



Northumberland County Council

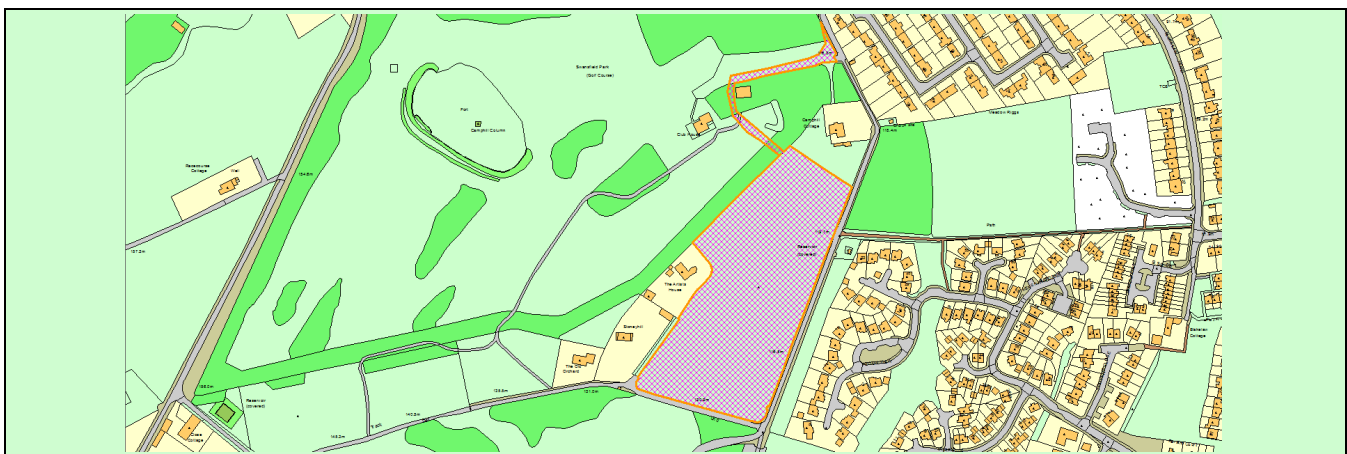
North Northumberland Local Area Committee
20th December 2018

Application No:	18/01020/OUT		
Proposal:	Outline Application (With Layout) - 15 Dwellings (100% Self Build Plots) & Landscaped Area - Amended 18/09/18		
Site Address	Land North East Of Stoney Hills, Alnwick, Northumberland,		
Applicant:	Mr Colin Barnes The Estate Office, Alnwick Castle, Alnwick, NE66 1NQ	Agent:	Mr Andrew Richardson 8 Mosley Street, Newcastle upon Tyne, NE1 1DE,
Ward	Alnwick	Parish	Alnwick
Valid Date:	26 March 2018	Expiry Date:	31 October 2018
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation:

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

- £101,250 Off-Site Affordable Housing Contribution
- £102,000 Education Contribution;
- £9000 Coastal Mitigation Contribution; and



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1. Introduction

- 1.1 Under the provisions of the Council's current Scheme of Delegation, this application has been referred to referred to Planning Committee for determination by Cllr Castle.

The application is recommended for APPROVAL.

- 1.2 Under s.92 of the Town and Country Planning Act 1990 (as amended), an application for outline planning permission allows for a decision on the general principles of how a site can be developed, this application is submitted with all matters reserved (except for layout). Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.
- 1.3 A site visit for Members is scheduled for 17th December 2018.

2. Description of the Proposals

- 2.1 The application site is located to the west of Alnwick on the edge of the town within a greenfield site that sits between existing residential properties to the north, east and west with a committed site south-west for 271 dwellings (under construction). Of relevance is that the land to the north associated with Alnwick Golf Club is subject to an extant consent under 16/02824/OUT for the erection of 10 dwellings to which the proposal would relate to, as the layout master-plan submitted showing the access being achieved through this site.
- 2.2 The land is a grassed area of 2.6ha surrounded by stone boundary wall and set at an incline which drops to the south of the site. As a result the site is in-part visible from the wider area although it is set amongst development immediately to the west with a tree belt beyond.
- 2.3 Notwithstanding the committed development, the site otherwise borders onto a golf course with open countryside beyond. There is a narrow access route that runs along the perimeter of the site with access points onto development east of the site.
- 2.4 The application seeks Outline Permission (all matters reserved except for layout) to;
- Form an access to the north of the site tying into proposed development onto an estate road with would span the length of the site.
 - Install footway connections along the estate road with routes to the east and south branching from the estate road.
 - Develop 15 no. dwellings as self-build plots.
 - Form a landscaped area to the south of the site with a drainage basin.
- 2.5 The site is subject to the following environmental constraints;

- Coal Advice Area - Low Risk
- Impact Risk Zone to SSSI
- Listed Buildings
 - Grade II: Camphill Cottage - 25m North
 - Grade II: Greensfield Farmhouse with attached Walls - 140m
 - Grade II: Hope House - 180m North
 - Grade II*: Camphill Column - 230m West
 - Grade II: Eyecatcher in Swansfield Park - 385m North-West
- Public Right of Way - East and Southern perimeter of site
- Tree Preservation Order
 - 0546 - North-East of site
 - 0036 - East of site

