

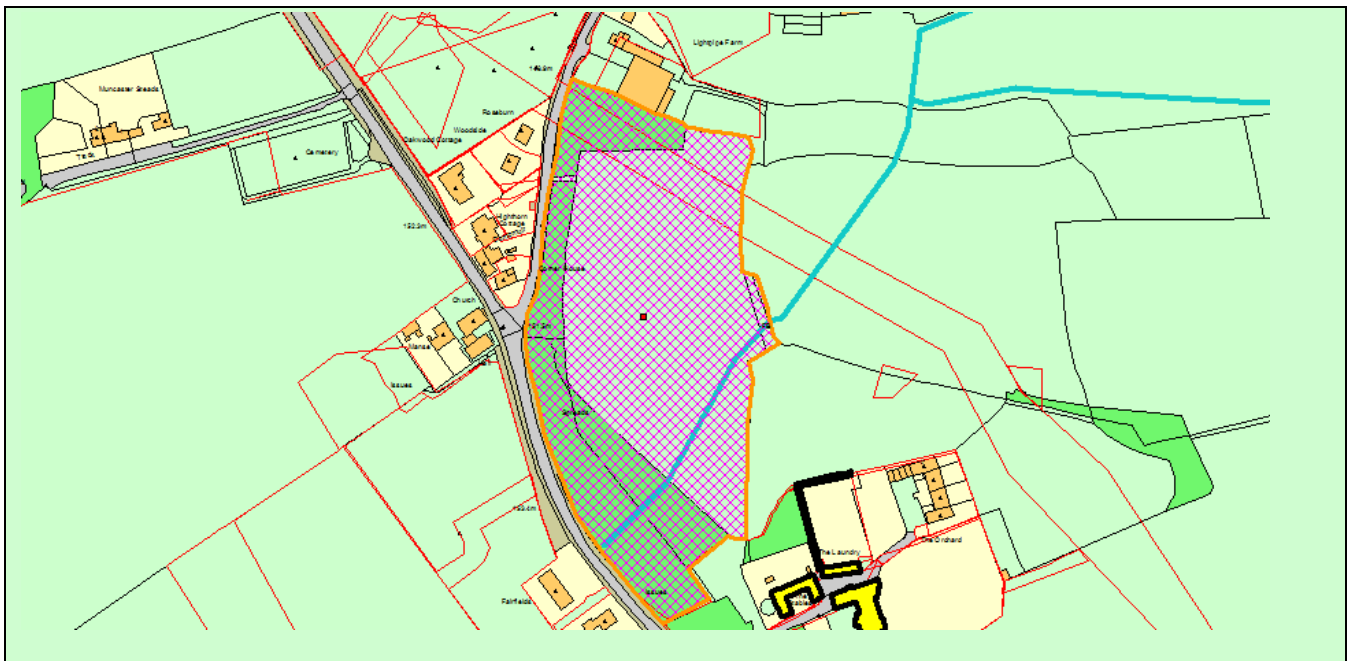


# Northumberland County Council

## North Northumberland Local Area Council 21 November 2019

<b>Application No:</b>	19/02085/OUT		
<b>Proposal:</b>	Resubmission: Outline application for development of approximately 40 dwellings - amended 09/08/19		
<b>Site Address</b>	Land South Of Lightpipe Farm, Longframlington, Northumberland,		
<b>Applicant:</b>	Rosemary & Claire Armstrong C/O Rose Cottage, Ogle, Newcastle Upon Tyne, NE20 0AU	<b>Agent:</b>	Mrs Katherine Brooker Central Square, Forth Street, Newcastle Upon Tyne, NE1 3PJ
<b>Ward</b>	Shilbottle	<b>Parish</b>	Longframlington
<b>Valid Date:</b>	24 June 2019	<b>Expiry Date:</b>	23 September 2019
<b>Case Officer Details:</b>	Name: Mr Tony Lowe Job Title: Senior Planning Officer Tel No: 01670 622708 Email: tony.lowe@northumberland.gov.uk		

**Recommendation:** That this application be Minded to approve



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## 1. Introduction

1.1 Planning reference 18/00162/OUT was submitted for a similar development at the site. The application was refused by the Members of the NNLAC for the following three reasons:

### *Reason 1. Planning Balance*

*The benefits of the junction modification to the C106/A697 are not considered to outweigh the environmental impact of the proposal. The application is therefore not sustainable in the context of the National Planning Policy Framework.*

### *Reason 2. Overdevelopment*

*The application would present an overdevelopment of the site which would have an adverse impact on the area and therefore conflict with Policy S16 of the Alnwick LDF Core Strategy and the National Planning Policy Framework.*

### *Reason 3. Adverse Character Impact*

*The development would have an adverse impact on the character of the village by virtue of its scale, spatial location and development of open land. The application is therefore contrary to Policy S16 of the Alnwick LDF Core Strategy and the National Planning Policy Framework.*

1.2 This decision was appealed by the applicant, appeal reference APP/P2935/W/19/3223496. This appeal was dismissed for the following reason only:

- *The proposal would have a housing density suitable for the rural area and would not have a harmful effect on the character and appearance of the surrounding area and would accord with policy S16;*
- *There was no evidence that the proposal would have a significantly harmful effect on the area;*
- *Contributions would be required, but a signed s.106 agreement had not been submitted;*

Concluding that:

*"Whilst I conclude that the contributions are required for the development, a completed Section 106 Agreement has not been submitted as part of this appeal. Given the obligations are necessary, I will be dismissing the appeal on this basis."*

1.3 The applicant has now resubmitted the proposal seeking to provide a signed s.106 agreement for the required contributions. However, during the determination process final consultee responses could not be provided by the determination date and therefore a recommendation could not be made. The application was again appealed, in this instance for non-determination, under appeal reference APP/P2935/W/19/3237803. This appeal is still ongoing.

