Dunes SAC</li> <li>● Spindlestone Heughs SSSI</li> <li>● Bradford Kames SSSI</li> <li>● Colour Heugh and Bowden Doors SSSI</li> </ul> <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>The following information is required:</p> <ul style="list-style-type: none"> <li>● Potential indirect impacts on this designated site as a result of recreational disturbance, alone or in combination with other relevant plans and projects;</li> <li>● A mitigation strategy to prevent these impacts.</li> </ul>
Northumbrian Water Ltd	<p>No Objection; Condition Advised</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 a condition to secure details of surface and foul water drainage.</p>
Historic England	<p>No Comment;</p> <p>On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	43
Number of Objections	7
Number of Support	0

## Notices

Site notice - Conservation & affect LB, 15<sup>th</sup> January 2018

Press notice - Berwick Advertiser 11th January 2018

## Summary of Responses:

During the consultation period, 7 no. objections were received on the following grounds;

- Affordable housing is needed.
- Holiday accommodation is inappropriate.
- Concerns over operation of the campsite.
- Impact on privacy.
- Noise issues.
- Ecological impact.
- Potential impact on trees.
- Highway safety issues.
- Increase levels of traffic.
- Parking issues.

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=P15CYAQSL9700>

## **6. Planning Policy**

### 6.1 Development Plan Policy

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

F1 Environmental Wealth

F3 Tweed Valley, Kyloe Hills, Glendale AHLV

F6 Special Protection Areas, Special Areas of Conservation and Ramsar Sites

F10 Protected Species

F30 Planning Obligation

F31 Social and Economic Welfare

M14 Car Parking Standards

### 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2012)

PPG - National Planning Practice Guidance (2014, as updated)

### 6.3 Other Documents/Strategies

Northumberland Five-year Supply of Deliverable Sites: 2017 to 2022

Northumberland Strategic Housing Market Assessment (SHMA - October 2015)

## 7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the saved policies of the Berwick-Upon-Tweed Borough Local Plan (1999).

The Belford Neighbourhood Plan is not yet at a stage where weight can be assigned in accordance with Paragraph 216 of the NPPF and therefore does not form a material policy consideration in the appraisal of this application.

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

- Principle of Development
- Housing Land Supply
- Affordable Housing
- Landscape
- Design
- Conservation Area
- Listed Building
- Harm & Public Benefit
- Archaeology
- Amenity
- Highway Safety
- Contaminated Land
- Ecology
- Water Management
- Flood Risk
- Procedural Matters

### Principle of Development

7.3 The NPPF seeks to promote sustainable development with paragraph 7 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element. The application is located within the settlement of Belford with a strong service base, the application proposes a mix of residential and holiday accommodation.

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

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



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

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

*R9 of the BLP sets out that the development of new sites, or the extension of existing sites, for touring caravans or camping, or static caravans, chalets, log-cabins or other purpose-built holiday accommodation, will be permitted provided that:*

- i) The site is largely enclosed from the surrounding landscape by dense woodland and/or other landscape features.*
- ix) it accords with policies elsewhere in the plan.*

- 7.5 The application seeks to site residential development on an area of land set within the settlement that would be immediately adjacent to residential properties. In addition, the proposed site for holiday accommodation would span the length of an existing caravan site set behind properties that front West Street so as not to be overtly visible. The Development Plan would support this type of development which would be considered to contribute to the vitality of the settlement and expand infrastructure for tourism within the settlement.
- 7.6 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new housing and visitors to 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.
- 7.7 The principle of development is therefore considered acceptable and in accordance with F1, F3, R9 and F31 of the BLP and the NPPF.

#### Housing Land Supply

- 7.8 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.

- 7.9 For details of the five year housing land supply assessment, the Council's Five Year Supply of Deliverable Sites 2017 to 2022 report, published in November 2017 should be referred to. This report identifies housing land equivalent to a 6.5 years supply. Therefore, in the context of paragraph 49, policies for the supply of housing should not be considered out of date.

