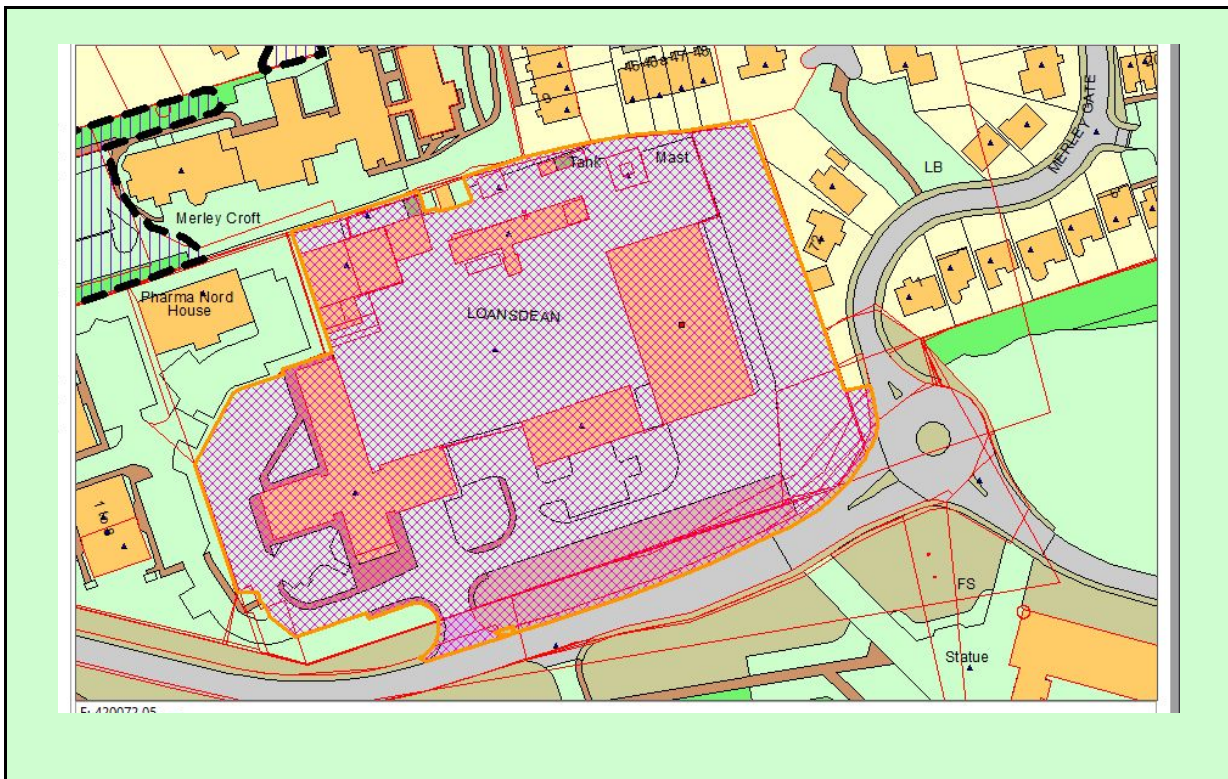




# Northumberland County Council

## STRATEGIC COMMITTEE: 8<sup>TH</sup> January 2019

<b>Application No:</b>	18/03387/VARYCO		
<b>Proposal:</b>	Variation of conditions 2 (approved plans) and 8 (landscaping) pursuant to planning application 18/00715/CCD, in order to remove 4 trees and replace them with 5 trees and to include an electricity sub station on the site.(revised description)		
<b>Site Address</b>	Former Fire And Rescue Workshop, Loansdean, Morpeth, Northumberland NE61 2AP		
<b>Applicant/ Agent</b>	Mr Stephen Tudball 4 Old Elvet, Durham, DH1 3HL,		
<b>Ward</b>	Morpeth Kirkhill	<b>Parish</b>	Morpeth
<b>Valid Date</b>	24 September 2018	<b>Expiry Date</b>	24 December 2018
<b>Case Officer Details</b>	Name:	Mrs Tamsin Wood	
	Job Title:	Senior Planning Officer	
	Tel No:	01670 625545	
	Email:	tamsin.wood@northumberland.gov.uk	



**Recommendation:** That this application be GRANTED permission

## **1. Introduction**

- 1.1 This application needs to be determined at committee as it is a County Council development involving land under the ownership of the Council.

