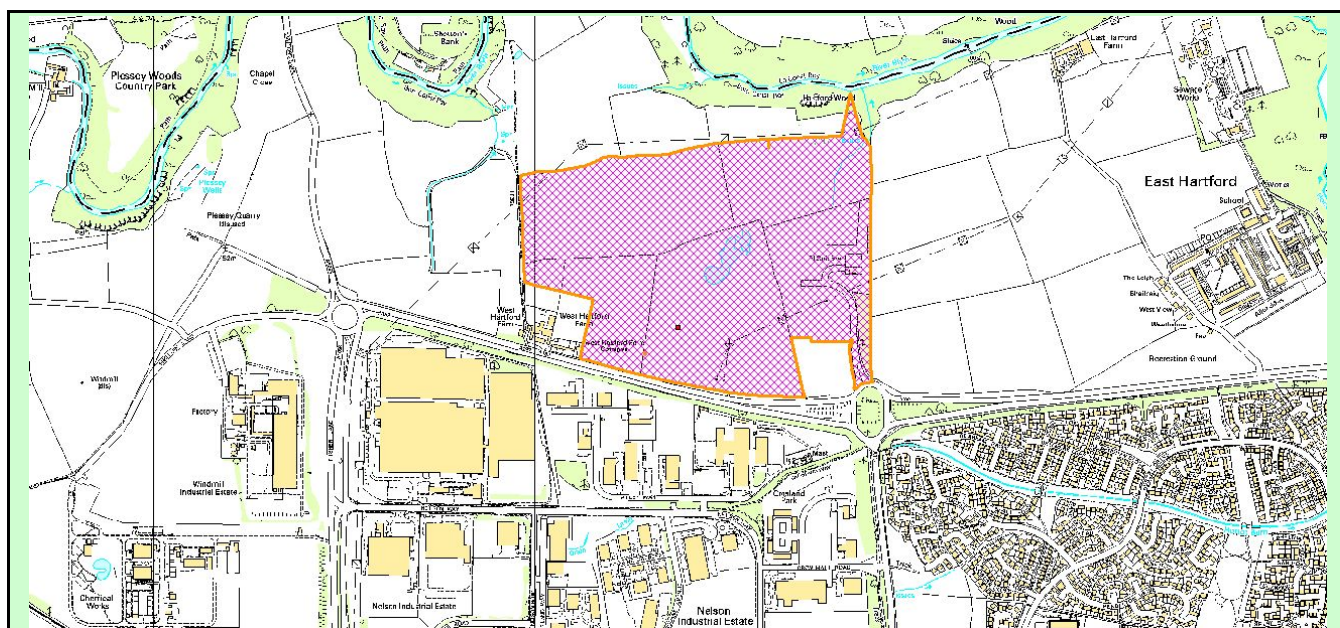




# Northumberland County Council

## STRATEGIC PLANNING COMMITTEE 8 JANUARY 2019

<b>Application No:</b>	16/04741/OUT		
<b>Proposal:</b>	Hybrid application: outline application for the development of up to 501 dwellings (Use Class C3), an area of land to accommodate a primary care facility (Use Class D1) and associated open space and wildlife mitigation area with all matters reserved except for access and full application for the development of a wildlife mitigation area.		
<b>Site Address</b>	Land North West Of West Hartford Fire Station, West Hartford Business Park, West Hartford, Cramlington, Northumberland		
<b>Applicant:</b>	Homes & Communities Agency C/O Agent	<b>Agent:</b>	Ms Debbie Harper , ARUP Central Square Forth Street, Newcastle Upon Tyne, NE1 3PL,
<b>Ward</b>	Cramlington West	<b>Parish</b>	Cramlington
<b>Valid Date:</b>	12 January 2017	<b>Expiry Date:</b>	13 April 2017
<b>Case Officer Details:</b>	Name: Mr Geoff Horsman Job Title: Senior Planning Officer Tel No: 01670 625553 Email: <a href="mailto:geoff.horsman@northumberland.gov.uk">geoff.horsman@northumberland.gov.uk</a>		



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## **RECOMMENDATION: THAT PLANNING PERMISSION BE REFUSED.**

### **1. Introduction**

- 1.1 This application is being referred to Strategic Planning Committee because it is a major development of significant scale and is the subject of an objection from Cramlington Town Council and a number of other objections.

### **2. Description of the Application Site & Proposal**

- 2.1 The application site comprises former agricultural land which is predominantly undeveloped except for a section of access road and an electricity sub-station towards its eastern edge. The site is located to the immediate north of the town of Cramlington and covers an area of 51 hectares, although it is proposed to build on only around 25 hectares of that area. There is a single access to the site from the A192 to the south east. There are a number of ponds within the centre of the site and hedges/fences continue to delineate the former field pattern in places.
- 2.2 The site is bounded to the north by agricultural land beyond which lies the heavily wooded steeply sloping valley of the River Blyth which is designated as a Local Wildlife Site and Ancient Woodland. To the east the site is bounded by further agricultural land and beyond this lies the village of East Hartford. To the south east are the headquarters of the Northumberland Fire & Rescue Service and to the south west are a small group of dwellings and a group of disused barns which are Grade II Listed buildings. These together form the small hamlet of West Hartford. Also to the immediate south is the A192 road and to the other side of this Nelson Industrial estate which is screened from the A192 by a belt of tree planting. Further agricultural land lies to the west of the site.
- 2.3 This application is a hybrid submission seeking full planning permission in respect of a wildlife mitigation area covering 26 hectares of the northern part of the site and outline planning permission, with details of access only submitted at this stage, for up to 501 dwellings, a primary care facility and associated open space on the southern part of the site which covers an area of 25 hectares.
- 2.4 The proposed wildlife mitigation area covering the northern part of the site would contain a number of existing and proposed ponds which would provide habitat for Great Crested Newts and breeding/wintering birds that occupy the entire site at present. The mitigation area would be enclosed by fencing to restrict public access so that recreational disturbance is kept to a minimum in the interests of biodiversity.
- 2.5 The southern area of the site earmarked for redevelopment would accommodate up to 501 dwellings and a primary care facility, all of which would be accessed from the existing roundabout junction to the A192 in the south east corner of the site. Two areas of public open space are also proposed within the site – in the south east corner of the site adjacent to the

Northumberland Fire & Rescue Service HQ and in the south west corner of the site. These would accommodate 2 playing pitches, play provision and informal recreational space.

- 2.6 A Parameters Plan has been supplied showing the location of the wildlife mitigation and the development areas including the location of public open spaces within the development area.
- 2.7 Off-site highway works are proposed to improve the connectivity of the site with Cramlington Town Centre for pedestrians and cyclists. These comprise the provision of Toucan crossings over the A192 and a 3 metre wide segregated shared footway/cycleway along the eastern side of the A1171 which would connect with an existing footpath/cycleway to the town centre which currently terminates at the junction of the A1171 with Northumbrian Road/Nelson Drive.
- 2.8 The applicant has agreed to enter into a Section 106 Agreement concerning the following matters:
- a) Affordable housing equivalent to 15% of the total unit numbers;
  - b) Contributions towards education and healthcare provision;
  - c) Bus service provision;
  - d) Strategic road network upgrades;
  - e) Management Plan to secure long term management of the ecological/wildlife area on the northern part of the site.
  - f) Ecology coastal mitigation contribution.

### 3. Planning History

**Reference Number:** 16/02519/SCREEN

**Description:** Screening Opinion in respect of outline application for the erection of 500 residential dwellings (Use Class C2) (All matters reserved except access)

**Status:** EIA Not Required

**Reference Number:** B/97/C/0259/P

**Description:** Outline application for industrial use (class B1, B2 and B8) on 54.2 ha

**Status:** PER

### 4. Consultee Responses

Cramlington Town Council	They object to the application and recommend that any development of this site be considered only when existing allocations within the town envelope are exhausted. Their objection reflects the following concerns:  1. The application falls outside the town envelope as defined by the original development plan which saw the A192 as the northern boundary. The development would be some distance from existing facilities and the town centre and will generate additional car journeys to access such facilities. There are no public transport links from the site to the town centre.
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	<p>2. The proposal is seen as development in the open countryside which conflicts with a policy against such development in the emerging Cramlington Neighbourhood Plan.</p> <p>3. The land is allocated as industrial land in the extant Blyth Valley Core Strategy.</p> <p>4. There is no pressing need for further housing for Cramlington at this time. The emerging Cramlington Neighbourhood Plan has provisionally identified housing allocations for 4,300 new homes to 2031 based on allocations within the Blyth Valley Core Strategy and extant planning permissions. The (withdrawn) Northumberland core strategy had identified a requirement of 3,800 which is currently subject to review. A further 501 units in Cramlington would consequently mean land availability for 4,800 dwellings against a target of 3,800. This level of development will clearly place significant pressure on existing facilities such as schools, public transport and health care. The Town Council has recently commissioned consultants to undertake a further housing needs assessment for Cramlington. Under the Government's new methodology it is anticipated the current level of 3,800 dwellings is likely to be reduced. The assessment is government funded and its findings are expected to be made available by late March.</p> <p>5. The availability of this site could inhibit development on sites already allocated for development within the town envelope</p> <p>6. A single access to the site past the fire station is not considered adequate. Any further access point would have to be directly onto the A192 and would create a traffic hazard.</p> <p>7. The creation of a nature park is welcomed but will add to traffic accessing the site.</p> <p>8. The safety of pedestrians and cyclists crossing the A192 to access the proposed housing site and nature park is a major concern; consideration should be given to providing a pedestrian crossing or road bridge.</p>
Northumbrian Water Ltd	No objection subject to development being undertaken in strict accordance with the surface and foul water drainage strategy comprising part of the submitted application documentation.
NCC Parks & Open Spaces	No objection subject to provision of 2 playing pitches on site and conditions to ensure that these are of an appropriate specification and a community use agreement.
County Archaeologist	No objection subject to a condition regarding further archaeological evaluation and recording.
Highways	The proposals are generally in accordance with the NPPF in highways terms subject to conditions, including the provision of off-site highway mitigation/improvement works to better link the site with the town centre, provision of improved bus infrastructure and services through conditions and the Section 106 Agreement, the provision of a contribution for travel plan measures in the Section 106 Agreement and agreement of detailed site layout matters at Reserved Matters stage.
Countryside/ Rights Of Way	No comments as the applicant does not affect any recorded public rights of way.
County Ecologist	Outstanding matters related to bird strike risk in relation to the on-site Wildlife Mitigation Area. Other matters regarding off-site coastal mitigation