#### Affordable Housing

- 7.10 *Paragraph 31 of the PPG sets out that there are specific circumstances where contributions for affordable housing and tariff style planning obligations on developments of more than 10 units; or where the combined gross floorspace is greater than 1,000 square metres (gross internal area). The way in which this is delivered is in consultation with Affordable Housing.*
- 7.11 *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.*
- 7.12 The Northumberland Strategic Housing Market Assessment (SHMA - October 2015) includes up to date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 191 dwellings per annum over the period 2014 to 2019. To address this, an affordable housing contribution will continue to be sought on all proposals involving residential development except in the circumstances set out in Planning Practice Guidance paragraph 31. This will be expected to be delivered on-site.
- 7.13 The application is located outside of the AONB and is therefore not subject to the lower threshold set out in the PPG and the development would be less than 1000sqm gross internal floor area. Therefore an affordable housing provision is not required in this application.

#### Landscape

- 7.14 The site is open land in and around existing modern residential development located to the rear of buildings fronting West Street. The visibility and prominence of the site is limited due to the topography of the site, surrounding routes and planting that spans around the wider area. The appraisal of Landscape considers the physical mass and character impact of a development proposal.
- 7.15 *F1 of the BLP states primary importance will be given to sustaining and enhancing the Borough's environmental wealth including its landscape and coast.*

*R9 of the BLP deals with new holiday accommodation, permitting development provided that;*

ii) *It will be integrated successfully into the wider landscape, including heritage and nature conservation interests*

- 7.16 The main prominent feature of the proposal would be the residential development. The holiday accommodation would not have a significant impact on landscape because it would sit at lower level, immediately adjacent an existing caravan site.
- 7.17 The dwellings would be focused to two areas either side of a modern scheme of houses, of a size up to three storeys in height but allowance should be given to the lower levels being used for garage space and that the slope of the site is such that the appearance of the larger houses would be two storeys. The addition of dwellings in this location whilst screened would have an impact when within the site however given that there is existing modern development in this location and that the site is not overly prominent, the appearance of new mass would be limited to certain viewpoints and is not considered to be significant.
- 7.18 Overall the development could be accommodated without having a significant adverse landscape impact in accordance with F1 and R9 of the BLP and the NPPF.

#### Design

- 7.19 Design considers the appearance of the development independently and as part of the immediate streetscene.
- 7.20 *F3 of the BLP permits development that accord with its surroundings by virtue of its scale, density, height, massing, layout and materials, hard and soft landscaping including indigenous species, means of enclosure and access.*
- R9 of the BLP deals with new holiday accommodation, permitting development provided that;*
- iii) *a high standard of amenity will be provided for visitors to the site, in terms of both the setting of the accommodation and/or pitches and the external appearance where accommodation is provided.*
- 7.21 *Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in new developments.*
- 7.22 Whilst indicative imagery has been submitted within the Design & Access Statement to set out the type of units proposed within the holiday accommodation site, a condition has been added to secure details of the size, appearance and type to ensure that the visual impact is managed accordingly; this is done so on the basis that some form of unit could be accommodated on the site without having an adverse visual impact.
- 7.23 In terms of the proposed dwellings, they comprise of five house types that differ depending on their location within the site. The appearance of them whilst differing between the two residential clusters would retain continuity through the types of materials used, the style of opening treatments and

overall form of the dwellings so as to serve as an extension of the existing development in the area.

- 7.24 The visual impact of the proposal is therefore considered acceptable and in accordance with F3 and R9 of the BLP and the NPPF.

#### Conservation Area

- 7.25 The site is located within the Belford Conservation Area and has been subject to consultation with Building Conservation (BC). The application was supplemented with a Heritage Statement.
- 7.26 *The legislative framework has regard to Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.*
- 7.27 As per the appraisal of landscape, the views into the site are in-part limited to those from the graveyard of St Marys which has been compromised through the introduction of existing development. Whilst there is a view, there should be cognisance to the impact that the proposal would have on the character appearance of the Conservation Area.
- 7.28 The proposal is not considered detrimental to the area, proposing dwellings that are in keeping with those already in place and holiday accommodation that is not readily visible. The dwellings would be of high quality materials with timber framed windows the former of which would be controlled through condition to require material samples. In addition, permitted development rights have been limited to manage and future development of the properties in future.