3. Planning History

No relevant planning history

4. Consultee Responses

<p>Alnwick Town Council 2nd Response</p>	<p>Objection;</p> <p>Alnwick Town Council continues to OBJECT to this planning application. Although this revised application reduces the number of dwellings from 19 to 15, this is a green field site which is not identified in the Alnwick & Denwick Neighbourhood Plan for housing. The Neighbourhood Plan makes provision for a small number of 'windfall' sites to come forward during the period 2015-2031. It is anticipated in the ADNP that windfall dwellings will be approximately 50 units over the plan period (equivalent to about 3 a year). This development would therefore supply a much larger number of houses than a usual 'windfall' site.</p> <p>LOCATION - There is no visual or landscape assessment with the application. The site is at the top of the ridge above Alnwick and visible from numerous points to the South and East of the town which the Town Council consider to be a highly visible site with the capacity to alter views of the town from these aspects. The Town Council feels that the proposed development would 'harm the distinctive landscape or historic character of Alnwick' - ADNP Policy HD1.</p> <p>The proximity of the Grade II* listed Camp Hill Column to the proposed development is significant as it is only 225 m from the edge of the site. In addition, the proximity to Camphill Cottage, which is also believed to have listed status, and is directly adjacent to the site will also be significant. These two structures which were previously in a rural setting must be considered carefully as there could clearly be significant negative impacts - ADNP Policy HD3</p> <p>ACCESS - Although this application shows improvements to the pedestrian access arrangements with a segregated footpath alongside Hope House Lane towards the town it fails to consider improvements to the route already used by many pedestrians including school children during term time from Chapel Lands / Upper Barresdale along the bottom of the Golf Course. The entrance to the segregated footpath needs to be moved to put it nearer the current 'used' route from Chapel Lands / Upper Barresdale along the bottom of the Golf Course as without this users will still simply walk on the road with no footpath as they are forced to do at present.</p>
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	<p>This must be addressed both for prospective residents and for the large number of pupils which use the route daily to access the Duchess Community High School from the Barresdale and Chapel Lands estates. ADNP Policies TRA1 & 2 Furthermore there is some concern regarding the sharp corner in the road at this point and the safety of all road users on what will become a road junction. The route from the top of Hope House lane towards Barresdale / Chapel Lands (referred to above) should be considered for upgrading to a surfaced bridleway under a Section 106 Agreement as it is already well used by School Children and others both cycling and walking and constitutes a 'safe route to school' although some special consideration would need to be given to where it crosses Clayport Bank. It is currently very narrow and muddy in the winter and may also benefit from being lit for winter use.</p> <p>The two other proposed footpath links from the development need to be upgraded to shared footpath / cycle path status to link to the centre and south of the town. The route into the new Greensfield estate is to be a Cycle path leading to the High School / Willowburn Sports Centre etc. and this development needs to safely link to it. The route towards the town centre would avoid cycling up the proposed estate road entrance to access the estate and so promote cycle use in that direction without undue waste of physical effort. ADNP policy TRA2 supports this point.</p> <p>Policy H3 ADNP states that on sites over 0.25 Ha in size there will be houses with a mix of formats and over 1 Ha in size there will be a mix of tenures except in exceptional circumstances. The site is 2.5 Ha and no exceptional circumstances are present so a mix of 4/5 bedroom houses is contrary to this policy. Developments of over 10 houses must have 15% affordable housing (on-site by NCC preference) and the application does not contain any information about this. This proposal is contrary to this policy too, although it is accepted that these matters may be dealt with in the reserved matters application to follow, or through a Section 106 agreement.</p> <p>GREEN SPACE AND TREES - The Woodland to the West of the former Thomas Percy School is designated as Local Green Space in the ADNP for its 'tranquillity'. As the development will abut this green space area it will have a negative impact on the tranquillity for which it was designated - ADNP Policy ENV3 and table ENV2.</p> <p>There are a number of trees which are proposed to be taken out as part of the development.</p> <p>ATC would like to be involved in any discussion regarding possible Section 106 contributions with reference to this site.</p>
<p>Alnwick Town Council 1st Response</p>	<p>Objection;</p> <p>Alnwick Town Council OBJECTS to this planning application. This is a green field site which is not identified in the Alnwick & Denwick Neighbourhood Plan for housing. The Neighbourhood Plan makes provision for a small number of 'windfall' sites to come forward during the period 2015-2031. It is anticipated in the ADNP that windfall dwellings will be approximately 50 units over the plan period (equivalent to about 3 a year). This development would therefore supply a much larger number of houses than a usual 'windfall' site.</p> <p>LOCATION - There is no visual or landscape assessment with the application. The site is at the top of the ridge above Alnwick and visible from numerous points to the South and East of the town which the Town Council</p>

	<p>consider to be a highly visible site with the capacity to alter views of the town from these aspects. The Town Council feels that the proposed development would 'harm the distinctive landscape or historic character of Alnwick' - ADNP Policy HD1.</p> <p>The proximity of the Grade 11* listed Camp Hill Column to the proposed development is significant as it is only 225 m from the edge of the site. In addition, the proximity to Camphill Cottage, which is also believed to have listed status, and is directly adjacent to the site will also be significant. These two structures which were previously in a rural setting must be considered carefully as there could clearly be significant negative impacts - ADNP Policy HD3</p> <p>ACCESS - The proposed access down Hope House Lane is a serious concern as there is NO footway or cycleway on the last section beyond the junction with the Meadow Riggs estate. For a sustainable location this must be addressed both for prospective residents and for the large number of pupils which use the route daily to access the Duchess Community High School from the Barresdale and Chapel Lands estates. ADNP Policies TRA1 & 2 Furthermore there is some concern regarding the sharp corner in the road at this point and the safety of all road users on what will become a road junction.</p> <p>Policy H3 ADNP states that on sites over 0.25 Ha in size there will be houses with a mix of formats and over 1 Ha in size there will be a mix of tenures except in exceptional circumstances. The site is 2.5 Ha and no exceptional circumstances are present so a mix of 4/5 bedroom houses is contrary to this policy. Developments of over 10 houses must have 15% affordable housing (on-site by NCC preference) and the application does not contain any information about this. This proposal is contrary to this policy too, although it is accepted that these matters may be dealt with in the reserved matters application to follow, or through a Section 106 agreement.</p> <p>GREEN SPACE AND TREES - The Woodland to the West of the former Thomas Percy School is designated as Local Green Space in the ADNP for its 'tranquillity'. As the development will abut this green space area it will have a negative impact on the tranquillity for which it was designated - ADNP Policy ENV3 and table ENV2. There are a number of trees which are proposed to be taken out as part of the development.</p> <p>ATC would like to be involved in any discussion regarding possible Section 106 contributions with reference to this site.</p>
Affordable Housing (AH)	<p>Obligation Required; £101,250</p> <p>This site is not a suitable location for affordable homes and a commuted sum will be required in this instance.</p> <p>Although the draft Northumberland Local Plan indicates that to deliver affordable homes to meet the needs of those not met by the market, a minimum of 20% of homes on new permissions will be expected to be provided as affordable housing products, a 15% requirement is currently sought in this instance.</p> <p>However, please note that as the planning application progresses, the affordable housing requirement may change when the implications of the updated SHMA are considered further. You will of course be notified, if the affordable housing requirement changes.</p>

	<p>In this case the applicant is proposing to provide a site for 19 no. large self build homes. The plots will be sold to individual purchasers who will apply for reserved matters based on custom designs. It is therefore not appropriate to seek any on site affordable housing and a commuted sum will be required in this instance.</p> <p>A commuted sum of £101,250 is required based on the assumption that at the time planning permission is granted the contribution rate has not increased to 20% and that the applicant can provide suitable RICS evidence of the anticipated values.</p> <p>It is suggested that the sum is payable in 2 equal tranches, the first after the 5th plot has been sold and the second after the 10th plot has been sold. The requirements when finalised should be detailed in a section 106 agreement.</p>
Education - Schools	<p>Obligation Required; £102,000</p> <p>Primary The primary school in the catchment area is Swansfield Park Primary. Its current roll is 304 of a total capacity of 315, it is therefore 96.5% full, before any consideration is given to developments approved but not yet built. A primary contribution for the 3 places likely to be generated by this development is therefore requested.</p> <p>Secondary The high school within the catchment area is the Duchess School Alnwick. Its current role is 1184 of a total capacity of 1200, it is therefore 98.6% full, before any consideration is given to 826 approved properties yet to be delivered in the Alnwick partnership area and the potential 94 students arising from these. A contribution is therefore requested in relation to the 2 additional pupils generated by this development.</p> <p>SEND Provision Due to the relatively small size of the development and consequently the relatively low probability of an impact on SEN pupil numbers, no SEN contribution is requested.</p> <p>Summary and Conclusion A total contribution of £102,000 is requested in respect of this development, on the basis of primary and secondary school place requirements.</p>
County Archaeologist (CA) 1st Comment	<p>Further Information Required;</p> <p>It is considered that the proposed development site retains a high potential for significant unrecorded archaeological features and deposits, of prehistoric and later date. Paragraph 189 of the NPPF is clear that in these circumstances the LPA should require the developer submit a desk-based assessment and, where necessary, a field evaluation to inform the the determination of the application.</p> <p>In this case intrusive evaluation trenching is the appropriate evaluation requirement, given the results of the geophysical survey. The results of evaluation would help inform the scope and detail of any archaeological mitigation work which may be required. This might include, for example, targeted programmes of archaeological excavation and/or monitoring or the identification of areas which should be subject to 'mitigation by avoidance' (preservation in-situ of archaeological features).</p> <p>As a result, I would request that the application is not determined until the programme of trial trenching has been completed and submitted in support</p>