1.4 Under s.92 of the Town and Country Planning Act 1990 (as amended), an application for outline planning permission allows for a decision on the general principles of how a site can be developed. This application is submitted with all matters reserved. If granted, outline planning permission will be subject to conditions requiring the subsequent approval of one or more 'reserved matters'.

## **2. Description of the Proposals**

2.1 The application site is located to the north end of the village of Longframlington set to the east side of Front Street (A697), a main thoroughfare running through Longframlington, within a corner plot bound to the northern extent by Alnwick Fords (C106). The land is predominantly field with a dense wooded border to the west side fronting the A697 (where there is a post and rail timber fence onto a footway) limiting visibility into the site from the approach with a less dense planting of trees and hedgerow along the C106 where there is an existing field access. The land slopes considerably to the across the site with agricultural/residential development to the north, open countryside to the east and further woodland to the south set around Embleton Hall. The land is 2.95ha in area and contains rights of way into fields beyond the settlement but is spatially constrained to the east by existing soft field boundaries.

2.2 The application seeks Outline Permission with All Matters Reserved for;

Resubmission: Outline application for development of approximately 40 dwellings - amended 09/08/19

2.3 The application site is subject to the following environmental constraints;

- Impact Risk Zone to a Site of Special Scientific Interest (SSSI)
- Public Rights of Way - 123/012 (running through site southwest-northeast)
- Coal Advice Area - Low Risk
- Grade II Listed Buildings (50m South-East)
  - Embleton Hall
  - The Laundry (Embleton Hall)
  - Garden Walls and Attached Kennels (Embleton Hall)
  - The Stables (Embleton Hall)

### **3. Planning History**

**Reference Number:** 18/00162/OUT

**Description:** Outline Application (All Matters Reserved); 40 Dwellings - As Amended 23/07/18

**Status:** REF

#### **Appeals**

**Reference Number:** 19/00024/REFUSE

**Description:** Outline Application (All Matters Reserved); 40 Dwellings - As Amended 23/07/18

**Status:** DISMIS

#### **Appeals**

**Reference Number:** 19/00088/NONDET

**Description:** Resubmission: Outline application for development of approximately 40 dwellings - amended 09/08/19

**Status:** INPROG

## 4. Consultee Responses

<p>Longframlington Parish Council</p>	<p>Longframlington Parish Council objects to this application as it did with the previous application which was refused at planning committee with its appeal dismissed.</p> <p>The supporting documents for the application (Planning statement/ecology report/transport report) are several years out of date and bear little resemblance to current situation these must be revisited before any consideration is given to the application.</p> <p>We are still of the opinion that the C106 and the junction with the A697 cannot accommodate any further volumes of traffic and that the junction cannot be made safe This is confirmed by the stage 1 and 2 Road Safety assessment carried out for the Highways Department of NCC when considering the St. Laurence Court development in May 2018. This assessment concludes that any alteration to the junction would increase the likelihood of head on collisions on both the A697 and the C106. We consider that the proposed alterations put forward at the previous submission would not change this and that a full Road Safety Assessment be carried out prior to this application being determined. Otherwise we feel the County Council will be in breach of its duty to ensure the safety and human rights of residents.</p> <p>The Northumberland Local Plan is now being examined by the Planning Inspectorate and expected to be a made plan by the spring of 2020. Therefore it should now be considered to hold substantial weight. The Plan is clear that the proposed site is outside the village boundary and not allocated for development.</p> <p>Under the NPF regulations this application cannot be given the presumption of permission as a sustainable development because Northumberland is already producing 197% of housing need per year and can demonstrate a 15.2 year of housing land supply.</p> <p>The village currently has 28 existing homes for sale plus new builds on other nearby developments that are not sold despite being offered at discounted rates and another 81 houses either with planning permission</p>
<p>Health Care CG</p>	<p>Once notified of the application the CCG considered internally if there was likely to be a need for a contribution. Due to the large numbers of new homes planned for the village and the current capacity pressure on the GP practice, we considered an expansion of infrastructure was highly likely to be needed. We already have confirmation from the GPs serving Longframlington that a scheme consisted of 42 new homes would require a section 106 contribution to provide infrastructure capacity for the new residents. This is likely to take the form of the purchasing of medical equipment to increase the throughput of patients in the existing health centre.</p> <p>A contribution of £33,300 has been identified</p>
<p>Natural England</p>	<p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p>
<p>Public Protection</p>	<p>No objection, subject to conditions set out in the report</p>
<p>Education - Schools</p>	<p>1. Context The site is in the Shilbottle ward, and falls within the Morpeth Partnership Area. The respective catchment area schools are: Swarland Primary (Rec to Yr 4); Dr Thomlinson Middle King Edward VI High School Morpeth</p> <p>2. Current School Numbers and Capacity</p>

	<p>First The first school in the catchment area is Swarland Primary. Its current role (Jan 2019) is 83, with a total capacity of 119. It is therefore 70% full, and therefore no Primary Contribution is requested.</p> <p>Middle: The Middle School within the catchment area is Dr Thomlinson C of E Middle. Its current role (Jan 2019) is 225, with a total capacity of 258. It is therefore 87% full so no middle school contribution is required.</p> <p>High : The proposed development is located within the catchment area of The King Edward V1 High Academy (KEVI). As at the January 2019 school census, the school had 972 pupils on roll in Years 9 to Year 11. Housebuilding in Morpeth is beginning to impact on the availability of places within Morpeth schools, including in the high school phase. More recently, the Governing Body has agreed to accept more children on roll in some year groups in KEVI in order to accommodate children moving into the catchment area; continuing growth arising from housebuilding will necessitate the provision of additional accommodation at the school. With the number of places available at KEVI in Years 9 to 11 at 960, the school is currently 101% full in relation to school places taken up.</p> <p>Therefore, an assessment of the impact of the proposed development on this academy is appropriate. This assessment indicates that a contribution of £72,000 would be required to mitigate the impact of the proposed additional housing within this planning application on KEVI Academy (see Section 4).</p> <p>3. SEND Provision:</p> <p>Due to the relatively small size of the development and consequently the relatively low probability of an impact on SEN pupil numbers, no SEN contribution is requested.</p> <p>4. Summary and Conclusion</p> <p>A total contribution of £72,000 is requested in respect of this development, on the basis of 3 additional secondary school pupils forecast to be generated.</p>
Countryside/ Rights Of Way	No objection
Building Conservation	The development will fail to preserve the setting of the Grade I listed Embleton Hall and Walled Garden when experiencing it from a wider setting and would result in less than substantial harm.
County Archaeologist	No objection, subject to conditions set out in the report
County Ecologist	No objection subject to conditions set out in the report
North Trees And Woodland Officer	No response received.
Waste Management - North	No response received.
Northumbrian Water Ltd	No objection, subject to condition set out in the report