#### Listed Building

- 7.29 The application sits within close proximity of a number of listed buildings, the introduction of development in this location is considered to affect the setting of listed buildings. The application has been subject to consultation with Building Conservation (BC). Issues raised by Belford and Middleton Parish Council have been taken into account in this section.
- 7.30 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which advise that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving any listed building and its setting or any features of special architectural or historic interest which it possesses.
- 7.31 BC have set out in their response that much of the harm afforded by the development focuses around the introduction of dwellings to the northern end of the site, contributing to the negative cumulative impact of the existing dwellings. It is noted that there is some screening in place but this is not from the development site.

## Harm & Public Benefit

- 7.32 *Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The more important the asset, the greater the weight should be.*

*Paragraph 133 and 134 set out how the basis for dealing with developments that result in substantial and less than substantial harm respectively. Where development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.*

- 7.33 The position of Building Conservation is that the level of harm afforded by this development is less than substantial. In line with the framework above, this harm must be balanced against the public benefit of the proposal.
- 7.34 In terms of the public benefit realised by the development, there would be an increase in housing supply and providing tourism opportunities which together are in a location that would contribute to the vitality of the settlements along with short term employment through the building works and beyond through the management/maintenance of the holiday accommodation. These aspects however only provide a minor benefit but are considered to override the level of harm which is adding to a pre-existing level through the earlier grant and implementation of an earlier planning permission for four dwellings that are encompassed around the site.
- 7.35 On balance, it is considered that the proposal would not have a significant adverse impact on the significance of heritage assets. The impact on the Conservation Area and Listed Building is therefore considered acceptable in accordance with the provisions of Chapter 12 of the NPPF.

## Archaeology

- 7.36 The site sits within Belford Conservation Area and is within close proximity of a number of listed buildings as well as St Marys and its associated curtilage (albeit at differing land levels). The application has been subject to consultation with the County Archaeologist. An archaeological desk-based assessment has been provided as part of the application.
- 7.37 The County Archaeologist has reviewed the submitted report, setting out that The close proximity of the church and marketplace identify this location as the most likely focus of the historic village. However, whilst the application site lies within c.50m of the church, the desk-based assessment observes that the sloping topography of much of the site would have been unsuitable either for settlement or ploughing, and that as such these areas of the site are unlikely to retain significant unrecorded archaeological features of medieval date. The conclusion is that there are no objections to the proposal with no monitoring or conditions required.
- 7.38 The archaeological impact of the proposal could be suitably mitigated in accordance with the NPPF.

## Amenity

- 7.39 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 taken into account within the appraisal.
- 7.40 *Paragraph 17 of the NPPF sets out its core planning principles, to underpin both plan-making and decision-taking. One of these principles is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*
- 7.41 As part of the consultation response from Highways Development Management (HDM), a construction method statement is to be discharged from the outset of development to secure details of on site operations during the construction period. This in turn would ensure good practise having regard to amenity issues for nearby occupants prior to completion of the development.
- 7.42 Public Health Protection (PHP) has also recommended conditions in relation to hours of noisy working and restrictions on collections and deliveries which have been included within the recommendation.
- 7.43 The introduction of the proposed holiday accommodation is not considered to give rise to a significant adverse impact given that it sits alongside an existing established caravan site and would benefit from a separated access.
- 7.44 The dwellings proposed to the north of the site as well, benefit from a good level of separation so as not to appear overbearing or impact on the privacy of nearby properties.
- 7.45 The main potential for impact on amenity would be from the dwellings to the west of the site that would not appear overbearing due to their relative separation and height which despite being three storeys, would appear as two due to the sloping nature of the site, but would allow for overlooking to the west. Notably the dwellings have openings to the front and rear only which taken into consideration with their orientation, is not considered significant to warrant refusal given the elevation afforded by the site.
- 7.46 On this basis, the impact on amenity is acknowledged but considered acceptable and in accordance with the NPPF.