	of the application, to enable an informed archaeological response to be provided.
County Archaeologist (CA) 2nd Comment	<p>Policy background – historic environment - The application has been considered in line with paragraphs 8, 11, 184, 185, 187, 189, 190, 197 and 199 and footnote 63 of the National Planning Policy Framework (NPPF). Assessment of the Trial Trenching report - The trial trenching report has demonstrated that the potential features of archaeological origin identified by the geophysical survey were caused by variations within the underlying natural deposits. No archaeological features or deposit of significance were revealed during the trial trenching.</p> <p>Advice - Based on the results of the programme of archaeological trial trenching, it can be concluded that the proposed development is unlikely to impact on significant archaeological remains. As a result, I have no objections to the application and no further archaeological work is required.</p>
Building Conservation (BC)	<p>No Objection; No Harm</p> <p>It is considered the development proposal will not result in a harmful impact to the setting of the identified listed buildings. However, the final design of the dwellings, particularly their appearance, scale and character should aim in providing a material palette that is sensitive and fitting to that of the character of the setting. This would be in order to properly assess the indirect impacts to the setting of the identified listed building. A statement that addresses any potential heritage impacts should also be included with a subsequent planning application.</p>
Historic England (HE)	<p>No Comment;</p> <p>Thank you for your letter of 2 October 2018 regarding the above application for planning permission. 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> <p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals.</p>
County Ecologist (CE)	<p>No Objection; Conditions Advised & Obligation Required - £9000</p> <p>Thank you for this reconsultation. I note the application has been reduced from 19 to 15 dwellings. As such, and given the retention of landscaping to the boundaries of the site, I do not feel that further bat transect surveys are necessary.</p> <p>The Ecology Report Alnwick Golf Club Preliminary Ecological Appraisal, PennAssociates February 2018 identifies the site as a semi-improved grassland with some interest features to the boundaries including mature trees and stone walls. Alnwick Golf Club Bat Survey Report, Site 2 (East Site) Penn Associates July 2018 identifies no roosting bats in trees or structures on the site but confirms the site is important for commuting and foraging bats. I would add the value of the boundaries of the site is even greater when other developments nearby are considered.</p> <p>The applicant has agreed (agent email dated 19/04/2018) to contribute to a strategic mitigation fund, the Coastal Mitigation Service, which will allow the Council to rule out significant effects on the coastal designated sites which may be affected by recreational disturbance. HRA is attached.</p>
Natural England (NE)	<p>No Comment;</p> <p>Natural England has no comments to make on this application.</p> <p>Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can</p>

	<p>use to assess impacts on protected species or you may wish to consult your own ecology services for advice.</p>
Public Health Protection (PHP)	<p>No Objection; Conditions & Informatives Advised</p> <p>In principle the Public Health Protection Unit does not object to this proposal subject to the measures detailed in the application documents being implemented as stated. We also recommend to the Local Planning Authority that the recommended conditions and informatives be included in any decision notice.</p> <p>The Public Health Protection Unit previously objected to this application as the applicant had not considered the risk to the proposed development from stray golf balls from the neighbouring golf course. The applicant has now acknowledged this risk which allows the Public Health Protection Unit to recommend relevant condition to address this.</p> <p>The Public Health Protection Unit are not aware of any former contaminative use onsite or adjacent to the site other than agriculture.</p> <p>Public Health Protection have reviewed the submitted Phase 1 report and would agree with the conclusion that the potential risks are as above and would support the view that an intrusive investigation is undertaken.</p> <p>The site would not appear to be impacted by any obvious sources of significant noise and therefore a noise impact assessment will not be required.</p>
Highways Development Management (HDM)	<p>No Objection; Conditions & Informatives Advised</p> <p>This application seeks outline approval with all matters reserved, except access; therefore this assessment considers the principle of 19 dwellings at the development site. In highways terms, this includes the means of vehicular access and the impacts of the traffic on the local network, together with Equality Act 2010 compliant pedestrian/cycle connectivity.</p> <p>It is considered that the proposed development is in accordance with the National Planning Policy Framework and Alnwick and Denwick Neighbourhood Plan, in highway terms and the principle of the development is acceptable.</p> <p>It is recommended that, as a result of this development, the footway is widened and extended to the north of the site, adjacent to the bend on Hope House Lane. Additional works/land is required to connect the footway to the existing footway network at the junction of the Meadow Riggs estate, which will involve Public Open Space land (inside of bend). In addition, street lighting is required to be provided along the route between Meadow Riggs estate junction and the development site.</p> <p>The internal aspects of the development such as the alignment of estate road, parking, cycle storage and refuse servicing strategy will be considered at the resultant Reserved Matters stage, should outline permission be granted.</p>
Public Rights Of Way (PRW)	<p>No Objection; Informative Advised</p> <p>I have no objection to the application on the condition that the Public Bridleway No.13 is protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.</p>
Lead Local Flood Authority (LLFA)	<p>No Objection; Conditions & Informative Advised</p>

	We have no objection to the application provided the recommended conditions are added onto the application.
Northumbrian Water Ltd (NWL)	<p>No Objection; Condition Advised</p> <p>A Pre Development Enquiry was carried out in June 2017 which advised: "The foul flows can discharge without restriction into the foul network via manhole 8904. If the developer prefers to discharge the flows into the Section 104 sewer which ultimately discharges into manhole 8904, then they need to speak to Taylor Wimpey to confirm the available capacity within the Section 104 network as it has not yet been adopted by Northumbrian Water.</p> <p>In this instance, if the developer is wishing to connect surface water flows from this development into the Taylor Wimpey development then they will need to speak directly with Taylor Wimpey to discuss this as no flows from this development will be discharging into our network."</p> <p>We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Proposed drainage plan". In this document it states; "Connections in to foul and surface water sewers within Greenfields development- max surface water discharge 5 litres per second". Greenfields is the Taylor Wimpey site as mentioned in the Pre Development Enquiry.</p> <p>We would therefore request that the advised condition be attached to any planning approval, so that the development is implemented in accordance with this document.</p>
Architectural Liaison Officer - Police	<p>Comment;</p> <p>I have looked through the documents from a crime prevention point of view and given that it is, at this stage, an outline application there is insufficient information available to either object or support.</p> <p>I would ask that if granted that the applicant is given my details with a recommendation they make contact in order to discuss security issues with the plot and also the units which will be built although I realise these will be self-build and therefore their design may be different throughout the site it should still be possible to include specifications given in the police approved security scheme Secured By Design (SBD).</p>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	25
Number of Objections	14
Number of Support	0
Number of General Comments	0

Notices

Site Notice - Major Development, affecting LB & PROW - 12th April 2018

Press Notice - Northumberland Gazette 19th April 2018

Summary of Responses:

5.1 14 objections were submitted raising the following issues:

- Adverse landscape impact;
- Impact on ecology;
- Highway capacity issues;
- Highway safety issues; and,
- Drainage issues relating to surface water.

5.2 In addition, issues relating to loss of view, home values and impacts over the construction period were also raised but are not material to the consideration of the application.

5.3 Further issues were raised relating to the location of a septic tank relative to the development site and the impact it may have. This matter would fall as a civil matter to be considered at the implementation.