Strategic Estates	No response received.
Lead Local Flood Authority (LLFA)	No objection, subject to conditions set out in the report
Highways	No objection subject to conditions set out in the report

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	68
Number of Objections	9
Number of Support	0
Number of General Comments	0

### Notices

SN - Major, affecting LB & PROW 19th July 2019

Northumberland Gazette 25th July 2019

### Summary of Responses:

During the consultation period there were 9 no. objections. The reasons for objection include:

- Lack of need/ not sustainable development;
- No need for further residential development.
- Need for affordable housing.
- Inadequate Infrastructure.
- Greenfield site;
- Impact on public rights of way;.
- Adverse landscape impact.
- Overdevelopment of site.
- Highway impacts including safety and car parking;.
- Impact on residential amenity;
- Impact on ecology.
- Impact on Health Care provision;
- Impact on surface and foul water drainage;

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=PTRFNLQS0K500>

## 6. Planning Policy

### 6.1 Development Plan Policy

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

S2 The sequential approach to development - Alnwick LDF Core Strategy

S3 Sustainability criteria - Alnwick LDF Core Strategy

S5 Housing density - Alnwick LDF Core Strategy

S6 Provision of affordable housing - Alnwick LDF Core Strategy

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

S12 Protecting and enhancing biodiversity and geodiversity - Alnwick LDF Core Strategy

S13 Landscape character - Alnwick LDF Core Strategy

S14 Development in the open countryside - Alnwick LDF Core Strategy

S15 Protecting the built and historic environment - Alnwick LDF Core Strategy

S16 General design principles - Alnwick LDF Core Strategy

S23 Planning obligations - Alnwick LDF Core Strategy

BE2 Regional and local archaeological significance - Alnwick District Wide Local Plan

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

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

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

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

APPENDIX E Car parking standards for development - Alnwick District Wide Local Plan

## 6.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2019, as updated)

## 6.3 Emerging Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) and proposed minor modifications, submitted on 29 May 2019 (NLP); relevant policies would include:

Policy STP 1 Spatial strategy (Strategic Policy)  
Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)  
Policy STP 3 Principles of sustainable development (Strategic Policy)  
Policy STP 4 Climate change mitigation and adaptation (Strategic Policy)  
Policy STP 5 Health and wellbeing (Strategic Policy)  
Policy TCS 1 Hierarchy of centres (Strategic Policy)  
Policy HOU 1 Making the best use of existing buildings (Strategic Policy)  
Policy HOU 2 Provision of new residential development (Strategic Policy)  
Policy HOU 4 Housing development site allocations (Strategic Policy)  
Policy HOU 5 Housing types and mix  
Policy HOU 6 Affordable housing provision (Strategic Policy)  
Policy HOU 9 Residential development management  
Policy QOP 1 Design principles (Strategic Policy)  
Policy QOP 2 Good design and amenity  
Policy QOP 4 Landscaping and trees  
Policy QOP 5 Sustainable design and construction  
Policy QOP 6 Delivering well-designed places  
Policy TRA 2 The effects of development on the transport network  
Policy TRA 4 Parking provision in new development  
Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)  
Policy ENV 2 Biodiversity and geodiversity  
Policy ENV 3 Landscape  
Policy ENV 4 Tranquillity, dark skies and a sense of rurality  
Policy ENV 7 Historic environment and heritage assets  
Policy WAT 2 Water supply and sewerage  
Policy WAT 3 Flooding  
Policy WAT 4 Sustainable Drainage Systems  
Policy INF 6 Planning obligations

#### 6.4 Other Documents/Strategies

Northumberland Five-year Supply of Deliverable Sites: 2017 to 2022 (2017)  
SHMA - Northumberland Strategic Housing Market Assessment (2018)  
Alnwick Landscape Character Assessment Supplementary Planning Document

## 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 National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development unless policies indicate otherwise or, the adverse impacts significantly and demonstrably outweigh the benefits. However, identified in paragraph 177 where a



proposal requires an Appropriate Assessment to be undertaken this presumption does not apply.

7.2 The Adopted Development Plan where the site is located, comprises the saved policies of the Alnwick District Local Plan 1997 (ADLP), The Alnwick District local Development Framework Core Strategy 2007 (ACS).

7.3 Northumberland Local Plan - Publication Draft Plan (Regulation 19) and proposed minor modifications, was submitted for examination on 29 May 2019 (NLP). In accordance with Paragraph 48 of the NPPF, the policies contained within the document at this stage will carry some weight, with strategic policies carrying a greater weight. The background studies/ documents, which form the evidence base for the NLP, constitute a material consideration.

The main issues for consideration include:

- o Principle of development;
- o Housing Land Supply;
- o Education and Health;
- o Impact on character and appearance;
- o Design;
- o Heritage impacts;
- o Residential amenity;
- o Highways;
- o Ecology;
- o Water Management;

#### Principle of development

7.4 The NPPF seeks to promote sustainable development with paragraph 11 providing the starting point against which the sustainability of a development proposal should be assessed. NPPF paragraph 8 identifies three objectives to sustainable development - an economic element, a social element and an environmental element.

