



Northumberland County Council

Strategic Planning Committee 4 December 2018 ADDENDUM REPORT

Application No: 17/01677/OUT

Proposal: Outline planning application for up to 272 dwellings with all matters reserved except for access

Site Address: Land North East Of Amble Sewage Treatment Works, Percy Drive Amble, Northumberland

Applicant: Cheviot Holdings Ltd

Recommendation: That Members be minded to **GRANT** permission and delegate authority to the Director of Planning to determine the application, subject to conditions as specified in this report, 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 and the resolution of outstanding matters relating to ground contamination and ecology to the satisfaction of the Council's Public Protection and Ecology officers including, where necessary, the addition of further conditions or the amendment of currently proposed conditions as required by those consultees.

1. Introduction

- 1.1 This application was previously considered by Strategic Planning Committee on the 3 October 2017. Members resolved that they were minded to grant planning permission subject to the resolution of outstanding matters in respect of ecology, archaeology and public protection and subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure 15% affordable housing provision; education contribution; healthcare contribution; sport and play contribution and provision of ecological mitigation, and subject to conditions. The officer report previously considered by Members at the 3 October 2017 committee is appended to this addendum report.
- 1.2 During the intervening period discussions have taken place with the applicant and consultees regarding the various above-mentioned outstanding matters. Outstanding matters in respect of archaeology have now been resolved to the

satisfaction of officers and consultees. Comments are awaited from the Council's ecologist on further documentation recently submitted to address his queries and an update on his views will be provided at committee. Public Protection matters remain unresolved as a phase 2 contamination report is still awaited from the applicant, although work is progressing on this. 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 a mix of affordable rented and/or shared ownership units delivered by a Registered Provider and discount market value sale units).
- £693,000 education contribution for primary school provision in Amble and special educational needs provision for children from the development.
- £187,800 primary healthcare contribution to be spent in Amble.
- £230,000 sports facility contribution to be spent within the Amble parish area.
- £163,200 contribution to the Council's ecology coastal mitigation service.

1.3 Notwithstanding the above, on the 24 July this year the Government published its updated National Planning Policy Framework (NPPF). The officer report previously considered by Strategic Planning Committee in October 2017 made extensive references to the previous version of the NPPF and therefore these may have had a material bearing on the decision of Members that they were minded to grant planning permission.

1.4 As such it is considered that this application should be referred back to Strategic Planning Committee so that it may be re-considered by Members in light of the updated NPPF

1.5 As per the previous report to committee, the Development Plan in respect of the application site remains the former Alnwick District LDF Core Strategy and the saved policies of the former Alnwick District Wide Local Plan. 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. As such the development plan policies referred to in the previous report to committee remain relevant to the determination of this application. However, the weight that can be afforded to these policies varies due to their differing degree of conformity, or conflict, with the NPPF.

1.6 This short addendum report seeks to advise Members on key changes between the previous and updated versions of the NPPF which are of relevance to determination of this application.

2. Key changes between previous and updated versions of the NPPF

2.1 In terms of the acceptability in principle of the proposed development reference was made in previous officer reports to the presumption in favour of sustainable development outlined in paragraph 14 of the previous NPPF. The updated NPPF, at paragraph 11, retains this presumption but some changes of wording within that presumption have been made.

- 2.2 Firstly, the previous NPPF presumption in favour of sustainable development stated that Local Planning Authorities should approve development proposals that accord with the Development Plan. The new NPPF qualifies this by stating that the Development Plan in question should be 'up-to-date'.
- 2.3 Secondly, where the scenario identified in the above paragraph does not apply, both the previous NPPF and the new NPPF provide for a 'tilted balance' in favour of a grant of planning permission unless restrictive policies preclude this or any adverse impacts arising would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the Policies in the NPPF as a whole. Under the previous NPPF that tilted balance applied 'where the development plan is absent, silent or relevant policies are out-of-date'. Under the new NPPF that tilted balance applies 'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date'.
- 2.4 In terms of the NPPF presumption in favour of sustainable development, the previous NPPF adopted a broader definition regarding 'restrictive policies' that could justify a refusal of planning permission even if the tilted balance was applicable. The new NPPF is more prescriptive as to the definition of 'restrictive policies' limiting these to specified policies in the NPPF only concerning certain designated ecological and heritage assets, Green Belt and areas at risk of flooding or coastal change.
- 2.5 Footnote 7 to paragraph 11 of the new NPPF states that the situations where the tilted balance applies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.
- 2.6 Paragraph 73 of the new NPPF states that where strategic planning policies relating to housing land supply are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Northumberland's local housing need figure is currently 717 dwellings per annum. Against this requirement, and taking into account the supply identified in the Council's latest Five Year Supply of Deliverable Sites 2017 to 2022 report, the Council can demonstrate a 12.1 years supply of housing land. Therefore Northumberland clearly has more than a 5-year housing land supply, and as such, in this context, the tilted balance in the presumption in favour of sustainable development is not engaged on the basis of housing land supply matters.
- 2.7 The supply position updates that were presented in the Council's 'Position statement' following withdrawal of the draft Core Strategy (Nov 2017), and in the Five Year Supply of Deliverable Sites 2017 to 2022 report (Nov 2017) which used an Objectively Assessed Need of 944 dwellings per annum, are informed by superseded evidence. While the emerging Northumberland Local Plan includes a housing target of 885 dwellings per annum, given that the plan is not yet adopted, this target has not been used for the calculation of the