5.4 Alnwick Civic Society have set out that the land is not identified within the Alnwick & Denwick Neighbourhood Plan as an allocated site, that the access arrangements are unsuitable and that raised issues over the landscape impact of the proposal.

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=P5ULN6QSN2Q00>

6. Planning Policy

6.1 Neighbourhood Plan Policy

ADNP - Alnwick & Denwick Neighbourhood Plan (2017)

H1 Quantity of housing

H2 Location of housing development

H3 Ensuring a choice of housing

H4 Housing design

TRA1 Walking

TRA2 Cycling

ENV1 Providing new green space through development

ENV4 Protecting biodiversity

ENV6 Protecting trees

ENV7 Landscaping of new developments

ENV8 Protecting green infrastructure

ENV9 Sustainable drainage systems

ENV11 Reducing light pollution

HD1 Protecting landscape setting

HD4 The approaches to the town

HD5 Design in the wider town

6.2 Development Plan Policy

ACS - Alnwick LDF Core Strategy (2007)

S1 Location and scale of new development
S2 The sequential approach to development
S3 Sustainability criteria
S5 Housing density
S6 Provision of affordable housing
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and enhancing biodiversity and geodiversity
S13 Landscape character
S14 Open Countryside
S15 Protecting the built and historic environment
S16 General design principles
S23 Planning obligations

ALP - Alnwick District Wide Local Plan (1997)

BE2 Regional and local archaeological significance

BE8/Appendix B Design in New Dwellings

CD32 Controlling development that is detrimental to the environment and residential amenity

TT5 Controlling car parking provision (and Appendix E)

Appendix E Car parking standards for development

6.3 National Policy

NPPF - National Planning Policy Framework (2018)

PPG - Planning Practice Guidance (2014 - as updated)

6.4 Other Documents/Strategies

SHMA - Northumberland Strategic Housing Market Assessment (2018)

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

Developer Fund for Affordable Housing Protocol (2016)

Alnwick Landscape Character Assessment Supplementary Planning Document (2011)

Northumberland Landscape Assessment (2011)

6.5 Emerging Policy

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

7. Appraisal

- 7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay.

The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007) but primarily the Alnwick & Denwick Neighbourhood Plan (2017).

The Northumberland Local Plan was published in draft for consultation on 04/07/18, in accordance with Paragraph 48 of the NPPF; the policies contained within the document at this stage carry minimal weight in the determination of planning applications.

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

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

Principle of Development

Sustainability

7.3 The application seeks residential development on a site that has not been allocated for housing within the Alnwick & Denwick Neighbourhood Plan but is otherwise considered white land which is spatially bound by existing and committed development.

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

S2 of the ACS sets out a sequential approach for development where weight is given to previously developed land or buildings before other suitable sites within the built up area of settlements. However limited weight can be

attached to this policy as the NPPF does not require a sequential test for this development type.

S3 of the ACS sets out sustainability criteria stipulating that development must satisfy the criteria with exceptions to compensate for sustainability shortcomings through condition/legal agreement but also states that it may be necessary to allow development which does not meet one or more of the criteria. These include that the development is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car, and there is adequate existing or planned capacity in the physical and community infrastructure, or that additional capacity can be provided, as well as matters of environmental impacts.

- 7.5 The site is located within Alnwick, a Main Rural Service Centre that serves as the main focus for new development within the district. The site would also be accessible to the main settlement without the need for private car, set within a predominantly residential context. Whilst the ACS serves as local plan policy, the ADNP takes primacy in decision taking.
- 7.6 *H2 of the ADNP states that housing provision will be made on sites allocated on the proposals map and follow the guidelines in Table HSG2. In respect of the major greenfield allocations, planning applications should be accompanied by a master plan or development brief.*
- 7.7 The site is not allocated within the ADNP and therefore is to be considered as a windfall site on 'white land' for the purposes of the Development Plan.
- 7.8 *Annex 2 of the NPPF provides a glossary of terms whereby Windfall Sites are sites not specifically identified in the development plan.*

Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting the housing requirement of an area. To promote the development of a good mix of sites local planning authorities should;

c) Support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes.

- 7.9 As the site is bound by development on three sides and spatially otherwise well contained within Alnwick, the site is therefore not considered to be 'open countryside' and is therefore to be considered to be outwith the provisions of policy S14. It is considered that the un-allocated state of the land and policies surrounding the delivery of housing in Alnwick would not prevent residential development from being accepted. Whilst the windfall housing position is set out as 50 over the plan period (although stated per year in the text) the number is a minimum not a maximum and would not prevent suitable sites coming forward.
- 7.10 From this, the site is considered to be a suitable location to support new residential development.

Housing Mix

- 7.11 *H3 of the ADNP states that on sites over 0.25 hectares, residential developments will be required to provide a mix of formats and sizes of dwellings to ensure a range of choice is available to meet housing need. On larger sites over 1 hectare, a mix of tenures will also be required to cater for different needs including marking housing and affordable housing.*
- 7.12 Housing mix would be more suitably addressed at the reserved matters stage but in considering the proposal as self-build plots there is considered to be a housing offer that is not in large supply within Alnwick.

Housing Land supply

- 7.13 *H1 of the ADNP sets out that housing sites will be brought forward over the plan period at a rate to provide around 1100 new dwellings between 2011 and 2031. Table HSG1 sets out that the delivery from windfall sites is expected at 50 dwellings per year.*
- 7.14 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.15 *Paragraph 73 of the NPPF sets out that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.*

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

- 7.16 As set out in paragraph 73 of the NPPF, where the strategic policies are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Northumberland's local housing need figure is currently 717 dwellings per annum. Against this requirement, and taking into account the supply identified in the Council's latest Five Year Supply of Deliverable Sites 2017 to 2022 report, the Council can demonstrate a 12.1 years supply of housing land. Therefore Northumberland clearly has more than a 5-year housing land supply, and as such, in this context, the presumption in favour of sustainable development does not apply.
- 7.17 This supply position updates that presented in the Council's Position statement following withdrawal of the draft Core Strategy (Nov 2017), and in the Five Year Supply of Deliverable Sites 2017 to 2022 report (Nov 2017) which used an Objectively Assessed Need of 944 dwellings per annum, informed by superseded evidence. While the draft Northumberland Local Plan includes a housing target of 885 dwellings per annum, given that the plan is

not yet adopted, this target has not been used for the calculation of the Council's five year housing land supply position, as to do so would not reflect the NPPF.

- 7.18 The housing land supply figure is a minimum and not a maximum, new development on sites that would alter or extend settlement limits are subject to a balanced assessment to consider whether development is sustainable having regard to Paragraph 8 of the NPPF.

Summary

- 7.19 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new housing in the area and in social terms would deliver market housing in an appropriate location, which would help to sustain the existing community and associated services, as well as being able to contribute to improvements to existing services. Its environmental role is subject to assessment of further considerations.
- 7.20 It is therefore considered that the principle of development is acceptable and in accordance with S1, S2 and S3 of the ACS, Policies H1, H2 and H3 of the ADNP and the NPPF.

Planning Obligations

- 7.21 *S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.*
- 7.22 *Paragraphs 54 and 56 of the NPPF sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Obligations must meet all of the following tests;*
- a) necessary to make the development acceptable in planning terms;*
 - b) directly related to the development; and*
 - c) fairly and reasonably related in scale and kind to the development.*
- 7.23 The following planning obligations have been assessed in respect of this application which are to be secured by legal agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended).