	now agreed and can be addressed through the proposed Section 106 Agreement.
Housing	15% affordable housing (75 units) sought comprising 50 affordable rented units, 19 Discount Market Value (DMV) sale units and 6 shared ownership units. The affordable rented mix should comprise 10 x 2 bed bungalows, 25 x 2 bed houses and 15 x 3 bed houses. The DMV mix should comprise 11 x 2 bed houses and 8 x 3 bed houses and the shared ownership units should all be 2 bed bungalows. The mix can be varied by agreement with ourselves.
Public Protection	Object on the grounds of contaminated land. In this regard, a phase 2 site investigation is required to address the matter of risk from primarily historical mining activities in particular ground gas and stand-off areas around historic mine shafts on the site. In terms of noise matters, concerns regarding noise pollution from fire engine sirens and traffic on the A192 could be addressed by means of conditions to give fire engines priority when exiting the site and to provide an openable window facing away from the A192 re all master bedrooms. No objections in terms of light pollution matters.
Northumberland CCG	Section 106 contribution of £346,500 sought for expansion of GP facilities within the locality if a GP practice is not provided on site.
Education - Schools	Section 106 contribution of £2,530,400 sought for the provision of additional primary and secondary school places.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Natural England	No objection subject to appropriate coastal mitigation being secured through a Section 106 Agreement.
Highways England	No objection subject to a Section 106 Agreement being completed in respect of the agreed contribution to mitigation at the Moor Farm roundabout.
Newcastle International Airport	No objection subject to conditions regarding the detailed design of sustainable drainage features, landscaping, lighting and bird strike risk.
The Coal Authority	No objection subject to conditions to address coal mining legacy matters including intrusive site investigation.
Northumberland Wildlife Trust	Object due to the incomplete nature of the ecology surveys and lack of mitigation design/information. Comments awaited on ecology reports recently supplied by applicant.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	566
Number of Objections	10
Number of Support	0
Number of General Comments	0

### Notices

Site notice - departure from Local Plan, 24th January 2017

Summary of Responses:

- Increased pressure on infrastructure (including schools, GP's, town centre car parks)
- Lack of affordable housing
- No need for the proposed housing
- Single access to site problematical in terms of emergency access
- Increased traffic on surrounding roads including A1 and A19
- Impact on water pipelines crossing the area
- Loss of green space
- Impact on wildlife
- Disturbance to new residents from pets at the existing neighbouring property
- Increased pollution on an already busy road
- Highway safety concerns re pedestrians crossing A192
- Pollution of water bodies within site
- Lack of public transport links

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

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIN5RRQSLXV00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Blyth Valley District Local Plan 1999 (BVDLP)

H6 – The release of housing land in Cramlington  
H7 – Allocation of land for housing, Cramlington  
H15 - Affordable Housing: Controlling Occupancy  
H21 – Design and layout principles for New Housing Areas  
E3 - Landscape: General Approach  
W2 – Individual users  
NE5 – Footpath/cycleways

Blyth Valley Core Strategy 2007 (BVCS)

SS1 - Regeneration and Renaissance of Blyth Valley 2021  
SS2 - The Sequential Approach and Phasing  
SS3 - Sustainability Criteria  
H1 - Housing Provision  
H3 - Mix of Housing Development  
REG1 – Employment Land Provision  
REG2 – Employment Land Distribution  
REG4 – Prestige Employment Site and Sub-Regional Employment Site  
A2 – Pedestrian/Cycle routes  
ENV1 - Natural Environment & Resources  
ENV2 - Historic and Built Environment

## Blyth Valley Development Control Policies DPD 2007 (BVDPD)

DC1 - General Development  
DC2 - Planning Obligations  
DC11 - Sustainable Travel  
DC13 - Open Space Contributions  
DC16 - Biodiversity  
DC17 - Landscape: general protection and restoration  
DC19 - Drainage and Flood Risk  
DC21 - Pollution Control  
DC22 - Noise Pollution  
DC26 - Archaeology  
DC27 - Design of New Developments  
DC30 - Integrated Renewable Energy  
Appendix A - Car Parking Standards  
Appendix B - Open Space, Sport and Recreation Provision Standards

### 6.2 National Planning Policy

NPPF 2018  
NPPG 2018

### 6.3 Other Planning Policy Documents

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (July 2018)  
(NLP)

STP1 - Spatial strategy  
STP2 - Presumption in favour of sustainable development  
STP3 - Sustainable development  
STP4 - Climate change mitigation and adaptation  
STP5 - Health and wellbeing  
STP6 - Green infrastructure  
STP7 - Design principles  
ECN3 - West Hartford Prestige Employment Area  
ECN10 - Loss or depletion of employment land  
HOU2 - Provision of new residential development  
HOU4 - Housing type and mix  
HOU5 - Affordable housing provision  
HOU8 - Management of housing development  
TRA1 - Promoting sustainable connections  
TRA2 - The effects of development on the transport network  
ENV1 - Natural, historic and built environment principles  
ENV2 - Biodiversity and geodiversity  
ENV3 - Landscape  
ENV7 - Historic environment and heritage assets  
ENV11 - Design of the public realm  
WAT3 - Flooding  
WAT4 - Sustainable drainage systems  
POL1 - Unstable and contaminated land  
POL2 - Pollution and air, soil and water quality

INF1 - Delivering development related infrastructure  
INF6 - Open space and facilities for sports and recreation

Cramlington Neighbourhood Plan Pre-Submission Draft (September 2018) (CNP)

CNP1 - The sustainable development of Cramlington  
CNP2 - Promoting good quality design in new developments  
CNP3 - Development in the open countryside  
CNP5 - Extending choice in housing  
CNP6 - Providing lifetime affordable housing  
CNP7 - Creating high quality new places  
CNP13 - Connectivity of development sites  
CNP15 - The walking and cycling network  
CNP17 - Green infrastructure networks  
CNP20 - Protecting trees and woodland  
CNP24 - Infrastructure  
CNP25 - Healthy communities

## 7. Appraisal

7.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that:

*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

Therefore the starting point from a planning perspective in considering the acceptability or otherwise of the proposals is the development plan.

7.2 The development plan in respect of the application site comprises the saved Policies of the Blyth Valley District Local Plan 1999 (BVDLP), the Blyth Valley Core Strategy 2007 (BVCS) and the Blyth Valley Development Control Policies Development Plan Document 2007 (BVDPD). However, the weight that can be afforded to these policies varies due to their differing degree of conformity, or conflict, with the NPPF.

7.3 Furthermore, paragraph 11 of the NPPF provides definitive guidance on how applications should be determined by stating:

*Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:*

*approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework*



*taken as a whole.*

- 7.4 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advise that these three objectives of sustainable development are interdependent and should not be considered in isolation.
- 7.5 The NLP was published in July 2018 and has been subject to consultation. The CNP was published for consultation in September 2018. Relevant policies in these documents are a material consideration in determining this application but it is not considered that such policies can be afforded significant weight at this time due to the early stage that these plans are at in their journey towards adoption.
- 7.6 The main issues for consideration in respect of this application comprise:
- Principle of development
  - Transportation Matters
  - Ecology
  - Archaeology
  - Ground Conditions/contamination
  - Landscape and visual impact on local character
  - Residential Amenity
  - Flood Risk and Drainage
  - Housing Mix and Affordable Housing
  - Planning Obligations

### **Principle of Development**

- 7.7 In considering the principle of the proposed development on this site regard needs to be given to the overall strategy set out in the Development Plan regarding the location of development. Consideration then needs to be given to the matter of loss of employment land and then finally to matters concerned with housing land supply and need.

#### *Overall Development Plan strategy regarding location of development*

- 7.8 BVCS Policy SS1 states that the majority of new development shall be directed towards the main towns of Blyth and Cramlington within settlement limits. In respect of Cramlington specifically, the Policy states that new housing provision will be at a scale that allows local needs to be met and is consistent with the town's role as an area of employment growth. Furthermore, reference is made to the promotion of a prestige employment site at West Hartford for a limited number of high quality large development sites for modern industry.
- 7.9 In terms of district-wide priorities, Policy SS1 also refers to housing being directed to main towns with preference given to previously developed sites over greenfield sites, providing a range of housing including affordable

housing and directing development to locations which reduce the need to travel and are accessible by a range of transport modes.