Council's five year housing land supply position, as to do so would not reflect the NPPF.

- 2.8 Paragraph 215 of the new NPPF states that the provisions in Footnote 7 of new NPPF paragraph 11 relating to the Housing Delivery Test do not apply in full until November 2020, with transitional percentages of 25% and 45% applying from November 2018 and 2019 respectively. The proposals are considered acceptable in respect of the Housing Delivery Test at the present time.
- 2.9 In terms of the principle of development, the previous NPPF included a number of Core Planning Principles. These are no longer included in the new NPPF.
- 2.10 As per the previous report to committee, Officers remain of the view that the application site is an acceptable location in principle for the proposed development due to its close proximity to existing built development and local services in Amble which is identified in Policy S1 of the Alnwick LDF Core Strategy as a Main Rural Service Centre. The proposals also continue to satisfy the sustainability criteria outlined in Policy S3. Whilst Policy S2 gives preference to the development of previously developed land over green field sites such as the application site, this Policy remains inconsistent with the updated NPPF and therefore cannot be afforded significant weight. Likewise, in terms of the former Alnwick District Wide Local Plan, the location of the site outside of the settlement boundary for Amble, cannot be afforded weight as Policies relating to settlement boundaries in that Plan were not saved. Notwithstanding this, the new NPPF, as did the previous version, does not specifically seek to preclude development such as this on land outside of settlement boundaries or development on greenfield sites that have not been allocated for housing in a Development Plan, although paragraph 170 of the NPPF does refer to the need for planning decisions to recognise the intrinsic character and beauty of the countryside and the need to protect and enhance valued landscapes. As such proposals on sites such as this in the open countryside need to be assessed on their individual merits taking into account all material planning considerations.
- 2.11 In this regard, the NPPF continues to seek to promote sustainable development and a judgement needs to be made as to whether or not overall the proposal amounts to sustainable development.
- 2.12 Paragraph 7 of the previous NPPF identified three dimensions to sustainable development – an economic element, a social element and an environmental element. Paragraph 8 of the new NPPF continues to refer to these 3 subject areas, although they are now referred to as objectives and some changes have been made to detailed wording in respect of the specification of these objectives (as outlined later in this report) which in the view of officers does not have implications for the acceptability in principle of the proposed development.
- 2.13 In terms of the overall planning balance, having regard to the new NPPF economic, social and environmental sustainability objectives, officers remain of the view that the proposed development overall is acceptable in principle. In

arriving at this conclusion officers have had regard to the fact that the proposed site is included within the Council's housing land supply for the Plan period of the emerging Local Plan and also within the 5 year housing land supply for the period 2017-2022 and is included within a revised settlement boundary for Amble as defined in the Council's emerging Local Plan. In addition, a final draft Section 106 Agreement has been negotiated with the applicant which provides for all of the contributions sought by officers and consultees and the proposals, in the view of officers, remain acceptable in terms of housing mix and affordable housing, landscape and visual impact, residential amenity impact, transportation matters, drainage/flooding, ecology, archaeology, ground conditions (subject to a phase 2 contamination report) and loss of agricultural land.