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

- 2.1 Planning permission was granted at Strategic Planning Committee on 5<sup>th</sup> June 2018 and the decision issued 29<sup>th</sup> June 2018, for the construction of a new two storey First School for children aged from nursery to 8 years old. To include external play areas, Multi Use Games Area (MUGA) and associated parking.

- 2.2 This current application seeks an amendment to the plans and as such Condition 2 on the decision notice, to allow for the removal of 4 trees and their replacement with 5 trees. This is due to on site excavations, despite tree protection measures, resulting in trenches being very close to trees bringing with them a risk of damage to roots and destabilisation. The application is part retrospective as the trees have been felled already. In addition an electricity substation is now proposed at the site as the existing one has insufficient capacity to cope with the needs of the new school.

- 2.3 Condition 2 of the 18/00715/ CCD approval currently states:

The main issues for consideration in the determination of this application are:

1000-Location Plan-S4-P03

1001-Existing Site Plan inc Topographic Survey-S4-P04

1012-Proposed Site Plan-S4-P08

2015-Proposed Ground Floor GA (plan)-S4-P04

2016-Proposed First Floor GA (plan)-S4-P01

2018- Proposed Elevations-S4-P02

SK0021-Proposed Elevations, East & South Facades-S4-P03

SK0022-Proposed Elevations, West & North Facades-S4-P03

16T806-114 Proposed Drainage Details

16T806-112 Rev T1 - Proposed Drainage Layout

16T806-110 Rev T1 - Schematic External Works Layout

16T806-113 Rev T1 - Manhole Schedule

Goose Hill School External Lighting Rev 3

Morpeth School, Construction Site Logistics Rev 1 (12.02.18)

Cundall, Morpeth First School Planning Statement, Ref. 1014396 Rev A, 18th April 2018

Howarth Litchfield, Morpeth First School Design and Access Statement, Ref. 16107 Rev P01, 13th February 2018

Cundall, Environmental Noise Report, ref. 1014396 Rev D, 12th April 2018

Systra, Transport Assessment, Ref. SYS/18227/001/04, 17th May 2018  
Systra, Framework Travel Plan, SYS/18227/002/03, 17th May 2018  
Dunelm, Geoenvironmental Appraisal for land at Morpeth First School, Ref. D8515/02, 14th March 2018  
1048.01 Rev F - Landscape Masterplan  
All About Trees, Arboricultural Method Statement For Trees at The Proposed Morpeth First School, Goosehill, Loansdean - Rev A, 2nd March 2018  
Billinghurst George & Partners, Preliminary Civil Engineering Report, 16T806 Rev 004, 28th February 2018  
Billinghurst George & Partners, Flood Risk Assessment, 16T806 Rev 004, 28th February 2018  
DP Landscape Architecture, Landscape Strategy, Ref. 1048/R01D/DP/18.12.17, December 2017  
CAD 21 Ltd, Planning Stage Sustainability Statement, Ref 4181 Rev P01, January 2018

Reason: For the avoidance of doubt, and in the interests of proper planning

- 2.4 As layout plans would need to be altered to show the position of the substation and to reflect the removal of the 4 trees and planting of a further 5 trees, the condition would need to be reworded to the below:

The main issues for consideration in the determination of this application are:

1000-Location Plan-S4-P03  
1001-Existing Site Plan inc Topographic Survey-S4-P04  
Proposed Changes (shows proposed site plan), 1048\_SK14 Rev A  
2015-Proposed Ground Floor GA (plan)-S4-P04  
2016-Proposed First Floor GA (plan)-S4-P01  
2018- Proposed Elevations-S4-P02  
SK0021-Proposed Elevations, East & South Facades-S4-P03  
SK0022-Proposed Elevations, West & North Facades-S4-P03  
16T806-114 Proposed Drainage Details  
16T806-112 Rev T10 - Proposed Drainage Layout  
16T806-110 Rev T3 - Schematic External Works Layout  
16T806-113 Rev T1 - Manhole Schedule  
Goose Hill School External Lighting Rev 3  
Morpeth School, Construction Site Logistics Rev 1 (12.02.18)  
Cundall, Morpeth First School Planning Statement, Ref. 1014396 Rev A, 18th April 2018  
Howarth Litchfield, Morpeth First School Design and Access Statement, Ref. 16107 Rev P01, 13th February 2018  
Cundall, Environmental Noise Report, ref. 1014396 Rev D, 12th April 2018  
Systra, Transport Assessment, Ref. SYS/18227/001/04, 17th May 2018  
Systra, Framework Travel Plan, SYS/18227/002/03, 17th May 2018  
Dunelm, Geoenvironmental Appraisal for land at Morpeth First School, Ref. D8515/02, 14th March 2018  
1048.01 Rev K - Landscape Masterplan  
Hard Landscape Proposals East, 1048.03 Rev D  
Hard Landscape Proposals West, 1048.02 Rev E  
Soft Landscape Proposals East, 1048.05 Rev D  
Soft Landscape Proposals West, 1048.04 Rev E

GRP and Plinth Construction Details, P-0096328/DWG/020  
AIA Tree Protection Plan (TPP Rev C), AIA TPP Rev C  
All About Trees, Arboricultural Method Statement For Trees at The Proposed Morpeth First School, Goosehill, Loansdean - Rev C, 30<sup>th</sup> November 2018  
Billinghurst George & Partners, Preliminary Civil Engineering Report, 16T806 Rev 004, 28th February 2018  
Billinghurst George & Partners, Flood Risk Assessment, 16T806 Rev 004, 28th February 2018  
DP Landscape Architecture, Landscape Strategy, Ref. 1048/R01D/DP/18.12.17, December 2017  
CAD 21 Ltd, Planning Stage Sustainability Statement, Ref 4181 Rev P01, January 2018

Reason: For the avoidance of doubt, and in the interests of proper planning

- 2.5 In addition as amendments are proposed to the number of trees to be removed and the scheme now includes the planting of 5 more an amendment is also proposed to Condition 8 so it refers to the updated tree reports and tree protection plans. The approved Condition 8 states:

All trees and hedgerows at the site that are to be retained shall be retained and protected in accordance with the Tree Protection Plan (TPP Rev A) and the report "Arboricultural Impact Assessment for Trees at The Proposal Morpeth First School, Goosehill, Loansdean, Rev A", by All About Trees, dated March 2018.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

- 2.6 The condition would need to be reworded to the below

All trees and hedgerows at the site that are to be retained shall be retained and protected in accordance with the Tree Protection Plan (TPP Rev C) and the report "Arboricultural Impact Assessment for Trees at The Proposal Morpeth First School, Goosehill, Loansdean, Rev C", by All AboutTrees, dated 30<sup>th</sup> November 2018

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

- 2.7 The site is located within the settlement boundary of Morpeth as defined by the Morpeth Neighbourhood Plan (MNP) and castle Morpeth Local Plan. The land is allocated in the MNP for mixed-use employment generating purposes, and is not allocated for any use within the Local Plan.

### 3. Planning History

**Reference Number:** 16/04292/FUL

**Description:** Development of retail floorspace (Use Classes A1 and/or A2 and/or A3 and/or A5 and/or D1), a foodstore (Use Class A1), a drive-thru restaurant (Use Class A3 and/or A5), a family pub/restaurant (Use Class A3

and/or A4) and associated car parking, cycle spaces, landscaping and access arrangements

**Status:** WITHDRAWN

**Reference Number:** C/99/CC/82

**Description:** Change of use of existing stores block to provided office accommodation, laboratories and store for Trading Standards and the construction of additional car parking

**Status:** PERMITTED

**Reference Number:** CM/78/D/057

**Description:** LANDSCAPING DETAILS

**Status:** PERMITTED

**Reference Number:** C/80/D/612

**Description:** Erection of radio mast

**Status:** PERMITTED

**Reference Number:** C/80/D/612A

**Description:** Design details submitted pursuant to condition no. 2 of planning permission 80/D/612 in respect to erection of radio mast