- 7.10 BVCS Policy SS2 outlines a sequential approach to the identification of new land for development with priority being given to previously developed land in the most sustainable locations. The most sustainable locations are identified in the Policy as being suitable previously developed sites and buildings in the main towns of Blyth and Cramlington, and the secondary service centre of Seaton Delaval particularly where there is good access to public transport. The next most sustainable location comprises other suitable locations within Blyth, Cramlington and Seaton Delaval. The application site falls into this 2<sup>nd</sup> category as the site lies within the settlement boundary of Cramlington as defined on the BVDLP Proposals Map.
- 7.11 However, the sequential approach adopted by Policy SS2 is not considered to be NPPF compliant as the NPPF, whilst promoting the redevelopment of previously developed land, does not state that such sites should be given priority over the development of 'green field' land. The NPPF, as stated above, advises that the key consideration is whether or not the proposed development is sustainable development having regard to the three dimensions of sustainable development – economic, social and environmental.
- 7.12 With regard to the matter of settlement boundaries, in the BVDLP these were set by Policy G6 which was not subsequently saved. On the Proposals Map which forms part of the BVDLP the application site is shown as lying within the defined settlement boundary for Cramlington.
- 7.13 The BVCS and BVDPD cover the period 2007 to 2021. It was the intention of the former Blyth Valley Borough Council that these would form part of a wider Local Development Framework (LDF) suite of planning policy documents which would gradually replace the Policies of the BVDLP. This is confirmed in paragraphs 1.2.5 of both the BVCS and the BVDPD. However, only the BVCS and BVDPD were adopted prior to local government reorganisation in 2009 which saw the abolition of the two tier local government system in Northumberland and its replacement with a single unitary authority.
- 7.14 Appendix D of the BVDPD outlines which Policies in these documents replace certain BVDLP Policies. With regard to settlement boundary matters Appendix D of the BVDPD states that BVDPD Policy DC1 replaces BVDLP Policy G6.
- 7.15 BVDPD Policy DC1 states, inter alia, that development proposals will be expected to be situated within settlement boundaries as shown on the Local Plan proposals map or on subsequent settlement based DPD's except where such development is that which is acceptable in an open countryside location as specified by BVDPD Policies DC3 and DC4.
- 7.16 Furthermore, the supporting text to Policy DC1 at paragraph 2.4.5 refers specifically to the matter of settlement boundaries and states:

*The policy seeks to make sure that new development is situated within existing settlement boundaries, as shown on the existing local plan proposals*

*maps, and as revised in forthcoming settlement based development plan documents in order to avoid unnecessary new development in the open countryside.*

- 7.17 The forthcoming settlement based development plan documents referred to were never prepared and therefore it is apparent that the settlement boundaries for Cramlington shown on the BVDLP Proposals Map remain extant, notwithstanding the fact that BVDLP Policy G6 was not saved.
- 7.18 NLP Policy STP1 identifies Cramlington as a Main Town which will be a focus for development.
- 7.19 In the CNP the site is shown outside of a new proposed settlement boundary for Cramlington in open countryside but within the Neighbourhood Plan Area.
- 7.20 Policy CNP1 promotes sustainable development which strengthens Cramlington as a strategic location for growth subject to various caveats related to minimising the need to travel, getting a balance between housing/economic/open space uses and environmental considerations covering such matters as flood risk, contamination, ground stability, the historic environment and ecology being satisfactorily addressed. Reference is also made to the provision of appropriate infrastructure and making effective use of previously developed land. This is reflective of Policies STP2 and STP3 of the NLP which promote sustainable development.
- 7.21 Policy CNP3 seeks to restrict development in open countryside to those types of development referred to in the NPPF as being suitable in such a location. This would not include the proposed development. However, the Neighbourhood Plan does explicitly state that it does not allocate the application site for development as this is a strategic matter to be addressed through the new Northumberland Local Plan.

#### *Loss of employment land*

- 7.22 As stated above, BVCS Policy SS1 promotes a prestige employment site at West Hartford for a limited number of high quality large development sites for modern industry. This reflects BVDLP Policy W2 which states that the needs of work activity requiring large, individual sites in non-estate locations will be met by allocating land specifically for this purpose at West Hartford Farm north of the A192 for large scale development within Use Classes B1 (business offices, research & development, light industry) and B2 (general industrial) in accordance with the criteria in Policy WP4. This latter Policy was not saved and therefore no weight can be given to its specific criteria. However, the site allocated under Policy W2 is the application site and therefore notwithstanding the fact that Policy WP4 was not saved, the site remains allocated for large-scale employment uses.
- 7.23 Furthermore, BVCS Policy REG2 concerning employment land distribution identifies the scale and nature of employment land provision that would be identified in the subsequent Blyth, Cramlington and Seaton Valley development plan documents. As stated above, these documents were never produced but Policy REG2 does state that a 55 hectare prestige employment

site would be allocated in Cramlington. Policy REG4 confirms that this prestige employment site would be at West Hartford. The above-mentioned policy status given to the site has been carried over into the Council's emerging new Local Plan where it is proposed within the draft Plan published in July 2018 that the site be allocated under Policy ECN3 as a Prestige Employment Area, although this draft Plan cannot be afforded significant weight at this time.

7.24 BVDPD Policy DC6 states that non-employment uses on land, such as the application site, designated for employment development will not be permitted unless:

- E) The use would generate a significant amount of employment and would have similar physical characteristics to the specified areas;
- F) The development would not significantly diminish the range of employment sites or premises available in the local area;
- G) The development has significant community benefits which override the need to maintain the site or premises for possible future employment development and the use cannot satisfactorily be accommodated elsewhere;
- H) The development has significant floor space requirements which would be difficult to accommodate elsewhere;
- I) The nature of the development is such that it would be better located away from residential areas due to noise generation or the generation of heavy traffic;
- J) It can be demonstrated through an up-to-date Employment Land Review that there is not a realistic prospect of the allocation being taken up for its stated use in the plan period and that its development for an alternative use would not undermine regional and local strategies for economic development and regeneration.

7.25 It is considered that as many as possible of these criteria need to be satisfied in order for non-employment development to be acceptable as none of the listed criteria are suffixed with the word 'or'.

7.26 When considering the application proposals against the above Policy DC6 criteria, it is apparent that criteria E, H and I are not satisfied.

7.27 In terms of criterion F, the Council's most recent monitoring report concerning employment land - its Employment Site Schedule 2016-17 Analysis Report which was published in March 2018 – states that there is currently around 237 hectares of available employment land across the County as a whole. The majority of this (167 hectares or 70%) is in the South East of the County. The 237 hectares figure does not include 91 hectares within the Blyth Estuary Strategic Employment Area where there is land with Enterprise Zone and Local Development Order status to facilitate employment development in key sectors including ship building, port logistics and energy generation. Also not included in the 237 hectares figure is 50 hectares of employment land at the former Alcan Aluminium Smelter site at Lynemouth which has recently received planning permission for use as an employment park accommodating industrial and storage/distribution activities. Overall, available employment land supply therefore totals 378 hectares of which 308 hectares is in the

South East of the County. The 237 hectare figure includes 32 hectares within the application site which it is considered would be available for employment development.

- 7.28 Bearing in mind the above, loss of the application site to the proposed residential use would diminish available employment land supply in quantitative terms by 8% across the County as a whole and by 10% across the South East of the County. However, consideration must also be given to qualitative considerations, particularly bearing in mind the size of Northumberland as a County and the need to maintain a range of employment sites to serve market demand in particular areas. In this regard, across Cramlington there are 87 hectares of available employment land. The application site, with 32 hectares considered to be available for employment purposes, is by far the largest of the available sites in Cramlington with the next nearest in size terms being a site on Fisher Lane within the Cramlington South West Sector area which covers 21 hectares and Northumberland Business Park to the south of the A19 which covers 15 hectares. The Fisher Lane site is constrained in terms of general industrial and storage/distribution use due to its close proximity to sites with extant planning permission for housing. Only 4 other sites are available within Cramlington which range in size from 2.7 to 6.4 hectares. Cramlington is a key location for employment development within the County, with a number of large employers occupying premises within the town's primary industrial areas to the south and west of the application site on the other side of the A192/A1068 and it is considered that a range of sites should be maintained for potential future employment occupiers seeking accommodation within the town to further consolidate and strengthen its contribution to the local economy. Given all of the above, it is considered that the loss of this employment site to non-employment development would significantly diminish the range of employment sites or premises available in the local area contrary to criterion F) of BVDPD Policy DC6.
- 7.29 Moving onto criterion G) of Policy DC6, it is apparent that the proposal would give rise to community benefits. These comprise the provision of 15% affordable housing, land for a primary healthcare building, new public open space including 2 playing pitches and improved links for pedestrians, cyclists and bus users to Cramlington town centre. However, a judgement has to be made as to whether these amount to 'significant' community benefits which override the need to maintain the site for possible future employment development and even if this can be demonstrated the criterion also requires that the proposed use cannot satisfactorily be accommodated elsewhere.
- 7.30 The matter of housing land supply is considered in detail later in this report, but overall in terms of Criterion G of Policy DC6 it is considered that a housing development of the scale proposed could be satisfactorily accommodated elsewhere in both Cramlington and the wider South East Northumberland area as there are extant outline and detailed planning permissions for over 2500 dwellings within the Cramlington South West Sector area, 480 dwellings at land north of Station Road, 192 dwellings at Barley Meadows East Cramlington and 800 dwellings to the eastern edge of Ashington as well as a planning application with a minded to approve recommendation from the

Council's Strategic Planning Committee subject to a Section 106 Agreement for 500 dwellings at Bedlington.

