

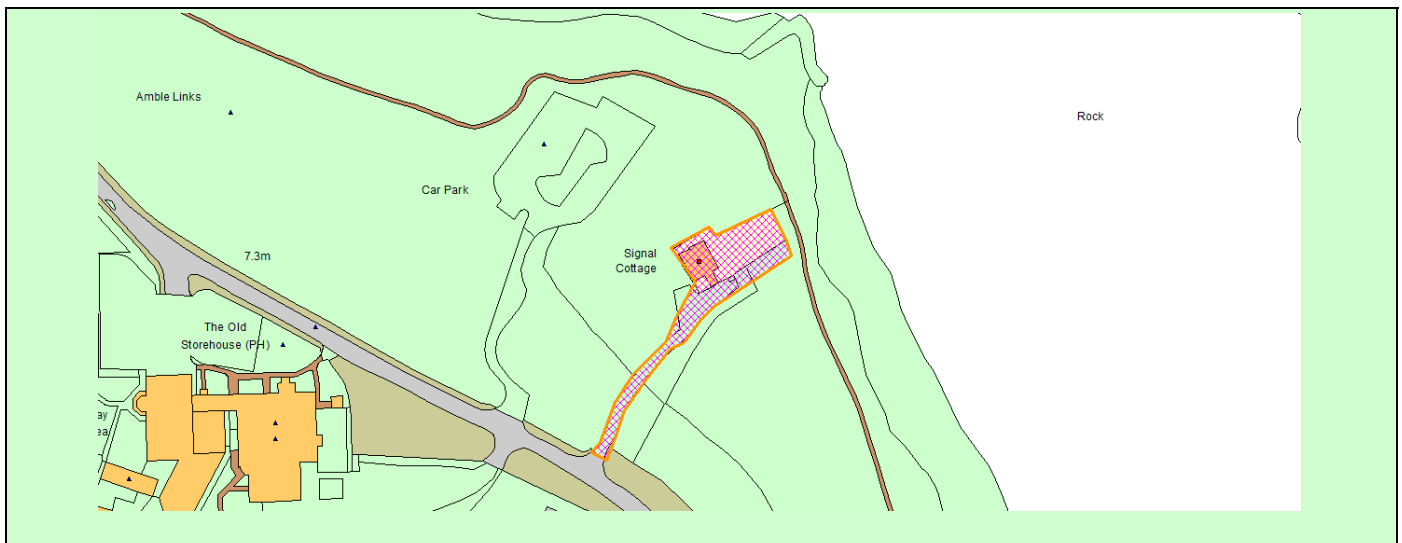


# Northumberland County Council

## North Northumberland Local Area Committee 21st March 2019

<b>Application No:</b>	18/03961/FUL		
<b>Proposal:</b>	Erection of 3 dwellings with vehicular access and boundary treatments (amended 28th February 2019).		
<b>Site Address</b>	Signal Cottage, Island View, Amble, Morpeth Northumberland NE65 0SF		
<b>Applicant:</b>	Mrs Tracey & John May C/O Xsite Architecture LLP	<b>Agent:</b>	Mr Tim Bailey Arch 6, Stepney Bank, Newcastle Upon Tyne, NE1 2NP
<b>Ward</b>	Amble	<b>Parish</b>	Amble By The Sea
<b>Valid Date:</b>	23 November 2018	<b>Expiry Date:</b>	28 February 2019
<b>Case Officer Details:</b>	Name: Mr Chris McDonagh Job Title: Planning Officer Tel No: 01670 622646 Email: Chris.McDonagh@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



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## **1. Introduction**

1.1 Under the provisions of the Council's current Scheme of Delegation, where applications raise significant planning issues and objection from a Town or Parish Council, they are referred to the Head of Planning Services and Planning Committee Chairs for consideration to be given as to whether the application should be referred to a Committee for determination. The matter has been duly considered under these provisions at which time it was confirmed that the application should be determined by the North Area Planning Committee (NNLAC) as the proposal raises issues due to the prominence of the site and the design issues raised by the scheme.

1.2 The application was previously considered by NNLAC in April 2018 under 16/04630/FUL, which was refused on the grounds of visual impact by virtue of the proposal's height, design and massing which would have a significant adverse impact on the immediate area and wider landscape. Since this application was considered, the proposal has been revised considerably in cooperation with planning officers.

