



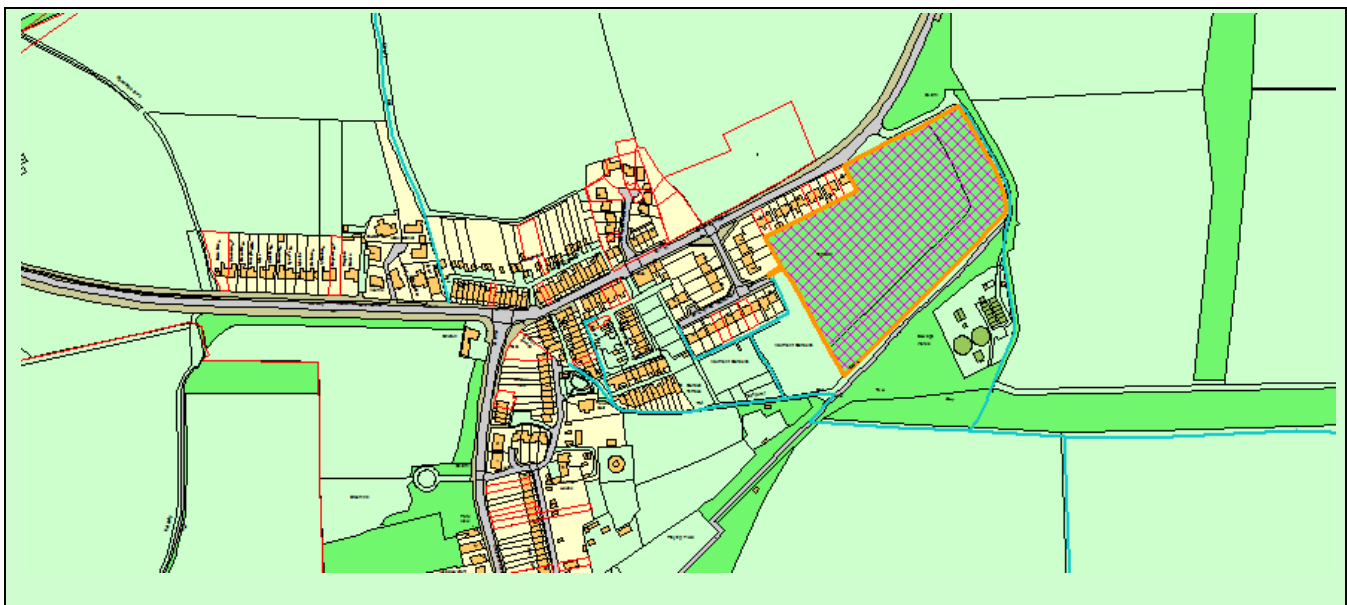
Northumberland County Council

North Northumberland Local Area Council 17th October 2019

Application No:	18/02190/FUL		
Proposal:	Proposed detailed planning permission for the development of 68 dwellings (C3) with associated access, infrastructure and landscaping (Amended Description 22.01.2019).		
Site Address	Land North East Of Guyzance Avenue, Togston Road, North Broomhill, Northumberland		
Applicant:	Miss Nicola Reed 2 Esh Plaza, Sir Bobby Robson Way, Newcastle Upon Tyne, NE139BA	Agent:	None
Ward	Amble	Parish	Togston
Valid Date:	21 June 2018	Expiry Date:	3 June 2019
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be GRANTED subject to S106 agreement for:

- Education Contribution (£261,000)
- Healthcare Contribution (£46,200)
- Affordable Housing Contribution (6 Discount Market Value Properties and 6 Affordable Rent Properties) (equivalent to 17% of the site)
- Coastal Mitigation Contribution (£40,800)



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1. Introduction

1.1 Following inclusion on the Chair Referral list this application has been deemed appropriate for consideration at North Northumberland Local Area Council Planning Committee. It is understood that this application has also been deemed appropriate by the chair for a site visit prior to consideration at Committee.

1.2 A site visit is scheduled for 14th October 2019 for Members to familiarise themselves with the site and surroundings.

2. Description of the Site and Proposals

2.1 The site to which the application relates is located to the east of Togston off Togston Road (B6345) which runs through the village, connecting with Acklington Road to the south west of Amble. The surrounding area has been developed to the north and west with both post war and new build dwellings. The site is bound by agricultural land to the east, waste water treatment works and agricultural land to the south and both existing residential development and allotments to the west.

2.2 The site is bound to the north by Togston Road which runs through the village centre, along the northern boundary of the site and north east towards the town of Amble. To the north of Togston Road is a more modern residential development which is understood to have been finished in the past decade. The immediate northern boundary is also bound in part by existing residential development in the form of 2 and 3 storey dwelling which back onto the application site.

2.3 The Eastern boundary is lined with a thick woodland tree belt separating the proposed developable area from the Public Right of Way footpath and access track to the sewage treatment works. Agricultural fields lie beyond this.

2.4 The Southern boundary is again lined with a thick woodland tree belt behind which lies an overgrown informal footpath, providing connections to Broomhill. To the south of this area is the waste water treatment works and agricultural land, which can be separated from the development by the retention of the existing tree belt.

2.5 The Western boundary is in part bound by existing development in the form of bungalows and two storey dwellings which back and gable onto the application site. The neighbouring land use on this boundary also consists of existing allotments which extend west from the boundary of the application site.

2.6 The proposal to which the application relates is for a scheme of 68 dwellings, these are to be formed around a 'cul de sac' form with one vehicular access from the site onto Togston Road. The scheme is to include an Off Site Affordable Housing Contribution equivalent to 17% of the site. The proposal is to include a mixture of dwellings (48 x 3 Bed dwellings, 11 x 4 Bed dwellings, 9 x 2 Bed Dwellings), including detached, semi detached and terraced properties.