- 7.31 Furthermore, it is not considered that the community benefits arising would be sufficiently significant to override the need to maintain this site for possible future employment development. In this regard, the land for a primary healthcare building, new public open space and transportation improvements are likely to benefit primarily the occupiers of the proposed development and do not provide new facilities that are not already available in the local area. Significant affordable housing has also been secured on other sites within the town which have extant planning permissions in place including Cramlington South West Sector and large sites currently under construction north of Station Road and at East Cramlington. It is considered that these sites have, or will have, better access to certain local services (e.g. schools, shops) than affordable dwellings on the application site.
- 7.32 In terms of the 1<sup>st</sup> part of Criterion J of BVDPD Policy DC6, it is acknowledged that the application site has been allocated for employment use since 1999. The applicant advises in their Planning Policy Justification Statement submitted with their application, that the site has been actively marketed during that period with no recorded interest from developers or businesses, with a market appraisal highlighting that there are better locations for employment development within Northumberland.
- 7.33 A Marketing Report has also been provided by the applicant which provides detail of on site marketing undertaken between 1999 and the present day. This shows that the site was marketed by One North East both nationally and internationally between 1999 and 2011 together with a package of investment and support. £10 million of ERDF monies were also invested in the site during this time on highway access, servicing and site remediation to improve its attractiveness. Despite the above, no tangible interest emerged and no occupiers or investors were identified. Between 2011 and 2015 the site was marketed online and through the circulation of site details to those on mailing lists on behalf of Onsite North East, a joint venture set up between One North East and Langtree Group. During this period there were discussions with various potential occupiers but none of these progressed to a disposal with the exception of a new HQ building for Northumberland Fire & Rescue Service. Since 2015 a sign board advertising the availability of the site for industrial development remains on site but the site has not been actively marketed for employment purposes. Some preliminary enquiries have been received from potential occupiers but none of these have progressed.
- 7.34 The applicant has also provided an 'Economic Position Paper' for consideration by the Council. This paper summarises the evolution of planning policy, market conditions and local governance since West Hartford was first allocated as a strategic employment site in 1999. It concludes that in a highly competitive market for inward investment at present it is extremely unlikely that West Hartford has any reasonable prospect of securing the inward investment deal that was initially envisaged. This situation is compounded by the fact that there are numerous strategic sites with Enterprise Zone (EZ) status across the North East Local Enterprise Partnership (NELEP) area –

particularly within the A19 corridor – that are currently being promoted by the LEP and through the 2017 LEP Strategic Economic Plan ( SEP).

- 7.35 Furthermore, the author of the position paper considers that the current direction of travel in national planning policy terms places a strong emphasis on local authorities to scrutinise the delivery prospects of their strategic employment allocations. In practical terms this means the repurposing of unviable existing employment uses and the reallocation of strategic employment land for uses where there is currently a greater identified need. Examples from Newcastle and County Durham are cited in this regard and it is stated that these provide an important precedent for Northumberland County Council to be aware of.
- 7.36 With respect to the provisions of Policy DC6 (Criterion J), the paper states that Homes England would challenge the assertion that the emerging Local Plan policy position to retain the West Hartford allocation reflects either an up-to-date employment land evidence base or indeed the national policy context dictated by the original 2012 NPPF and the updated July 2018 NPPF.
- 7.37 With respect to the second part of Policy DC6 (Criterion J), The paper contends that on the basis of the narrative presented above that the positive consideration of proposals for alternative uses for West Hartford would not undermine regional and local strategies for economic development. Locally, Northumberland possesses other sites that are equally capable of attracting significant inward investment and are arguably better placed to do so in light of their EZ status and concurrent NELEP backing. From a regional perspective, the economic development priorities have demonstrably shifted: large employment sites (such as West Hartford) promoted originally through the RSS are now no longer priorities for the NELEP. The paper therefore contends that there is, therefore, no justified policy reason to protect West Hartford as a long term strategic employment site.
- 7.38 It is acknowledged that the Council, when they published modifications to their now withdrawn Core Strategy in 2016, stated that the application site should be de-allocated as an employment site due to viability and deliverability issues. Furthermore, NPPF paragraph 118 also states that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 7.39 However, the Council's most recent Employment Land Review documents do not recommend that the site should be de-allocated as an employment site. Rather, the 2013 Employment Land Review Update states that the site is considered to be one of the County's best large scale inward investment sites and should be protected from potential residential encroachment. Furthermore, an Employment Land & Premises Demand Study published in 2015 states that the application site represents the area's prime opportunity for large scale employment development for the foreseeable future, although it is acknowledged that some additional investment is needed on infrastructure within the site to facilitate the delivery of employment development.

- 7.40 In respect of the above, the former document informed the latter but the approaches were different. The former considered the quantity distribution and quality of the employment land portfolio and made recommendations accordingly, while the later Study took a more market-based approach to reach realistic conclusions on demand for land in each of the Main Towns and Service Centre. Independent advice confirms that these documents remain relevant. The evidence studies considered how the employment market and hence the demand for employment land would be likely to function in Northumberland with its dispersed and varied geography. The 2015 Demand Study stated that “there is no one view of what constitutes a market area as the views of individual occupiers will differ, some having specific locational requirements, others being more flexible. The market area will vary significantly depending on the size of the business, its customer base, the type of activity it is, and the economic sector in which they operate. ”
- 7.41 Based on this, officers have concluded that, reviewing the location of the County’s office and industrial stock, towns should be treated as individual market areas, as a starting point, with service centres and smaller settlements grouped in some cases. Overall, therefore, it can be taken that there is a need to consider employment land supply in relation to towns and the hinterlands that they serve. Clearly employment markets can and will stretch across wider areas; but it is important to ensure an adequate supply of employment land in each town. Officers continue to emphasise the suitability of the West Hartford location for prestige employment, as articulated in Policy ECN3 of the NLP, with Policy ECN10 of that Plan also seeking to safeguard such allocations.
- 7.42 It is also noteworthy, looking at the general availability of employment land in Cramlington, that, excluding this site, there is a total of around 27 hectares remaining available in the town at present. This effectively means that slightly less general employment land is available in the town for the remaining 18 years of the new plan period, than the more than 30 hectares taken up for employment uses over the last 18 years between 1999 to 2017.
- 7.43 Clearly, south-east Northumberland, with its tight-knit pattern of settlements allows greater scope for land in one town to serve another. However Blyth and Bedlington have very little remaining general employment land and one would need to go further afield to Ashington and beyond to find other sites comparable to those remaining in Cramlington. In other words, the large site at West Hartford needs to be considered in terms of the town of Cramlington but also in relation to the overall spatial economic growth strategy for south-east Northumberland, looking ahead over the whole Plan period. This strategy, set out variously in the NELEP Strategic Economic Plan 2017 update, emerging work for ‘North of Tyne’ and the Council’s own Economic Strategy, hinges around a range of large site opportunities in the SE of the County, feeding into the Port of Blyth and Energy Central, as well as the strategic A19 / A189 corridor. Furthermore, the Council’s Northumberland Economic Strategy 2015-2020 seeks to create 10,000 additional jobs across the County up to 2031. A key focus for such new employment is an ‘investment zone’ within the South East of the County which encompasses Cramlington. In terms of Cramlington the strategy identifies the application site and Northumberland Business Park as major sites to be brought forward for employment development.



- 7.44 In terms of the delivery of employment development on the site, regard must also be had to previous employment land availability and economic conditions. In terms of the relatively economically buoyant years following publication of the 1999 BVDLP, the 66.87 hectares of employment land available within Cramlington included large sites of 23.13 hectares and 20.13 hectares at South Cramlington and Nelson Park West which provided greater choice to potential occupiers seeking large sites. The latter site is now largely developed whilst the former – now Northumberland Business Park - has been partially developed with around 15 hectares remaining available. Furthermore, it is apparent from evidence contained within the Council's recently published Employment Sites Schedule 2016-17 Analysis Report that take-up of employment land was suppressed during the years following the publication of the 2007 BVCS and BVDPD as a result of the financial crisis of 2008. Prior to the financial crisis employment land take-up rates averaged 5.54 hectares per annum between 1999 and 2005 with take-up rates of 11.02 and 19.92 hectares in 2006-07 and 2007-08. In contrast, during every year between 2008-09 and 2014-15 with the exception of 2012-13 take-up rates were in the range of 0.99 to 4.31 hectares per annum and were below 3.5 hectares per annum in 5 of those 7 years. Conversely, take-up has picked up over the last 2 years with figures of 8.79 and 6.16 hectares per annum. As such, whilst the West Hartford site has been an allocated employment site for some time, the above circumstances may be responsible for the site not being taken up for employment purposes.
- 7.45 The applicant has not submitted detailed financial or market evidence which demonstrates to the satisfaction of the Council that there is no reasonable prospect of the site being brought forward for employment use. In this regard some financial appraisal documentation has been provided but this does not appraise in sufficient detail the matter of values and costs in respect of redevelopment of the entire site.
- 7.46 Whilst it is acknowledged that some infrastructure investment may be required to bring the application site forward for employment development, the Council's Economic Strategy advises that both the Council and its arms length development company ARCH are gathering market intelligence about the state of the industrial and commercial property market in Northumberland to further understand and better respond to development constraints. Furthermore, the Council working in partnership with Newcastle City Council, North Tyneside Council, the North East Local Enterprise Partnership have agreed a devolution deal with Central Government. This has resulted in the creation of a new North of Tyne Combined Authority with funding and powers to promote economic growth, including unlocking development opportunities for employment development in key locations.
- 7.47 In terms of site marketing pre 2015, whilst the applicant's Marketing Report refers to inclusion of the site on a website database, its inclusion within a mailing list, and reactive responses to enquiries received no reference is made to proactive specific marketing of the site in and of itself to potential occupiers or of partnership working with other public sectors bodies between 2011 and 2015 to promote the site for employment purposes and/or secure gap funding to facilitate development bearing in mind the applicant's view that

such funding is necessary. A screenshot provided in that report for this period also refers to the status of the site being 'withdrawn'? As stated above, reference is also made in the report to ERDF grant monies being expended on site in the period 1999-2011 but it is not made clear as to when these monies were expended on site. This is of significance because if such monies were expended later in that period then their effectiveness in attracting investment may have been undermined by the 2008 financial crisis and the recession arising in the years following this.