1.3 A further amendment to the proposal was received on 28th February 2019 to remove the central viewing tower following concern from officers at NCC.

## **2. Description of proposals**

2.1 The application seeks full planning permission for the erection of a building containing three residential units at the former Signal Cottage, Amble. The application site is located on the eastern outskirts of Amble and is surrounded by an established grassed dune system. Prior to this application being submitted, and the aforementioned 16/04630/FUL, a bungalow stood on the site which has since been demolished. The site would be accessed via an existing access point off the Links Road.

2.2 External elevations of the building would be finished in a combination of stone, render and cladding, with aluminium windows and doors. The ground level would be partially sunk below the ground level by 1.5m to reduce landscape impact and the building's prominence in the local area.

2.3 Following the refusal of 16/04630/FUL, the Council has worked with the applicant in accordance with the NPPF to resolve issues relating to design and landscape, and visual impact as well as technical issues relating to ecology, flood risk and land stability. These issues will all be assessed in more detail within the Committee Report.

2.4 The site is located within a High Risk Coal Working Area, and was subject to consultation with the Coal Authority as a result.

## **3. Planning History**

**Reference Number:** 16/01649/FUL

**Description:** Demolish the existing bungalow and build new two storey dwelling

**Status:** APPRET

**Reference Number:** 16/02746/FUL

**Description:** Retrospective demolition of bungalow and proposed erection of building containing 1no. private dwelling house and 3 no. duplex holiday lets

**Status:** WDN

**Reference Number:** 16/04630/FUL

**Description:** The development of 3 residential dwellings including associated parking and infrastructure.

**Status:** REF

**Reference Number:** 17/01317/FUL

**Description:** Temporary location of security touring caravan, (Hobby) fencing and toilet for security of services on private freehold land previously occupied by dwelling house while waiting for planning permission for new dwelling house

**Status:** APPRET

**Reference Number:** A/ENQ/2000/002

**Description:** Site LPG tank.

**Status:** REPLY

**Reference Number:** A/ENQ/2010/0300

**Description:** Covering existing roof of garage and conservatory with tiles

**Status:** REPLY

**Reference Number:** A/2000/0038

**Description:** LPG Tank

**Status:** PER

#### 4. Consultee Responses

Lead Local Flood Authority (LLFA)	<b>No objection</b>  Subject to condition and mitigation proposed
Amble Town Council	<b>Objection</b>  <i>Amble Town Council Object to this planning application.</i>  <i>All previous comments and objections remain the same. We still feel that this is an overdevelopment on this site which was previously a small bungalow.</i>  <i>The working methods described in the 'Report to Support an Appropriate Assessment' should be strictly adhered to in order to minimise any adverse impacts.</i>  <i>In the previous application there was a poor attempt to soften the outline with planting. They have not bothered this time. It has been ATC policy to</i>

	<p><i>object to any development on the dune which are east of the coast road ever since the removal of the campsite and cafe.</i></p> <p><i>During the site visit for the previous application, it was agreed that services would be rerouted underground, I note this time there is to be a septic tank, this should be connected to the main sewers.</i></p> <p><i>The viewing platform on top of the imitation Martello tower will be exposed therefore we expect a future request to add a conservatory on top. Amble Town Council would object to this.</i></p> <p><i>Is the previously adopted coastal policy for this area still relevant? In this policy it stated that no new development would be permitted on this area of the coastline and this was the reason that caravans were moved off and a caravan park developed. If this policy has not been rescinded then the committee would respectfully suggest that as the original property has been demolished already, that this application should be refused on these grounds.</i></p>
Highways	<p><b>No objection</b></p> <p>Subject to conditions</p>
County Archaeologist	<p><b>No objection</b></p> <p>Subject to conditions</p>
County Ecologist	<p><b>No objection</b></p> <p>Subject to conditions and mitigation secured through Unilateral Undertaking.</p>
Public Protection	<p><b>No objection</b></p> <p>Subject to conditions</p>
Waste Management - North	<p><b>No response received</b></p>
The Coal Authority	<p><b>No objection</b></p>
Coastal Erosion Team	<p><b>No response received</b></p>
Strategic Estates	<p><b>No comment</b></p>
Natural England	<p><b>No objection</b></p> <p>Subject to coastal mitigation</p>
Environment Agency	<p><b>No objection</b></p>

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	70
Number of Objections	12
Number of Support	0
Number of General Comments	0

## Notices

General site notice, posted 5th December 2018

No Press Notice Required.