3. Planning History

Reference Number: A/2003/0220

Description: Residential development with associated open space, roads and footpaths

4. Consultee Responses

County Ecologist	<p>The County Ecologist notes the further ecological information provided by the applicant. While various matters remain unresolved, these are now capable of resolution through appropriate planning conditions. One of the main concerns was the presence of early purple orchids on the site; a surprising find of a scarce plant typically associated with ancient woodland and high quality calcareous and whin grasslands. The ecologist searched for them on site earlier in the summer without success and the applicants' ecologists have now advised that the population appears to have been lost due to fluctuating water levels in the pond on the site. Accordingly it would appear that this species is either no longer present on the site, or the plants were actually Northern marsh orchid, a far more widespread species typical of the wetter habitats present on the site.</p> <p>On my site visit the County Ecologist also found extensive stands of non-native invasive species in the form of a Solidago species and Japanese rose Rosa rugosa , which had not been mentioned in the submitted ecological reports. The spread of these species will inevitably reduce the ecological value of the site if left unchecked, by displacing native vegetation of higher ecological value. Overall the County Ecologist is content that the proposal will not have a significant ecological effect subject to planning conditions and obligations:</p>
Health Care CG	<p>Once notified of the application the CCG considered internally if there was likely to be a need for a contribution. Due to the very large numbers of new homes in the area (including nearby Hadston and Amble) and the current capacity pressure on the local GP practice, we consider an expansion of healthcare infrastructure will be needed. The CCG have had written confirmation from the GPs who practice from Broomhill Health centre that they are already facing severe lack of space and staffing shortages to service their existing workload in the best interest of their patients. We have further written to the practice to notify them of the above application and the GPs themselves may make direct representation to the council in addition to the CCG.</p> <p>The CCG have applied a formula we have adopted throughout Northumberland, and the detailed calculation is attached.</p> <p>If the housing mix is altered, we are obviously happy to re calculate the contribution, but it will use exactly the same formula. A number of developers in Northumberland have now fully accepted the formula and agreed their section 106 contributions accordingly. The capacity modelling is also used by other Local authorities.</p> <p>We would request that a single payment of £46,200 is required from the developer as a Section 106 contribution to allow a smooth implementation of the required surgery capacity expansion, and this should be on completion of the first dwelling to ensure the new health capacity is in place as the houses are occupied. The increase in patient capacity may be either physical extension to existing premises or equipment to allow increased throughput of patients.</p> <p>The CCG has been reconsulted on amendments and confirm that the contribution should remain as requested</p>
Togston Parish Council	<p>Togston Parish Council wishes to make the following comments on the proposal for 70 houses to be built by Persimmon: There are no bungalows included in this proposal. These are needed to allow older residents to</p>

	<p>downsize and free up much needed houses for families There is an area next to allotment land which is flooded and this impacts on allotments when it rains. How will this issue be addressed We have a problem with heavy traffic through Togston village. Extra vehicles generated by this development will impact on this and make the problem worse Who will be responsible for maintenance of the site specifically the play park which is included in the application Concerns have been raised on the impact to the village school and doctor's surgery with all these extra residents if this proposal is passed</p>
North Trees And Woodland Officer	No response received.
Public Protection	<p>In principle this Service is in agreement with this proposal.</p> <p>The applicant is proposing to develop residential accommodation on land at Togston. Public Health Protection had previously objected to a lack of ground gas information. This information has now been submitted allowing Public Health Protection to remove our objection.</p> <p>If members are minded to grant planning permission conditions are requested to appended to any grant of permission.</p>
Waste Management - North	No response received.
Education - Schools	<p>The proposed development lies within the School Catchment Area of Broomhill First School and James Calvert Spence College. There is considered sufficient capacity at James Calvert Spence College, but Broomhill First School is already over-subscribed so a contribution of £162,000 is requested in respect of the likely 9 additional first school age pupils from the development. Due to the size of the development, funds for 1 SEN place is also required (£99,000) resulting in an overall total of £261,000.</p> <p>Education have been consulted following amendments of the scheme and consider the contribution should remain as requested.</p>
Environment Agency	We have no objection to this proposal providing the foul drainage from this development connects into the existing mains drainage crossing the site, as proposed in Coast Consulting Engineers' FRA & Drainage Strategy
Natural England	No objection, subject to appropriate mitigation.
The Coal Authority	The Coal Authority would have no objection to the proposed development, subject to the imposition of a planning condition or conditions to secure the above.
Northumbrian Water Ltd	The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. An appropriate condition has been suggested by NWL.
Architectural Liaison Officer - Police	No response received.
Northumbria Ambulance Service	No response received.
Fire & Rescue Service	No objection in principle to the proposals
Countryside/ Rights Of Way	I have no objection to the application on the condition that Public Bridleway No.11 & No.15 are 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.
Public Protection	In principle this Service is in agreement with this proposal, subject to conditions.
Highways	No objection, subject to conditions

Lead Local Flood Authority (LLFA)	Previously LLFA raised an objection to the proposed development on flood risk and drainage grounds. Following this objection additional information has been submitted with the planning application. Reviewing this information we are now in a position to remove our objection to the planning application. Conditions are also requested to be added to any grant of permission and appropriate drawings and documents are added to the approved plans condition.
County Archaeologist	A written scheme of investigation has been submitted and approved for the programme of Strip, Map and Record required prior to development work commencing on site. As a result I would request that the wording of the archaeological condition is changed to include this approved document.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	21
Number of Objections	11
Number of Support	0
Number of General Comments	0

Notices

General site notice, 29th June 2018
Northumberland Gazette 5th July 2018

Summary of Responses:

Representations from 11 objectors have been received in respect of this application. These cover the following:

- Principle of Development
- Ecological Matters
- Housing Land Supply Situation
- Sustainability of the settlement for further housing growth
- Traffic and highway issue
- Archaeology
- Landscape Impact
- Loss of Privacy, Amenity, Outlook and Overlooking
- Layout and Density
- Democratic Process
- Impact on House Prices/Values
- Impact on Community Infrastructure
- Drainage and Sewerage Concerns
- Maintenance and Play Park
- Lack of Bungalows
- Lack of Employment Opportunities in area
- Community Consultation Undertaken.

