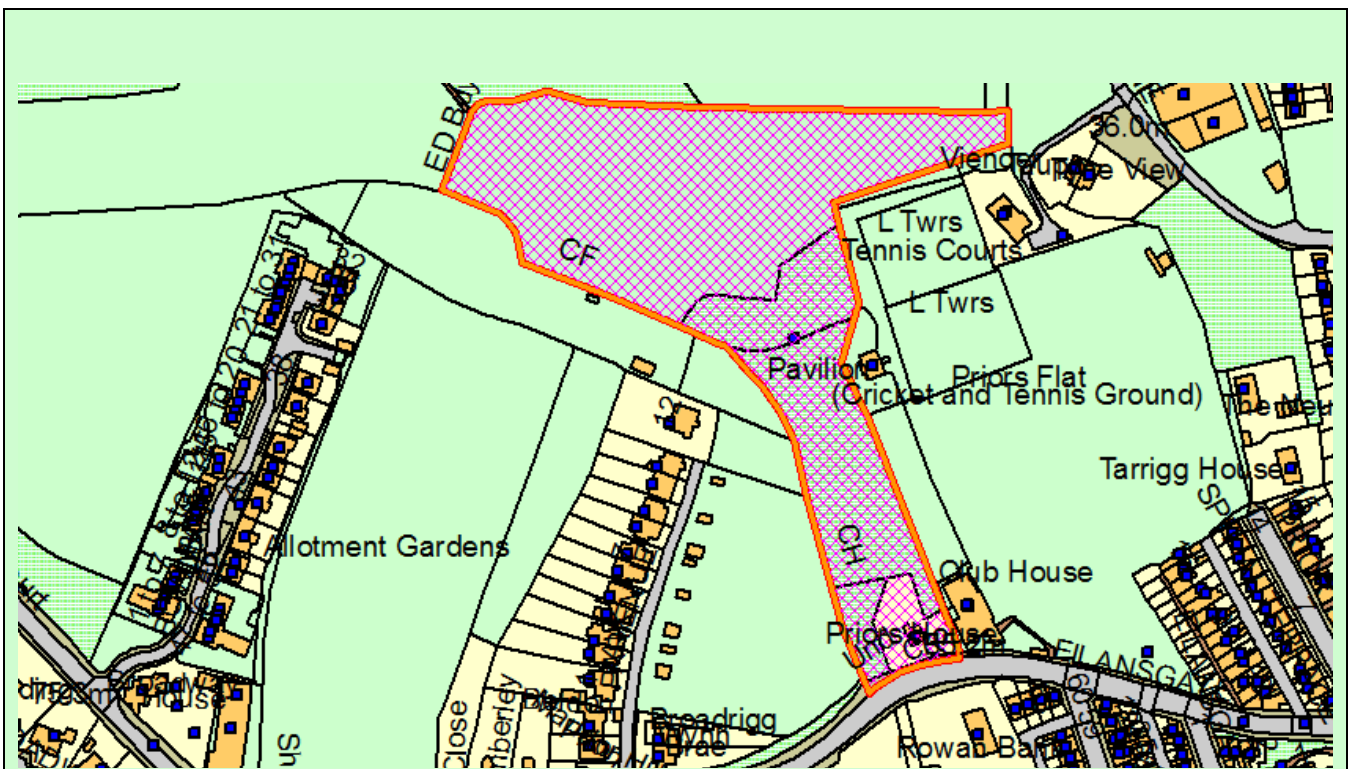


NORTHUMBERLAND

Northumberland County Council

STRATEGIC PLANNING COMMITTEE : 5 JANUARY 2016

Application No:	14/03776/OUT		
Proposal:	Development for up to 43 residential dwellings (Class C3), demolition, infrastructure, access, open space and landscaping (all matters reserved except for access)		
Site Address	Land north of Eilansgate, Hexham, Northumberland,		
Applicant:	Mr Adam Heard Wynyard Golf Club, Wellington Drive, Wynyard, Stockton-on-Tees TS22 5QJ	Agent:	Mr Neil Westwick Generator Studios, Trafalgar Street, Newcastle, Tyne and Wear NE1 2LA
Valid Date:	12 November 2014	Expiry Date:	11 February 2015
Case Officer Details:	Name: Ms Jenny Green Job Title: Senior Planning Officer Tel No: 01670 625543 Email: jenny.green@northumberland.gov.uk		