### Summary of Responses:

12no objections on following grounds;

- Design
- Landscape impact
- Development larger than previous house on site
- Coastal change
- Impact on ecological sites
- Demolition of previous bungalow without permission
- No more holiday lets needed
- Financial gain to developer

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=PHVGBOQS0K500>

## **6. Planning Policy**

### 6.1 Development Plan Policy

*Alnwick Core Strategy (2007) - ACS*

S1 Location and scale of new development  
S2 The sequential approach to development  
S3 Sustainability criteria  
S10 Tourism Development  
S11 Locating development to maximise accessibility and minimise impact from travel  
S12 Protecting and Enhancing Biodiversity and Geodiveristy  
S13 Landscape character  
S16 General design principles

*Alnwick Local Plan (1997) - ALP*

RE6 Sites of Nature Conservation Importance  
R20 Rural Diversification Proposals  
TT5 Controlling car parking provision (and Appendix E)  
CD32 Controlling development that is detrimental to the environment and residential amenity

### 6.2 National Planning Policy

National Planning Policy Framework (2019) - NPPF

### 6.3 Emerging Planning Policy

*Northumberland Local Plan - Publication Draft Plan (Regulation 19) (January 2019).*

STP 1 Spatial strategy (Strategic Policy)

STP 2 Presumption in favour of sustainable development (Strategic Policy)

STP 3 Principles of sustainable development (Strategic Policy)

STP 4 Climate change mitigation and adaptation (Strategic Policy)

HOU 2 Provision of new residential development (Strategic Policy)

HOU 5 Housing types and mix

HOU 9 Residential development management

QOP 1 Design principles (Strategic Policy)

QOP 2 Good design and amenity

QOP 3 Public realm design principles

QOP 4 Landscaping and trees

QOP 5 Sustainable design and construction

QOP 6 Delivering well-designed places

TRA 1 Promoting sustainable connections (Strategic Policy)

TRA 2 The effects of development on the transport network

TRA 4 Parking provision in new development

ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

ENV 2 Biodiversity and geodiversity

ENV 3 Landscape

WAT 3 Flooding

WAT 4 Sustainable Drainage Systems

WAT 5 Coastal erosion and coastal change management

## **7. Appraisal**

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 In accordance with paragraph 48 of the NPPF weight may be given to the policies in emerging plans, depending on: the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF: and the extent of unresolved objections to the emerging plan. The Northumberland Local Plan was published in draft for consultation of Regulation 30 January 2019. In accordance with the NPPF, the policies contained within the document at this stage carry minimal weight in the appraisal of planning applications.

7.3 The main issues for consideration in this application are as follows;

- Principle of development

- Design
- Landscape Impact
- Amenity
- Ecology
- Highway Safety
- Water Management/Coastal Change
- Archaeology
- Other Issues

### Principle of Development

7.4 Policy S1 of the ACS sets out a settlement hierarchy for the location and scale of new development and identifies Amble as a Main Rural Service Centre. The application site is located within Amble and therefore would in this respect comply with Policy S1 of the ACS.

7.5 Policy S3 of the ACS outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. These include that the development is:

- *accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car;*
- *that there is adequate existing or planned capacity in the physical and community infrastructure;*
- *any physical and environmental constraints can be mitigated;*
- *potential implications of flood risk have been assessed;*
- *there would be no significant adverse effects on the natural resources, environment, biodiversity and geodiversity, cultural, historic and community assets of the district;*
- *the new development would help to build communities by sustaining or providing community services and facilities*

7.6 In terms of the six criteria that are identified in Policy S3, it is considered that the proposal accords with the majority of the criteria set out in the policy or failing that through appropriate conditions and mitigation the criteria can be achieved.

7.7 Paragraph 8 of the NPPF seeks to promote sustainable development, providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element.

7.8 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new housing and in social terms would deliver 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. The developments environmental impact is discussed in the relevant chapters of this report.