The above is a summary of the comments. The full written text is available on our website at:

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy 2007

S1 Location and scale of new development

S2 The sequential approach to development -

S3 Sustainability criteria

S4 The phased release of housing land

S5 Housing density

S6 Provision of affordable housing

S11 Locating development to maximise accessibility and minimise impact from travel

S12 Protecting and enhancing biodiversity and geodiversity

S13 Landscape character

S14 Development in the open countryside

S15 Protecting the built and historic environment

S16 General design principles

S23 Planning obligations

BE8 Design in new residential developments and extensions (and Appendix A and B)

TT5 Controlling car parking provision (and Appendix E)

CD18 Children's play space

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

6.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2014, as updated)

6.3 Other Relevant Policy/Evidence

Northumberland Landscape Character Appraisal 2011

Alnwick District Landscape Character SPD

6.4 Emerging Planning Policy

Northumberland Local Plan Regulation 19 Consultation Version (Jan 2019) including minor modifications as submitted for examination (May 2019)

STP1, STP2, STP3, STP4, STP5, STP6, HOU2, HOU3, HOU5, HOU6, HOU8, HOU9, QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT2, ENV1, ENV2, ENV3, ENV4, WAT1, WAT3, WAT4, POL1, POL2, INF1, INF2 and INF6.

7. Appraisal

7.1 The National Planning Policy Framework (NPPF) operates under a presumption in favour of sustainable development and identifies there are three dimensions to sustainable development: economic; social and environmental. The planning system needs to perform each of these roles. The environmental role

contributes to protecting and enhancing our natural, built and historic environment, and as part of this, helping minimise waste and pollution.

7.2 Planning applications should be determined in accordance with the development plan, unless other material considerations indicate otherwise. The adopted development plan in relation to this site is formed by the Alnwick Core Strategy (2007) and the Alnwick District Local Plan (Saved Policies 2007). The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

7.3 Paragraph 48 of the NPPF states that weight may also 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 emerging Northumberland Local Plan - Publication Draft Plan (Reg 19) and proposed minor modifications was submitted for examination on 29th May 2019, with the hearing sessions having started on 8th October. The policies contained within this document carry some weight in the determination of planning applications at this stage.

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

- The Principle of Development;
- Impact of the proposal on the Open Countryside;
- Landscape Impact of the proposal;
- Housing Land Supply;
- Affordable Housing;
- Design and impact on the local area;
- Impact on neighbour amenity;
- Highways Matters;
- Ecological Matters (and coastal mitigation); and,
- Drainage Matters.

Principle of Development

7.4 Policy S1 of the Alnwick Core Strategy (ACS) sets out a settlement hierarchy. Togston is identified as a Sustainable Village Centre, the third tier in the hierarchy, in which the policy indicates that development should be well related to the scale and function of the settlement. Broadly reflecting Policy S1, Policy STP1 of the emerging Northumberland Local Plan (NLP) identifies the settlement cluster of Broomhill / Togston as a Service Village, the classification of settlements which will provide for a proportionate level of housing.

7.5 Policy S2 of the ACS provides a sequential test for new development. The development site, if considered suitable, would fall within the fourth category. Whilst the NPPF encourages the use of Previously Developed Land it does not set a strict hierarchy. Therefore ACS Policy S2 is afforded little weight in the determination of the application. Policies in the emerging NLP (STP3 and HOU2) reflect the NPPF in this regard.

7.6 ACS Policy S3 outlines the sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, 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 and environmental needs can be mitigated; potential implications of flood risk have been assessed. Emerging NLP Policy STP 3 broadly reflects, and builds up the criteria in ACS Policy S3.

7.7 A proportionate level of housing development which is well related to the scale and function of Togston is therefore supported, given that there are a number of local services available in the village, and neighbouring Broomhill. While jobs in the immediate areas are limited, the Main Rural Service Centre of Amble is nearby, which is accessible, including by regular bus links. The proposal for 68 dwellings will add substantially to the housing stock in Togston, and with a site area of 2.66ha, will extend the developed footprint of the village significantly. A development of this scale is considered to be towards the upper end of what may be acceptable to comply with ACS Policy S1 and emerging NLP Policy STP1.

7.8 It is therefore considered that 'in principle', Togston is an appropriate location for new housing development, subject to other factors.

7.9 As identified above, Togston is identified as a Sustainable Village Centre, with the development of suitable sites adjoining sustainable village centres supported in terms of policy S1 of the ACS.

7.10 However, the emerging NLP proposes settlement boundaries to better control the location of development. Boundaries are proposed for a number of purposes including to protect the countryside from ad hoc development and maintain the character and form of settlements. The application site is located outside of, but immediately adjacent to the proposed settlement boundary for Broomhill / Togston.

7.11 The emerging Local Plan at paragraph 4.42 defines open countryside as:

- Land beyond settlement boundaries, where they are defined on the policies map;
- Land not within, or immediately adjacent to the built up form of settlements where limits are not defined.

7.12 The reasoned justification for Policy STP1 of the emerging Local Plan and the rationale for the boundaries proposed is to support a level of housing and economic growth over the plan period, appropriate to a settlement's size, role and function. In a number of settlements where there are sufficient housing commitments in place to meet identified needs, boundaries are defined to accommodate these commitments, and restrict further expansion. The Local Plan Spatial Strategy Technical Paper (December 2018) sets out in more detail the rationale for the emerging spatial strategy, and the methodology for defining settlement boundaries.

7.13 While not identified as open countryside in the ACS, it could be argued that the development of the site would undermine the spatial approach to new development and housing requirements set out within the emerging Local Plan and its evidence base.

7.14 A key consideration, however, will be the impact of the development in this location upon the character and appearance of the site and surrounding area. Paragraph 170 of the NPPF indicates that development proposals contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Impact on the proposal on the Open Countryside

7.15 As mentioned above, When considered against the policy in the Adopted Development Plan (ACS Policy S14), it is not considered that the proposal site would form 'open countryside' as intended by this development plan, given the other provisions of the plan (S1, S2 and S3). It is therefore not deemed appropriate in this instance to assess this application against the provisions of S14 in this instance, as the site is not deemed to be 'open' or part of the 'countryside' due to the level of enclosure and separation provided by the vegetation/strong landscape buffering, forming the curtilage of the site, the site is unlikely to impact on the feeling of open countryside on the periphery of Togston.