- 2.14 Moving onto elements of the new NPPF related to specific aspects of development which differ from the previous NPPF, paragraph 55 of the new NPPF states that planning conditions that are required to be discharged before development commences should be avoided unless there is a clear justification. Some pre-commencement conditions are proposed in this instance but these are considered justified and the wording of all conditions has been agreed with the applicant. Some changes of wording to conditions have been agreed with the applicant since the previous report to committee and there is some change to the numbering of conditions also following the deletion of one condition that appeared twice in the original committee report and the merging of two ecology conditions. Therefore all proposed conditions are listed in this report.
- 2.15 In respect of transportation matters, paragraph 109 of the new NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. This paragraph differs from paragraph 32 of the previous NPPF which did not include specific reference to highway safety as a ground for refusal. However, the Council as Local Highway Authority raise no objection to the proposals subject to conditions.
- 2.16 The new NPPF provides greater detail in respect of high quality design than its predecessor and also refers to the need to make effective use of land. The social and environmental objectives of sustainable development at paragraph 8 of the new NPPF are expanded to reflect this with detailed policy provided from paragraphs 117-132. Officers consider the proposed development to accord with these provisions in the new NPPF for the reasons specified in the previous report to committee, although the detail in respect of design would be resolved at Reserved Matters stage.
- 2.17 Finally in terms of housing mix the social objective in respect of sustainable development at paragraph 8 of the new NPPF refers to developments providing for a sufficient number and range of homes as opposed to the previous NPPF which made reference only to housing supply in respect of the social dimension of sustainable development. The precise mix of housing would be determined at Reserved Matters stage but it is considered that a range of homes can be delivered given the scale of development proposed

and the provision of 15% affordable housing which is included in the final draft of the Section 106 Agreement.

- 2.18 In respect of affordable housing, the new NPPF widens the definition of affordable dwellings to include starter homes and other affordable routes to home ownership. Reference is also made to affordable housing for rent being let in accordance with Government Rent Policy at least 20% below market rents and to Discount Market Sale dwellings being sold at a value of at least 20% below open market value. The affordable housing provision contained within the final draft Section 106 Agreement remains at 15% of the total number of dwellings as per the previous report to committee. Discussions are ongoing with the applicant regarding the precise tenure mix of that affordable housing. This will include a mix of provision delivered by a Registered Provider which would comprise affordable rented and/or shared ownership units and some Discount Market Value sale provision. Overall, the proposed affordable housing provision is considered appropriate and in accordance with the new NPPF, notwithstanding the new NPPF's wider definition of affordable housing.
- 2.19 Drawing all matters together the proposed development is considered overall to be sustainable development. Furthermore, there are not considered to be 'restrictive' NPPF policies that would provide a clear reason for refusing the development and any adverse impacts arising would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies within the new NPPF as a whole.

3. Conclusion

- 3.1 Bearing in mind all of the above it is considered that the proposed development accords with the provisions of the new NPPF, and is overall in planning policy terms acceptable, subject to the conditions specified in this report and agreed with the applicant, the applicant completing the Section 106 Agreement with the Council which covers all of the matters highlighted earlier in this report and resolution of outstanding public protection matters following submission by the applicant prior to application determination of a phase 2 contamination report and no objections from the Council's ecologist in respect of further documentation already provided by the applicant.
- 3.2 As such, it is considered that the proposed development should continue to be supported.

4. Recommendation

That Members be minded to **GRANT** permission and delegate authority to the Director of Planning to determine the application, subject to conditions as specified in this report, 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 and the resolution of outstanding matters relating to ground contamination and ecology to the satisfaction of the Council's Public Protection and Ecology officers including, where necessary, the addition of further conditions or the amendment of currently proposed conditions as required by those consultees.

Revised Conditions

01. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called the reserved matters) in each phase shall be obtained from the Local Planning Authority in writing before any development is commenced in that phase. Thereafter, development shall not be carried out other than in accordance with the approved details.

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

04. Prior to the submission of any Reserved Matters under Condition 1 above a Phasing Programme shall be submitted to and approved in writing by the Local Planning Authority which shall identify the phasing of infrastructure, landscaping, on and off site public open space and residential areas of the development hereby approved. Thereafter the development shall be undertaken in full accordance with the approved Phasing Programme.

Reason: To ensure that the development progresses in a co-ordinated manner in accordance with the National Planning Policy Framework.

05. The development hereby approved shall be limited to no more than 272 dwellings.

Reason: In the interests of the satisfactory appearance of the development upon completion in accordance with the National Planning Policy Framework.