7.9 The application is therefore considered in accordance with the provisions of the ACS, NPPF and spatial vision of the emerging NLP and is acceptable in principle.

## Design

7.10 Policy S16 of the ADCS requires that all development will be expected to achieve a high standard of design reflecting local character and distinctiveness in traditional or contemporary design and materials. Proposals should take full account of the need to protect and enhance the local environment having regard to their layout, scale, appearance, access and landscaping.

7.11 Paragraph 124 of the NPPF advocates the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 outlines an overarching set of design principles for *proposals which*;

- 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);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- 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.*

7.12 In terms of design, following refusal of permission under 16/04630/FUL and prior to the resubmission of this application, the Council and the applicant have worked proactively together in line with the NPPF in order to address concerns relating to scale, design and massing. Design was also the subject of several public objections within the consultation period of this application.

7.13 The applicant had removed the third storey of the building prior to consideration of 16/04630/FUL, and presented a contemporary design with large aluminium windows and terraces on the first floor looking out towards the North Sea. The building was sunk 1m into the ground to reduce its prominence in the landscape.

7.14 Since the resubmission of this application, the building has been sunk a further 0.5m into the ground making it a total of 1.5m below ground level. On this basis it is considered the visual impact of the development has been reduced, further reinforced by the removal of the raised section of the central viewing platform.

7.15 The design is contemporary in nature, with a mixture of hard (stone) and soft (boarding) facing materials dividing the ground and first floor levels. The roof is separated into 4 distinct sections, with 2 traditional style pitched, tiled roofs adjacent



to one another upon the east and west sides, while the south and north roofs are more modern in appearance, being mono-pitched and finished in a dark membrane. Windows and doors are framed in aluminium, further adding to the contemporary feel of the dwellings and acceptable as materials. Further details of the aforementioned facing and roof materials are required to be submitted via discharge of condition but as presented, they are considered acceptable in principle.

7.16 The surrounding area is devoid of housing types given it is only bordered by the sea, the dunes of Amble Links and a caravan park on the opposite side of the Links Road. However, this affords the development the opportunity to create a sense of place in its locality while being architecturally attractive.

7.17 The application is considered in accordance with the Policies of the ACS, design aims of the NPPF and Policies QOP 1, QOP 2, QOP 3, QOP 4, QOP 5 & QOP6 of the emerging NLP in terms of design.

### Landscape Impact

7.18 Policy S13 of the ADCS requires all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the former district. Under this policy, all proposals will be assessed in terms of their impact on landscape features and should respect the prevailing landscape quality, character and sensitivity of each area.

7.19 The application site is not within a designated landscape, being outwith the Northumberland Coast Area of Outstanding Natural Beauty (AONB) and Amble Conservation Area. The application site is in a rural location that is located within Landscape Character Area 40a: Broad Bays and Dunes - Druridge Bay as detailed in the Northumberland Landscape Character Assessment (2010). This landscape is characterised by wide sweeping sandy bays which are separated by rocky headlands. The bays are backed by largely intact dunes and most of the landscape is ecologically rich, despite the strong presence of industrial activity across the area. The site is surrounded at the north, south and west by grassed dunes and is bound to the east by the North Sea. To the west is Links Road and beyond that the Amble Links Leisure Park.

7.20 Land management guidelines for LCA 40a focuses on promoting the improved management of important coastal and maritime habitats through higher-level stewardship, and encourages environmental management of marginal land to extend the influence of maritime habitats and attractiveness of the area for tourism.

7.21 The application was previously assessed for its landscape impact under 16/04630/FUL and was supported on those grounds. The building has been sunk a further 0.5m into the ground, meaning the dwellings are viewed largely as one-and-a-half storey from surrounding areas such as the beach or Links Road. The central viewing platform has subsequently been removed from plans, further reducing the structure's prominence in the landscape. The use of different materials and roofscapes serves to soften the building's impact on the local landscape and offers a sense of distinctiveness in the vicinity. The landscape impact of the development, both in regard to its design and the increase in size when compared to the previous bungalow, was subject to several public objections received but it is considered they have been addressed within this section of the report.

7.22 Further details are required to be agreed to finalise the landscaping of the site, which is considered to further decrease the landscape impact of the development. The application is therefore considered acceptable, in accordance with Policy S13 of the ACS, provisions of the NPPF and Policies ENV 3 & ENV 4 of the emerging NLP..