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, where applications raise significant planning issues, they are referred to the Head of Service for consideration to be given as to whether the application should be referred to a Planning Committee for determination. The matter was duly considered under these provisions on 13 August 2015 at which time it was confirmed that, as the application raises a number of complex planning issues and there is considerable local interest in the proposal, then the matter should be dealt with by Committee. At the meeting of the Strategic Planning Committee on 1 December 2015 Members deferred the application in order to allow for a site visit to be undertaken.

1.2 A site visit took place on 21 December 2015 in order to allow Members of the Strategic Planning Committee to familiarise themselves with the location of the application site in relation to the surrounding highway network, the land form of the site and the proposed access to the site from Eilansgate, and in relation to the Hexham Conservation Area, the Green Belt and the differing land uses that make up the site.

2. Description of the Proposals

2.1 Outline planning permission is sought for the construction of up to 43 dwellings on land to the north of Eilansgate in Hexham. The site is roughly T-shaped and measures 1.9 hectares in area. The proposed new access onto Eilansgate is proposed as part of the outline application with all other matters (appearance, landscaping, layout and scale) reserved for future consideration. An existing dwelling, Priors House, would be demolished to accommodate the proposed access.

2.2 To assist with the consideration of the application, illustrative plans have been submitted which show the access road running centrally through the site from Eilansgate then turning westwards and terminating in the north west corner of the site. Dwellings would be located to the west of the access road until it turns westwards after which dwellings would be sited on either side of the access road. A range of house types is envisaged from 2 to 6 bedrooms in size, with a mix of detached, semi-detached and apartments. 30% of the units would be affordable, equating to approximately 13 dwellings on the site.

2.3 The illustrative layout shows 450 square metres of formal play space and 1400 square metres of informal play space within the site. Due to the site bordering with the Hexham Golf Course to the north a Golf Protection Zone and an area of new tree planting is shown along the northern boundary of the site. This would protect future residents in the site from stray golf shots.

2.4 The greenfield site comprises Priors House and its residential curtilage at the southern end of the site followed by mixed coniferous and broadleaf woodland running north from the dwelling. The northern part of the site comprises grassland and scrub with a number of notable mature broadleaf trees. The site rises up from Eilansgate and then drops down towards the adjacent Golf Course. The site is bordered to the north by Hexham Golf Club and to the east by the sports facilities at Tynedale Athletic Association which include cricket pitches, club house, tennis courts and car parking. To the west of the site are allotments and gardens and residential development on Park Avenue.

2.5 Since the application was submitted a provisional Tree Preservation Order (TPO) was made by the Council on 22 June 2015. This covered the woodland area to the north of Priors House, a distinct group of 7 trees to the north of the woodland and four individual oak trees in the northern part of the site near the golf course. This TPO was confirmed by Members of the Planning and Rights of Way Committee on 8 September 2015 subject to a modification to remove one of the 7 trees in the group from the TPO. As a result of this TPO and comments from the Council's Ecologist the indicative layout of the site has been amended so that, in addition to the loss of the woodland area, only three other trees covered by the TPO would be removed. An appraisal of the trees to be removed and an analysis of the Council's Ecologist's comments have been submitted by the applicant. This additional information was the subject of further consultation with local residents, the Council's Ecologist and the Tree and Woodlands Officer.

2.6 The site lies outside the Hexham Conservation Area but the boundary of the Conservation Area immediately adjoins the site to the south, the boundary following Eilansgate, and running along the western boundary of the site to take in Park Avenue. The site lies within Flood Zone 1. With the exception of Priors House and its curtilage, the southern leg of the T-shaped site is designated as Strategic Green Space as set out in the Tynedale Core Strategy. This part of the site lies within the built up part of Hexham. The northern half of the site lies within the Green Belt.