- 7.48 Whilst other sites with Enterprise Zone status exist within Northumberland, these are all considerably smaller than the West Hartford site and therefore may not be able to accommodate a single user requiring a larger site of the scale of West Hartford. Furthermore, no definitive evidence has been provided that the West Hartford site was not promoted as an Enterprise Zone site due to its unsuitability for such a designation. Having regard to the DCLG criteria for Enterprise Zone applications, it is apparent that a number of criteria need to be satisfied to maximise the chances of an application being successful. One of these is that there needs to be a willing landowner and in this instance it is apparent that the current landowner has not been actively promoting the site for employment development since 2016. In this regard the landowners 2016 Land Development and Disposal Plan identifies the site as a location for housing only and also (mistakenly) states that the site is allocated for such use in a Local Plan. Furthermore, the above-mentioned Marketing Report states that the site has not been actively marketed for employment purposes since submission of the current planning application in 2016. These factors may be a reason that the site was not put forward for Enterprise Zone status rather than it being unsuitable for such status in other respects.
- 7.49 Overall it is the view of officers that there is demand for employment sites within South East Northumberland having regard to enquiries received by the Council's business support team and work undertaken on our phase 2 Enterprise Zone application for the Fairmoor site in Morpeth.
- 7.50 Bearing in mind all of the above, overall in terms of Criterion J of Policy DC6 it is considered that there is a realistic/ reasonable prospect of employment development coming forward on the application site during the Plan period of the BVCS and BVDPD up to 2021 or in the years following and that its development for an alternative use would undermine regional and local strategies for economic development and regeneration.

#### *Housing Land Supply/Need*

- 7.51 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and corresponding footnote 7 of the NPPF indicates that the tilted balance in terms of the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

- 7.52 As set out in paragraph 73 of the NPPF, where the strategic policies 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 does not apply.
- 7.53 This supply position updates that 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 draft 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.
- 7.54 The housing supply figures contained within the BVCS are considered to be out-of-date and a Core Strategy that was previously being prepared by the Council, and which contained housing numbers for the County, was withdrawn in the Summer of 2017. The NLP specifies an indicative distribution of 2500 new dwellings for Cramlington for the 2016-2036 Plan period (125 dwellings per annum), although as stated above these housing numbers cannot be afforded significant weight at this time.
- 7.55 Within Cramlington itself there are well over 3000 dwellings with extant planning permission identified as forming part of the Council's housing land supply. Housing development on the application site is not included within the Council's housing land supply figures for the town.
- 7.56 The CNP identifies 11 sites for housing development across the town, which are capable of accommodating around 3600 dwellings with the majority of these lying within the South West Sector area. The application site is not one of the locations identified for new housing development.
- 7.57 Notwithstanding the above, any such figures are minimum as opposed to maximum housing numbers.
- 7.58 Concerns have been expressed by the Neighbourhood Plan Steering Group that if housing is permitted on the application site this would undermine delivery of housing within the Cramlington South West Sector area. However, this in itself is not considered sufficient justification for a refusal of planning permission. In this regard planning permissions have recently been granted within Cramlington outside of the South West Sector area at Station Road (480 dwellings) and Barley Meadows East Cramlington (192 dwellings).
- 7.59 Pulling matters together regarding the principle of development, the key consideration is whether the proposed development is considered sustainable

development in terms of the NPPF as whole. Whether the presumption in favour of sustainable development is successful is dependent on an assessment of whether the proposed development of the site would be sustainable overall in terms of economic, social and environmental objectives. Consideration also needs to be given as to whether or not there are any restrictive NPPF policies that would override the presumption in favour of sustainable development and in themselves justify a refusal of planning permission. The following sections further assess the key issues in relation to economic, social and environmental objectives - identifying potential benefits and adverse impacts in planning terms. The concluding section of this report then seeks to pull everything together by undertaking a balancing exercise to arrive at a recommendation as to whether or not the proposed development should be supported.

### **Transportation Matters**

- 7.60 BVDPD policy DC11 advises that planning permission for new development will not be permitted unless it meets certain criteria. The criteria specified in the policy refer to the need to ensure that there is accessibility by a choice of means of transport, that conflicts between different modes of transport are minimised, that adequate car parking is provided for and that proposals are acceptable to the local and strategic highway authorities.
- 7.61 NPPF paragraph 111 states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Paragraph 110 further stresses the need to promote access to developments by a choice of means of transport, access for those with disabilities, safe secure and attractive places, allowance for the efficient delivery of goods and access for emergency vehicles and provision for low emission vehicles.
- 7.62 Paragraph 109 states 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.
- 7.63 Policies TRA1 and TRA2 of the NLP reflect the above.
- 7.64 The application is accompanied by a Transport Assessment. The document appraises the impact of the proposed development and includes an assessment of matters such as the accessibility of the development; trip generation; highway safety; and highways works necessary to facilitate the development.
- 7.65 In assessing transportation matters detailed consideration needs to be given to local highway network junction capacity matters, bus service provision, pedestrian/cyclist accessibility, Travel Plan matters, various detailed site layout matters including internal road layout and car/cycle parking and impact on the strategic highway network.

#### *Local highway network junction capacity matters*

- 7.66 The proposed access into the site from the A192 essentially comprises the existing access to the West Hartford Business Park site and overall this is considered satisfactory as a means of access to a development of the scale proposed subject to detailed design matters and tighter restrictions on car parking adjacent to this access which could be secured by conditions if the application was supported.
- 7.67 Revised documentation submitted by the applicant has sought to address detailed matters raised by the Council as Local Highway Authority (LHA) related to the impact of the proposed development on the capacity of nearby junctions. Particular concerns that the LHA had regarding the impact of the development on the A1171/Crowhall Road junction to the south of the application site have now been resolved through the applicant agreeing to provide improvements to this junction which could be secured by condition.

#### *Bus service provision*

- 7.68 There are no bus services that currently pass immediately adjacent to the application site. The nearest services are around 1km to the west from the centre of the site on the A1068. These comprise the No.X21/X22 services between Newbiggin/Ashington and Newcastle and the No 57 service between Ashington and Whitley Bay/North Shields. There is a footway on the north side of the A192 between the application site and the bus stops on the A1068 for these services, although this is unlit. Around 1.5km from the centre of the site are further bus services to the east at East Hartford (No.58 which links East Hartford with Cramlington Town Centre and the Northumbria Specialist Emergency Care Hospital), south east at Denshaw Close (No.X10 service between Blyth and Newcastle via Cramlington) and to the south at Northumbrian Road (No.57 service).
- 7.69 The LHA consider that there is a need for bus access to the site to be improved in order for the proposed development to be acceptable. They suggest that a Section 106 contribution of £100,000 per annum should be secured from occupation of the 20-50<sup>th</sup> dwelling through until the completion of the site. This should be used to fund a direct bus service between the site and Cramlington town centre and potentially also Newcastle. This could be secured through diversion of an existing service. In association with the above new bus stops will be required on the A192 that meet current standards.
- 7.70 The applicant has had discussions with Arriva (the bus operator of the above-mentioned existing services) and they have advised that they would be supportive in principle of the Nos.57 and/or 58 services being diverted to serve the application site. However, this would be subject to funding for such diversions being available. The applicant has agreed to the £100,000 per annum funding for bus services but has not agreed to funding for school transport as they consider that the new bus services and other improvements they are proposing to pedestrian and cycle infrastructure could be used by school children.

