



Northumberland County Council

Strategic Planning Committee 2 October 2018 ADDENDUM REPORT

Application No: 16/04348/OUT

Proposal: Outline planning application for the construction of up to 200 new dwellings (C3 Use Class) associated highways, infrastructure and landscaping with all matters reserved except access to and from the site.

Site Address: Land East of North Seaton, Summerhouse Lane, Ashington, Northumberland

Applicant: Persimmon Homes North East, 2 Esh Plaza, Sir Bobby Robson Way, Newcastle Upon Tyne NE13 9BA

RECOMMENDATION: THAT MEMBERS BE MINDED TO GRANT PERMISSION AND DELEGATE AUTHORITY TO OFFICERS TO DETERMINE THE APPLICATION SUBJECT TO CONDITIONS AND COMPLETION OF A SECTION 106 AGREEMENT.

- 1.1 The purpose of this report is to seek approval from Strategic Planning Committee to a package of Section 106 contributions proposed by officers following discussions with the applicant and consultees which differs from that previously approved by Committee. Approval is also sought for some minor changes to the proposed planning conditions.
- 1.2 This application was previously considered by Strategic Planning Committee on the 4 April and the 5 September 2017. Members resolved that they were minded to grant planning permission subject to resolution of outstanding transportation matters raised by Highways England and completion of a Section 106 Agreement concerning various infrastructure matters and conditions. The officer reports previously considered by Members at those 2017 committees are appended to this addendum report.
- 1.3 During the intervening period discussions have taken place with the applicant and consultees regarding the various above-mentioned outstanding matters. These have now been resolved to the satisfaction of officers and consultees and a final draft Section 106 Agreement has been negotiated which provides

for all of the contributions sought by officers and consultees. These are as follows:

- 15% affordable housing (comprising 67% discount market value sale units and 33% affordable rented units).
- £1,075,800 education contribution.
- £138,000 healthcare contribution.
- £164,000 sports contribution to be spent in Hirst Park Ashington and/or at Newbiggin Town Football Club.
- £48,678 local highway contribution for improvement to the nearby Ashwood roundabout.
- Contribution of between £53,977 and £118,750 for mitigation works at and within the vicinity of the A19/A189 Moor Farm roundabout.
- £120,000 ecology coastal mitigation contribution.

1.4 The Heads of Terms for the Section 106 Agreement as previously approved by Committee remain unchanged with the exception of ecology where it is now proposed that the applicant would provide a contribution of £600 per dwelling (i.e. £120,000) to the Council's coastal mitigation service rather than providing and managing an area of Suitable Alternative Natural Greenspace (SANG) to the east of the site on the other side of the A189. This change has arisen because it has not been possible to secure agreement with the applicant regarding the geographical extent of the SANG. However, the applicant's alternative proposal to provide a financial contribution towards the Council's coastal mitigation service is acceptable to the Council's Ecologist.

1.5 The Moor Farm roundabout contribution of between £53,977 and £118,750 has been agreed with Highways England and they have now withdrawn their Holding Objection, subject to a Section 106 Agreement being completed. The precise amount payable within the range specified would be dependent upon what other schemes contributed towards the cost of these works.

1.6 The amounts secured in respect of the affordable housing, education, healthcare, sports provision and Ashwood roundabout contributions remain unchanged from September 2017 when committee previously considered this application, although it is now proposed following discussions with the Council's parks and open spaces team and the local Member that the sports contribution should be allocated for spend in either Hirst Park Ashington and/or at Newbiggin Town Football Club.

1.7 Moving onto the matter of planning conditions, a number of minor changes in wording are proposed to those conditions approved by Committee in April 2017 following further discussion with the applicant and consultees. The changes are as follows:

- i) Condition 15 (construction method statement) amended to remove reference to vehicle movements and numbers due to enforceability concerns.
- ii) Condition 20 (verification of ground stabilisation and gas protection works) split into 2 separate conditions at the request of the Council's Public Protection team.

- iii) Condition 26 (contamination) amended to allow for discharge on a phased basis.
- iv) Condition 30 (ecology) amended to reflect that a SANG is no longer to be provided.
- v) Conditions 43 and 44 (travel plan) replaced with a single new condition requiring implementation of a travel plan since provided by the applicant.
- vi) Additional conditions 44 and 45 covering ecology matters related to compliance with mitigation measures in ecology reports and pollution prevention.

1.8 Overall, officers consider the proposed changes to the Section 106 Agreement and conditions as detailed above to be acceptable and it is recommended that the proposed development should continue to be supported.

4. Recommendation

That Members be minded to **GRANT** permission and delegate authority to officers to determine the application, subject to conditions as specified in previous reports to committee as amended by the conditions listed below and subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 which secures 15% affordable housing and the various infrastructure contributions as specified earlier in this report.