2.7 In addition to the plans, the application has been submitted with the following accompanying documents:

- Design and Access Statement
- Community Consultation Statement
- Planning and Economic Statement
- Phase I Habitat Survey and Protected Species Assessment
- Ground Conditions Assessment
- Archaeology Assessment
- Flood Risk Assessment
- Noise Assessment
- Tree Report and Tree Constraints Plan
- Transport Statement
- Planning Application Summary Statement
- Briefing notes on Very Special Circumstances case

3. Planning History

Reference Number: T/20060349

Description: Outline: Residential development and demolition of existing house

Status: Refused

4. Consultee Responses

<p>Hexham Town Council</p>	<p>Comments: No response received.</p> <p>Comments on revised scheme: Object. The Town Council regrets that it has to object to this application as it is pleased to see the inclusion of a significant proportion of affordable housing within the application site but objects as it is of the opinion that the land is designated part greenbelt and part strategic green space. The developer has not demonstrated</p>
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	<p>exceptional circumstances which would justify development in the greenbelt particularly given the amount of brownfield sites in Hexham in equal proximity to the town centre. The Council is concerned about access from Eilansgate from increased traffic flow – this is not safe or adequate and there will be a detrimental impact on parking. The Council is also concerned about the removal of established trees and the selective thinning. It cannot condone the felling of trees for this development. The Town Council formally request that this application is considered by Committee.</p>
Highways	<p>Comments: No objection subject to conditions. The development would not have an adverse impact on the highway network or on highway safety.</p>
Building Conservation	<p>Comments: No objection.</p>
County Ecologist	<p>Comments: Object. There are a number of important trees on site, some of which are aged and two are near veteran, and these receive strong protection in national and local policy because of their biodiversity and amenity value. The trees also provide important commuting routes and foraging areas for bats. As the proposed development would result in the loss of most of the important trees when an alternative solution is available through a revised scheme then the Ecologist is unable to support the current scheme.</p> <p>Comments on revised scheme: Whilst welcoming the retention of additional trees, still of the opinion that a better alternative ecologically and in landscape terms is possible which retains all valuable trees and provides root protection for those trees in the long term by ensuring that the road passes to the western limit of the site. Exploration of this alternative still has not been demonstrated by the applicant. In the event of planning permission being granted a number of conditions are recommended.</p>
Open Spaces - Neighbourhood Services	<p>No response received.</p>
Tree and Woodlands Officer West	<p>Comments: Object. The loss of the trees on the site would be detrimental to the amenity of the area. The group of semi-mature and mature oak and ash within the site are particularly important. A number of individual trees and groups of trees merit Tree Preservation Orders.</p> <p>Comments on revised scheme: Welcome the retention of a number of trees covered by the TPO but still concerned over the visual impact of the loss of the woodland and the loss of a number of mature trees. Recommend planting of street trees along the access road and a no dig method of construction for the road near the Root Protection Areas of the retained trees.</p>
Housing Department	<p>Comments: Support the application as it would provide 30% of affordable housing on site. The affordable units should be a mix of property types relevant to the housing need in this area.</p>
Public Protection	<p>Comments: No objection subject to conditions, including ones</p>

	covering noise mitigation measures and flying cricket/golf balls mitigation measures.
Waste Management	No response received.
Sustainable Drainage Officer	Comments: No objection subject to condition regarding surface water disposal scheme.
Archaeology	Comments: No objection.
Environment Agency	Comments: No objection.
Natural England	Comments: No objection.
Northumbrian Water Ltd	Comments: No objection subject to condition regarding management of surface and foul water from the development.
Sport England	Comments: No objection.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	95
Number of Objections	39
Number of Support	17
Number of General Comments	0

Notices

Site Notice – major development and departure from development plan: posted 3 December 2014 – expired 24 December 2014.

Press notice – major development and departure from development plan: published Hexham Courant 28 November 2014 – expired 19 December 2014.