## Noise & Odour

- 7.47 The application proposes both residential and holiday accommodation that would be in close proximity to existing businesses, particularly to the rear where there are like to be issues of odour/noise. The application has been submitted with an odour and noise assessment which has been subject to consultation with the Council's Public Health Protection Team (PHP).

- 7.48 PHP have reviewed the information and raised no objection stating that the potential impacts from the Blue Bell Hotel would not have a significant impact on future occupants of the proposed development.
- 7.49 Issues of noise and odour are therefore considered acceptable and in accordance with the NPPF.

#### Highway Safety

- 7.50 In addressing highway safety, on and off-site issues are considered in consultation with Highways Development Management (HDM). The application has set out that the access would be as existing with a new cul-de-sac to the properties at the lower end of the site and an extension to the estate road to accommodate further development to the north with a new junction to serve the holiday accommodation. There are on-site issues in terms of the highways requirements for the properties and off-site impacts through the provision of a safe means of access for vehicles, pedestrians and the delivery of appropriate off-site works. Comments made in respect of highway safety have been addressed below.
- 7.51 *Paragraph 32 of the NPPF sets out the considerations of decisions with regard to highways impacts, stating that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*
- 7.52 HDM has reviewed the application setting out in their response that there are no objections following the submission of a revised site plan which addressed their initial concerns. Notwithstanding this, Waste Management have highlighted potential issues of refuse collection, however this is subject to a condition which, in the event that the road is not adopted, would require a private arrangement to allow for the collection of waste. In addition HDM have raised no concern over the capacity of the highway network to accommodate the new development with the recommended conditions set out in the recommendation.
- 7.53 The impact on highway safety is considered acceptable and in accordance with the NPPF

#### Contaminated Land

- 7.54 The application has been subject to assessment by the Council's Public Health Protection team (PHP).
- 7.55 *Paragraph 120 of the NPPF states that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the landowner.*

- 7.56 PHP has advised that whilst there would appear to be no historic, potentially contaminative uses of the land other than agriculture, the proposal particularly the residential aspect would require a Phase 1 contaminated land desktop study to be undertaken to clarify the issue. This has been set out alongside a requirement should unexpected land contaminants be found in conditions
- 7.57 It is therefore considered that mitigation of contamination issues can be successfully undertaken, in accordance with the NPPF

### Ecology

7.58 This site lies within an Impact Risk Zones for the Berwickshire and North Northumberland Coast SAC, Lindisfarne SPA and Lindisfarne SSSI. The application is located on the edge of a built area of the settlement bordering onto a wooded area to the north with open countryside beyond. There are considered to be potential on-site ecological impacts arising from the development. In addition, the site is located within close proximity to a number of designated sites with the proposal as residential development and holiday accommodation having potential to affect them. The application has been submitted with an Ecology Survey which has been subject to assessment in consultation with the County Ecologist and Natural England. Objections on ecological grounds are considered within this section.

7.59 *F6 of the BLP only permits development that would not adversely affect the integrity of the internationally important nature conservation interest of the site, either directly or indirectly. Where such development does proceed, it may be subject to Planning Conditions and Obligations to secure all compensatory measures necessary.*

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

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

*Paragraph 119 of the NPPF sets out that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.*

7.61 The County Ecologist has raised no objection on issues relating to on-site impacts subject to conditions to secure works in accordance with practices set out in the recommended condition. Concern has been raised over the potential impact on the wooded area, however no proposals have been put forward to fell the trees and with the site being within the Belford Conservation Area (inclusive of the woodland) any works to them would require notification to the Local Planning Authority.

7.62 In dealing with the off-site issues 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.

- 7.63 This impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km 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.
- 7.64 *F30 of the BLP seeks where necessary to secure a planning obligation to ensure that due regard is given to the environment and the interests of the local community. Developers will be required to provide appropriate infrastructure, or other consequential educational, social, recreational, sporting or community facilities and nature conservation benefits commensurate with the scale of the development.*
- 7.65 The applicant has agreed to pay a contribution of £600 per residential unit for coastal wardening work and £350 for each holiday unit (based on a 7-month occupancy), secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations 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 SSSIs. 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. From this, the off-site impacts of the development can be suitably addressed.
- 7.66 Therefore the ecological impacts arising from the proposal can be suitably mitigated in accordance with F6, F10 and F30 of the BLP and the NPPF.