#### *Pedestrian/cyclist accessibility*

- 7.71 BVCS Policy A2 states that new development shall be well connected to existing areas and infrastructure by pedestrians and cyclists. NLP Policy TRA1 and CNP Policies CNP13 and CNP15 also promote sustainable connections.
- 7.72 The application site is at present poorly connected to the surrounding area for pedestrians and cyclists. There is a short section of footpath/cycleway on the western side of the access into the site but this stops on the northern side of the A192. There is a hard surfaced pedestrian route from the eastern side of the site access across the A192 into the Northburn area but the crossings over the A192 (which is a dual carriageway) are uncontrolled. On the A1171 between the A192 and Cramlington town centre there are large sections which have no off-carriageway footpath/cycleway and again crossing points over Northumbrian Road/Nelson Way are uncontrolled. There are no footpaths along the A192 to the east or south of the site. As stated earlier, there is a footpath to the west of the site along the A192 to bus services on the A1068 but this is unlit and of poor quality.
- 7.73 In terms of accessibility for pedestrians to local services, the nearest primary school (Northburn Primary) lies around 1.5km to the south east. The nearest GP surgery and local shops within the Brockwell Centre to the south east are around 2km from the centre of the application site. Cramlington town centre is around 2.5km to the south.
- 7.74 The application has submitted proposals to enhance the connectivity of the site for pedestrians and cyclists. These proposals comprise the provision of a route for pedestrian/cyclists across the A192 with controlled Toucan crossings and an associated reduction of the speed limit along this section of the A192 to tie in with the existing speed limit on the A192 to the east as it passes East Hartford. A further Toucan crossing point would then be provided from this route across the A1171. A footpath/cycleway is then proposed southwards along the eastern side of the A1171 which would link with a proposed footpath/cycleway on the eastern side of the A1171 adjacent to the Persimmon/Bellway St.Nicholas Manor site. A further Toucan crossing would be provided in connection with this new route at the junction of the A1171 with Northumbrian Road/Nelson Drive. A footpath/cycleway link through the Northburn area, which is referenced in Policy NE5 of the BVDLP, would also be completed by providing a missing final section of this where Northburn Playing Fields adjoin the A1171. The Council as LHA consider these proposals to be acceptable.

#### *Travel Plan matters*

- 7.75 The LHA have advised that the Travel Plan submitted in respect of the proposed development needs to be amended to reflect the above-mentioned matters concerning bus service provision and pedestrian/cyclist accessibility. The applicant has advised that a Travel Plan Co-coordinator would be appointed but the LHA suggest that this post be secured through a Section 106 Agreement together with funding of £123,050 to employ that co-ordinator and implement travel plan measures such as personalized travel planning and bus/cycle use incentives. The applicant has agreed to provide this contribution and an update of the travel plan could be secured by condition.

### *Detailed site layout matters including internal road layout and car/cycle parking*

7.76 The LHA have highlighted the need for the detailed internal road layout for the development to provide for low vehicle speeds and for adequate levels of car and cycle parking to be provided. However, this is an outline application with all matters except access into the site reserved for later approval and as such it is considered that these detailed matters can be secured through the use of conditions if this application was supported.

### *Impact on the strategic highway network*

7.77 Highways England advised that they had concerns regarding the impact of the proposals on their strategic highway network and in particular the A189/A19 Moor Farm junction to the south east. As such they considered that the proposed development should contribute towards a scheme of mitigation works at the above junction comprising the provision of a bus gate to the A1171/B1505 arm of the roundabout and associated lane reallocation and off-site local highway network mitigation improvements. The total cost of these works would be around £500,000 and it is envisaged that Section 106 contributions would be secured from a number of existing planning applications for housing in the south east of the County to fund this mitigation scheme. The level of contribution sought from each scheme would be related to predicted trip rates from that scheme through the Moor Farm roundabout during the AM/PM peak period.

7.78 In this regard, a contribution of between £136,932 and £301,250 was sought from this proposed development towards the costs of these mitigation works, with the level of contribution being dependent upon which combination of schemes contribute to meeting the overall £500,000 cost.

7.79 The applicant has agreed to this contribution and therefore Highways England have advised that they now have no objections subject to a Section 106 Agreement being completed to secure this contribution.

7.80 Overall in respect of transportation matters, the proposals are acceptable subject to conditions and a Section 106 Agreement addressing the above-mentioned issues.

### **Ecology**

7.81 BVCS Policy ENV2 states that the natural environment will be protected and enhanced through the protection of designated sites and the delivery of biodiversity. BVDPD Policy DC16 seeks to ensure that biodiversity is enhanced in respect of development proposals.

7.82 Paragraph 175 of the NPPF seeks to conserve and enhance biodiversity.

7.83 Paragraph 177 states that the presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered, planned or determined.

- 7.84 NLP Policy ENV2 and CNP Policy CNP1 also seek to promote biodiversity and safeguard protected species.
- 7.85 Redevelopment of the southern part of the application site would result in the loss of 4 pond areas, one of which together with much of the terrestrial habitat on the site supports a medium to large breeding population of Great Crested Newts, a species strictly protected under UK and European legislation. Such redevelopment would also result in a loss of habitat for breeding birds and aquatic invertebrates, including a range of species of conservation concern.
- 7.86 By way of mitigation, it is proposed that the northern part of the site be safeguarded and enhanced as a wildlife mitigation area and then subsequently managed to promote biodiversity.
- 7.87 Key habitat enhancement measures proposed in respect of the wildlife mitigation area are as follows:
- a) Retention of 3 existing ponds within this area and the provision of 5 new ponds to compensate for the 4 lost within the southern development area;
  - b) Re-location of Great Crested Newts from the development area into the wildlife mitigation area;
  - c) Provision of bird and bat boxes plus hibernacula for Great Crested Newts;
  - d) Enhancement of woodland planting along the eastern boundary;
  - e) New scrub planting in the south east corner and along the northern boundary;
  - f) Native species rich hedgerow planting to the southern boundary;
  - g) Non-intensive grassland management across the entire mitigation area;
  - h) 30m buffer between ponds and built development;
  - i) Physical measures (e.g. security fencing) to restrict access to the mitigation area.
- 7.88 However, the Council's ecologist is not as yet supportive of the proposals due to concerns that have been expressed by Newcastle Airport regarding the risk from bird strikes associated with bird activity within the wildlife mitigation area. The airport and the applicant have suggested that this matter could be addressed by condition. However, the Council's ecologist is concerned that such a condition could compromise the implementation of Great Crested Newt mitigation measures. As such he has requested that a Bird Strike Risk Assessment is submitted by the applicant and agreed by the Council prior to the application being determined if the application were to be supported. This request has been forwarded to the applicant but no such Risk Assessment has as yet been provided. Case law has shown that where a planning application is likely to have implications for European protected species, consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017 in order for the decision-maker to be able to show that it has fulfilled its obligations to have regard to the requirements of the Habitats Directive. The three tests are:
- The proposal must be required for imperative reasons of overriding public interest or for public health and safety;
  - There must be no satisfactory alternative to the proposal; and



- The proposal will not be detrimental to the maintenance of the favourable conservation status of the species in its natural range.

Regarding the first of these, the test of imperative reasons of overriding public interest has not been satisfied as the proposal does not accord with the development plan, there is no overriding need for the site to accommodate new housing given the Council's current housing land supply position and the development is not required for reasons of public health or safety. The second concerns whether the development need which the application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. Bearing in mind the Council's current housing land supply position and the substantial extant permissions for new housing in the Cramlington and south east Northumberland area it is likewise considered that this 2nd test is not satisfied. The third of these tests is examined in terms of the mitigation proposals submitted by the applicants. In this case the Council cannot be satisfied that the proposal will not be detrimental to the maintenance of the favourable conservation status of this population because the mitigation required to do so has triggered an objection from Newcastle Airport which remains unresolved. Accordingly, approving this application would not be compatible with the Council's legal obligations under Regulation 9 of the Conservation of Habitats and Species Regulations 2017.

- 7.89 In addition to on-site mitigation, it is also necessary for consideration to be given to the matter of coastal zone mitigation given the proximity of the site to the coast and the potential for recreational disturbance to protected bird species in the internationally and nationally designated coastal zone area from future residents seeking out recreation at the coast for themselves and their dogs. Within this coastal zone are sited the Northumbria Coast SPA, the Northumberland Marine SPA and the Northumberland Shore SSSI.
- 7.90 In terms of mitigation, it is normally expected that developments such as this will contribute £600 per dwelling to the Council's coastal mitigation scheme (to be secured through a Section 106 Agreement), provide alternative mitigation in the form of dog walking routes within and/or adjacent to the application site or a combination of the two. The applicant has agreed to a contribution of £600 per unit. The Council has completed an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 on this basis, and has concluded that the proposed development will not have an adverse effect on the integrity of any European Sites. Similarly the contribution to the Coastal Mitigation Service has enabled the Council to conclude that the proposed development will not have an adverse effect on the interest features of any of the coastal SSSIs. Natural England agrees with these assessments.
- 7.91 Overall to date it is not considered that the applicant has provided sufficient detail in respect of bird strike risk regarding the wildlife mitigation area and therefore the proposals are currently unacceptable in terms of ecology matters

### **Archaeology**

- 7.92 BVDPD Policy DC26 states that the Council will protect, preserve and enhance known and suspected sites and features of archaeological importance, together with their settings. Planning permission will not be

granted for proposals which would adversely affect the site or setting of a Scheduled Ancient Monument or other nationally important archaeological site and planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them. NLP Policy ENV7 and CNP Policy CNP1 also seek to ensure that archaeological assets are safeguarded.

- 7.93 There are no statutory archaeological designations within the application site but the site is nevertheless considered to be of archaeological interest. The former West Hartford Hall is understood to have occupied land at the north of the site and former coal mining activity on the site is of interest in terms of the area's historic industrial development.
- 7.94 Archaeological evaluation work has been undertaken on site including geo-physical assessment and trial trenching which has not unearthed anything of significance in terms of that part of the site that is proposed for development. However, not all of the proposed development area was subject to trial trenching due to ecological constraints. Notwithstanding this, the Council's archaeologist considers the proposed development to be acceptable subject to a condition regarding further evaluation and recording.