7.16 The appropriate policy in the emerging NLP in relation to this matter is Policy STP1, with further context provided in terms of the definition of the NLP definition of 'open countryside' given in the glossary. The terms 'Open Countryside' as "Land Beyond settlement boundaries, where they are defined on the policies map, and land not within, or immediately adjacent to the built form of settlements where limits are not defined". However, full weight should not be given to this policy at the current time, given the provisions of paragraph 48 of the NPPF.

Landscape Impact of the proposal

7.17 Policy S13 is the appropriate policy within the ACS for assessing proposals which have the potential to impact on the landscape. This states "*All proposals for development and change will be considered against the need to protect and enhance the distinctive landscape character of the district. 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 as defined in the Alnwick District Landscape Character Assessment Supplementary Planning Document*"

7.18 The Northumberland Landscape Character Assessment (LCA) 2010 and the Alnwick District Landscape Character SPD are the key documents in relation to landscape character in relation to this site, with the SPD specifying how landscape evidence should be utilised in determining planning applications. The LCA identifies this area as Landscape Character Type 39 (Coalfield Farmland), and this specific area as 39a (*Coastal Coalfield*), which includes Togston. The key characteristics of the area are: "*Low-lying coastal farmland, medium to large in scale; and generally open and expansive; Heavily modified rural area, with extensive industrial and urban fringe influences; Well settled, with mining towns and villages; Large-scale opencast mine sites; Distinctive, simple landscapes on restored former opencast sites; Pylons, chimneys, and transport and industrial infrastructure are prominent; and Occasional wooded estate landscapes.*"

7.19 This goes on to describe the following in the landscape "*Land use is generally mixed farmland, comprising large or very large fields with weak boundaries.*"

Hedgerows are often gappy and hedgerow trees are limited. Woodland cover in general is infrequent and consists principally of coniferous plantations. Deciduous tree cover is restricted to occasional mature hedgerow trees and small copses. Exceptions are the wooded valleys of the Blyth and Wansbeck rivers, and the wooded Blagdon estate. Elsewhere only scattered fragments of ancient woodland remain. There are several areas of reclaimed land, representing former mineral workings. Restoration has generally resulted in oversimplified geometric landscapes of pasture and conifer blocks, which lack distinctive features. Wetlands and pools, the result of subsidence or restoration, are relatively frequent and in places have developed into valuable habitat”

7.20 Specifically about the Coastal Farmland area in which the proposal lies the LCA states *“This relatively flat coastal plain has been heavily modified by mining and industrial activity. Restoration has generally resulted in oversimplified geometric landscapes of pasture and conifer blocks, which lack distinctive features. Opencast mining operations are ongoing at a small number of large sites. Despite general heavy modification of this landscape, there are pockets of unaltered rural character, including fragments of ancient woodland, and many of the older village centres, such as Ulgham, feature attractive honey coloured sandstone buildings. There are nature reserves at Druridge Bay and Hauxley. A golf course is situated within the estate of Longhirst Hall near Pegswood.”*

7.21 It is considered that due to the level of enclosure offered to the site by the dense, well established planting to the east and south curtilages, that the introduction of housing into this location would have little or no impact on longer range views of the site from the south and east. Any development seen from these longer range views is likely to be viewed in the context of the existing settlement of Togston, and unlikely to have a detrimental impact on the landscape or the landscape character. The proposal is therefore deemed to be in compliance with Policy S13 of the ACS.

7.22 The appropriate policy in the emerging NLP in relation to this matter are Policies ENV1 and ENV3 . It is considered the proposal site complies with these policies as the proposal will not have a negative impact on the landscape or the landscape character and will not be visible from long range views towards the site or Togston itself.

Housing Land Supply

7.23 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, as well as the Housing Delivery Test, 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 or where recent housing delivery is below a 75% threshold.

7.24 As identified in the Northumberland Strategic Housing Land Availability Assessment (September 2019), the Council can demonstrate a plentiful five-year housing land supply against the County's minimum Local Housing Need figure. Using the 2014-based household projections for the 2019-2029 period, together with

the latest 2018 affordability ratio, gives a minimum Local Housing Need of 676 dwellings per annum. Allowing for the 5% buffer therefore means that the identified 7,956 dwellings supply would equate to a 11.2 year housing land supply (Figures 12-14).

7.25 The Housing Delivery Test result records that Northumberland has also achieved 197% delivery against its minimum housing need for the initial three years 2015-18, while delivery over the last three years 2016-19 means that the HDT result for 2016-19 is expected to be even higher at 238% (Figure 2).

7.26 Therefore, in the context of Footnote 7 of the NPPF, the presumption in favour of sustainable development does not apply.

Affordable Housing

7.27 This application as 'major development' is deemed appropriate to contribute to the affordable housing delivered in the county. Policy in relation to this is set by the ACS (policy S6) and the NPPF, with evidence about up to date requirements taken from the evidence base of the emerging Local Plan. The current requirement, based on evidence from the most recent SHMA is that a contribution equivalent to 17% of the site should be provided,

7.28 Following an assessment of the local affordable housing need, the provision of a minimum of 6 no. affordable homes for DMV is required as part of this scheme. Togston is an area where the provision of further affordable homes needs to be treated with caution and there is not currently a need at this time for certain tenures. The location of this site has access to reasonable transport links and local services. Persimmon Homes, the applicant, has agreed to provide the remainder of the affordable housing contribution on site made up from affordable rented properties. However, appropriate clauses would be inserted to cover the eventuality of these properties not being taken on by an appropriate Registered Provider.

7.29 Following this, although the proposal does not propose the level of affordable housing set out in the ACS policy S6, this is satisfactory given current national policy in the NPPF, and the up to date evidence considered at the point of preparing this report. It is deemed that the proposal is in compliance with the appropriate elements of the development plan and the relevant elements of the NPPF.