#### Water Management

- 7.67 The application is for not for major development however the Lead Local Flood Authority (LLFA) has taken an interest. Northumbrian Water (NWL) has also been consulted as mains surface and foul drainage is proposed. There will be on-site impacts through the introduction of built form and off-site impacts in terms of water displacement.
- 7.68 *Paragraph 94 of the NPPF states that Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply demand considerations.*
- 7.69 The LLFA have raised no objection subject to a condition to secure a drainage strategy having been provided with a base level of information to set out that surface water would be pumped from the site and that this mitigation could be provided on site without changes to the layout. This is considered reasonable

as a minor application that applies only to the residential aspect of the proposal. Further conditions have been recommended in respect of potential future adoption of SuDS and management of surface water during the construction period.

- 7.70 NWL have considered the application and have requested a condition to secure details of surface and foul water disposal prior to commencement of development which has been set out in the recommendation.

#### Flood Risk

- 7.71 The south-west edge of the application site sits within Flood Zones 2 and 3 which would partially infringe on both the residential and holiday accommodation. The application has been submitted with a Flood Risk Assessment (FRA) which has been subject to assessment by the Environment Agency (EA).
- 7.72 The EA have raised no objection subject to a condition to secure the work in accordance with the approved FRA. This has been on the basis of further correspondence to the EA setting out works that would involve increasing land levels and forming a void space under the parking area at the residential area to the south of the site. The works demonstrate that the floodable area and floodable volume would be increased to assist in the event of a flood. This information has allowed the EA to remove their original objection to the proposal.

#### Procedural Matters

##### *Equality Duty*

- 7.73 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*

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

##### *Human Rights Act Implications*

- 7.75 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.

- 7.76 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.

## **8. Conclusion**

- 8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.
- 8.2 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.
- 8.3 A S106 Legal Agreement is to secure the obligations/contributions as set out in the recommendation.

## 9. Recommendation

That Members GRANT planning permission subject to a the conditions set out below and a S106 Unilateral Undertaking to secure the following contributions:

- Coastal mitigation contribution of £600 per dwelling (£5400 total) to be paid upon occupation of the first dwelling.
- Coastal mitigation contribution of £350 per unit of Camp/Caravan Provision (£4900 total) to be paid upon the site being brought into use.

### Conditions

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

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

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

1. Location Plan 1:1250
2. BBH01\_D - Proposed Site Plan
3. BBH02\_1A - Area A Units 3-5
4. BBH02\_2A - Area A Units 3-5
5. BBH02 - Proposed 1.5 Storey Sites 1&3
6. BBH03A - Proposed 3 Bed House Type
7. BBH04 - Proposed House Site No. 4
8. BBH05 Camp Site Shower & Toilet Block
9. BBH06 - Site Elevations
10. BBHR01\_2A - Proposed 1.5 Storey Sites 1&2
11. BBHR01\_2A - Proposed 1.5 Storey Sites 1&2

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

### **Development Management**

03. 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;

- Extensions;
- Outbuildings; or
- 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 Policy F3 of the Berwick-Upon-Tweed Borough Local Plan and the National Planning Policy Framework.

04. Details of Site Levels to be Submitted

Notwithstanding details contained within the approved documents, prior to the construction of any dwelling hereby approved, details to include;

- i) Existing site levels;
- ii) Proposed site levels; and
- iii) Proposed finished floor levels

Shall be submitted to and approved in writing by the Local Planning Authority. The dwellings 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 F3 of the Berwick-Upon-Tweed Local Plan and National Planning Policy Framework.