7.5 Policy S1 of the ACS sets out the hierarchy of settlements to inform the location and scale of development in the former Alnwick District, it identifies Longframlington as a 'Sustainable Village Centre' where development is permitted that is well-related to the settlement. Policy S2 of the ACS sets out a sequential approach for development where weight is given to previously developed land or buildings before other suitable sites within the built up area of settlements. However, limited weight can be attached to this policy as the NPPF, whilst encouraging the reuse of previously developed land, does not require a sequential test for this development type. Policy S3 of the ACS sets out sustainability criteria stipulating that development must satisfy the criteria with exceptions to compensate for sustainability shortcomings through condition/ legal agreement but also states that it may be necessary to allow development which does not meet one or more of the criteria. These include that the development is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car, and there is adequate existing or planned capacity in the physical and community infrastructure, or that additional capacity can be provided, as well as matters of

environmental impacts. ACS Policy S5 sets out minimum housing density requirements for new build housing of a minimum of 30 dwellings per hectare, but states this figure can be relaxed in rural areas..

7.6 Paragraph 78 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. Where there are groups of smaller settlements, development in one village may support services in villages nearby.

7.7 NLP policy STP 1 sets out a spatial strategy for development seeking to provide development that will enhance the vitality of communities across Northumberland. The NLP identifies Alnwick as a Main Town to deliver sustainable development. Policy STP2 sets out the presumption in favour of sustainable development with STP3 setting out the principles of sustainable development.

7.8 The site is located within Longframlington, a 'Sustainable Village Centre', where development is permitted that is well-related to the settlement. Policy S1 identifies these villages as having a 'strong service base' although acknowledges the absence of a school. Development in this location should accord with the hierarchy and reflect the services present and accessibility. The site is located within the village (bordering development to three sides) and would be accessible to services within the settlement. The proposal could deliver economic benefits through the provision of new housing and provide some support for existing services and, in social terms, it would deliver market housing, easy access to services within the village, with the potential to add to its vitality and viability and support services in other villages.

7.9 The principle of residential development is therefore considered acceptable in accordance with ACS policies S1, S3 and S5 and the provisions and intentions of the NPPF.

### Housing supply

7.10 Extant development plan policy is provided by the Alnwick LDF Core Strategy (adopted 2007) and the 'saved' policies of the earlier Alnwick District-Wide Local Plan (adopted 1997), insofar as they remain consistent with the NPPF and PPG which are also material considerations.

7.11 NPPF para.11 advises that where the existing policies that are most important to determining the application are out-of-date, the presumption in favour of sustainable development should generally apply. For housing applications, footnote 7 further advises that the consideration of whether relevant existing policies are out-of-date include where the Council cannot demonstrate a 5-year supply of 'deliverable' housing sites, or where the Housing Delivery Test shows that housing delivery was substantially below the requirement of the previous three years.

7.12 Following the Government's updated NPPF and PPG in February 2019 and the release of the new affordability ratios in March 2019, Northumberland's five-year deliverable housing land supply calculation for 2018-2023 has changed. Using the 2014-based household projections for the 2018-2028 period, together with the latest 2018 affordability ratio, gives a minimum Local Housing Need of 694 dwellings per annum. Allowing for the 5% buffer therefore means that the identified 9,113 dwellings supply would equate to an 11 years housing land supply.

7.13 The NLP has now been submitted for examination, in terms of housing, the publication draft Local Plan (Table 7.2) identifies no need for any further significant housing development in Northumberland or the North Delivery Area over-and-above existing planning permissions and minded to approve applications, since completions over the past two years and outstanding commitments already exceed the area's identified minimum requirements for the 2016-2036 plan period. Northumberland has already more than satisfied the NPPF requirement to significantly boost the supply of housing (para.59). The NLP does allocate a few sites for housing development in Policy HOU3 to help meet residual locally-distributed parish-based needs (Table 7.1), but otherwise there is no need for any further major housing development to meet the Plan's evidenced minimum requirements. However, these figures do not constitute a 'Cap' on housing numbers, but rather the minimum requirements to meet the objectives of the NLP.

7.14 In particular, the draft NLP has been informed by much more up-to-date evidence than the extant district plan and previous 'saved' plan policies, with that evidence base also being a material consideration of reasonable weight in itself. .

#### Affordable Housing:

7.15 Longframlington is an area of medium demand with low turnover of affordable rented units and recent Discount Market Value properties selling quickly. It is a desirable and sustainable location for new affordable homes with reasonable local amenities and transport links. The application has put forward that 17% of dwellings proposed would be on-site affordable housing. The application has been subject to consultation with the Affordable Housing Officer (AHO).

7.16 Policy S6 of the ACS seeks an appropriate level of affordable housing but the background studies for the % requirements are now dated. .

7.17 Paragraph 64 of the NPPF stipulates that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

7.18 The Northumberland SHMA Update (June 2018) provides detailed market analysis of housing needs at the County level, and across local Housing market sub-areas. It also provides up-to-date evidence of affordable housing need in Northumberland. The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 151 dwellings per annum over the period 2017 to 2022, and recommends that 50% of affordable homes are provided for rent, and 50% provided as affordable home ownership products.

7.19 AHO have set out that the provision put forward is considered acceptable. Given the outline nature of the application, the wording within any legal agreement should be to require the provision of 17% affordable homes, rather than require a specific number is considered appropriate and which has been agreed by the applicant.

## Education and Health

7.20 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.

7.21 Paragraphs 54 and 56 of the NPPF sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Obligations must meet all of the following tests;

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.*

7.22 The following planning obligations have been assessed in respect of this application which are to be secured by legal agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended).

### Education:

7.23 In respect of major housing applications, issues of school capacity and potential impacts of new development are considered through consultation with Education. Contributions where necessary, are sought for physical infrastructure improvements. Issues raised during consultation are addressed in this section.