#### **Ground conditions/contamination**

- 7.95 BVDPD Policy DC21 states that land contamination issues will be taken into consideration on all development sites with appropriate investigation and remediation being secured where necessary. NLP Policy POL1 and CNP Policy CNP25 also seek to ensure that these matters are addressed.
- 7.96 The application site lies within a Coal Authority Development High Risk area where there is a known history of ground stability issues and therefore a geo-environmental desk study report was provided with the application.
- 7.97 This has been examined by the Coal Authority who raise no objections subject to a condition regarding further intrusive site investigation and remediation. NCC Public Protection object to the application on the grounds that insufficient information has been provided by the applicant regarding stand-off distances around historic mine shafts within the site. Previous concerns around ground gas have now been addressed as the applicant has confirmed that they would accept a condition requiring the provision of gas protection measures for the proposed dwellings.
- 7.98 Notwithstanding the objection of the Council's Public Protection team related to historic mine shaft stand-off areas, the Coal Authority have advised that they have no objection on ground stability grounds subject to a condition and it is considered that the matter of stand-off distances could be addressed through discharge of that condition in due course were this application to be supported. In terms of ground contamination, it has not been possible to undertake intrusive site investigation work as this would require a licence from Natural England due to the presence of Great Crested Newts on the site and such a licence would not be granted unless planning permission was already in place. Given this and the site's previous agricultural use, it is considered

that the matter of ground contamination could be addressed by means of conditions.

- 7.99 The proposals are therefore considered acceptable in terms of ground conditions/contamination subject to condition.

### **Landscape and visual impact on local character**

- 7.100 Policy E3 of the BVDLP, which was saved, states that where there is a proposal for built development outside or on the edge of a settlement, account will be taken of the impact on the landscape as viewed from dwellings, transport routes, footpaths, bridleways or cycleways and, where an Area of High Landscape Value as defined under the former Policy E4 is affected, permission may be refused if the effect is considered to be unacceptably adverse.
- 7.101 Although Policy E4 was not saved, the River Blyth Corridor which lies to the immediate north of the application site, is identified as an Area of High Landscape Value on the BVDLP Proposals Map.
- 7.102 Policy DC1 of the BVDLP (Criterion D) seeks to ensure that development does not have an adverse impact on the character and views of important landscape and historic features of the area unless such adverse impact can be satisfactorily mitigated or that there would be an overall net environment gain.
- 7.103 Policy DC5 concerning housing development on windfall sites contains criteria f) and h) which seek to resist development that adversely affects important features of the application site and surrounding area and cultural heritage.
- 7.104 Policy DC17 concerning landscape: general protection and restoration states that the quality of the landscape will be taken into account in all planning decisions by assessing proposals according to their effects on the intrinsic qualities of the landscape type or types which they affect. Development should contribute to the restoration, enhancement, repair and maintenance of the landscape in and around which it is sited. Development with landscape and visual impacts will be assessed against the extent to which it will inter alia cause unacceptable visual harm, introduce incongruous landscape elements and degrade landscape features that contribute to local distinctiveness, historic elements that contribute to landscape character and quality, the visual condition of the landscape elements that combine to create the distinctive character and the tranquillity of the area.
- 7.105 Policy DC27 states that new development will be expected to achieve a high standard of design, incorporate sustainable construction measures and reflect local distinctiveness through the incorporation of local building traditions and materials. Proposals should take full account of the need for or opportunities to enhance the local environment. Detailed guidance re site layout is also provided in BVDLP Policy H21. This Policy refers to the need to ensure that layouts are acceptable in highways terms re safety, pedestrians and cyclists and also have regard to the matters of crime prevention, energy efficiency and the amenities of future residents.

- 7.106 In terms of national planning policy, the Government attaches great importance to the design of the built environment and, through the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. Paragraph 124 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. Paragraph 130 reinforces this message by stating that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 7.107 In terms of landscape matters in particular NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by, inter alia, protecting and enhancing valued landscapes and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.
- 7.108 The protection of landscapes and high quality design are also sought under NLP Policies STP6, STP7, Hou 8, ENV3 and ENV11 and CNP Policies CNP7, CNP17 and CNP20.
- 7.109 In terms of national landscape classification, the application site itself lies within the South East Northumberland Coastal Plain National Character Area (NCA). A more localised landscape classification is provided by the Northumberland Landscape Character Assessment and this places the site within the Coalfield Farmland Landscape Character Type (LCT 39).
- 7.110 Key landscape characteristics of the above NCA and LCT are large scale fieldscapes, woodland/wetland areas and significant urban fringe/development influences including coal mining legacy influence on the landscape.
- 7.111 The Northumberland Landscape Character Assessment also identifies Landscape Character Areas (LCAs) within each LCT and the application site lies within area 39c – Stannington. The character of this landscape is significantly modified and influenced by adjoining urban areas and their associated infrastructure. Several transport corridors run north-south through this landscape, including the A1, East Coast Main Line, A192, and another rail line. Scattered development east of the A1 gives a more urban fringe impression associated with the west edge of the industrial settlements of Bedlington and Cramlington. To the west of the A1, the landscape is more rural, and includes the wooded Blagdon Estate designed landscape. From many vantage points, electricity transmission lines, housing and industry are prominent if not dominant elements. The wooded, incised valleys of the Blyth and Wansbeck rivers are significant features cutting through the farmland, and both have public access, with Plessey Woods Country Park on the River Blyth.
- 7.112 In terms of LCT39 the Northumberland Landscape Character Assessment vision statement in terms of future management of this landscape advises that in general, it could be argued that the most significant changes to this landscape have already occurred, in the form of extensive mining activity and urbanisation. Where key qualities remain intact, their long-term viability should

be secured. The approach for this landscape is therefore one of restoration where possible, and recreation where the landscape has been overly damaged.

- 7.113 Also of relevance in assessing landscape value is the Northumberland Key Land Use Impact Study which sought to assess the value of the various LCA's against a number of landscape criteria. The study places the LCA's into 4 broad categories of landscape quality with those landscapes of highest value scoring above 30. Upper and lower middle ranking landscapes are then categorised, having scores of 26-30 and 21-25 respectively. The lowest quality landscapes are categorised as those scoring 20 or less.
- 7.114 LCA 39c within which the application site lies has a landscape value score of 18 – i.e. it is generally a low quality landscape.
- 7.115 Whilst layout, scale, appearance and landscaping in respect of the housing element of this application are reserved matters and subject to further detailed assessment, it is considered that the site could be developed without significant harm upon the character and appearance of the area and wider landscape. The indicative master plan submitted by the applicant with their application, shows that a suitable layout could be achieved, with areas of open space within the site and satisfactory distances between dwellings. The details of the proposed site layout would be agreed at Reserved Matters stage.
- 7.116 In terms of landscape impact the surrounding countryside is not overall considered to be of high landscape value with existing nearby areas of housing and commercial development to the south, east and west having an urbanising effect in terms of the landscape character of the locality. The River Blyth Corridor to the north is identified in the BVDLP as an Area of High Landscape Value. However, the proposed wildlife mitigation area would be sited on that part of the application site adjacent to the River Blyth Corridor and this would provide for a satisfactory buffer in terms of visual and landscape impact between that part of the site proposed for built development and the river corridor.
- 7.117 There is existing tree and hedge planting of value to the site boundaries. This could be safeguarded by means of conditions as could the provision of new planting to enhance the visual appearance of the development.
- 7.118 The density of development proposed would be 20 dwellings per hectare (i.e. 501 dwellings over the 25 hectare part of the site proposed for built development). Given the location of the application site on the edge of Cramlington bordering open countryside to the north, east and west, this proposed density is considered acceptable.
- 7.119 Overall in terms of landscape and visual impact on local character, the proposals would therefore be in accordance with the Development Plan and the NPPF subject to conditions and consideration of detailed site layout matters at Reserved Matters stage.

## **Residential Amenity**

- 7.120 BVDPD Policy DC1 (Criterion G) states that development proposals will be expected to have no adverse impact on the amenities of residents of nearby residential properties. BVDLP Policy H21 also requires consideration to be given to the amenities of future residents in the layout of new housing developments.
- 7.121 As stated above, this current application seeks outline permission only in respect of the housing element of the proposals and therefore detailed layout matters would be addressed at Reserved Matters stage. However, having regard to the submitted illustrative master plan it is considered that a satisfactory internal layout for up to 501 dwellings could be achieved in terms of the relationships between dwellings within the application site and the relationship between proposed dwellings and existing properties to the immediate west within the hamlet of West Hartford. It is not considered that any significant harm would arise to the amenity of existing dwelling occupiers in East Hartford to the east and the Northburn area of Cramlington to the south east given the substantial separation distances between these areas and the site.
- 7.122 BVDPD Policy DC22 regarding noise pollution states that the Local Planning Authority will seek to ensure that, wherever practicable, noise sensitive development and noisy or potentially noisy developments are located away from one another and will impose relevant conditions or seek appropriate planning obligations in relation to new development where separation is not practicable. Reference is also made to development within an Air Noise Exposure (ANE) area but this section of the policy does not apply to the application site as the ANE area lies to the south and east of Cramlington only not to the north of the town. NLP Policy POL2 and CNP Policy CNP25 reflect the above re noise pollution matters.
- 7.123 The Council's Public Protection team did raise some concerns regarding noise pollution to proposed dwellings from siren noise associated with fire engines leaving the Northumberland Fire & Rescue Service HQ in the south east corner of the site and from traffic noise on the A192 to the south.
- 7.124 Public Protection have confirmed that these matters could be addressed through conditions. In respect of noise from sirens, this could be addressed through a condition which gave priority in terms of the road layout/signals to fire engines when exiting the site and the matter of traffic noise from the A192 could be addressed through a condition requiring that master bedrooms have at least one window that does not directly face the A192.
- 7.125 Public Protection raise no objections in terms of light or air pollution.
- 7.126 Overall the proposals are considered acceptable in terms of their residential amenity impact subject to conditions and Reserved Matters details.