05. Details of Materials to be Submitted

Notwithstanding any description of the materials in the application, no development above damp proof course level (or 150mm above ground level) shall be commenced until;

- i) Precise 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 dwellings;
- ii) Precise 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 dwellings.

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 F3 of the Berwick-Upon-Tweed Borough Local Plan.

06. Details of Holiday Units to be Submitted

Notwithstanding details contained within the approved documents, prior to the siting of any chalet/glamping pod or other unit of accommodation within the camp site hereby approved, details to include;

- o Elevations of the proposed unit;
- o Plans of the proposed unit;
- o Proposed materials of the proposed unit; and
- o Details of any boundary treatments and external decking

shall be submitted to and approved in writing by the Local Planning Authority. The units shall be installed in accordance with the approved details and retained thereafter unless written consent has been given by the Local Planning Authority.

Reason: To manage the appearance of the units and visual impact on the site in accordance with Policy F3 of the Berwick-Upon-Tweed Local Plan and the National Planning Policy Framework.

07. Occupancy of Camp Site

The caravan/glamping pitches subject to this permission shall be occupied for holiday purposes only, and no unit shall be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is retained for holiday use and in accordance with Policy R9 of the Berwick-Upon-Tweed Borough Local Plan.

### **Highways Development Management**

08. Construction Method Statement to be Submitted

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

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

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

09. Details of Management and Maintenance of Estate Streets to be Submitted

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 or the holiday

accommodation being brought into use, the streets shall be maintained in accordance with the approved management and maintenance details.

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

10. Details of Surface Water Drainage to be Submitted

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.

11. Details of Fire Hydrants to be Submitted

Prior to the installation of any services (i.e. water/electric/gas/telecommunication) within the development site, details for the installation of a fire hydrant(s) to serve the development shall be submitted to the Local Planning Authority, in consultation with Northumberland Fire and Rescue Service, for approval in writing. The details shall include the location and specification of the fire hydrant facilities to be installed in accordance with the requirements of BS 750:2012 "Specification for Underground Fire Hydrants and Surface Box Frames and Covers", National Guidance on the Provision of Water for Firefighting and/or to the satisfaction of the Northumberland Fire and Rescue Service. Thereafter, no dwelling shall be occupied or holiday accommodation brought into use until the approved scheme for fire hydrant provision has been implemented in full and the hydrant(s) is/are operational in accordance with the approved details.

Reason: To ensure the development is sufficiently served by equipment for the use of the emergency services in accordance with Chapter 8 of the National Planning Policy Framework.

12. Details of Refuse Storage Facilities and Strategy

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

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

13. Implementation of Car Parking Area

No dwelling shall be occupied or holiday accommodation brought into use until the car parking area indicated on the approved plans, 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.

14. Implementation of Cycle Parking

No dwelling shall be occupied or holiday accommodation brought into use 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.

### **Contaminated Land**

15. Potentially Contaminated Land

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled



waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

c) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

d) Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

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. Unexpected Contamination if Found During Development

If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a 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. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

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.

### **Public Health Protection**

#### 17. Noisy Working During the Construction Phase

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

Monday to Friday - 0800 to 1800  
Saturday - 0800 to 1300.

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

Reason: To safeguard the amenity of neighbouring commercial and residential properties and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework.

#### 18. Deliveries and Collections

During the demolition phase, there shall be no deliveries or collections made to or from the premises outside the hours of:

Monday to Friday - 0800 to 1800.

Saturday 0800 to 1300.

Reason: To safeguard the amenity of neighbouring commercial and residential properties and provide a commensurate level of protection against noise in accordance with the National Planning Policy Framework.