Summary of Responses:

39 letters of objection to the application, including two from Hexham Civic Society, have been received. The concerns raised include the following:

- Too many dwellings are proposed on the site which would lead to the loss of trees and other wildlife habitat;
- The site is greenfield and partly in the Green Belt. Development should not take place until other brownfield sites in the town have been considered;
- Market housing would not meet the very special circumstances required to justify development within the Green Belt and little weight should be given to the emerging Local Plan;
- Weight should be given to conserving the historic town's character and setting;
- Loss of parking on Eilansgate due to the proposed access, particularly during match days;
- Access would be dangerous, the development would increase congestion on Eilansgate and would endanger pedestrian safety;
- Land instability issues;
- Risk from flying golf balls;
- Lack of detail in the Tree Survey and an area of established woodland would need to be clear felled to accommodate the development;
- Further affordable housing should be provided;

- Mature trees would still be removed and if, planning permission is granted, the Council would be ignoring the TPO it has implemented;
- Replanting on a like for like basis should take place;
- Insufficient root protection areas for the trees to be retained, and;
- Lack of protective zone for balls entering site from tennis courts and cricket pitch.

17 letters in support of the application have been received. The local residents comment that:

- The site is close to the town centre and would provide much needed affordable housing;
- The development would tidy up the site which has been allowed to grow wild;
- It would provide much needed housing for Hexham, and;
- It would provide much needed funds for the Hexham Golf Club and Hexham Cricket Club which provide important community sporting facilities.

6. Planning Policy

6.1 National Planning Policy

National Planning Policy Framework (NPPF) (2012)
National Planning Practice Guidance (NPPG) (2014)

6.2 Development Plan Policy

Tynedale Local Development Framework: Core Strategy (adopted 2007)

GD1 General location of development
GD2 Prioritising sites for development
GD4 Principles for transport and accessibility
GD5 Minimising flood risk
GD6 Planning obligations
NE1 Principles for the natural environment
NE2 Strategic green spaces
BE1 Principles for the built environment
H1 Principles for housing
H2 Housing provision and management of supply
H3 The location of new housing
H4 Housing on greenfield land
H5 Housing density
H7 Meeting affordable housing needs
H8 Affordable housing on market housing sites
EN3 Energy conservation and production in major new developments
CS1 Principles for community services and facilities

Tynedale District Local Plan (adopted 2000, saved policies 2007)

GD2 General design criteria
GD4 Range of transport provision for all development
GD7 Car parking standards within the built up areas of Hexham, Haltwhistle, Prudhoe and Corbridge
NE7 New buildings in the Green Belt

NE8 New dwellings in the Green Belt
NE26 Protection of habitats of special importance to wildlife
NE27 Protection of protected species
NE33 Protection of trees, woodlands and hedgerows
NE34 Tree felling
NE35 Tree Preservation Orders
NE37 Landscaping in developments
BE18 Development affecting the character and setting of a Conservation Area
BE28 Archaeological assessment
H32 Residential design criteria
LR11 Outdoor sport facilities for new residential development
LR15 Play areas in new residential development
CS21 Location of noise sensitive uses
CS23 Development on contaminated land
CS27 Sewerage

6.3 Emerging Development Plan Policy

Northumberland Local Plan Core Strategy Pre Submission Draft (October 2015)

Policy 1 Sustainable development
Policy 2 High quality sustainable design
Policy 3 Spatial distribution
Policy 10 Hierarchy of centres
Policy 17 Additional housing sites
Policy 19 Delivering affordable housing
Policy 24 Strategic approach to Green Belt
Policy 26 Uses acceptable in the Green Belt
Policy 29 Biodiversity and geodiversity
Policy 33 Historic environment and heritage assets
Policy 37 Flooding
Policy 43 The effects of development on the road network
Policy 49 Community services and facilities
Policy 70 Planning conditions and obligations

6.4 Other Documents/Strategies

Supplementary Planning Document: New housing: planning obligations for sport and play facilities (adopted 2006)
Northumberland Five Year Supply of Deliverable Housing Sites: 2015 to 2020 (October 2015)
Northumberland Strategic Housing Market Assessment (October 2015)

7. Appraisal

7.1 The main issues to be considered in this application are:

Principle of development
Density, scale and layout
Impact on trees and ecology
Impact on setting of designated heritage assets
Impact on residential amenity and adjoining land uses
Access and parking