06. The development hereby permitted shall not be carried out otherwise than in general accordance with the approved plans and documents. The approved plans and documents are:-

26567 id04-1 A – Location Plan;

Transport Assessment & Addendum (Milestone Transport Planning – May and July 2017) including drawing no.16165/100A – Site Access;

1005/01 – Strategy Soft Landscape

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and documents and to ensure that a satisfactory form of development is obtained.

07. No dwelling in a phase hereby approved shall be occupied unless and until a detailed Open Space Management and Maintenance Scheme for the maintenance and management of all areas of open space (excluding private gardens) within that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full upon the substantial completion of the landscaping works approved under Condition 1 (or as may otherwise be approved in writing by the Local Planning Authority) in respect of that phase. Details to be submitted shall include;

- i) Details of landscape management and maintenance plans
- ii) Details of planting, grass cutting, weeding, pruning and litter picking
- iii) Inspection, repair and maintenance of all hard landscaping and structures
- iv) Management, monitoring and operational restrictions
- v) Maintenance and planting replacement programme for the establishment period of landscaping
- vi) Establish a procedure that would be implemented in the event of any tree (or item of soft landscaping) being removed, uprooted/ destroyed or dying which shall ensure that any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing.
- vii) surfacing of footpaths and footpath maintenance.
- viii) the provision of dog foul bins and provision for emptying those bins.
- ix) the provision and maintenance of interpretation materials, including an interpretation board and information leaflet provided to each house, to direct dog walkers to dog walking routes, green space and responsible dog walking which avoids impacting coastal birds.

The open space areas provided shall be retained for their intended purpose at all times thereafter unless otherwise is approved in writing by the Local Planning Authority.

Reason: To ensure appropriate maintenance and management of open space and to promote biodiversity in accordance with Policy S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

08. The landscaping Reserved Matters to be submitted under Condition 1 in respect of each phase, including SUDs areas, shall detail the species and number of trees, hedgerows and shrubs and use only Northumberland native species or those beneficial to native pollinators. Once approved such landscaping shall be completed in full during the first planting season (November – March inclusive) following the substantial completion of plot development in that phase.

Reason: In the interest of amenity and biodiversity, ensuring a satisfactory form of development having regard to Policy S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

09. The Reserved Matters to be submitted under Condition 1 shall include details of the proposed boundary treatments for each dwelling in the phase to which those Reserved Matters relate and no dwelling shall be occupied in that phase unless and until the boundary treatments for that dwelling as approved by the local planning authority have been provided in full.

Reason: In the interests of visual amenity, highway safety and biodiversity, in accordance with Policies S11, S12 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

10. 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 Planning Authority. The approved Demolition/Construction Method Statement shall be adhered to throughout the demolition/construction period. The Demolition/Construction Method Statement shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. measures to control the emission of dust and dirt;
- vii) routing of heavy construction vehicles and deliveries;
- viii) site access and any turning facilities required for construction vehicles;
- ix) the approximate phasing of construction works;
- x) vehicle movements and numbers;
- xi) 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;
- xii) 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
- xiii) 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 National Planning Policy Framework.

11. The Reserved Matters to be submitted under Condition 1 above in respect of any phase of the development hereby permitted, shall include full details of the proposed levels for that phase including finished floor levels of any buildings and associated structures, compared to existing levels on the site. Thereafter the development in that phase shall be constructed in full accordance with the approved levels unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual amenity of the area, in accordance with Policy S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

12. Notwithstanding the details provided, no dwelling shall be occupied unless schemes to provide:

- a. a new vehicular access/junction to the site from the public highway;
- b. localised widening of the Percy Drive carriageway at the site entrance to provide a protected ghost right turn lane, together with associated works;
- c. Improvements/relocation/alteration of bus stops on Percy Drive in the vicinity of the site frontage, including the provision of shelters; level access kerbing; pedestrian dropped kerb road crossing; clearway plate, pole; together with associated works;
- d. a 3 metre wide shared cycleway/footway, segregated from the carriageway, together with associated street lighting and drainage, leading along the site frontage, extending northward to the Percy Park junction and south-westward toward the A1068 roundabout.

have been completed to the satisfaction of the Local Planning Authority, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, amenity and encouraging sustainable modes of travel, in accordance with Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

13. Prior to the commencement of development within each phase, samples of the materials to be used in the construction of the external surfaces of the adoptable highway elements of the estate for that estate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details for that phase.