### **Ecology**

#### 19. Works in Accordance with Ecological Measures

No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed in this condition, including:

- Scrub and tree removal shall take place outside of the bird nesting season (mid March to mid August inclusive), unless a qualified ecologist has confirmed no breeding birds are present.
- A destructive search of scrub is carried out to ensure no harm to amphibians or hedgehog that may be present.
- Gaps of 15cm are provided in every boundary fence for houses to allow for free movement of hedgehogs.
- Prior to development commencing an ecological protection and enhancement plan shall be submitted to and approved by the LPA, including:
- a landscaping scheme incorporating trees, shrubs and wildflower grasslands using native species of local provenance.
- The provision of at least five bat roosts or bird nesting sites (such as swift bricks) which are built into the new buildings.
- A pollution prevention plan to protect the Belford Burn during construction.
- This plan will be fully implemented as approved.
- Root protection zones will be implemented around all retained trees and hedgerows in accordance with the guidance given in BS5837.
- Adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK', Bat Conservation Trust/Institution of Lighting Engineers, 2008'.

Reason: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with paragraphs 109 and 118 of the NPPF.

## **Flood Risk**

### 21. Works in Accordance with Flood Risk Assessment

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) August 2017 / 3322 FRA / Ambiental and the following mitigation measures detailed within the FRA and email correspondence:

- i) Finished floor levels of all buildings are set no lower than 53.02 m above Ordnance Datum (AOD); and
- ii) Provision of compensatory flood storage for building within Flood Zone 3 plus climate change outline, as described in written correspondence with applicant dated 19/02/18 as outlined below, ensuring that at least the same volume of storage is provided as that which is displaced by the ground raising.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants and prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with the National Planning Policy Framework.

## **Lead Local Flood Authority**

### 20. Details of Foul & Surface Water Drainage to be Submitted

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

### 21. Drainage Strategy to be Submitted

Notwithstanding details contained within the approved plans, prior to commencement of development a drainage strategy to include;

- i) The connection location of the proposed drain;
- ii) The proposed discharge rate (including calculations);
- iii) The Proposed Attenuation (sizing and location);
- iv) The location and specification of surface water pump; and

v) Strategy in the event of pump failure (to include details of surface water management and measures for occupants)

Shall be submitted to and approved in writing by the local planning authority. The approved drainage strategy shall be implemented in full prior to construction of the dwellings hereby approved and shall be retained thereafter.

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

22. Details of Adoption & Maintenance of SuDS to be Submitted

Prior to first occupation details of the adoption and maintenance of all sustainable drainage systems (SuDS) features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

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

23. Details of Surface Water Disposal During Construction to be Submitted

Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

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.

## Informatives

### 1. 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](mailto:highwaysplanning@northumberland.gov.uk).

### 2. 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.

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

The applicant is advised that to discharge the relevant condition the Local Planning Authority requires a copy of the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. You can contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

### 4. 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.

### 5. Garden Planting

The Government's National Pollinator Strategy: for bees and other pollinators in England November 2014 recognises the importance of gardens in supporting pollinating insects, encourages nature friendly garden planting. Where possible I would advise the applicant to make new nature friendly garden planting across their scheme which will include, where possible, native species. Some useful links for advice on how to do this are:

<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/perfect-for-pollinators>

<http://www.wildlifetrusts.org/gardening>

Please note that Buddleia is not a native species and can be invasive. I would not recommend using this species in wildlife friendly gardening.

### 6. Protected Species

The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the

conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works.

All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

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

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

Further information about protected species and the law can be found on the Natural England website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

## 7. Dust Management

Dust minimisation and control shall have regards to accepted guidance and in particular The Institute of Air Quality Management has produced very current documentation entitled "Guidance on the Assessment of Dust from Demolition and Construction" available at:

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

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

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

## 8. External Artificial Lighting

Any fixed, external lighting installed as part of this development should have regard for the ILP Guidance on the Reduction of Obtrusive Light, 2012:

<https://www.theilp.org.uk/documents/obtrusive-light/>

The applicant should ensure that lighting does not cause an annoyance to any nearby receptors.

## 9. Statutory Nuisance

The Public Health Protection Unit would advise that the prevention of nuisance is the responsibility of the developer and their professional advisors. Developers should, therefore, fully appreciate the importance of professional advice. Failure to address issue of noise and light at the development stage does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance.

10. Burning Materials Onsite

There shall be no burning of any material associated with the development granted on this on the site.

**Date of Report:** 14.05.2018

**Background Papers:** Planning application file(s) 17/04574/FUL