## **Flood Risk and Drainage**

- 7.127 BVDPD Policy DC19 states that the Council will apply the sequential approach in relation to flood risk when considering planning applications for development in flood risk areas. Development that encourages sustainable drainage systems will also be encouraged.
- 7.128 The NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere.
- 7.129 NLP Policies WAT3 and WAT4 also seek to satisfactorily mitigate flood risk and promote sustainable drainage.
- 7.130 The application site lies within Flood Zone 1 and is therefore not considered to be at high risk of flooding. However, given the size of the site, the applicant has submitted a Flood Risk Assessment (FRA).
- 7.131 As stated above, the detailed layout of the housing element of the scheme would be determined at Reserved Matters stage. Notwithstanding this, the applicant does propose to incorporate sustainable drainage measures into their development. The submitted FRA has been considered by both the Council as Lead Local Flood Authority and by Northumbrian Water. Neither raise any objections subject to conditions.
- 7.132 Overall the proposals are considered acceptable in terms of flood risk and drainage subject to conditions and Reserved Matters details.

## **Housing Mix and Affordable Housing**

- 7.133 BVCS Policy H3 states that in considering applications for new housing development regard will be had to the need to achieve the appropriate mix of housing types in terms of size, tenure and cost and the need to rebalance housing markets and create sustainable communities.
- 7.134 Policy H3 reflects guidance within the NPPF regarding the need to promote mixed communities and address affordable housing need.
- 7.135 NLP Policy HOU4 and CNP Policy CNP5 promote housing developments which provide for a mix of dwelling types, whilst NLP Policy HOU5 and CNP Policy CNP6 seek to secure affordable housing. NLP Policy HOU5 seeks 20% affordable housing in respect of proposals such as this. However, given the early stage that this Plan is at it is not considered that it would be appropriate at this time to seek such a level of affordable housing provision and the current requirement of 15% should therefore apply.
- 7.136 The detailed mix of proposed dwellings has not as yet been determined given that the housing element of the scheme seeks outline permission only. However, given the size of that part of the site where housing is proposed, it is considered that a mix of dwelling sizes could be provided for and such a mix could be secured by condition.

7.137 The applicant has confirmed that they would be willing to provide 15% affordable housing (i.e. 75 units). The Council's Housing team have requested that such provision should comprise 50 affordable rented units, 19 Discount Market Value (DMV) sale units and 6 shared ownership units. A Section 106 Agreement would be required to secure this provision and to control its occupancy as required by BVDLP Policy H15.

7.138 Overall therefore in terms of housing mix and affordable housing the proposal is considered to accord with the Development Plan and the NPPF subject to conditions and the applicant entering into a Section 106 Agreement to secure the specified affordable housing provision.

### **Planning Obligations**

7.139 In accordance with the NPPF, when considering planning obligations, regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

7.140 NLP Policies INF1 and INF6 seek to ensure that developments provide for their infrastructure and open space requirements. CNP Policy CNP24 is also of relevance in this regard.

7.141 The applicant has agreed to enter into a Section 106 Agreement concerning the following matters:

- a) Affordable housing equivalent to 15% of the total unit numbers;
- b) Contributions towards education - £2.530,000 (comprising £1,108,800 for primary education, £985,600 for secondary education and £435,600 for special needs)
- c) Healthcare provision – provision of land within the site to accommodate a GP surgery or a contribution of £346,500 if this is not delivered.
- d) Bus service provision - £100,000 per annum;
- e) Strategic road network upgrades - £136,932-£301,250)
- f) Management Plan to secure long term management of the ecological/wildlife area on the northern part of the site.
- g) Ecology coastal mitigation contribution of £600 per unit.
- h) Travel Plan measures contribution of £123,050.

7.142 Overall therefore, it is considered that a Section 106 Agreement could be secured which provides satisfactorily for all of the planning obligation matters highlighted by officers.

### **Equality Duty**

7.143 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**

7.144 These proposals have no significant implications in respect of the housing element of the scheme in relation to crime and disorder given that this element of application is in outline. Details in this regard would be addressed at Reserved Matters stage. Crime and disorder matters regarding the wildlife mitigation area are currently the subject of discussion between the applicant and the Council's ecologist but remain unresolved at this time.

### **Human Rights Act Implications**

7.145 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.

7.146 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.

7.147 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 and overall balance**

8.1 As stated earlier in this report, it is necessary to consider in the round the benefits and harm arising from the proposed development in terms of the three objectives of sustainable development outlined in the NPPF – economic, social and environmental and also to consider in terms of NPPF paragraph 11 whether or not there are any restrictive Policies in the Framework which indicate that development should be restricted.

- 8.2 Considering first the economic objective of sustainable development, a benefit of the proposals are that they would contribute to the NPPF objective of boosting the supply of housing and the economic benefits that arise as a consequence. However, notwithstanding the above, the proposed development is not considered to be necessary in order to meet overall housing need across both the County as a whole and within the Cramlington and South East Northumberland locally, given that the Council is able to demonstrate a 5 year housing land supply and the number of large extant permissions for new housing within Cramlington and South East Northumberland.
- 8.3 Furthermore, set against the above economic benefits is the harm in economic terms arising from the loss of this large site for employment development. Overall it has been concluded that there is a realistic/reasonable prospect of employment development coming forward on this site in the BVCS/BVDPD Plan Period up to 2021 or in the years following bearing in mind its quantitative and qualitative attributes, the limited offer re other large employment sites within the Cramlington area and improving economic conditions including the greater likelihood of key sites such as this being brought forward as part of the recently agreed North of Tyne devolution deal. Overall it is considered that the proposals would significantly diminish the range of employment sites available and undermine regional and local strategies for economic development and regeneration. Detailed financial or market evidence has not been presented which demonstrates to the satisfaction of the Council that there is not a reasonable prospect of the site being brought forward for employment development. The proposals are also contrary to Development Plan Policies which seek to promote employment development on the site and within the locality within which it lies.
- 8.4 In terms of the social dimension of sustainable development, the proposed provision of 15% affordable housing is a significant benefit which would need to be afforded weight.
- 8.5 Other benefits have also been highlighted earlier in this report comprising land on the site for a primary health care building, new public open space on site including 2 playing pitches and improved links for pedestrians, cyclists and bus users to Cramlington town centre. However, it is not considered that these other benefits amount to 'significant' community benefits as they would primarily serve future occupiers of the development and would replicate similar facilities that are already available to existing residents in the north of Cramlington.
- 8.6 Overall the site is not at present considered to have good accessibility to local services and employment by a choice of means of transport, although the applicant has agreed to measures which would improve the site's accessibility.
- 8.7 Moving on to the environmental dimension of sustainable development, some benefit would arise to biodiversity from the more proactive management of existing features of ecological value within the site through the creation and management of the wildlife mitigation area. However, such benefits need to

be set alongside greater potential for recreational disturbance to such features as a consequence of new housing being constructed in close proximity to them. There are also currently unresolved matters relating to bird strike risk assessment and the implications of this for Great Crested Newt mitigation.

- 8.8 Having considered matters in the round it is not considered overall that the proposals amount to sustainable development.
- 8.10 As such it is considered that planning permission should be refused on the grounds of unacceptable loss of employment land and unresolved concerns relating to bird strike risk matters in respect of the wildlife mitigation area.

## **9. Recommendation**

That this application be REFUSED planning permission for the following reasons:

1. The proposed development would result in the loss of a high quality employment site, would significantly diminish the range of employment land available both locally and County wide for employment development and undermine regional and local strategies for economic development and regeneration which seek to promote employment development on the application site and within the locality of which it is a part. Furthermore it is considered that there is a reasonable prospect that the site could be brought forward for employment development within the plan period of the Blyth Valley Core Strategy and Blyth Valley Development Control Policies DPD or in the years following and detailed financial or market evidence has not been submitted which demonstrates to the satisfaction of the Council as Local Planning Authority that there is no reasonable prospect of the site being brought forward for employment use. As such the proposal is contrary to Policy W2 of the Blyth Valley District Local Plan, Policies SS1, REG2 and REG4 of the Blyth Valley Core Strategy, Policy DC6 of the Blyth Valley Development Control Policies DPD, Policies ECN3 and ECN10 of the Northumberland Local Plan - Regulation 18 Draft Plan and the NPPF.
2. Insufficient detail has been provided regarding bird strike risk matters in respect of the on-site wildlife mitigation area resulting in uncertainty regarding the delivery of appropriate mitigation for Great Crested Newts within the site. This is contrary to Policy ENV1 of the Blyth Valley Core Strategy, Policy DC16 of the Blyth Valley Development Control Policies DPD, Policy ENV2 of the Northumberland Local Plan - Regulation 18 Draft Plan, Policy CNP1 of the Pre-Submission Draft Cramlington Neighbourhood Plan and the NPPF. Furthermore, granting permission for this development would not be compatible with the Council's legal obligations under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 because the relevant tests for licensing the destruction of habitat used by a European protected species have not been met.

**Background Papers:** Planning application file(s) 16/04741/OUT