Flood risk and drainage
Contamination and land stability
Archaeology
Play provision on-site and off-site sports provision

Principle of development

7.2 As set out in paragraph 11 of the NPPF, planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In accordance with paragraph 216 of the NPPF weight may also be given to the policies in emerging plans, depending on: the stage of preparation of the plan; the extent to which emerging policy aligns with the NPPF, and; the extent of unresolved objections to the emerging plan. Weight can, therefore, be given to the policies in the Northumberland Local Plan Core Strategy Pre-submission Draft (hereinafter referred to as the NLPCS) which comprise material considerations in the determination of this application.

Green Belt

7.3 In providing the starting point for the assessment of this application, the Tynedale Core Strategy shows the northern part of the site designated as Green Belt. This designation covers 1.3 ha out of the total 1.9 ha site area. Paragraph 88 of the NPPF sets out that, within Green Belts, very special circumstances are required to overcome harm by reason of inappropriateness, and any other harm, a stance endorsed by Tynedale Local Plan Policies NE7 and NE8, Policy GD3 of the Tynedale Core Strategy and Policy 26 of the NLPCS.

7.4 In considering whether the principle of developing the Green Belt land for housing is acceptable an assessment must be made as to contribution that the part of the application site lying within the Green Belt currently makes to the wider Green Belt and the purposes of including the land within it. The NPPF indicates that an essential characteristic of a Green Belt is its openness and that its key purposes include assisting in safeguarding the countryside from encroachment, preventing neighbouring town merging and preserving the setting and special character of historic towns.

7.5 The part of the site that falls within the Green Belt is bound to the north by the Hexham Golf Club, to the east by sports facilities at the Tynedale Athletic Association and to the west by allotments and gardens associated with the residential properties on Park Avenue. These adjoining uses mean that the part of the site in the Green Belt is well contained and its development would not lead to sprawl into the countryside with the Golf Club land to the north providing a robust boundary to the application site. The development of the Green Belt in this location would not lead to the merging of Hexham with any nearby settlements. The development of the site could be viewed as infill given the existence of urban-associated land uses to the west, south and east of the site, meaning that the nearby countryside would be safeguarded. Given the surrounding land uses the development of this part of the Green Belt would not impact upon the setting or special character of the historic town of Hexham. Overall, the contribution that the northern part of the site makes to the purposes of including the land within the Green Belt is considered to be limited. Whilst the development would inevitably have some impact upon openness by virtue of introducing built form into a currently

undeveloped area, the overall integrity of the Green Belt would not be harmed by the development.

7.6 Material also to the assessment of the principle of developing this part of the Green Belt is the NLPCS which has now reached the Pre-submission Draft stage and so, in accordance with paragraph 216 of the NPPF, may be afforded some weight in the assessment of the application. As part of the NLPCS the Council carried out a Green Belt review of a number of identified land parcels and how they perform against the Green Belt purposes identified in the NPPF. This review was then used to ensure that settlements would be provided with sufficient space to allow for the delivery of the required future economic and/or residential development. Given that land safeguarded in the Tynedale Local Plan from 2000 has now been largely taken up then the emerging Core Strategy identified a number of sites around the periphery of Hexham that would be removed from the Green Belt and allocated for housing in order meet housing development needs of the town within the plan period. These include the part of the application site that lies within the Green Belt. The removal of this land from the Green Belt in the emerging Core Strategy represents a material consideration that must be given some weight in the assessment of the application.

7.7 Whilst it is concluded that the development of the northern part of the site would not undermine the purposes of including the land within the Green Belt, very special circumstances, either individually or cumulatively, are still required to overcome harm by virtue of the inappropriateness of the proposed residential development. Case law suggests that Local Planning Authorities, in assessing whether very special circumstances exist, should exclude any considerations that one would reasonably expect a development proposal to contribute as a matter of course. In two Briefing Notes the applicant sets out the very special circumstances they consider exist that would overcome the harm. These are examined below.