Reason: In the interests of visual amenity, in accordance with Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

14. No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases, completion sequence and construction standards that estate streets serving each phase of the development will be completed. The development shall then be carried out in accordance with the approved Estate Street Phasing and Completion Plan.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

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

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

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

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

17. The development shall not be occupied until details of refuse storage facilities 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 Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

18. The Reserved Matters to be submitted under Condition 1 shall include details of car and cycle parking for all dwellings in the phase to which those Reserved Matters relate and no dwelling shall be occupied in that phase unless and until the car and cycle parking for that dwelling as approved by the local planning authority has been provided in full. Thereafter, all such car and cycle parking arrangements shall remain in place at all times.

Reason: In the interests of highway safety and sustainable transport choices, in accordance with Policy S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

19. Prior to occupation of any dwelling in a phase, details of surface water drainage to manage run-off from private land to the adoptable highway elements of the estate in that phase, shall be submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details for that phase before the development is occupied and thereafter maintained in accordance with the approved details for that phase.

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 Policies S3, S11 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

20. The reserved matters to be submitted under Condition 1 above in respect of each phase of the development hereby permitted shall include a schedule of all

proposed external facing materials to be used in respect of the dwellings. The development in that phase shall be carried out in full accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

21. Prior to the commencement of development in a phase a scheme for the management and disposal of foul sewerage from development in that phase shall be submitted to and approved in writing by the local authority. Thereafter that approved foul sewerage infrastructure shall be provided in full prior to the first occupation of any dwelling in that phase and shall remain in place at all times thereafter and shall be managed and maintained in full accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with Policies S3 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

22. If during the development 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 a signed statement indicating this shall be submitted 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, in accordance with Policy S3 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

23. No development shall commence until a report detailing the protective measures to prevent the ingress of ground gases, to the standards required in BS8485:2015 (Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with Policy S3 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

24. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 23, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with Policy S3 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

25. Unless otherwise agreed in writing by the Local Planning Authority, during the construction period, there should be no noisy activity from the development, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300. Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in investigation as to whether a statutory nuisance is being caused.

Reason: To protect the amenity of local residents, in accordance with Policy CD32 of the Alnwick District Wide Local Plan.

26. The Reserved Matters to be submitted under Condition 1 shall include details to ensure that the dwellings in the phase to which those Reserved Matters relate are sustainable with regard to energy efficiency and/or renewable energy generation. Thereafter, the construction of those dwellings shall incorporate in full the approved energy efficiency / renewable energy generation measures.

Reason: To ensure that the development contributes to a reduction in carbon emissions in accordance with Policy S22 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

27. The reserved matters to be submitted under condition 1 in respect of any phase of the development involving the erection of dwellings shall include details regarding the location and specification of the play area provision for that phase and a timetable for its provision. Thereafter the play areas shall be implemented in full accordance with the approved timetable and thereafter such play area provision shall be maintained in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development and to secure appropriate provision for on-site play provision in accordance with Policy CD18 of the Alnwick District Wide Local Plan, Policy S20 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

28. Prior to the installation of any services (i.e. water/electric/gas/telecommunication) within the development site, details for the installation of a fire hydrant(s) to serve the development shall be submitted to the Local Planning Authority, in consultation with Northumberland Fire and Rescue Service, for approval in writing. The details shall include the location and specification of the fire hydrant facilities to be installed in accordance with the requirements of BS 750:2012 "Specification for Underground Fire Hydrants and Surface Box Frames and Covers", National Guidance on the Provision of Water for Firefighting and/or to the satisfaction of the Northumberland Fire and Rescue Service. Thereafter, no dwelling shall be occupied until the approved scheme for fire hydrant provision has been implemented in full and the hydrant(s) is/are operational in accordance with the approved details.

Reason: To ensure the development is sufficiently served by equipment for the use of the emergency services in accordance with Chapter 8 of the National Planning Policy Framework.

29. Prior to the occupation of dwellings in each phase, a scheme for the provision of bird boxes and bat boxes which are tree mounted and integrated into the fabric of the buildings shall be submitted for the written approval of the Local Planning Authority. No fewer than 261 bat and bird boxes in total shall be provided. The scheme shall detail the location, height, orientation, numbers and specification of bird and bat nesting provision. The approved scheme shall be implemented in full prior to the dwellings of that phase being occupied.

Reason: To protect and enhance the biodiversity of the site, in accordance with Policy S12 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

30. Prior to the occupation of dwellings in each phase, a scheme for the installation of any permanent and temporary external lighting on the site shall be submitted to and agreed in writing with the Local Planning Authority. The lighting scheme should 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. The approved scheme shall be implemented in full prior to the dwellings in that phase being occupied.