### Amenity

7.23 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users. Policy CD32 of the ALP seeks to ensure general amenity in new development.

7.24 The proposal is located some distance away from existing properties and it is therefore considered that there would be no unacceptable impact in terms of outlook, privacy and amenities. The proposal is therefore considered to accord with ALP policy CD32, the provisions of the NPPF and Policies QOP 1 & QOP 2 of the emerging NLP.

### Ecology

7.25 Policy S12 of the ACS stipulates that all development proposals will be considered against the need for sustaining and enhancing the District's native biodiversity and geodiversity.

7.26 Paragraph 170 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.

7.27 Formal consultation was undertaken with the county ecologist and Natural England on the proposals, with NCC ecology raising no objection subject to condition to mitigate impacts on-site in line with comments returned under 16/04630/FUL. As before, the Council, as a competent authority carried out a Habitats Regulations Assessment to assess if the development is likely to have a significant effect on the conservation of the site.

7.28 It was concluded that the proposal would not have a significant effect on any sites protected under international legislation, and has similarly concluded that there would be no significant harm to designated sites. Natural England has concurred with these conclusions, through sign off of the HRA and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.29 Despite several objections received from the public on the basis of impacts upon designated ecological sites, the County Ecologist is satisfied that the proposed development would not have a detrimental impact on designated sites including habitats of principal importance, and potential bird species within the area. They raise no objection to the proposal subject to conditions, and recommend a contribution of £600 per residential unit (£1800 total) to the Coastal Mitigation Service as secured by a S106 agreement. Accordingly, the Council is satisfied that the proposed development would not cause any significant effects, and therefore the proposal is considered acceptable in planning terms and accords with Policy S12 of the ACS, the principles of the NPPF and ENV 1 & ENV 2 of the emerging NLP.

## Highway Safety

7.30 Policy S11 of the ADCS outlines the requirements for new developments to meet in terms of traffic and impact on the highway. Proposals should aim to maximise accessibility and minimise impacts from the traffic generated. In addition, Policy TT5 of the ADLP states that adequate car parking provision should be incorporated into developments.

7.31 The proposed application site would be accessed directly from the public highway (Links Road) then via a private drive. The area within the site would be sufficient to accommodate off-street parking. The traffic generated from the 3 residential units would be considered to be negligible, and unlikely to cause any adverse impacts on the existing road network.

7.32 As part of this application the Highway Authority has assessed the impact of the proposed development on the highway network. The aim is to ensure the highway network in the area can accommodate the anticipated trip generation; that adequate manoeuvring/parking space is provided and that safe access can be achieved; that the highway remains unobstructed for the safe passage of all users of the highway and that any development does not have an adverse impact on the safety of all users of the highway.

7.33 In response to the consultation on this application, the Council's highways officer has raised no objection in principle subject to conditions and informatives which are set out in the recommendation. It is therefore considered that the proposed development on this site is in accordance with Policy TT5 of the ALP, Policy S11 of the ACS, transport provisions of the NPPF and Policy TRA 2 of the emerging NLP, and will not have a severe impact upon highway safety.

## Water Management/Coastal Change

7.34 The NPPF advises in Paragraph 149 that planning should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change and water supply.

7.35 The application site is not located within Flood Risk Zone 2 or 3, but is on the coastline. Accordingly, both the Environment Agency (EA) and the Local Lead Flood Authority (LLFA) were consulted on the proposals, with the EA offering no objection based on flood risk.

7.36 Furthermore, Paragraph 167 states plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:

*a) be clear as to what development will be appropriate in such areas and in what circumstances;*

*and;*

*b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas (CCMAs).*

7.37 Northumberland County Council has not identified any CCMA's and as such are taking a default position of any development that is within 30 metres of the 1 in 100 year predicted erosion line needs to be screened and assessed for coastal erosion. As per the NPPF and the Planning Practice Guidance applications that are within a CCMA require a Vulnerability Assessment to be undertaken and submitted to demonstrate that the development would be safe for the lifetime of the development.