Very Special Circumstances: investment in local community sports facilities

7.8 The first of these is the economic benefits to the joint owners of the site, the Tynedale Athletic Association (TAA) and the Hexham Golf Club (HGC), which the development of the site would bring in terms of investment. The applicant has confirmed that they would be happy to commit to a Section 106 agreement to secure the total proceeds of the land sale to be split in equal measure between the TAA and the HGC. This would allow both to invest in new facilities, thereby supporting the Clubs' ability to attract new members, securing their future and continued contribution as important sporting, recreational and community facilities in Hexham.

7.9 With regards to Hexham Golf Club, in line with national trends, membership has declined whilst the cost of course maintenance has increased. In order to address these issues, HGC is currently striving to extend accessibility to new members, in particular young players and women. The Club has introduced a range of measures to increase membership and introduce people to the sport. This approach accords with the aims of the Strategic Plan from England Golf, the governing body for amateur golf in England. The applicant describes how the HGC is an important local asset with 95% of members coming from the local area and the fact that it also provides the only squash club in the locality which also has about 150 members. The HGC itself has 452 members together with 146 social members who pay a nominal annual fee that gives them access to the club's bar and catering facilities. The Club also hosts a number of social and charity events meaning that, in addition to the

sporting facilities on offer, it also performs a wider social role within the local community. In order to ensure its longevity and competitiveness, HGC requires ongoing investment to attract additional members and to remain a viable business for many years to come.

7.10 The applicant sets out how the funds released through the proposed development would generate sufficient capital to complete essential improvement works and to encourage new members. These include: continued investment and maintenance of the Grade I listed Club House; the completion of the approved short game practice area and maintenance of the Grade II Walled Garden; improvements to changing room facilities; investment in the dilapidated buildings adjoining the club house; repairs to the access road, and; support of measures to attract new members such as reduced fees, introductory sessions and group coaching.

7.11 The TAA is, according to the applicant, an important community asset providing a range of local sports opportunities including tennis, cricket, hockey and junior football. The TAA has seen its sporting offer rise exponentially as a result of increasing local demand. The Association's Mission Statement is to provide a high quality experience to all members, both playing and social, in order to encourage lifelong participation. In order to achieve this mission the TAA provides high quality coaching for young players; developing women's and disability sections; maintaining school to club links, and; raising the profile of the club within Hexham in order to increase social membership. It has a wide membership base fielding 3 senior and 9 junior teams with all playing and coaching equipment for juniors provided by the club. In addition, the clubhouse is utilised by local community groups. The future development and sustainability of the TAA is dependent on external funding and, over the next 5 years, essential spending would include: replacement outdoor equipment sheds; updating of changing facilities; improved irrigation system for the pitches; replacement of all-weather facilities; further investment in coach education, and; funding for senior cricket.

7.12 It is acknowledged that the site is surplus to the requirements of both sporting organisations and that investment by them to improve recreational facilities would accord with national planning policy set out in paragraph 73 of the NPPF and with both existing and emerging development plan policy. The proposed development would secure a substantial investment, to be split in equal measure between HGC and TAA, to deliver new/renovated facilities and equipment. Such investment would be guaranteed by way of a Section 106 agreement and would generate funding for investment by the two clubs, thereby supporting their ability to attract new members, securing their sustainable future and continued contribution as important sporting, recreational and community facilities. Whilst the development would enable the restoration of designated assets at HGC the funds generated by the sale of the land would also deliver other improvements to the two local sports clubs and so, in this case, should not be described as 'enabling development'. The overall benefits derived from this funding would, however, contribute significantly towards there being very special circumstances in terms of development within the Green Belt.

Very Special Circumstances: affordable housing

7.13 The illustrative site layout plan submitted with the application shows that 13 or 30% of the 43 residential units would be affordable. This level of provision would accord with the requirements of Tynedale Core Strategy Policy H8.