7.30 The appropriate policy in the emerging NLP in relation to this matter is Policy HOU6. In line with paragraph 48 of the NPPF only some weight can be given to this policy, however the evidence which backs this policy up can be given weight in the decision making process, this is where the 17% request for Affordable Housing is sought from.

Design and impact on the local area

7.31 The NPPF and the ACS seek to ensure that development is sited appropriately, without an unacceptable adverse impact on the local environment. The NPPF's presumption in favour of sustainable development is based on securing a balance between its economic, social and environmental dimensions. The site is set in the open countryside, but adjacent to an existing rural village setting. The design

has potential to impact on both the village setting, and that of the open countryside, and the setting of the proposal in the landscape.

7.32 The NPPF and both the ACS seek to ensure good design in all development. The proposal seeks to provide a housing development for 68 dwellings at a density of 26 dwellings per hectare, although contrary to policy S5, it is considered that provision is provided in this policy for lower density developments in rural areas such as this.

7.33 General design matters are covered locally by S16, this states 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.

7.34 The proposal forms a standard modern type estate and the design of the proposal dwellings are to be of modern 2, 3 and 4 bedroom dwellings. This will be composed of a range of terraces, detached and semi-detached dwellings with pitched roofs. Some of the dwellings are to have separate garages, with separate amenity space in the form of front and back gardens. The proposal has been designed to sit within the woodland buffer, which wraps itself around the site, protecting this site from longer range views and minimising the landscape impact of the proposal. Given the mixed local vernacular of varying ages and designs, the introduction of dwellings of a modern design would not detract from the existing character of the settlement.

7.35 The appropriate policy in the emerging NLP in relation to this matter are Policies QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, which relate to design matters, however weight at this stage can only be apportioned in line with paragraph 48 of the NPPF.

Impact on neighbour amenity

7.36 NPPF Paragraph 127 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. The relevant local policy in relation to this is B8 of the ADWLP, and accompanying Appendix A (design and layout of new dwellings).

7.37 In the context of the above, the proposals are not considered to be in conflict with paragraph 127 of the NPPF.

7.38 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.

7.39 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the dwellings proposed, which ensure that residential amenity is protected. In the context

of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF.

7.40 In terms of the policies of the emerging Northumberland Local Plan, policy QOP2 is relevant to this application with respect to the impact on amenity, it is considered that this proposal, subject to conditions, is compliant with this policy.

7.41 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan.

Highways Matters

7.42 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'.

7.43 Policy S11 of the ACS is the key policy in relation to accessibility and maximising accessibility and minimising the impact from travel, and therefore the key local policy in determining whether the proposal is acceptable from a highways standpoint, alongside relevant national policy. Due to the scale of the proposal it is not deemed appropriate to require a transport statement/assessment. In terms of accessibility, the site has access to bus stops (approximately 50m from the site entrance), which provides the nearby town centre of Amble approximately 3 miles away. The nearest first school to the site is approximately 650m from the site entrance, with the Social Club situated approximately 225m from the site, and Church approximately 400m from the site entrance offering local amenities.

7.44 When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.

7.45 The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle of residential development on this site.

7.46 It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable albeit for specific concerns and comments regarding the access arrangements and internal layout of the site.

7.47 Discussions have been held, and revised plans have been received, amending the scheme in accordance with the previously raised concerns. There are however minor changes to the scheme that will be required, but these can now be secured by condition.

7.48 Additional plans and minor amendments to the Transport Statement submitted, with the reconsultation dated 22nd January 2019, do not have a material impact on the previous Highways comments.

7.49 Additional plans and further information with regards to swept paths throughout the site, with the reconsultation dated 29th January 2019, negate the need for some conditions. The recommendation below has been amended to reflect this.

7.50 The imposition of conditions and informatives with regards to street lighting, refuse storage, car and cycle parking, adoptable roads/footways, travel plan statement, surface water drainage, highway works and the impacts during the construction phase will address any concerns with the proposed development.

7.51 The appropriate policy in the emerging NLP in relation to this matter are Policies TRA1, TRA2, TRA4 and TRA5, with weight being apportioned in line with paragraph 48 of the NPPF.

Ecology

7.52 NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 175 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.

7.53 The application is located on the edge of a built area bordering onto open countryside beyond. The site is located within close proximity to a number of designated sites and Local Wildlife Site with the proposal as residential development having potential to affect them. The application has been submitted with an Ecology Survey which has been subject to assessment in consultation with the County Ecologist and Natural England.

7.54 S3 of the ACS sets out sustainability criteria one of which is that there would be no significant adverse effects the natural resources, environment, biodiversity and geodiversity of the district.

7.55 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.

7.56 The County Ecologist has raised no objection on issues relating to on-site impacts subject to signing up to the Coastal Mitigation Scheme to cater for off site matters. As set out within the Coastal Mitigation section of the appraisal (see below), the applicant has agreed to enter into a legal agreement with the Local Planning Authority to pay into the Council's Coastal Mitigation Service which would mitigate the off-site impacts associated with the proposal. Suitable Conditions have been suggested by the County Ecologist, these have been appended to this recommendation report.

7.57 Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF.

7.58 The appropriate policy in the emerging NLP in relation to this matter is Policies ENV1 and ENV2 weight has been apportioned with regards to these policies in line with paragraph 48 of the NPPF.

Coastal Mitigation

7.59 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC which are internationally designated sites as well as further nationally designated sites which are; Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernose Point SSSI.

7.60 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.

7.61 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.

7.62 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 affecting dune grasslands which are also protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.

7.63 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.

7.64 The applicant has agreed to pay a contribution of £600 per residential dwelling for coastal wardening work (based on a 6-month occupancy), secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation, and has similarly concluded that there will be no significant harm to any SSSIs. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.65 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed.