7.38 Following clarifications and amendments to the vulnerability assessment, and confirmation that the development is located >30m from the coastline (~33.2m), the LLFA are in agreement with the proposal subject to conditions. The LLFA have requested that Permitted Development Rights be removed from the application site in order to safeguard development within this 30m zone, and this has been appended to this recommendation. The change to the coast was subject to several public objections, but having been assessed by the LLFA the application is considered acceptable with regards to water management and coastal change, and in accordance with the NPPF as well as Policies WAT 3 & WAT 4 of the emerging NLP.

### Archaeology

7.39 Paragraph 189 of the NPPF highlights the need for Local Planning Authorities to identify and assess the significance of heritage assets that may be affected by a proposal, and should aim to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

7.40 With regards to archaeology, the proposal is largely the same when assessing potential impacts and as with the previous application on this site the Council's archaeology team requested that a planning condition was attached if planning permission was granted for an archaeological watching brief during the groundworks required for the development.

7.41 It will therefore be necessary for the developer to commission a professional archaeologist to observe the excavations necessary for the development in line with the updated brief for archaeological mitigation work. The archaeological contractor will need to have sufficient time to investigate and record any archaeological remains that are revealed. As such, the application is considered in accordance with the NPPF and Policy ENV 7 of the emerging NLP, and is acceptable with regards to its potential archaeological impact.

### Other matters

7.42 It is considered issues raised by members of the public during the consultation period have been addressed in the relevant chapters of this report. Those issues outstanding include the following but are not relevant to the decision making process;

- Financial gain to developers;
- Demolition of bungalow before application submitted.

### Equality Duty

7.43 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

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

#### Human Rights Act Implications

7.45 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.

7.46 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.

7.47 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**

8.1 The principle of development for dwellings in this location is acceptable.

8.2 It is considered that the appearance, scale and materials of the proposal is acceptable, and that the proposed development would not have a detrimental impact on the character of the landscape, or the street scene. In addition, the proposal would be acceptable in relation to access and highways safety.

8.3 The proposal has been assessed in terms of the potential effects on matters including residential amenity, ecology, archaeology, coastal change, flood risk and highways. Each of these matters have been assessed by the appropriate Statutory

Consultee and result in no objection, subject to appropriate conditions establishing mitigation (where necessary). The potential effects in this respect are considered to be acceptable.

8.4 The proposal would result in the construction of three new residential dwellings on land at Signal Cottage, Amble. Alnwick District LDF Core Strategy identifies this proposal as being appropriate development, that would not cause significant visual harm on the surrounding landscape. The proposal is in accordance with Policies S1, S3, S11, S12, S13 and S16 of the Alnwick District LDF Core Strategy (2007), and Policies BE8 and TT5 of the Alnwick District Wide Local Plan (1997) as well as the provisions of the NPPF.

## **9. Recommendation**

9.1 That Members are minded to GRANT permission subject to the planning conditions set out below and the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act (1990) to secure a contribution to the Coastal Mitigation Service of £1800:

### Conditions

#### 01. Time

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

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

#### 02. Approved Plans

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

1. Location plan; Drawing ref: 1832\_100 01
2. Proposed site plan with mean high water; Drawing ref: 1832\_200 00A
3. Proposed ground floor plan; Drawing ref: 1832\_200 02A
4. Proposed first floor plan; Drawing ref: 1832\_200 03B
5. Proposed north and east elevations; Drawing ref: 1832\_3601 P3.01
6. Proposed south and west elevations; Drawing ref: 1832\_3602 P3.01
7. Proposed sections; Drawing ref: 1832\_3801 P3.01
8. Proposed roof plan; Drawing ref: 1832\_200 04A

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and complies with the National Planning Policy Framework.

#### 03. Materials - submission of details

Notwithstanding any description of the materials in the application, no development shall be commenced above damp course level until precise details, to include samples, of the materials to be used in the construction of the external walls and roofs of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

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

#### 04. Construction Method Statement

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

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

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

#### 05. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

#### 06. Details of cycle parking to be submitted

The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

#### 07. Removal of Permitted Development rights

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

Extensions; or  
Outbuildings.

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

Reason: To safeguard the development from dangers associated with coastal erosion in accordance with the National Planning Policy Framework.

#### 08. Surface Water

The development hereby permitted shall not be commenced until such time as a scheme for surface water management, including a timetable for the implementation of the scheme, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details and timetable.