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

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

7.25 The consultation response from Education sets out that there is surplus capacity in catchment first and middle schools however there are capacity issues at the secondary level. Pupil numbers at King Edward VI School in Morpeth are at capacity and therefore a contribution has been sought, based on the pupil yield from the development (three places) to calculate a contribution of £72,000 which has been agreed by the applicant.

### Health:

7.26 Where major applications propose residential development of 30 units or above, the application is subject to consultation with the Northumberland Clinical Commissioning Group (NCCG). Contributions are based on the cost of space required from the total number of people that would accommodate the development taken in the context of GP availability in catchment practices.

7.27 Paragraph 8 of the NPPF sets out, the aim of planning policies and decision is to achieve healthy, inclusive and safe places. It should support strong, vibrant and healthy communities with accessible to local services that reflect the community's needs and supports its health, social and cultural well-being.

7.28 NCCG have responded consultation requesting a figure of £30,300 based on a yield of 101 people based on the submitted schedule of accommodation, the space required being 10.1sqm (£3000/sqm). This has been agreed by the obligation.

#### Impact on character and appearance

7.29 The site comprises of land bound by the pattern of existing development within Longframlington but that is spatially divorced through existing woodland that is set around the western boundary and the A697.

7.30 The land is open field where there is a right of way with open countryside beyond. The appraisal of Landscape impact considers the physical mass and character impact of a development proposal; the application has been submitted with a Design and Access Statement which sets out principles for the future design. Issues raised over character and landscape impact have been considered in this section.

7.31 S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district. Policy S16 states that proposals should achieve a high standard of design and take full account of the need to protect and enhance the local environment.

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

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

7.33 The proposed access has been indicatively located along the C106 which would minimise the number of trees to be removed and retain the main character of the site which is the wooded area that fronts the A697, the principal access route into the village. .

7.34 The proposal would alter the built form of the settlement however, the proposed houses would be contained within a gap between existing built development to the north west and south of the site. The development would be visible, particularly from views from the north and east, however given its location between existing development and set against the tree belt, the proposal would not encroach into the open countryside or detract from the character of the area.

7.35 S5 of the ACS sets out the density required for new build housing, at 30 dwellings per hectare as a minimum. In rural areas and elsewhere where there is a

need to preserve or enhance the character of the area, particularly on settlement edges, lower densities may be considered.

7.36 In considering the density of the proposal, the net area for development (2.30ha approx.) has been used which would result in a density of 17 dwellings per hectare which is of a lower number than set out in S5 but remains appropriate, given the edge of settlement location within a village, topography of the site and its constraints.

7.37 The proposal is not considered to have an adverse impact on the character and appearance of the of the area and would accord with ACS policies S5 and S16 and the provisions and intentions of the NPPF.

### Design

7.38 The application has been submitted with layout, massing and appearance reserved. Design considers the appearance of the development independently and as part of the immediate streetscene. ACS policy S16 states that proposals should take full account of the need to protect and enhance the local environment. ADLP policy BE8 of the ALP specifies the relevant appendix to assess proposals for new dwellings and extensions (in this case Appendix A). Appendix A covers criteria relating to layout, access, car parking, design, materials and landscaping. It is acknowledged that this policy in part is not fully compliant with the NPPF in terms of its prescriptive nature.

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

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).*

7.40 NLP policies HOU9 and QOP1 reflect BLP requirements, with QOP2 requiring a high standard of amenity for current and future users of a development. QOP5 seeks to ensure sustainable design and construction, include passive design measures to respond existing and anticipated climatic conditions and improve the efficiency of heating and cooling etc. QOP6 seeks to ensure well designed places

7.41 The application is for 40 dwellings and, whilst the layout is indicative, the proposal does show that an acceptable layout can be accommodated on site. Appearance is a reserved matter, however, having regard to other development in the nearby area, it would be expected for house types and material treatments to respect the vernacular of the area in a similar manner to that of other modern development in Longframlington taking cues from the historic vernacular in a contemporary form.

7.42 A detailed assessment of the visual appearance for the outline element can only be carried out at the reserved matters stage. However based on the submitted indicative plan and associated documents, it is considered that a residential

development could be accommodated on this part of the site without causing a significant adverse visual impact. Therefore the design of the proposal is considered acceptable, in accordance with S16 of the ACS and the NPPF.

### Heritage Assets

7.43 S15 of the ACS sets out that the District Council will conserve and enhance a strong sense of place by conserving the district's built and historic environment.

7.44 Paragraph 184 of the NPPF sets out that Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation

#### Archaeology:

7.45 Longframlington dates to at least the medieval period The site is located within a wider landscape containing known sites from the prehistoric period onwards. As a result the site is considered to have potential for significant undiscovered archaeological features. The application has been submitted with an archaeological desk-based assessment which has been supplemented with an archaeological evaluation involving site investigation. The submissions have been reviewed by the County Archaeologist (CA).

7.46 BE2 of the ADLP sets out that planning permission will not be granted for development detrimental to sites of regional or local archaeological importance, unless there is an overriding need for the development and no alternative location can be found. Where the impact of the development is not clear, the developer will be required to provide an archaeological assessment.

7.47 Paragraph 189 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

7.48 The CA has reviewed the submitted information concluding that whilst site investigations have been carried out, that there was a semi-circular ditch containing post holes at the southern part of the site pre-dating the medieval ridge and furrow present on the wider area. These features will require further archaeological investigation and as such a further scheme of investigation has been recommended by planning condition to strip, map and record in accordance with NCC's Standards for Archaeological Mitigation and Site Specific Requirements.

7.49 The CA has no objection on archaeological matters, subject to condition, which will address any impact of the proposal. Subject to condition the proposal is considered to accord with ADLP policy BE2 and policy S15 of the ACS and the provisions and intentions of the NPPF.