**Status:** PERMITTED

**Reference Number:** C/86/D/074

**Description:** Alterations to existing training block to provide control suite and showers

**Status:** PERMITTED

**Reference Number:** C/01/00073/CCD

**Description:** Retrospective application for the construction of two flues

**Status:** PERMITTED

**Reference Number:** C/01/00160/CCD

**Description:** Extension to provide female facilities and storage area

**Status:** PERMITTED

**Reference Number:** C/02/00231/CCD

**Description:** Erection of 2.4 metre high fence

**Status:** PERMITTED

**Reference Number:** C/05/00225/CCD

**Description:** Provision of two smoke extraction flue stacks on north elevation of breathing apparatus training complex

**Status:** PERMITTED

**Reference Number:** 16/01187/DEMGDO

**Description:** Julliprior notification for proposed demolition of former fire station

**Status:** PRIOR APPROVAL NOT REQUIRED

**Reference Number:** 16/02884/ADE

**Description:** Advertisement Consent: Installation of 1no. non-illuminated flat panel sign

**Status:** PERMITTED

**Reference Number:** CM/05/D/810 NCC

**Description:** Smoke extraction flue stacks to the north wall of breathing apparatus training complex.

**Status:** NO OBJECTION

**Reference Number:** C/94/CC/060

**Description:** Alterations and extension to control room suite

**Status:** PERMITTED

**Reference Number:** C/02/00007/CCD

**Description:** Construction of pitched roof over part of training block

**Status:** PERMITTED

**Reference Number:** 18/00715/CCD

**Description:** Construction of a new two storey First School for children aged from nursery to 8 years old. To include external play areas, Multi Use Games Area (MUGA) and associated parking.

**Status:** Approved

**Reference Number:** 18/02767/DISCON

**Description:** Discharge of Conditions 3 (facing materials and the roof covering) 6 (disposal of foul and surface water) 7 (landscape planting) 10 (Construction Method Statement) 11 (space for the parking) 13 (highway works) 17 (scooter parking) 32 (contamination of land) 35 (ingress of ground gases) 37 (Trees) on approved Planning application 18/00715/CCD

**Status:** PCO

**Reference Number:** 18/04154/DISCON

**Description:** Discharge of condition 12 (scheme for the improvement of the B1337 / County Hall Access Road Junction) pursuant to approved planning application 18/00715/CCD.

**Status:** PCO

#### 4. Consultee Responses

Morpeth Town Council	No comment to the application.
North Tree And Woodland Officer	No objections.
Highways	No response received.
LLFA	No response received.

County Ecologist	No response received.
Morpeth Town Council	No response received.
Public Protection	No response received.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	107
Number of Objections	1
Number of Support	0
Number of General Comments	0

### Notices

General site notice, 8/10/18

Morpeth Herald 4<sup>th</sup> October 2018

### Summary of Responses:

1 Letter of objection has been received which in summary raises the following concerns:

- Objects to the removal of the 4 trees
- The protection of the mature trees was a paramount concern of residents in the area of the site.

## 6. Planning Policy

### 6.1 Development Plan Policy

Morpeth Neighbourhood Plan (2016):

Policy Sus1 - Sustainable Development Principles

Policy Des1 - Design Principles

Policy Set1 - Settlement Boundaries

Policy Env1- Landscape and Wildlife Corridors

Policy Env3 - Protected Open Space

Policy Emp5 - Safeguarding of Employment Sites and Additional Employment Sites

Policy Tra1 – Stobhill - Loansdean Link Road protection

Policy Tra2 - Traffic congestion

Policy Tra3 - Transport requirements for new developments

Policy Tra4 - Development of footpath and cycleway networks

Policy Inf1 - Flooding and sustainable drainage

Policy Edu2 - New schools

Castle Morpeth District Local Plan (2003) (Saved Policies):

Policy C1 Settlement boundaries

Policy MC1 Settlement boundary

Policy C11 Protected species

Policy C15 Trees in the countryside and urban areas

Policy S1 Land Supply

Policy S12 Protection of Services

Policy T5 Public Transport Services

Policy T6 Provision for Cyclists-cycle Routes

Policy R2 Playing Fields and Dual Use of Educational Facilities and Youth Facilities

## 6.2 National Planning Policy

National Planning Policy Framework (2018)

National Planning Practice Guidance (2018, as updated)

## 7. **Appraisal**

### 7.1 The main issues in the consideration of this application are:-

Principle of the development

Design

Residential amenity

Impact on trees

Ecology

Highways and traffic

Flooding and drainage

Principle of development

7.2 The principle of development was accepted with the granting of planning permission reference 18/00715/CCD which is extant. This application is to make minor amendments in terms of the overall scheme and as there are no alterations to the proposal which would impact on the principle of the proposal, it is considered the principle of the proposal is still acceptable and in accordance with all the same relevant policies of the development plan, including Policy Edu2 of the MNP. Whilst the NPPF has been revised since the proposal is still in accordance with this in terms of the promotion and widening of choice in education.