Public Protection Matters (Contaminated Land, Lighting, Ground/Mine Gases, Noise)

7.66 Paragraph 178 of the NPPF states *“Planning policies and 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 (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

7.65 Policy S3 of the ACS is relevant to this area as this explains that a number of sustainability criteria must be met, some of these relate to Land Contamination and Land Stability matters,

7.66 Policies POL1 are POL2 from the emerging NLP are relevant to this element of the brief.

7.67 Public Protection have provided comment on the proposal and have advised that Public Health Protection had previously objected to a lack of ground gas information. This information has now been submitted allowing Public Health Protection to remove their objection, appropriate conditions have been suggested and have been appended to this report.

Drainage Matters

7.68 The relevant local plan policy is policy CD37 of the ADWLP and S3 and S16 of the ACS, with Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 ‘Water Environment’ of the emerging Northumberland Local Plan also being relevant to this section.

7.69 Consultation has taken place in relation to drainage and foul sewage with Northumbrian Water (NWL) and the council's Lead Local Flood Authority Officer (LLFA), and the Environment Agency and the relevant local plan policy is policy CD37 of the ADWLP.

7.70 Initially the LLFA raised some concerns over the proposed development from a flood risk and drainage perspective. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter

7.71 The appropriate policy in the emerging NLP in relation to this matter is Policy WAT3 and WAT4. These have been given appropriate weight with regards to paragraph 48 of the NPPF.

7.72 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight.

Equality Duty

7.73 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

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

Human Rights Act Implications

7.75 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.76 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.77 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 On the basis of the above assessment, Togston is an acceptable location for new housing development in principle, with the proposal being located adjacent to the existing built form of the settlement. The proposal is not considered to be located in the open countryside (based on the provisions of the existing adopted development plan), nor would the proposal have a negative impact on landscape or landscape character. The proposal would therefore comply with Policies S1, S2 and S3, S13 and S14 of the ACS

8.2 The proposal would add new housing stock, of a modern design, to the local market and to Togston itself, through a mix of affordable and market homes, of a range of sizes and therefore complying with policies S6 and S16 (where appropriate).

8.3 The proposal is deemed to comply with appropriate policies from a highways, transport and accessibility perspective and would provide s106 contributions to Health Care and Education Infrastructure, as well as mitigation with regards to off site ecological matters, through the Coastal Mitigation Service contribution to make the application acceptable in planning terms. The proposal is therefore deemed to comply with the appropriate local plan policies S12 and S23.

8.4 Whilst the proposal would fall outwith the settlement boundary identified in the emerging Northumberland Local Plan, and would be considered as open countryside in the context of the emerging plan, this should not be given full weight at this time.

8.5 The proposal is considered to be acceptable in all other relevant matters in relation to issues raised in this report from a planning perspective, subject to the legal agreement and conditions proposed.

8.5 This application is therefore recommended for approval as the proposal complies with the existing adopted development plan and the appropriate sections of the NPPF, subject to the conditions appended to this report and the suggested legal agreement.

9. Recommendation

That this application be APPROVED subject to the following:

Conditions/Reason

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

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

02. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

Site Plan - Dwg Title: Land East of Togston Northumberland - Dwg No. 295/A/GA/001 - Nov 2017 - Rev G

Substation

Dwg Title: Close Coupled Substation Pyramid Roof Detail General Arrangement - Dwg No. GTC-E-SS-0012_R1-9_1_of_1 - Rev 9 - 10/04/18.

Hornsea House Type

Dwg Title: Plans & Elevations - House Type 1096 - Sales Name Hornsea - Dwg No. RS-WD01 Date 25/05/2018 - Rev C

Dwg Title: Plans & Elevations Contemp.+ (Planning) - House Type 1096 - Sales Name Hornsea - Dwg No. RS-WD17+ Date 25/05/2018 - Rev C

Moseley House Type

Dwg Title: Plans & Elevations (Planning) - House Type 762sqft/ P0762? - Moseley (Contemp). Dwg No. MS-WD17 Date - 08/06/12 - Rev Y

Dwg Title: Plans & Elevations - House Type 762sqft - Moseley - Dwg No. MS-WD01 08/06/12 Rev Y

Dwg Title: Plans & Elevations - House Type 762sqft/P0762 Moseley (Village) Dwg No. MS-WD06 Date: 08/06/12 Rev Y

Dwg Title: Plans & Elevations (Planning) - House Type 762sqft/ P0762? - Moseley (Contemp). Dwg No. MS-WD07 Date - 08/06/12 - Rev Y

Dwg Title: Plans & Elevations (Planning) - House Type 762sqft/ P0762? - Moseley. Dwg No. MS-WD10 Date - 08/06/12 - Rev Y

Dwg Title: Plans & Elevations - House Type 762sqft/P0762 Moseley (Village) Dwg No. MS-WD16 Date: 08/06/12 Rev Y

Dwg Title: Plans & Elevations - House Type 762sqft/P0762 Moseley (Contemp) Dwg No. MS-WD17 Date: 08/06/12 Rev Y

Buttermere House Type

Dwg Title: Plans & Elevations - Housetype 0870/Buttermere Dwg No RF-WD01 Date: 25/05/18 Rev B

Dwg Title: Plans & Elevations (Village) - Housetype 0870/Buttermere Dwg No RF-WD06 Date: 25/05/18 Rev B

Dwg Title: Plans & Elevations Contemp - Housetype 0870/Buttermere Dwg No RF-WD07 Date: 25/05/18

Dwg Title: Plans & Elevations Contemp+- Housetype 0870/Buttermere Dwg No RF-WD07+ Date: 25/05/18 Rev B

Dwg Title: Plans & Elevations (Planning) - Housetype 0870/Buttermere Dwg No RF-WD10 Date: 25/05/18 Rev B

Dwg Title: Plans & Elevations - Housetype 0870/Buttermere Dwg No RF-WD16 Date: 25/05/18 Rev B

Dwg Title: Plans & Elevations Contemp (Planning) - Housetype 0870/Buttermere Dwg No RF-WD17 Date: 25/05/18 Rev B