#### Listed Building:

7.49 The site is located north of Embleton Hall and its associated structures that are all Grade II Listed with a separation of approximately 50m. It is set back from the village's main thoroughfare (Front Street) and bounded by a spine-like strip of mature woodland. The site is situated immediately north of Grade II listed Embleton Hall and its associated Grade II listed buildings (farm buildings, outbuilding and walled garden) and opposite Longframlington United Reform Church (considered a non-designated heritage asset). A public right of way accessed from Front Street dissects the woodland to the paddock. The application has been submitted with a Heritage Statement and has been subject to consultation with Building Conservation (BCO).

7.50 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.51 Annex 2 of the NPPF sets out that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Paragraphs 193-196 of the NPPF deal with concept of 'harm' to heritage assets and identifies that 'harm' that can be caused by development that potentially affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm' or 'less than substantial harm' and advises Local Planning Authorities where harm is identified and 'clear and convincing justification' is provided then the level of harm should be weighed against the public benefits of the development proposed. It also stresses that great weight should be given to the heritage asset's conservation.

7.52 The BCO has identified that the development will fail to preserve the setting of the Grade I listed Embleton Hall and Walled Garden when experiencing it from a wider setting. Whilst it would harm the setting the BCO acknowledges the harm would be less than substantial

7.53 The main impact on setting would arise from views from the north and west (along the PROW). The indicative layout is considered to provide the option for increased levels of screening to the southern boundaries of the site. The scale and external appearance of any dwellings would be considered at the reserved matters stage would be expected to respect local context and built form.

7.54 When balancing the harm attributed to the setting and impact on heritage assets; the assessment is done through consideration of 'significance' of the special qualities that cumulatively 'make' a heritage asset. All elements of the scheme must have regard to the significance of the heritage asset and balance the potential of 'harm' against 'public benefit'. The level of harm in this instance is less than substantial, therefore an evaluation of public benefit must be undertaken to ascertain the acceptability of the proposal.

7.55 There would be short term benefits over the development period through employment during the construction period coupled with additions to the housing supply. Financial contributions in respect of education and health would mitigate for development as opposed to providing a wider contribution or public benefit. The



provision of 17% of dwellings to be affordable homes coupled with junction improvements on the A697/ C106 would provide a wider public benefit. In addition the provision of additional dwellings will add to the vitality of the village and help ensure the retention and improvement of existing services, in the village and wider area.

7.56 The public benefit of the proposal is considered to outweigh the level of harm afforded. Therefore the impact on the historic environment is considered acceptable in accordance with S15 of the ACS and the NPPF.

#### Residential amenity

7.57 Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.

7.58 Paragraph 127 of the NPPF states that planning decisions should;

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

7.59 The assessment of neighbour issues seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use.

7.60 Some element of disturbance from noise, dust, vehicles etc. during the construction period is considered an inevitable part of the development process. Following the consultation response from Highways Development Management (HDM), a Construction Method Statement is required by planning condition to secure details of on site operations during the construction period. This in turn would ensure good practise having regard to amenity issues for nearby occupants prior to completion of the development.

7.61 Woodland that separates the site from development to the north, south and west, the neighbour issues arising from the proposal are limited. A detailed assessment of amenity for the outline element can only be done at the reserved matters stage. However, given the separation distances to neighbouring properties to the application site relative to the indicative layout, it is considered that the development could be accommodated without having a significant adverse impact on amenity in terms of privacy, mass and land use.

7.62 The proposal is set in close proximity to the A697 that has potential to have noise impacts on new residential development. The application has been submitted with a noise assessment which has been subject to consultation with Public Health Protection (PHP).

7.63 Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by:

*e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.*

7.64 PHP have reviewed the submission raising no objection subject to securing an acoustic design scheme to ensure that plots located closest from the noise source (A697) would not have habitable rooms facing it in order to secure a good quality internal environment for future occupants, otherwise information could be submitted to demonstrate that this is not required at the discretion of PHP.

7.65 The site is within the low risk coal referral area, the site otherwise has no history of previous significant contaminative uses. The application has been submitted with a Phase 1 ground investigation report which has been reviewed by PHP.

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

7.67 Paragraph 178 of the NPPF states that decisions should ensure that;

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

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

7.69 PHP recommends intrusive ground investigations in line with the report, set out in a condition. PHP has also looked into legacy coal mining issues confirming that the site is unlikely to be affected by historic coal mining activity and that no further work required.

7.70 It is considered that impacts on amenity arising from the development would not have an adverse impact on neighbouring properties, proposed properties or, the wider environment. The proposal is not considered to have an adverse impact on residential neighbouring are therefore considered acceptable in accordance with CD32 of the ADLP and the NPPF.

## Ecology

7.71 Due to the site bordering the open countryside and proximity to SSSI features and a wooded area to the west with potential for tree removal at the access point, there is considered to be potential for the development to have on and off site ecological impacts. The application has been submitted with an Ecological Assessment, supplemented by a Bat Report which has been reviewed by the County Ecologist (CE).

7.72 S3 of the ACS sets out within its sustainability criteria that there should be no significant adverse effects on the environment, biodiversity and geodiversity. S12 of

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

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

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

7.74 NLP policy ENV2 and ENV3 seeks to ensure that proposals will not have an adverse impact on Biodiversity and Geodiversity and the character of the landscape. Policy QOP4(c) requires any hard and soft landscaping to be appropriate, functional and well integrated into the design of the development. Paragraph 170 of the NPPF sets out that planning decisions should contribute to, and enhance the local environment by;

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

7.75 The CE has identified that surface water from the site flows into the Swarland Burn, which discharges into the River Coquet. Surface water from residential developments is liable to contain a range of household and garden chemicals, especially those associated with car maintenance and cleaning, garden pesticides, outdoor cleaning products such as patio cleaners and microplastics from a range of sources, and so there is the potential for these pollutants to contaminate the Swarland Burn and be conveyed to the River Coquet. The Coquet is designated as a Site of Special Scientific Interest and so the Council needs to consider its legal duties under S.28G of the Wildlife and Countryside Act 1981 as amended to take reasonable steps to further the conservation and enhancement of interest features of SSSIs. Paragraph 174b of the NPPF states that development likely to have an adverse effect on an SSSI should not normally be permitted. In order to avoid any adverse effects on the River Coquet SSSI arising from this development it is important that surface water is treated through an above-ground SUDS scheme that comprises the full management train of source control (e.g permeable paving, rain gardens), conveyance features (vegetated swales) and then detention basins, prior to discharge to the watercourse. This is because all of these features are required to achieve the necessary levels of pollution control. While piped discharges to a detention basin or crates (indicated on the indicative plan), may achieve required levels of attenuation, they are unlikely to achieve the required levels of pollution control.