Design

7.3 No alterations are proposed to the design and scale of the school. Under this application only the design of the proposed electricity substation needs to be considered and how this may impact on the overall appearance of the site.



- 7.4 It is considered that whilst the building would look quite different in appearance to the school, it would be built to suit its function and given its small scale, limited height and that it would be surrounded by a wooden fence the building would have very little visual impact and not have any detrimental impact upon the overall character and appearance of the already approved scheme. As such the proposal would still be considered to be in accordance with the NPPF in terms of design.

#### Residential amenity

- 7.5 The sub station is set sufficient distance from any residential properties of which the nearest are at Merley Gate to the east of the site and The Steads to the north, in terms of loss of light and outlook. The sub station has the potential to adversely affect the amenity of neighbouring residents in terms of noise only. However as these would still be set some 70m from the substation it is not considered these residents would be impacted upon in terms of noise disturbance. Public Protection have been consulted on the application nonetheless and as such in overall terms, subject to no adverse comments being received from Public Protection, the development is considered to be in accordance with the aims of the NPPF and PPG, Policies Sus1 and Des1 of the MNP in respect of impact upon residential amenity.

#### Impact on trees

- 7.6 This current application seeks to remove 4 trees from the site which were not previously permitted to be removed. The applicant has cited that this is due to on site excavations, despite tree protection measures, resulting in trenches being very close to trees bringing with them a risk of damage to roots and destabilisation. All the tree plans and associated reports have been amended to take this alteration into account. The additional trees which have been identified to be removed and have already been removed are those numbered 337- Silver Birch (moderate tree quality), 301- Silver Birch (low tree quality), 302- English Oak (moderate tree quality), 303 English Oak (Low tree quality) on the AIA Tree Protection Plan. These are not protected by TPOs and they are not in a Conservation Area.
- 7.7 An objection has been received to the removal of these trees which states the protection of the mature trees was of paramount concern of residents in the area of the site. In terms of the trees removal the County Tree and Woodlands Officer has been on site however and assessed the submitted information and he has no objection to the application. Given this and that the trees have been removed due to safety reasons as there was concern that by digging in the trees root protection areas this would make them unstable and that they will also be replaced with 5 further trees, whilst it is regrettable that further trees have been removed, on balance it is considered the proposal in this respect would still meet the aspirations of maintaining the landscape corridor in this location, as required by MNP Policy Emp5b and Castle Morpeth Local Plan Policies MC3 and C4. The same conditions would be attached to this consent, as attached to the original approval which deal with details of landscaping and the planting of replacement specimens and as such it is considered that the proposed development would not cause significant adverse harm to the character, quality or distinctiveness of the surrounding landscape and that the

landscaped setting would be retained as required by Castle Morpeth Local Plan Policies C14 and C15, MNP Policies Emp 5b, Des1 and Env1, and NPPF Part 11.

### Ecology

- 7.8 The County Ecologist has been consulted given the potential for the development to impact on the natural environment and biodiversity. Their comments are awaited and subject to no adverse comments being received, and the same conditions being attached which deal with landscaping and biodiversity, the development is still considered to be in accordance with the aims of the NPPF and NPPF and the requirements of Policies C4, MC3, C11 and C15 of the Castle Morpeth District Local Plan, and Policies Env1 and Env2 of the MNP.

### Highways and traffic

- 7.9 No alterations are proposed to the access to the site and parking. Due to the positioning of the proposed substation however to the front of the new school there has been a slight amendment to the approved layout and schematic layout. As such the Highway Authority have been consulted. Their comments are still awaited however and thus subject to no adverse comments being received, and the same conditions being attached which deal with highways issues, the proposal is still considered to be acceptable in terms of impact on highway safety and parking provision and in accordance with Policies T5 and T6 of the Castle Morpeth District Local Plan, and Policies Env1(a), Tra2, Tra3 and Tra4 of the Morpeth Neighbourhood Plan, and the NPPF.