Dwg Title: Plans & Elevations Contemp+ (Planning) - Housetype 0870/Buttermere Dwg No RF-WD01 Date: 25/05/18 Rev B

Lockwood House Type

Dwg Title: Plans & Elevations - Housetype 0999/Lockwood - Dwg No. CA-WD01 Date 25/05/18 Rev C

Dwg Title: Plans & Elevations Village - Housetype 0999/Lockwood - Dwg No. CA-WD06 Date 25/05/18 Rev C

Dwg Title: Plans & Elevations Contemp - Housetype 0999/Lockwood - Dwg No. CA-WD07 Date 25/05/18 Rev C

Dwg Title: Plans & Elevations (Planning) - Housetype 0999/Lockwood - Dwg No. CA-WD10 Date 25/05/18 Rev C

Dwg Title: Plans & Elevations Village (Planning) - Housetype 0999/Lockwood - Dwg No. CA-WD16 Date 25/05/18 - Rev C

Dwg Title: Plans & Elevations Village (Planning) - Housetype 0999/Lockwood - Dwg No. CA-WD17 Date 25/05/18 - Rev C

Carleton House Type

Dwg Title: Plans & Elevations Housetype 0980/Carleton Dwg No. ST-WD01 25/05/18 - Rev C

Dwg Title: Plans & Elevations (Village) Housetype 0980/Carleton Dwg No. ST-WD06 25/05/18 - Rev C

Dwg Title: Plans & Elevation (Contemp) Housetype 0980/Carleton Dwg No. ST-WD07 25/05/18 - Rev C

Dwg Title: Plans & Elevations Housetype 0980/Carleton Dwg No. ST-WD10 25/05/18 - Rev C

Dwg Title: Plans & Elevations Village (Planning) Housetype 0980/Carleton Dwg No. ST-WD16 25/05/18 - Rev C

Dwg Title: Plans & Elevations Contemp (Planning) Housetype 0980/Carleton Dwg No. ST-WD17 25/05/18 - Rev C

Coniston House Type

Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD06 25/05/18 - Rev E

Dwg Title: Plans & Elevations Contemp (Planning) Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD17 25/05/18 - Rev E

Dwg Title: Plans & Elevations Village Planning Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD10 25/05/18 - Rev E

Dwg Title: Plans & Elevations Contempt Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD07 25/05/18 - Rev E

Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD06 25/05/18 - Rev E

Dwg Title: Plans & Elevations Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD01 25/05/18 - Rev E

Dwg Title: Plans & Elevations Contemp (Planning) Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD17 25/05/18 - Rev E

Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD16 25/05/18 - Rev E

Dwg Title: Plans & Elevations (Planning) Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD10 25/05/18 - Rev E

Dwg Title: Plans & Elevations Contemp Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD07 25/05/18 - Rev E

Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Corner Dwg No CDCB-WD06 25/05/18 - Rev E

Dwg Title: Plans & Elevations Housetype 1222/Coniston Corner Dwg No CDCB-WD01 25/05/18 - Rev E

Dwg Title: Plans & Elevations Contemp (Planning) Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD06 25/05/18 - Rev E

Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Bay Dwg No CDCB-WD16 25/05/18 - Rev E
Dwg Title: Plans & Elevations (Planning) Housetype 1222/Coniston Bay Dwg No CDCB-WD10 25/05/18 - Rev E
Dwg Title: Plans & Elevations Contemp (Planning) Housetype 1222/Coniston Corner Bay Dwg No CDCB-WD17 25/05/18 - Rev E
Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Bay Dwg No CDCB-WD06 25/05/18 - Rev E
Dwg Title: Plans & Elevations Village Housetype 1222/Coniston Bay Dwg No CDCB-WD01 25/05/18 - Rev E
Dwg Title: Plans & Elevations Contemp+ (Planning) Housetype 1222/Coniston Dwg No CDCB-WD17+ 25/05/18 - Rev E
Dwg Title: Plans & Elevations Contemp. (Planning) Housetype 1222/Coniston Dwg No CDCB-WD17 25/05/18 - Rev E
Dwg Title: Plans & Elevations Village (Planning) Housetype 1222/Coniston Dwg No CDCB-WD16 25/05/18 - Rev E
Dwg Title: Plans & Elevations (Planning) Housetype 1222/Coniston Dwg No CDCB-WD10 25/05/18 - Rev E
Dwg Title: Plans & Elevations Contemp+ Housetype 1222/Coniston Dwg No CDCB-WD07+ 25/05/18 - Rev E
Dwg Title: Plans & Elevations (Village) Housetype 1222/Coniston Dwg No CDCB-WD06 25/05/18 - Rev E
Dwg Title: Plans & Elevations Housetype 1222/Coniston Dwg No CDCB-WD01 25/05/18 - Rev E

Derwent House Type

Dwg Title: Plans & Elevations - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD01 25/05/18 - Rev D
Dwg Title: Plans & Elevations (Village) - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD06 25/05/18 - Rev D
Dwg Title: Plans & Elevations (Contemporary) - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD07 25/05/18 - Rev D
Dwg Title: Plans & Elevations Contemporary+ - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD07+ 25/05/18 - Rev D
Dwg Title: Plans & Elevations (Planning) - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD07 25/05/18 - Rev D
Dwg Title: Plans & Elevations Village (Planning) - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD07 25/05/18 - Rev D
Dwg Title: Plans & Elevations Contemp. (Planning) - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD17 25/05/18 - Rev D
Dwg Title: Plans & Elevations Contemp. (Planning) - Housetype 0969 (Corner)/Derwent Corner Dwg No HTC-WD17+ 25/05/18 - Rev D
Dwg Title: Plans & Elevations - Housetype 0969/Derwent Dwg No HT-WD01 25/05/18 - Rev D
Dwg Title: Plans & Elevations Village - Housetype 0969/Derwent Dwg No HT-WD06 25/05/18 - Rev D
Dwg Title: Plans & Elevations Contemp - Housetype 0969/Derwent Dwg No HT-WD07 25/05/18 - Rev D
Dwg Title: Plans & Elevations Contemp+ - Housetype 0969/Derwent Dwg No HT-WD07+ 25/05/18 - Rev D
Dwg Title: Plans & Elevations (Planning) - Housetype 0969/Derwent Dwg No HT-WD10 25/05/18 - Rev D

Dwg Title:Plans & Elevations Village (Planning) - Housetype 0969/Derwent Dwg No HT-WD16 25/05/18 - Rev D

Dwg Title:Plans & Elevations Contemp (Village) - Housetype 0969/Derwent Dwg No HT-WD07 25/05/18 - Rev D

Dwg Title:Plans & Elevations Contemp - Housetype 0969/Derwent Dwg No HT-WD17+ 25/05/18 - Rev D

Other Documents:

Flood Risk Assessment and Drainage Strategy Revision C, Coast Consulting Engineers, dated 27 March 2019 and referenced 1821-01.