7.76 Having assessed the application and acknowledging the Outline nature of the application, the CE has no objection subject to conditions relating to the the submission of a CEMP, Landscaping and Biodiversity Enhancement Scheme and surface water drainage.

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

## Highway impacts

7.78 Highway safety considers the impact the development would have in terms of vehicle movements, the internal layout of development and pedestrian connectivity. The application has been assessed by Highways Development Management (HDM). The application has been submitted with a Transport Statement.

7.79 S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.

7.80 Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 98 of the NPPF states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

7.81 NLP policy TRA1(a) requires all developments to have a safe and effective access and egress, with policy TRA4 requiring an appropriate level of off street parking to be provided.

7.82 After the detailed assessment of the application and further discussion and clarification with the agent re required works HDM have no objection to the proposal subject to conditions which include re-alignment/ junction improvements as well as footpath improvements and the provision of bus stops. The improvements are to address highway safety with road capacity considered acceptable, with the improvement in excess of what is required to make the development acceptable, but addressing concerns of HDM and residents.

7.83 The re-alignment of the junction would require highways technical design which is to be secured at the outset of development with delivery prior to occupation, tied into a legal agreement that would sit alongside the permission. The alterations would involve widening to an adopted standard along with the provision of a 2m footway.

7.84 There is a Public Right of Way (PROW) that runs through the site from south-west to east. Development that would affect PROW are subject to assessment by the NCC Countryside Officer (CO). The indicative site layout shows that the PROW would be retained in such a way that there would be limited change to the route. The requirements Countryside and Rights of Way Act protect any PROW from unauthorised stopping up etc. without the necessary authority/ notices being made.

7.85 The impact on highways, including PROW, is therefore considered acceptable in accordance with S11 of the ACS and the provisions and intentions of the NPPF.

## Water Management

7.86 The application is for major development and has been accompanied by a drainage strategy which has been subject to consultation with the Lead Local Flood Authority (LLFA) and Northumbrian Water (NWL).

7.87 NPPF paragraph 165 of the NPPF states that Major developments should incorporate sustainable drainage systems (SUDs), unless there is clear evidence that this would be inappropriate.

7.67 NLP policies WAT 2, WAT 3 and WAT 4 seek to ensure proposals provide appropriate water supply and sewerage; demonstrate how they will minimise flood risk; and provide water sensitive design including SuDs, respectively.

7.88 NWL has raised no objection subject to a condition to secure details of surface and foul water drainage. Following the submission of additional information/clarification on over land flows the LLFA . The LLFA has no objection, subject to conditions. Therefore the proposal is considered to accord with current policy, subject to conditions

### Other Matters

7.89 The parish council and a number of members of the public have objected to the proposal. Objections raised with respect to the need for the development is a matter for the market, with other issues raised considered to be addressed within the report.

### Equality Duty

7.90 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

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

### Human Rights Act Implications

7.92 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.

7.93 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.

7.94 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 ACS identifies Longframlington as a Sustainable Village Centre. In general terms it is considered that the principle of new housing in this location would be in accordance with the economic, social and environmental objectives of sustainable development.

8.2 Whilst the proposed housing is not needed to enable the council to meet the minimum needs of the NLP, these figures do not represent a 'cap' for housing development and the site already benefits from consent for residential development and is set within a sustainable location. AH should be sought through a legal obligation.

8.3 The proposed design, indicative layout/ proposed density are considered to be acceptable.

8.4 HDM have no objection, subject to conditions with, given the Outline nature of the proposal, the proposed road/ junction realignment and improvements secured by planning condition.

8.5 Contributions to both education and health infrastructure should be sought through a legal obligation.

8.6 Other impacts can be satisfactorily mitigated by planning conditions, with the harm caused to heritage assets considered to be outweighed by the public benefits of the proposal.

## **9. Recommendation**

That Members be MINDED to approve, subject to conditions set out in the report and a Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:

- Education contribution of £72, 000
- Health contribution of £ 33, 300
- The provision of 17% Affordable Homes on site:

### Conditions

01. Approval of the details of the layout, scale, appearance of the building(s), access and landscaping of the site, hereinafter called "the reserved matters" shall be obtained from the Local Planning Authority.

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

02. Application for the approval of the reserved matters shall be made to the Local Planning Authority 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)

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

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission.

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

1. 180614 - Approximate Route of Ditch at North, attached to SYSTRA e-mail dated 14 Aug 2018;
2. 180814 - Flow Source Notes (as amended), attached to SYSTRA e-mail dated 14 Aug 2018;
3. Drawing - Flow Route - attached to SYSTRA e-mail dated 14 Aug 2018;
4. SD-00.01 - OS Location Plan, Rev A;

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

05. The development shall not be brought into use until a validation and verification report to the approved methodology in Condition 11, has been submitted to and approved in writing by the Local Planning Authority.

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

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

- a) Further site investigations are recommended in the Geo-Environmental Ground Investigation (Phase 1 Geo-environmental Report produced by Patrick Parsons, ref: N17339 (Rev 1) and dated 10.01.18) and shall be carried out to fully and effectively

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

07. 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.

08. No development shall commence until a scheme to control dust, to be implemented for the duration of the site works, has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include methods to control dust from works and site management responses to incidents and complaints about dust arising from the site.

Reason: To protect residential amenity and provide a commensurate level of protection against dust.