### Flooding and drainage

- 7.10 Given the very slight alteration to the layout the proposed drainage layout plan has been revised. Whilst the actual drainage positions have not been altered the Lead Local Flood Authority have still been consulted to make them aware of the change in plan. Subject to no objection from the LLFA it is considered the proposal would still accord with the NPPF and policies of the Development Plan including Policy Inf1 - of the Morpeth Neighbourhood Plan.

### Equality Duty

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

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

## Human Rights Act Implications

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.

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.

Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

- 8.1 The principle of the proposal was established under the granting of application ref 18/00715/CCD. Subject to conditions and consultee responses the proposal is considered to be acceptable in terms of impact on residential amenity, highways issues, drainage and ecology. The design of the proposal and impact on trees is considered to be acceptable.

## **9. Recommendation**

That the Committee is minded to APPROVE this application subject to the following conditions, subject to no new matters being raised as a result of public reconsultation within the remainder of the consultation period (expiry 28th December), and subject to no adverse comments being received from Public Protection, Morpeth Town Council, Highways, the LLFA and the County Ecologist.

### Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of 29<sup>th</sup> June 2018.

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

02. The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans:

1000-Location Plan-S4-P03

1001-Existing Site Plan inc Topographic Survey-S4-P04

Proposed Changes (shows proposed site plan), 1048\_SK14 Rev A

2015-Proposed Ground Floor GA (plan)-S4-P04

2016-Proposed First Floor GA (plan)-S4-P01

2018- Proposed Elevations-S4-P02

SK0021-Proposed Elevations, East & South Facades-S4-P03

SK0022-Proposed Elevations, West & North Facades-S4-P03

16T806-114 Proposed Drainage Details

16T806-112 Rev T10 - Proposed Drainage Layout

16T806-110 Rev T3 - Schematic External Works Layout

16T806-113 Rev T1 - Manhole Schedule

Goose Hill School External Lighting Rev 3

Morpeth School, Construction Site Logistics Rev 1 (12.02.18)

Cundall, Morpeth First School Planning Statement, Ref. 1014396 Rev A, 18th April 2018

Howarth Litchfield, Morpeth First School Design and Access Statement, Ref. 16107 Rev P01, 13th February 2018

Cundall, Environmental Noise Report, ref. 1014396 Rev D, 12th April 2018

Systra, Transport Assessment, Ref. SYS/18227/001/04, 17th May 2018

Systra, Framework Travel Plan, SYS/18227/002/03, 17th May 2018

Dunelm, Geoenvironmental Appraisal for land at Morpeth First School, Ref. D8515/02, 14th March 2018

1048.01 Rev K - Landscape Masterplan

Hard Landscape Proposals East, 1048.03 Rev D

Hard Landscape Proposals West, 1048.02 Rev E

Soft Landscape Proposals East, 1048.05 Rev D

Soft Landscape Proposals West, 1048.04 Rev E

GRP and Plinth Construction Details, P-0096328/DWG/020

AIA Tree Protection Plan (TPP Rev C), AIA TPP Rev C

All About Trees, Arboricultural Method Statement For Trees at The Proposed Morpeth First School, Goosehill, Loansdean - Rev C, 30<sup>th</sup> November 2018

Billinghurst George & Partners, Preliminary Civil Engineering Report, 16T806 Rev 004, 28th February 2018

Billinghurst George & Partners, Flood Risk Assessment, 16T806 Rev 004, 28th February 2018

DP Landscape Architecture, Landscape Strategy, Ref.

1048/R01D/DP/18.12.17, December 2017

CAD 21 Ltd, Planning Stage Sustainability Statement, Ref 4181 Rev P01, January 2018

Reason: For the avoidance of doubt, and in the interests of proper planning

03. Samples of all facing materials and the roof covering to be used in the construction of the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before construction of the building commences. The development shall be constructed in accordance with the approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion.

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

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

05. The existing highway drain located south of the proposed school building shall be fully investigated and where necessary diverted, as so no buildings shall be constructed over or within 2 metres of the feature.