Affordable Housing

- 7.24 The application has put forward a development of self-build plots with no on-site affordable housing provision. The application has been subject to consultation with the Affordable Housing Officer (AH).

- 7.25 *S6 of the ACS seeks a appropriate level of affordable housing within the site on all housing sites of 10 units or more or 0.33 hectares or more in Alnwick and Amble. The policy had stated a need for 35% however this is not considered up-to-date.*
- 7.26 *Paragraph 64 of the NPPF stipulates that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.*
- 7.27 The Northumberland SHMA Update (June 2018) provides detailed market analysis of housing needs at the County level, and across local Housing market sub-areas. It also provides up-to-date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 151 dwellings per annum over the period 2017 to 2022, and recommends that 50% of affordable homes are provided for rent, and 50% provided as affordable home ownership products.
- 7.28 The updated SHMA, helped inform the 20% affordable homes requirement in the draft Northumberland Local Plan. Until the implications of the updated SHMA have been considered further, the Council will not normally seek an affordable housing contribution in excess of 15% unless other up to date evidence indicates a higher contribution is required to meet local need.
- 7.29 However, pending Cabinet ratification, at the present time of writing 15% of new homes will continue to be suggested to be provided as affordable housing products in line with the evidence from the previous 2015 SHMA.
- 7.30 AH have agreed that given the tenure of the development proposed, that an off-site contribution toward affordable housing would be an appropriate form of obligation in this situation. In calculating the amount, the applicant has provided a valuation of the end dwellings which has been measured against the Council's affordable housing protocol to derive a total contribution amount of £101,250.

Coastal Mitigation

- 7.31 When developers apply for planning permission for new residential or tourism development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects. The County Ecologist has been consulted in conjunction with Natural England.
- 7.32 *Paragraph 175 of the NPPF states that in determining planning applications, local planning authorities should apply the following principles;*

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

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

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

- 7.33 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.
- 7.34 The 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.
- 7.35 The applicant has agreed to pay £9,000 toward the Council's coastal mitigation scheme based on £600 per unit which to be secured by legal agreement. From this, the Council has completed a Habitats Regulations Screening Assessment and Appropriate Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation, and has similarly concluded that there will be no significant harm to any designated sites. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.
- 7.36 From this, the off-site ecological impacts of the development can be suitably mitigated.

Education

- 7.37 In respect of major housing applications, issues of school capacity and potential impacts of new development are considered through consultation with Education. Contributions where necessary, are sought for physical

infrastructure improvements. Issues raised during consultation are addressed in this section.

7.38 *Paragraph 94 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities going on to;*

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

7.39 The consultation response from Education sets out that there is capacity issues at both the primary and secondary catchment schools. Therefore contributions for Swansfield Park Primary and Duchess High School to fund four and two places respectively, is required based on the pupil yield from the development to form a total contribution of £102,000 which has been agreed by the applicant.

Visual Impact

Landscape

7.40 The site comprises of paddock land that sits within a open area but is adjacent existing and committed development. The main viewpoint where the site is prominent is from the the south with the land set at an incline rising to the west. The appraisal of Landscape considers the physical mass and character impact of a development proposal. Objections raised in respect of landscape and character have been considered within this section.

7.41 *HD1 of the ADNP sets out that development will be expected to be designed to avoid visual harm to the landscape character and setting of the town and loss of landscape features that contribute to local distinctiveness. Table HD1 provides a synopsis stating town largely hidden by tree cover on A1 embankment, with gaps revealing trees and fields along river banks with a large modern housing estate appearing in the background to the north.*

7.42 *S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district.*

7.43 *BE12 of the ALP seeks to resist new development which would encroach upon existing areas of open space and landscape within settlements to the detriment of the character or appearance of the settlement.*

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

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

7.45 The application has been amended to reduce the area proposed for housing to allow for a landscaped area which is at a low point where development can be seen but not be read in the context of existing buildings in the area. This amendment allows for a greater degree of separation and would provide open space that would be publicly accessible as well as providing amenity to properties within the development. The spatial arrangement of development within this part of Alnwick would increase the extent of development to the western edge but would sit adjacent a defensible boundary in the form of the wooded area to the west that borders onto the golf course.

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

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

7.47 In considering the density of the proposal, the net areas for development has been considered at 1.6ha resulting in a density of 11 per hectare. This, taken in context of the whole site and provision of an open landscaped area, would provide a suitable density for the site, affording an appropriate level of protection to the local environment and character of the area.

7.48 The landscape impact of the proposal is therefore considered acceptable and in accordance with HD1 and ENV7 of the ADNP; S5, S13 and S16 of the ACS; BE12 of the ALP and the NPPF.

Design

7.49 The application proposes self-build plots with layout to be considered now. Design considers the appearance of the development independently and as part of the immediate streetscene, the application has been submitted with a Design Strategy Document.

7.50 *HD5 of the ADNP sets out the design principles for new development outside the historic core of the town.*

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

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

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

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)

- 7.54 Having regard to other development in the nearby area, it would be expected for house types and material treatments to respect the vernacular of the area and enclosed setting of the site. A detailed assessment of the visual impact for the outline element can only be carried out at the reserved matters stage. However based on the submitted indicative plan and the Design Strategy Document, it is considered that a residential development could be accommodated on this part of the site without causing a significant adverse visual impact.
- 7.55 In order to manage this in future and notwithstanding information contained within the Design Strategy Document a condition requiring an overarching design guide for properties given that they are to be self-built to establish design principles has been set out in the recommendation.

Historic Environment

- 7.56 *S15 of the ACS sets out that the District Council will conserve and enhance a strong sense of place by conserving the district's built and historic environment.*
- 7.57 *Paragraph 184 of the NPPF sets out that Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation*

Archaeology

- 7.58 The proposed development is located in wider landscape containing archaeological features. The application has been submitted with an archaeological geophysical survey which has been reviewed by the County Archaeologist (CA).
- 7.59 *BE2 of the ALP sets out that planning permission will not be granted for development detrimental to sites of regional or local archaeological importance, unless there is an overriding need for the development and no alternative location can be found. Where the impact of the development is not clear, the developer will be required to provide an archaeological assessment.*
- 7.60 *Paragraph 189 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*

- 7.61 The CA has reviewed the submitted information concluding that whilst an assessment has been submitted, further site work is required to provide a comprehensive understanding of the potential presence of archaeological features of significance. Following these initial comments further trial trenching work has been undertaken, this has confirmed that the trial trenching report has demonstrated that the potential features of archaeological origin identified by the geophysical survey were caused by variations within the underlying natural deposits. No archaeological features or deposits of significance were revealed during the trial trenching. Based on the results of the programme of archaeological trial trenching, it can be concluded that the proposed development is unlikely to impact on significant archaeological remains.
- 7.62 As a result the CA has no objections to the application and no further archaeological work is required and is compliant in relation to the Policy S15 of the ACS and the NPPF in relation to archaeological matters.