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

Monday to Friday - 0800 to 1800

Saturday 0800 to 1300



Reason: To protect residential amenity and provide a commensurate level of protection against noise

10. Deliveries to, and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

11. 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 BS 8485:2015+A1:2019 (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.

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

12. No dwelling shall be constructed until an acoustic design scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include internal room layout plans to show that the main habitable rooms shall have access to a window which can be opened on the facade facing away from the A697 road. Thereafter, the approved acoustic design scheme shall be implemented in full before the occupation of the dwelling it relates to and retained in perpetuity.

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

13. Detailed Design (North)

Notwithstanding details contained within the approved documents;

No buildings or dwellings shall be sited within 5m from the ditch to the north of the development; and

Finished floor levels in this vicinity shall be at least 450mm above the adjacent ditch bank top level.

Reason: To ensure future access to the ditch can be ensured throughout the lifetime of development and to reduce the risk of flooding to any dwellings.

#### 14. Detailed Design (South-East)

Notwithstanding details contained within the approved documents:

No buildings or dwellings shall be sited within 5m from the culverted watercourse to the south east of the development; and

finished floor levels in this vicinity shall be at least 450mm above the cover level of this culvert.

Reason: To ensure future access to the culverted watercourse can be ensured throughout the lifetime of development and to reduce the risk of flooding to any dwellings.

#### 15. Detailed Design (South)

Notwithstanding details contained within the approved documents;

Finished floor levels in the area adjacent to the woodlands south of the development shall be set at least 450mm above the top bank of this area.

Reason: To reduce the risk of flooding to any dwellings.

#### 16. Details of Overland Surface Water Management to be Submitted

Prior to the commencement of development a scheme to include;

a) Details to mitigate flows from 'source 2' from drawing "Flow Source notes 180814" - It needs to be demonstrated that any overland flows will not flood any dwellings in the 1 in 100 year plus climate change event, will be safe and will not cause any nuisance or damage to people or property;

b) Details to mitigate flows from 'source 3' from drawing "Flow Source notes 180814" - this will look at the woodland area that acts as an attenuation basin and shall look at an overland flow route in the event that this area overtops; and

c) Program of delivery

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

Reason: To ensure any overland surface water flows do not adversely affect the development and its users.

#### 17. Surface Water Drainage Scheme to be Submitted

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

a) Restrict discharge from the development to Qbar for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by LLFA and the local planning authority.

b) Adhere to the principles as set out in the drainage strategy from Systra "Drainage and Flood Risk assessment Lightpipe Farm Longframlington" dated 15/01/2018 reference T17H73.2RoJ.10646614

c) Provide attenuation on site for the 1 in 100 year plus climate change event.

d) Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment; and

e) Provide a program of delivery.

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

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

18. Prior to first occupation details of SuDS management to include details of;

- a) The adoption of all SuDS features;
- b) Maintenance schedule and log; and
- c) Programme of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme for SuDS management shall be implemented in accordance with the programme of delivery and the approved details.

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

19. Prior to construction above ground floor level, a detailed scheme for the disposal of foul water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. 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.

20. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 18/7/19). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site Specific

Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) 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.

21. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 18/7/19). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) 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.

22. Prior to commencement of development a scheme to dispose of surface water from the development that comprising vegetated sustainable drainage techniques throughout the development shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented as approved.

Reason: To ensure the protection of receiving watercourses and the River Coquet and Coquet Valley Woodlands SSSI.

23. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the LPA including but not restricted to the following measures:

1. The erection of exclusion fencing prior to any site clearance works commencing to protect all areas of woodland and all watercourses from any damage or degradation and its maintenance until the completion of construction:

2. A surface water and silt management system to prevent the ingress of silt to any

watercourses:

3. Measures for the management of fuels, lubricants and other chemicals.

The CEMP shall be fully implemented as approved.

Reason: To ensure the protection of important habitats and species.

24. Prior to the commencement of development, a landscaping and biodiversity enhancement scheme shall be submitted to and approved by the LPA, including but not restricted to:

1. In-built bat and bird 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);

2. Detailed landscaping plans designed to increase their value for biodiversity;

3. The provision of 13cm x 13cm hedgehog gaps in all garden fencing;

4. 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 paragraphs 170 and 174 of the National Planning Policy Framework.

25. No development, removal of vegetation or felling of trees 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.

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

26. Development shall not commence on the development area 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 access, routes and vehicles, accommodation works for layby and recycling facility adjacent to Denwick Lane;

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 and saved policies within the development plan.

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

Reason: In the interests of visual amenity of the area, in accordance with the National Planning Policy Framework and saved policies within the development plan.

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

a) realignment of A697/C106 junction and C106 carriageway, including widening works; together with drainage, street lighting, road markings, signage and associated works;

b) a footway along the frontage of the C106 carriageway to tie in with the existing footway along A697 frontage, together with; drainage, street lighting and associated works;

c) construction of site access/junction to county road C106, incorporating minimum entry width of 6 metres, 6 metres radii, including 2.4 x 43 metre visibility splays, together with associated works;

d) bus stops on the A697, including provision of Equality Act 2010 level access kerbing, dropped kerb pedestrian road crossings, clearway markings, plates, poles, together with associated works; have been completed, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

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

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

Reason (d): In the interests of encouraging sustainable modes of travel, in accordance with the National Planning Policy Framework.

29. No dwelling shall be occupied 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 and saved Policies within the development plan.

30. The development shall not be occupied until details of refuse storage facilities, bin standing area, and a refuse storage strategy have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development is occupied. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with the approved details.

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

31. No dwelling shall be occupied until details of car parking area, including garages, associated with each plot have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and saved Policies within the Alnwick and the policies within the development plan.

32. No dwelling shall 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 and saved Policies within the development plan.

33. Prior to occupation, details of surface water drainage to manage run-off from private land to the adoptable highway elements of the estate, have been submitted to and approved in writing 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.

**Background Papers:** Planning application file(s) 19/02085/OUT