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

#### 09. Lighting Scheme

No development will commence until the applicant has submitted, for approval in writing by the Local Planning Authority, a lighting plan which clearly demonstrates how light spill will be reduced. Any external lighting to the seaward side of the development (except for low level motion sensor lighting) will not be permitted.

Reason: To prevent significant effects on a European site via disturbance of overwintering birds, the special interest feature of the Northumbria Coast Special Protection Area.

#### 10. Landscaping

Prior to the commencement of development a Landscape Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall include (but not be limited to):

- a) Planting plans for the development site;
- b) Written specifications and schedules of native species to be used in hedgerows and tree planting;
- c) Plant sizes and proposed numbers/densities;
- d) Timing of implementation;
- e) Methodology for management and aftercare for the scheme.

Reason: In the interests of ecology and visual amenity.

#### 11. Construction Environmental Management Plan



No development will commence until the applicant has submitted, for approval in writing by the Local Planning Authority, a Construction Environmental Management Plan (CEMP) which will include the following elements;

- No construction work will take place during the winter months (November to March inclusive).
- Site vehicles and construction plant will be the quietest available and noise reduction measures will be put in place as far as possible during works.
- No high intensity lighting will be installed on site during or post construction.
- Storage of potentially toxic materials and fuel will be within an agreed area, more than 15m from the SPA boundary, with water and chemical proof ground protection.
- All spills will be removed immediately.
- Screening barriers to protect the SPA from dust and pollution and to minimise visibility of the works from the SPA will be used during works.
- Any spoil from building activities will be stored in an agreed area and, if required, will be removed from the site.
- Deliveries/storage of loose particulate materials will be within covered wagons/containers.
- Litter will be removed from site on a regular basis.
- Any works which result in creation of significant amounts of dust will be dampened down with water.
- Any new planting will be of native species, as far as possible sourced locally to the site. Site deliveries and parking will be in designated areas, which can be monitored for any potential establishment of invasive species.

Reason: to prevent significant effects on European sites via disturbance pollution or the introduction of invasive species.

## 12. Dog Proof Fence

The dog proof fencing shown on the ground floor plans (Ground Floor Plan Proposed 1832:200:02A) with note dated 03.01.19 will be installed prior to occupation with the applicant providing photographs of the completed fencing for written approval by the LPA prior to first occupation.

Reason: to prevent significant effects on a European site via disturbance of overwintering birds, the special interest feature of the Northumbria Coast Special Protection Area.

## 13. DEFRA Information for Buyers

No development will commence until the applicant has submitted, for approval in writing by the LPA, a draft of information to be provided to buyers to inform them of the importance of the Natura 2000 and other protected sites in the local area. Information encouraging responsible behaviour to walk dogs on leads and to clean up dog waste will also be provided.

Reason: to prevent significant effects on a European site via disturbance of overwintering birds, the special interest feature of the Northumbria Coast Special Protection Area.

## 14. Ground Gases

No development shall commence until a report detailing the protective measures to prevent the ingress of ground gases, to the standards required in BS8485:2015 (Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of 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)

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

## 15. Verification Report

The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 14, which has been approved in writing by the Local Planning Authority.

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

## 16. Gas Monitoring Scheme

No development shall commence until the applicant has submitted, for approval in writing by the Local Planning Authority the following:

- The submission of a scheme of intrusive site investigations/gas monitoring for approval;
- The undertaking of that scheme of intrusive site investigations/gas monitoring;
- The submission of a report of findings arising from the intrusive site investigations/gas monitoring;
- The submission of a scheme of remedial works/mitigation for approval; and
- Implementation of that remedial work/mitigation.

Reason: To safeguard public safety, residential amenity and human health.

## Informatives

### 01. Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance

### 2. Storing building materials

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. Mud/Litter/Debris on Highway

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

### 4. Water Management

Northumbrian Water actively promotes sustainable surface water management across the region. The developer should develop their surface water drainage solution by working through the following, listed in order of priority:

- Discharge into ground (infiltration)
- Discharge to a surface water body
- Discharge to a surface water sewer, highway drain, or another drainage system
- As a last resort, discharge to a combined sewer.

**Date of Report: 06.02.2019**

**Background Papers:** Planning application file(s) 18/03961/FUL