Listed Building

- 7.63 The site is located within the vicinity of a number of Listed Buildings with the development having the potential to affect its setting. The application has been submitted with a Design Strategy Document and has been subject to consultation with Building Conservation (BC) and Historic England (HE) given the potential to affect the setting of the Grade II* Listed Camphill Column. Objections from Alnwick Town Council have been considered in this section.
- 7.64 *Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.*
- 7.65 *Annex 2 of the NPPF sets out that the setting of a heritage asset is The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*
- 7.66 The response of BC sets out that the development would not result in harmful effects to the setting of listed buildings based on the level of separation and also the relationship to existing development and landscape features in and around the site. It should however be noted that a further assessment would be required at the reserved matters stage. HE have responded without comment reverting to in house expertise.
- 7.67 Overall the impact on the setting of Listed Buildings are considered acceptable in accordance with S15 of the ACS and the NPPF.

Amenity

- 7.68 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. Due to the site's proximity to the golf course, the application has been subject to

consultation with Public Health Protection (PHP). Issues raised over the consultation period in respect of this have been considered in this section.

- 7.69 *Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.*
- 7.70 *Paragraph 127 of the NPPF states that planning decisions should;*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 7.71 As part of the consultation response from Highways Development Management (HDM), a construction method statement has been approved that secures details of on site operations during the construction period. This in turn would ensure good practise having regard to amenity issues for nearby occupants prior to completion of the development. Alongside this would be measures to manage surface water drainage as set out by the Lead Local Flood Authority (LLFA) over the construction period.
- 7.72 PHP has raised no objection on amenity grounds subject to an appropriate scheme to manage stray golf balls being implemented which has been secured by condition.
- 7.73 A detailed assessment of amenity for the outline element can only be done at the reserved matters stage. However given the proximity of neighbouring properties to the application site relative to the indicative layout, it is considered that the development could be accommodated without having a significant adverse impact on amenity in terms of privacy, mass and land use.
- 7.74 It is considered that impacts on amenity arising from the development would not have an adverse impact on neighbouring properties, proposed properties or the wider environment. The neighbour issues of the proposal are therefore considered acceptable in accordance with CD32 of the ALP and the NPPF.

Natural Environment

Ecology

- 7.75 Due to the site bordering landscaped areas with tall trees within the nearby vicinity, there is considered to be potential for the development to have on-site ecological impacts. The application has been submitted with an Ecological Assessment and supplemented with a bat survey which has been reviewed by the County Ecologist (CE).
- 7.76 *S3 of the ACS sets out within its sustainability criteria that there should be no significant adverse effects on the environment, biodiversity and geodiversity.*

S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.

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

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

7.78 The CE has set out that there are no issues arising from the proposal subject to the avoidance, mitigation and enhancement measures set out in the report welcoming the removal of plots to decrease the overall developed area. The advised conditions have been set out in the recommendation.

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

Contaminated Land

7.80 Part of the site to the east is within the low risk coal referral area. The application has been submitted with Phase 1 ground investigation reports as which has been assessed by Public Health Protection (PHP).

7.81 *S3 of the ACS sets out within its sustainability criteria that any physical and environmental constraints on the development of the land as a result of contamination, or land stability can be mitigated.*

7.82 *Paragraph 178 of the NPPF states that decisions should ensure that;*

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation.

Paragraph 179 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

7.83 PHP have raised no objection to the proposal subject to further investigations to be carried out and conditions in the event that ground gas mitigation is required or further contamination is found. It is therefore considered that issues of contaminated land can be suitably addressed in accordance with S3 of the ACS and the NPPF.

Trees

7.84 There are protected trees to the east of the site by way of Tree Preservation Order (TPO). The application has been submitted with an Arboricultural Survey Report along with a landscaping strategy with two trees to be removed

to the north-western boundary and a single tree to be felled to the southern boundary with further pruning/maintenance works proposed. Objections from Alnwick Town Council has been considered in this section.

- 7.85 ENV6 of the ADNP provides the framework for assessing proposals that affect trees of good arboricultural and amenity value seeking replacement planting with equivalent trees. Proposals that affect trees subject to this policy should be accompanied by a tree survey and proposals should be designed to retain ancient trees or retain or replace trees of arboricultural and amenity value with equivalent trees.
- 7.86 The County Ecologist had reviewed submitted information raising no objection to the proposal. The trees to be felled is not protected by way of TPO and are not of a quality to warrant retention (one being dead). Subsequent removal of protected trees would require a further application or detailing with a future Reserved Matters application.
- 7.87 The impact on trees is therefore considered acceptable in accordance with ENV6 of the ADNP.

Transport

- 7.88 Access is not being considered at this time however the indicative plans show that the site would be accessed from an existing route running through the golf club and that services 17/03074/REM.
- 7.89 Highways requirements for the development and off-site impacts through the provision of a safe means of access for vehicles, pedestrians and the delivery of appropriate off-site works. In addressing highway safety, on and off-site issues are considered in consultation with Highways Development Management (HDM).
- 7.90 Furthermore as the development affects rights of way, the Council's Public Rights of Way (PRW) team has been consulted. Objections have been received on highways grounds which have been considered as part of this section.
- 7.91 *S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.*
- 7.92 *Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

Highway Safety

- 7.93 The development would be accessed from Hope House Lane which is to be subject to re-alignment with a footway to improve visibility and safety comparatively. In addition, the proposal and its neighbouring development (for ten dwellings) does not raise issues of capacity onto the road network. HDM have reviewed the submission and raised no objection in terms of highway

safety following amendments to the scheme to secure provisional details of off-site works. The conditions set out by HDM have been set out in the recommendation. Notwithstanding this a further assessment would be carried out at the Reserved Matters stage.

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

Sustainable Transport

- 7.95 Sustainable transport looks at issues around pedestrian, cyclist and public transport connectivity with the site along with infrastructure.
- 7.96 *TRA1 of the ADNP stipulated that proposals will be required to have safe and convenient pedestrian access. The enhancement of provision for walking including public rights of way will be supported.*

TRA2 of the ADNP requires proposals for major development to have safe and convenient cycle access. The enhancement of provision for cycling including existing cycle routes will be supported

- 7.97 *Paragraph 110 of the NPPF sets out that applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards*

- 7.98 The development would provide the following to provide/improve sustainable transport;

- Widening and resurfacing of existing footway on Hope House Lane.
- New footway connecting to the existing footway network at Meadow Riggs estate road junction.
- Works to the public right of way route to facilitate connectivity to the proposed footway/cycleway infrastructure within the Taylor Wimpey residential development.

- 7.99 The benefits delivered from the works are considered to provide connectivity to and within the site as well as improving pedestrian/cycle access for other developments in the nearby vicinity.

Public Rights of Way

- 7.100 There are existing public rights of way spanning the east and southern perimeters of the site, there are no works proposed to them. Proposals that

affect rights of way are subject to consultation with the Council's Public Rights of Way team. (PRW)

- 7.101 *ENV8 of the ADNP supports the enhancement of public rights of way within the plan area.*
- 7.102 *Paragraph 98 of the NPPF states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*
- 7.103 PRW have raised no objection subject to a condition to maintain the path throughout the course of development which has been set out in the recommendation.
- 7.104 The impacts on Public Rights of Way is therefore acceptable in accordance with ENV8 of the ADNP and the NPPF.

Water Management

- 7.105 The proposal has indicatively set out a mains connection for foul drainage with surface water attenuated via a Sustainable Drainage System (SuDS) basin which would be located to the south of the site. The application is for major development and has been accompanied by a flood risk and drainage strategy which has been subject to consultation with the Lead Local Flood Authority (LLFA) and Northumbrian Water (NWL).
- 7.106 *Paragraph 165 of the NPPF states that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*
- 7.107 NWL has raised no objection subject to a condition to secure details of surface and foul water drainage. The LLFA have also raised no objection subject to further details of a detailed drainage strategy, to ensure that the basin is of a suitable design and integrity and that surface water can be suitably alongside a drainage strategy but would be subject to further assessment at Reserved Matters.
- 7.108 From this it is considered that water management can be successfully undertaken on site in accordance with the NPPF.