Reason: To prevent the risk of harm to protected species from the outset of the development, in accordance with Policy S12 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

31. Retained hedgerows and trees on the application site shall be protected at all times from root compaction during the course of the development works in accordance with the guidance set out in BS5837:2012 'Trees in Relation to Design, Demolition and Construction: Recommendations' British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policy S12 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

32. All trenches and excavations deeper than 0.30m left open overnight should have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals and gaps shall be created and retained in all boundary fences between dwellings to allow the passage of small mammals such as hedgehog. Gaps shall measure no less than 13cm by 13cm.

Reason: To enhance the biodiversity of the site for a UK BAP priority species, in accordance with Policy S12 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

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

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policy S12 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

34. Prior to commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved by the Local Planning Authority. This scheme shall:

- i. Restrict discharge from the development to 21.6l/s (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.
- ii. Adhere to the principles as set out in the drainage strategy from Flood Risk Assessment 4661/FRA01A Rev B, and drawing Outline Drainage Strategy 4661-C-D9-01 Rev A.
- iii. Provide attenuation on site for the 1 in 100 year plus climate change event, including urban creep.
- iv. Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment.
- v. Provide details of the design and maintenance of all surface water features on site.

The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the effective disposal of surface water from the development, in accordance with Policies S3 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

35. Prior to first occupation an assessment into the structural integrity of the proposed SuDS basin shall be undertaken. This assessment shall ensure the structural integrity of the drainage system and any adjacent structures or infrastructure under anticipate loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance and shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in full accordance with those approved details.

Reason: To ensure the effective disposal of surface water from the development, in accordance with Policies S3 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

36. Prior to first occupation of any dwelling, details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the development's lifetime, in accordance with Policies S3 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

37. Prior to the commencement of development a scheme which mitigates any overland surface water flows into the development shall be undertaken and any mitigation carried out within the development. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To prevent the ingress of off-site surface water entering any dwellings on site, in accordance with Policies S3 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

38. Prior to the commencement of development details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features, in accordance with Policies S3 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

39. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by iD Civils dated April 2016 ref: 4661/FRA01A and the following mitigation measures detailed within the FRA:

1. No development shall be undertaken within flood zone 2/3 as delineated on Drawing No. 4661-C-D9-01

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To reduce the risk of flooding to the proposed development and future users in accordance with the National Planning Policy Framework.

40. No development within a phase or part thereof shall commence unless and until an intrusive site investigation has been undertaken regarding the matter of ground stability within that phase or part thereof and the results of that investigation have been submitted to and approved in writing by the local planning authority. Thereafter any Reserved Matters application(s) submitted under Condition 1 relating to the matter of layout in that phase or part thereof shall be accompanied by details regarding ground stabilisation works and/or development stand-off areas associated with coal mining features affecting the land to which those Reserved Matters relate to address all ground stability issues highlighted by the intrusive site investigation. Thereafter any approved ground stabilisation works in respect of any dwelling plot or other land in that phase or part thereof approved in writing by the local planning authority shall be undertaken in full prior to the commencement of construction works in respect of that dwelling or such other land.

Reason: In order to safeguard the development and/or the occupants thereof from the adverse effects of unstable ground having regard to the National Planning Policy Framework.

41. No dwelling shall be 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 42 above in respect of that phase have been undertaken in full.

Reason: In order to ensure that any unstable ground is appropriately stabilised, which may potentially be prejudicial to the amenity of the occupants of the respective properties having regard to the National Planning Policy Framework.

42. Notwithstanding details submitted, the development shall not be occupied until details of a Framework Travel Plan in respect to the development have been submitted to and approved in writing by the Local Planning Authority. At all times thereafter, the approved Framework Travel Plan shall be implemented in accordance with the approved details. This must include:

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

Reason: In the interests of Sustainable Development, in accordance with Policies S3 and S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

43. Twelve months after first occupation of the development details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i. details of and results from an initial residents travel to work survey;
- ii. clearly specified ongoing targets for resident travel mode shares;
- iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with Policies S3 and S11 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

Author and Contact Details

Geoff Horsman - Senior Planning Officer
Telephone: 01670 625553
Email: geoff.horsman@northumberland.gov.uk

Appendices:

Report to Strategic Planning Committee dated 3 October 2017.

Date of Report: 14.11.2018

Background Papers: Planning application file(s) 17/01677/OUT