Reason: To ensure the adjacent highway can drain unimpeded as a result of this development.

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

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

07. Notwithstanding the landscape masterplan prior to the commencement of development above damp proof course level a detailed plan for the landscape planting to include details of the replacement tree planting of the site shall be submitted for the written approval of the LPA. The plan shall detail the species and number of trees, hedgerows, shrubs and use predominantly Northumberland native species and species beneficial to native pollinators. Once approved the plan shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development'.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

08. All trees and hedgerows at the site that are to be retained shall be retained and protected in accordance with the Tree Protection Plan (TPP Rev C) and the report "Arboricultural Impact Assessment for Trees at The Proposal

Morpeth First School, Goosehill, Loansdean, Rev C", by All AboutTrees, dated 30<sup>th</sup> November 2018

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

09. i) All trenches and excavations deeper than 0.30m left open overnight should have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals.

ii) Gaps shall be created and retained in all boundaries at intervals of 30m to allow the passage of small mammals such as hedgehog. Gaps shall measure no less than 13cm by 13cm.

Reason: to enhance the biodiversity of the site for a UK BAP priority species

10. Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:
- i. details of temporary traffic management measures, temporary access, routes and vehicles;
  - ii. vehicle cleaning facilities;
  - iii. the parking of vehicles of site operatives and visitors;
  - iv. the loading and unloading of plant and materials;
  - v. storage of plant and materials used in constructing the development

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

11. No development shall be commenced until a drawing defining space for the parking and manoeuvring of 48 vehicles on the "Merley Croft" site, to the north of the application site, has been submitted to and approved by the Local Planning Authority, and implemented in accordance with the approved scheme. Thereafter the facilities shall be retained available for the parking and manoeuvring of vehicles.

Reason: To prevent indiscriminate parking of vehicles on the highway network in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

12. The development shall not be taken into use until a scheme for the improvement of the B1337 / County Hall Access Road Junction to mitigate the impacts of development related traffic, together with associated junction modelling data, has been submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the approved scheme.

Reason: To ensure that the operation of the highway network is not prejudiced by the introduction of development related traffic, in accordance with the National Planning Policy Framework.

13. The development shall not be commenced until a scheme of highway works has been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the submitted details the highway works shall provide for:-
- i. Layby to the east of the access to the school and consequential alterations to street lighting.
  - ii. Additional footway around the eastern radius of the vehicular access to the school together with dropped kerbs and tactile paving.
  - iii. The provision of a pedestrian link between the existing footpath on Queen Elizabeth Avenue and the south side of the access road between the B1337 and County Hall. The scheme shall include dropped kerbs and tactile paving at the crossing points of the access road.
- The development shall not be taken into use until the highway works have been implemented in accordance with the approved details.

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

14. Prior to first occupation of the approved development all access and junction works shall be implemented as shown on the approved plans, and shall thereafter be retained accordingly.

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

15. The development shall not be occupied until the car parking, circulation and manoeuvring areas indicated on the approved plans, including any disabled car parking spaces contained therein, has been hard surfaced, sealed and marked out in parking bays. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

16. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

17. The development shall not be commenced until details of scooter parking have been submitted to and approved by the Local Planning Authority. The facilities shall be implemented in accordance with the approved details and

thereafter retained in accordance with the approved plans and kept available for the storage of scooters at all times.

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

18. The development shall not be occupied until a scheme for traffic management including waiting restrictions, speed restrictions, delivery vehicle restrictions and School Keep Clear carriageway markings have been submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

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

19. The development shall not be occupied until details of a Framework School Travel Plan on the application site have been submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Framework Travel Plan shall be implemented in accordance with the approved details.

This Framework Travel Plan must include:

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

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

20. Within six months of first occupation of the development details of a Full School Travel Plan including action plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full School Travel Plan shall be implemented in accordance with the approved details.

This Full School Travel Plan must include:

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

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



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

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

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

Reason: To ensure no surface water run off onto the highway from the private space.