Other Issues

Public Consultation

- 7.109 In response to issues raised by Alnwick Town Council over the consultation period that have not been addressed in the main body of the report;
- 7.110 Site is not classed as a windfall due to number
Whilst the ADNP sets out that the windfall housing position is 50 altogether (though the text states per year) the site is not subject to restrictive policies or allocations that would prevent development in this location and therefore

cannot be rejected on the basis that it doesn't meet the supporting text's windfall provision.

- 7.111 Site does not provide segregated footpath from Chapel Lands/Upper Barresdale and other improvements
The application was amended to shoe delivery of off-site highway works that would suitably connect the site to the wider area benefiting the occupants of dwellings as well as others nearby. Whilst a route along here would be desirable, it would not be considered necessary to make the development acceptable. Other requested routes would be disproportionate to the quantum of development proposed.
- 7.112 Inadequate mix of tenures
Whilst the proposal is for self-build plots set out in the application form to be larger dwellings, the proposal would provide a suitable affordable housing provision (off-site) and further consideration of tenure would be made at Reserved Matters stage whereby the scale and size of properties would be assessed in detail.
- 7.113 Impact on tranquility of designated open green space that the site abuts
The site does not abut allocated local green space.

Conditions

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

Procedural Matters

Equality Duty

- 7.116 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

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

Human Rights Act Implications

- 7.118 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.
- 7.119 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 7.120 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

Planning Balance

- 8.1 The location of development is considered a suitable location for new residential properties. It is acknowledged that there will be an environmental impact resulting from the introduction of development to the area although this impact in part is lessened through amendments to secure a landscaped area which is confirmed as part of the proposal's layout.
- 8.2 *Paragraph 8 of the NPPF sets out the three overarching objectives (economic, social and environmental) stating that they are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure gains across each of the different objectives).*
- 8.3 *Paragraph 9 of the NPPF sets out that the objectives are not criteria which every decision can or should be judged and that planning decisions should play an active role in guiding development towards sustainable solutions, but*

in doing so take local circumstances into account, to reflect the character, needs and opportunities of each area.

- 8.4 There are no restrictive policies to prevent development in this location, considered as white land in the Development Plan. The area of open space is essential in mitigating the landscape impact for the development to read as part of the existing built form.
- 8.5 On this basis the environmental impact of the proposal is not considered to be significant given the spatial constraint of existing and committed development that would sit adjacent to the golf course with open countryside beyond.
- 8.6 From this, the environmental impact can be suitably mitigated through the planning obligations and conditions set out in the report.
- 8.7 The proposal is therefore considered sustainable development in the context of the NPPF.

Summary

- 8.8 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Neighbourhood Plan and Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.
- 8.9 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.
- 8.10 A S106 Legal Agreement to secure the obligations/contributions is set out in the recommendation.
- 8.11 The technical issues affecting the proposal have been suitably addressed to progress the application committee. However there are outstanding archaeology matters which are to be resolved prior to a decision being issued.
- 8.12 Subject to resolution of the outstanding matter, the application would have addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.

9. Recommendation

That this application be GRANTED permission subject to the following conditions and informatives set out below; and a Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:

- £101,250 Off-Site Affordable Housing Contribution
- £102,000 Education Contribution;
- £9000 Coastal Mitigation Contribution.

Conditions

01. Time to Commence Development

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

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

02. Approved Outline Site

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

1. 1724-SBP-01A - Location Plan - Self Build Plots

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

03. Reserved Matters

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

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

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

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

04. Approved Reserved Matter: Layout

The development Layout hereby permitted as a Reserved Matter shall be in complete accordance with the approved plan. The approved plan is:-

1. NT13194-011 Rev G - General Arrangement (Residential Scheme)

For the avoidance of doubt, the Layout elements of the approved plan is only applicable in respect of this condition.

Reason: To provide the detailed layout for the development.

Development Management

05. Design Guide to be Submitted

Prior to submission of the reserved matters a Design Strategy Document shall be submitted to and approved in writing by the Local Planning Authority. The document shall;

- a) Make clear reference to the location of the site as within but on the edge of Alnwick, the local built vernacular including regard for the provisions within the Alnwick & Denwick Neighbourhood Plan;
- b) The document shall provide specific guidance on the scale of the new dwellings;
- c) The palette of materials for the site;
- d) Design features and detailing including information regarding form; and
- e) Landscaping principles for boundary treatments within the site.

The development shall thereafter be carried out in accordance with the principles of the approved document.

Reason: To achieve a satisfactory form of development in the interests of visual amenity and in accordance with the provisions of Policy HD5 of the Alnwick and Denwick Neighbourhood Plan and the National Planning Policy Framework.

County Ecologist

06. Details of Biodiversity Enhancement & Landscaping Plan to be Submitted

No development will take place until a biodiversity enhancement and landscaping plan for the whole site to include;

- a) mitigation and enhancement measures as detailed in the reports Land to South of Alnwick Golf Course, Alnwick, Northumberland June 2017 (Stuart Johnson) Alnwick Golf Club Preliminary Ecological Appraisal, Penn Associates February 2018 and Alnwick Golf Club Bat Survey Report, Site 2 (East Site) Penn Associates July 2018;
- b) This will include in-built bird/bat provision at a ratio of one item per dwelling, and details of bat boxes to be placed in trees around the site; and
- c) Program of delivery.

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

Reason: Reason: to maintain and enhance the biodiversity value of the site in accordance with the provisions of the National Planning Policy Framework

07. Works in Accordance with Report

No development will take place unless in accordance with the recommendations regarding tree protection and best construction practice included in the report Land to South of Alnwick Golf Course, Alnwick, Northumberland June 2017 (Stuart Johnson) and BS 5837: Trees in Relation to Design, Demolition and Construction - Recommendations, 2012

Reason: to maintain and enhance the biodiversity value of the site in accordance with the provisions of the National Planning Policy Framework.

08. Accordance with Mitigation

No development will take place unless in accordance with the mitigation as proposed in the reports Alnwick Golf Club Preliminary Ecological Appraisal, Penn Associates February 2018 and Alnwick Golf Club Bat Survey Report, Site 2 (East Site) Penn Associates July 2018 including;

- a) Incorporate locally native planting into the landscape scheme including species rich native hedgerows and native trees around the site will
- b) Retain and enhance planting along the boundary of the site, particularly the western, eastern and southern boundaries (Hope House Lane), as commuting and foraging habitat.
- c) All mature trees should be retained and protected during construction works. Including tree protection measures in accordance with BS 5837: Trees in Relation to Design, Demolition and Construction - Recommendations, 2012
- d) All works to mature trees with bat potential is undertaken to the method statement
- e) External lighting of the site that may reduce bat use will be avoided. Lighting in areas identified as being important for bat species, such as the trees and hedgerows along Hope House Lane, will be low level and directional and follow Bat Conservation Trust Guidelines.
- f) Provide enhancement for bats through the provision of bat roosts e.g. integral Habitat boxes to be provided within any new development at the
- g) A selection of 8 woodcrete bird boxes should be installed on the existing mature trees to replace lost nesting sites within the stables and trees.
- h) Eight woodcrete bat boxes should be installed on mature trees around the site

Reason: to maintain and enhance the biodiversity value of the site in accordance with the provisions of the National Planning Policy Framework.