Drawing number 01 Revision P8 Proposed drainage strategy

Drawing number 02 Revision P2 Flood storage calculations and proposed cross sections

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. Prior to first occupation a health and safety assessment of the SuDS basin and other aspects of the surface water scheme shall be submitted to and agreed by the Local Planning Authority. Any proposed measures as per the assessment shall be installed and implemented in full.

Reason: To ensure that all users to the development are safe throughout the developments lifetime.

04. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features including the flood mitigation swale and storage area for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

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

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

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

06. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

* As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);

* Construction details (component drawings, materials, vegetation);

* Health and Safety file;

* Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non technical standards.

07. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 21/1/19) and the approved written scheme of investigation. The archaeological scheme shall comprise two stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest.

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

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

09. Notwithstanding the details provided, no dwelling shall be occupied until the car parking area, 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.

10. Notwithstanding the details provided, no dwelling shall be occupied until details of the proposed highway works, including:

a) Construction of the modified/realigned site access/junction to the B6345, including new footway from the site access to the existing footway/bus stop to the west, together with associated works;

b) Connecting footway from within the site leading west to the U3120 Guyzance Avenue;

c) Connecting footway from within the site leading south to the PRow network, and associated drainage and street lighting;

d) Improvements to the existing bus stop and layby to the west of the site access on the B6345, including provision of bus shelter and level access kerbing and associated works;

e) New traffic calming/gateway/interactive speed sign feature on the B6345, north-east of the site access, have been submitted to and approved in writing by the Local Planning Authority.

The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason (a) and (e): To create satisfactory and safe means of access to the site in the interests of highway safety, amenity and in accordance with the National Planning Policy Framework.

Reason (b-d): In the interests of pedestrian safety, amenity and encouraging sustainable modes of travel, in accordance with the National Planning Policy Framework and Local Plan Policies.

11. No development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

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

12. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

13. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

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

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

15. The development shall not be occupied until details of a Framework Travel Plan in respect of each of the occupiers of any building on the application site have

been submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Framework Travel Plan shall be implemented in accordance with the approved details. This Framework Travel Plan must include:

- i the contact details of a suitably qualified Travel Plan Co-ordinator;
- ii an implementation programme;
- iii an on-site assessment including details of transport links to the site, on-site facilities and any transport issues and problems;
- iv clearly defined aims and objectives in relation to travel modes; and
- v clearly defined senior management and staff responsibilities and roles in the implementation of the Framework Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework.

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

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

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

17. No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

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

18. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS₂ standard specified 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)

19. No building shall not be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 1 *, which has been approved in writing by the LPA. *in this list of conditions

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

20. 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.

21. Public Protection would ask that the Local Planning Authority remove all permitted development rights for this site. This is to ensure no other buildings (extensions, porches, conservatories etc.) are built in relation to the proposed dwellings to ensure that the proposed gas protection measures are not compromised.

Reason: In order to prevent the ingress of gas from beneath the site which may potentially be prejudicial to health or amenity of the occupants of the respective properties.

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

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

23. Prior to any ground clearance or development commencing a method statement for the control of non-native invasive plant species including *Solidago* sp., *Rosa rugosa* and *Montbretia* sp. shall be submitted to the LPA for its approval. The method statement shall be fully implemented as approved

Reason: To ensure the effective control of non-native invasive species, including those listed on Schedule 9 of the Wildlife and Countryside Act 1981 as amended.

24. Prior to construction exceeding damp-proof course level a landscaping and biodiversity enhancement scheme for the site shall be submitted to the LPA for its approval. This will include:

The provision of integral bird-nesting and bat roosting provision at a ratio equivalent to 1 per each house, at least 50% comprising swift bricks grouped in suitable locations (such as high in gable ends that have unobstructed flightlines and are not south-facing);

Detailed landscaping plans for all public open space, SUDS wetlands and buffer zones designed to increase their value for biodiversity, including details of how these will be managed on an ongoing basis;

The provision of 13cm x 13cm hedgehog gaps in all garden fencing;
An external lighting scheme that accords with Bats and Artificial Lighting in the UK (Bat Conservation Trust and Institution of Lighting Engineers, 2018).

Reason: To maintain the favourable conservation status of protected and priority species and to secure biodiversity enhancement, in accordance with the National Planning Policy Framework.

25. Ground Stabilisation works will be undertaken and implemented in line with those identified within the Geoenvironmental Appraisal Report (ref: C7450, September 2017) prepared by Sirius Geotechnical and Environmental Ltd.

Reason: In order to safeguard the development and/or the occupants thereof from the adverse effects of unstable ground.

26. A programme of proof drilling on a plot by plot basis (within all other areas of the site still considered at risk from unrecorded historic working), together with stabilisation via drilling and grouting where workings are encountered will be undertaken and approved by the Local Planning Authority.

Reason: In order to safeguard the development and/or the occupants thereof from the adverse effects of unstable ground.

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

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

28. Prior to the commencement of development details of finished floor levels should be submitted and approved by the Local Planning Authority.

Reason: To protect neighbour amenity and the design impact of the proposal.

Informatives

1. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified 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. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

Date of Report:

Background Papers: Planning application file(s) 18/02190/FUL