Amended Conditions

15. No development shall take place in a phase until a Construction Method Statement for that phase has been submitted to and approved in writing by the local authority. This shall include:

- i) parking for site operators and visitors;
- ii) storage for plant materials and all elements required for the construction of the development;
- iii) hoardings, decorative displays and areas of public access (sales area);
- iv) wheel washing facilities;
- v) measures to control emissions and dust during construction;
- vi) routing of heavy construction vehicles and deliveries;
- vii) site access and any turning facilities required for construction vehicles;
- viii) the approximate phasing of construction works;
- ix) measures to be put in place to safeguard during construction works the existing trees and hedgerows on and adjacent to the boundaries of the site;
- x) details in respect of any temporary lighting, which shall be designed so that lighting levels are minimised in accordance with the document 'Bats and Lighting in the UK', Institute of Lighting Engineers and BCT, 2009; and
- xi) arrangements to ensure that all trenches and excavations deeper than 0.3 metres left open overnight have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals;

The approved statement shall be implemented and complied with for the full duration of the construction works associated with that phase.

Reason: In order to achieve a satisfactory form of development and protect general amenity in accordance with the NPPF.

20. No dwelling shall be first occupied in a phase unless and until the applicant has submitted to and had approved in writing by the local planning authority a validation and verification report compliant with the approved methodology as agreed under Condition 19.

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.

21. No dwelling shall be first occupied in a phase unless and until the applicant has submitted to and had approved in writing by the local planning authority a verification report confirming that all ground stabilisation works as approved under Condition 18 above in respect of that phase have been undertaken in full.

Reason: In order to ensure that any unstable ground is appropriately stabilised and to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties having regard to Policies GP22a and GP29 of the Wansbeck District Local Plan and the National Planning Policy Framework.

26. The development hereby permitted shall be undertaken in full accordance with a scheme to deal with any contamination of land or pollution of controlled waters along with timescales for the phasing of the implementation of such works which shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

- a) If the Phase 1 Desktop Top Study has identified further site investigations to be required in a phase, this site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters in that phase. 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 site's 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 that phase 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) Prior to the first occupation of any dwelling in a phase, 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 in accordance with Policy GP29 of the Wansbeck District Local Plan and the National Planning Policy Framework.

30. Prior to development commencing, a landscape and biodiversity enhancement scheme shall be approved by the LPA and fully implemented as approved including but not restricted to:

- i) A method statement for the eradication of any species listed on Schedule 9 of the Wildlife and Countryside Act 1981 as amended present on the site
- ii) 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)
- iii) Protection and enhancement of the existing hedgerow along the eastern boundary of the site
- iv) Detailed landscaping plans for all public open space and SUDS wetlands, designed to increase their value for biodiversity
- v) The provision of hedgehog gaps in all garden fencing
- vi) An external lighting scheme that accords with Bats and 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 Policy GP13 of the Wansbeck District Local Plan and the National Planning Policy Framework.

43. The Travel Plan prepared by Milestone Transport Planning (Ref: MTP 14/091) dated May 2017 which forms part of the approved application documentation shall be implemented in respect of the development hereby permitted in full accordance with the timescales and travel plan measures detailed within that document.

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

44. No development shall take place unless in full accordance with the avoidance, mitigation and enhancement measures detailed in the following ecological reports:
Preliminary Ecological Appraisal - Land East of Summerhouse Lane (E3 Ecology Ltd, August 2018)

Ecological Management and Maintenance Plan - Ashington Compensation Land (E3 Ecology Ltd, August 2018)

Ornithological Assessment - Land to the East of Summerhouse Lane (E3 Ecology Ltd, August 2018)

Report to Inform an Appropriate Assessment for the proposed Developments on the Eastern Edge of Ashington, Northumberland (E3 Ecology Ltd, August 2018)

Ecological Assessment - Ashington Compensation Area (E3 Ecology Ltd, August 2018)

Great Crested Newt Survey - Ashington Compensation Area (E3 Ecology Ltd, August 2018)

Reason: To maintain the favourable conservation status of protected and priority species and to secure biodiversity enhancement, in accordance with Policy GP13 of the Wansbeck District Local Plan and the National Planning Policy Framework.

45.No development shall be carried out other than in accordance with the guidance set out in '*Pollution Prevention for Businesses*' (<https://www.gov.uk/guidance/pollution-prevention-for-businesses>)

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Appendices:

Reports to Strategic Planning Committee dated 4 April and 5 September 2017.

Date of Report: 14.09.2018

Background Papers: Planning application file(s) 16/04731/OUT