09. Restrict Site Clearance

No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless an ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law.

Public Health Protection

10. Details of Potentially Contaminated Land to be Submitted

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) The Phase 1 Desktop Top Study has identified further site investigations to be required, this 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.
- b) 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.
- c) 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.

11. Details of Ground Gas Protection to be Submitted

No buildings shall be constructed until a report detailing;

- a) the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard CS2 as required in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings);
- b) The validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases); and
- c) Programme of delivery

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

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties in accordance with the National Planning Policy Framework.

12. Validation and Verification of Ground Gas Protection

The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in the Condition titled;

'Details of Ground Gas Protection to be Submitted', which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of mine gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

13. Details of Further Contamination to be Submitted

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.

14. Details of Stray Golf Ball Protection to be Submitted

Prior to occupation of the first dwelling, full details of the scheme to protect the proposed dwellings from golf balls emanating and straying from the golf course/driving range to include;

- a) Details of the proposed mitigation measures;
- b) Size and location of the mitigation;
- c) Details of maintenance;
- d) Program of delivery.

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

Reason: To ensure safety of the occupants of the proposed development and to ensure the operation of the golf course is not inhibited adversely by the occupation of the proposed development.

Highway Development Management

15. Construction Method Statement to be Submitted

Development shall not commence until a Construction Method Statement where applicable, to provide for:

- a) details of temporary traffic management measures, temporary access, routes and vehicles, accommodation works for layby and recycling facility adjacent to Denwick Lane;
- b) vehicle cleaning facilities;

- c) the parking of vehicles of site operatives and visitors;
- d) the loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development
- f) measures to control the emission of dust and dirt;

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.

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

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

Notwithstanding the details provided, no dwelling shall be occupied on the development area unless schemes to provide:

- a) Realignment and widening of carriageway on Hope House Lane, U3124; installation of 'Stop and Go' priority system on Hope House Lane; together with drainage, street lighting, road markings, signage and associated works;
- b) Widening and resurfacing of existing footway on Hope House Lane and provision of new footway connecting to the existing footway network at Meadow Riggs estate road junction, together with drainage, street lighting and associated works;
- c) Construction of site access/junction to Hope House Lane, together with associated works;
- d) Pedestrian connectivity improvements from the site to existing/approved infrastructure on the eastern / south east boundary of the site, together with associated works; and
- e) Program of delivery.

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

Reason (a): In the interests of highway safety, amenity and in accordance with the National Planning Policy Framework and saved Policies within the Alnwick and Denwick Neighbourhood Plan.

Reason (b): In the interests of pedestrian safety, amenity and encouraging sustainable modes of travel and connectivity to local facilities, in accordance with the National Planning Policy Framework and saved Policies within the Alnwick and Denwick Neighbourhood Plan.

Reason (c): In the interests of highway safety, amenity and in accordance with the National Planning Policy Framework and saved Policies within the Alnwick and Denwick Neighbourhood Plan.

Reason (d): In the interests of cyclist/pedestrian safety, amenity and encouraging sustainable modes of travel and connectivity to local facilities, in accordance with the National Planning Policy Framework and saved Policies within the Alnwick and Denwick Neighbourhood Plan.

17. Details of Adoptable Streets to be Submitted

Prior to occupation of the development, details to include;

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

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

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

18. Details of Car Parking to be Submitted

No dwelling shall be occupied until details of;

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

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

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

19. Details of Cycle Parking to be Submitted

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

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

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

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

20. Details of Refuse Storage & Strategy to be Submitted

The development shall not be occupied until details of;

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

c) Programme of delivery.

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

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

21. Details of Surface Water Drainage from Private Land to be Submitted

Prior to occupation of development, details of;

- a) Surface water drainage to manage run-off from private land to the adoptable highway elements of the estate;
- b) Maintenance details; and
- c) Programme of delivery

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

Northumbrian Water

22. In Accordance with Drainage Scheme

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled;

'Proposed drainage plan' dated 19/03/18

The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 8904.

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

Lead Local Flood Authority

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

Prior to commencement of development, details to include;

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

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

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

24. Details of Surface Water Drainage to be Submitted

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

- a) Restrict discharge from the development to Qbar for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by LLFA and the local planning authority;
- b) Adhere to the principles as set out in the drainage strategy and drainage drawings from Wardell Armstrong:
"Land off Alnwick Castle Golf Course; Residential development" reference 13194 and drawings "Drainage Strategy for residential scheme" Ref N13194T-007
"Drainage Strategy for whole site" Ref N13194T-013;
- c) Provide attenuation on site for the 1 in 100 year plus climate change event;
- d) A management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or the other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
- e) Program of delivery.

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

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

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

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

- a) Ensure the structural integrity of the drainage system and any adjacent structures or infrastructure;
- b) Anticipate loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance; c) The pond will be located outside of floodzones 2 and 3 and include mitigation measures to prevent fluvial flood water entry if bordering the floodzones;
- d) Provide long and cross sectional drawings; and
- e) Set out the program of delivery

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

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

Informatives

1. Pre-Application Discussions for Site Layout

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

2. 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 - Submission of details of adoptable streets

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

4. Section 38 Agreement and adoption of highways

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

5. Section 278 Agreement and works in adopted highway

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

6. Technical Approval of Highway Structures

You should note that Technical Approval of Highways Structures is required. You should contact Highways Operations on 01670 622967.

7. Road Safety Audits

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

8. Highway Condition Survey

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

9. Contact Lighting Section

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

10. Restriction on Deliveries / Collections during the Construction Phase

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

Monday to Friday - 0800 to 1800

Saturday - 0800 to 1300

and not at all on Sundays or Bank Holidays.

11. 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.

12. Statutory Nuisance

Please be aware that failure to address issues of noise, light, and dust from the development does not preclude action by the Council under Section 79 of The Environment Protection Act 1990 in respect of statutory nuisance should legitimate complaints be received.

13. Burning Materials Onsite

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

14. Protect Public Bridleway

Please note that Public Bridleway No.13 is protected throughout. No action should be taken to disturb the path surface, without prior consent from Public Rights of Way as Highway Authority, obstruct the path or in any way prevent

or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.

15. Low Risk Coal Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: <https://www.gov.uk/government/organisations/the-coal-authority>

16. Drainage Information

Any areas of hardstanding areas (car parks, driveways etc.) within the development shall be constructed of a permeable surface so flood risk is not increased elsewhere.

There are three main types of solution to creating a permeable surface: Using gravel or a mainly green, vegetated area. Directing water from an impermeable surface to a border rain garden or soakaway. Using permeable block paving, porous asphalt/concrete. Further information can be found here

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

In addition the development should explore disconnecting any gutter down pipes into rain water harvesting units and water butts, with overflow into rainwater garden/pond thus providing a resource as well as amenity value and improving water quality

17. Hydro Brakes

Any Hydro Brakes proposed should not have a diameter smaller than the diameter of a soft drinks or Tennis ball. This reduces the risk of blockage. If diameters are smaller detail should be provided on mitigation measures undertaken to reduce the risk of blockage.

Date of Report: 08.10.2018

Background Papers: Planning application file(s) 18/01020/OUT