23. The noise rating level from the development shall not exceed the following values at the boundary of the nearest noise sensitive premises in lawful existence at the time of this planning permission, when measured using BS4142:2014

07:00 - 23:00 hours LA<sub>eq</sub>T 50dB  
23:00 - 07:00 hours LA<sub>eq</sub>T 36 dB

T shall be assessed as one hour during daytime (07:00 - 23:00) and five minutes at night time (23:00 - 07:00)

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

24. During commissioning testing and before the scheme is brought into use, or continues in use, the Operator shall employ a competent acoustic consultant to assess the level of noise emissions from the development at the nearest noise sensitive properties.

The assessment shall be undertaken in accordance with the methodology described in BS4142:2014. The Operator shall submit a validation report based on the consultant's findings to the Local Planning Authority for written approval.

Where the noise levels from the development exceeds the levels stated in condition 23, at the nearest noise sensitive premises, appropriate mitigation measures shall be agreed and implemented in full within a timescale approved in writing by the Local Planning Authority.

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

25. Prior to the development being brought into use or continuing in use, the applicant shall provide full details of the acoustic barrier (which shall consist of a masonry wall or earthen mound), including location, specification, design and performance, to the local planning authority for written approval. The approved scheme shall be implemented in full and retained for the lifetime of the development.

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

26. Prior to the development being brought into use or continue in use, the applicant shall submit a noise management plan covering the operation of the MUGA and grass pitch to the local planning authority for its written approval, with the approved scheme implemented in full.

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

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

Monday to Friday - 0800 to 1800,  
Saturday 0800 to 1300.

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

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

Monday to Friday - 08:00 to 18:00  
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

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

29. The MUGA and grass pitch shall only be used between the hours of 09:00 to 21:00 hours Monday to Saturday, as specified in the Cundall Environmental Noise Report ref: 1014396 (21 May 2018).

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

30. There shall be no flood lighting used on muga or grass pitch pitch.

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

31. Prior to the installation of the extraction system, the system being brought into use or continue in use, the applicant shall provide full details of the odour treatment system to be installed into the development which shall provide a Very High level of odour control, as defined in the DEFRA document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems". The details shall be submitted to the LPA for its written approval with the approved scheme implemented in full.

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

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

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

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

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

33. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition.

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

34. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standards required in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

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

35. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

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

36. No building shall not be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 135, which has been approved in writing by the LPA.

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

37. Prior to the commencement of development above damp proof course level, detailed proposals should be produced for trees to be planted in mitigation for trees removed to facilitate the development and submitted for the written approval of the LPA. This should include specifications of species and sizes, and should also include the final extent of tree removal in group 4.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

38. Prior to first occupation, an inspection and maintenance plan should be produced for the future management of all planted and retained trees, groups and hedges, and shall be submitted for the written approval of the LPA. The

trees and hedges shall then be managed and retained thereafter in accordance with the measure set out within this approved maintenance plan.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

39. Notwithstanding the landscape masterplan prior to the commencement of development above damp proof course level a detailed plan for the landscape planting of the site shall be submitted for the written approval of the LPA. The plan shall detail the species and number of trees, hedgerows, shrubs and use predominantly Northumberland native species and species beneficial to native pollinators. Once approved the plan shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development'.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site.

### **Informatives**

1. A public sewer crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development.
2. The risk of encountering nesting birds or other protected species in connection with the execution of this planning consent is low, but there is a small risk that individual animals may be encountered during works. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them. Accordingly any tree or hedge removal undertaken between 1 March - 31 August carried out as part of the proposal should be preceded by checks to confirm that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works. In the unlikely event of protected species such as bats and nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away. Applicants and contractors can obtain advice by telephoning Natural England's advice line on 0845 600 3078. Further information about protected species and the law can be found on the Natural England website at [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

3. It is recommended that the school develops a full travel plan through the Modeshift STARS system and achieves bronze accreditation within one year of occupation and silver accreditation within two years. Development of the travel plan should be led by a senior member of staff and also show involvement from the whole school community with annual hands up surveys being completed. It is also recommended that parents and staff are surveyed before relocation of the school to the new site about how they intend to travel in order to assist the gauging of future travel patterns and highlight potential issues. This information should be used as a starting point for the full travel plan. In addition information and advice on travelling to the new location should be issued to parents before the move as it is beneficial to involve pupils in this type of promotional activity.
  
4. The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

**Date of Report:** 06.12.2018

**Authorised by:**

**Date:**

**Background Papers:** Planning application file(s) 18/03387/VARYCO