7.14 The Council's most up-to-date evidence base relating to affordable housing comprises the Northumberland Strategic Housing Market Assessment (NSHMA) from October 2015. The NSHMA identifies a need to provide 401 affordable dwellings per annum, equating to 2,005 dwellings over a five year period. This is approximately 30% of the overall County housing delivery target. Over the next 5 years, however, 1,047 affordable dwellings are forecast to be delivered on sites with planning permission, leaving a net requirement of 955 affordable dwellings. Policy 19 of the NLPCS therefore seeks to deliver a 15% affordable housing target where there is an identified need.

7.15 In this case the applicant is offering 30% affordable units on the site, secured through a Section 106 agreement, and this would represent twice the target set out in the Council's most up-to-date evidence base. Such provision would contribute towards the very special circumstances needed to outweigh the presumption against inappropriate development in the Green Belt.

Very Special Circumstances: other

7.16 Other economic benefits including private sector investment into the local economy and job creation are also cited by the applicant. Whilst accepting such benefits would accrue from the development these alone would not amount to the very special circumstances required. The applicant also argues that the development would allow for public access to a currently inaccessible part of the Green Belt, namely the area of planted scrubland along the northern boundary of the site. The proposals would allow the public to use this land for informal recreation and would also serve to enhance the biodiversity of this part of the site through additional tree and shrub planting. Such public benefits are acknowledged but would only make a very small contribution towards the very special circumstances required.

Strategic Green Space

7.17 The southern part of the site immediately to the north of Eilansgate is designated as Strategic Green Space in the Core Strategy and is protected under Core Strategy Policy NE2. This designation applies to land deemed important in terms of biodiversity, visual amenity, recreation and health and wellbeing of the community. The part of the application site falling within the designation forms part of a 3 hectare area that extends to the east of the site incorporating the sports pitches of the Tynedale Athletic Association. The development of the site would lead to the loss of approximately one quarter of this particular area of Strategic Green Space. Whilst the applicant argues that the development can be undertaken without significant impact on the local landscape and wildlife, it has to be accepted that the loss of the majority of the woodland within the site would have some detrimental upon visual amenity and biodiversity. Such impacts are assessed later on in the report.

7.18 With the exception of Priors House, the site comprises greenfield land. Whilst Tynedale Core Strategy Policy GD2 sets out a sequential approach to the location of new development prioritising previously developed sites, only limited weight can now be given to this policy in the context of the NPPF. Whilst NPPF seeks to encourage re-use of previously developed land it does so without requiring adoption of a sequential approach, and so Tynedale Core Strategy Policy GD2 does not fully align with the NPPF. There is therefore no justification to restrict the development of this

site on potential availability of other previously developed sites within the town, even if such sites were readily available.

Housing supply

7.19 The NPPF stresses the importance of boosting significantly the supply of housing. The NLPCS proposes to provide 24,320 (net) new homes between 2011 and 2031 across Northumberland. Hexham's housing requirement is 720 units over this plan period which equates to 12% of the Central Delivery Area's requirement for housing supply and 3% of the proposed new housing across the County. This equates to a delivery rate of 36 units per annum. Hexham is proposed to receive the lowest percentage of the housing requirement of the Central Delivery Area, significantly lower than Morpeth which has been allocated almost three times as much housing (2,100 new homes) and also 20% less than both Ponteland and Prudhoe.

7.20 During 2011-2015 only 57 residential units have been delivered in Hexham which equates to 11 units per annum. At this current rate only 228 units would be delivered to 2031 compared to the 720 units required in Hexham over the Plan period. The development of the site would make a significant contribution towards meeting the housing delivery requirements and boost the supply of housing as set out in the NPPF. The site, taken as a whole, including that within the Green Belt, lies within the built up part of Hexham, being 0.7 km from the town centre and within 2.0 km of a wide range of local services and facilities, including primary and secondary schools, public transport links, hospital, supermarkets and a leisure centre. This means that it would constitute a sustainable location for new housing development in accordance with the overarching aims for the planning system set out in the NPPF. By virtue of the site's location close to the town centre the development would also meet with the pattern of development encouraged in Tynedale Core Strategy Policy GD2 and Policy 3 of the NLPCS which, in seeking to focus new development within and adjoining built up areas, reflects the advice of the NPPF by aiming to prioritise development on sites accessible to services and facilities by all modes of transport, particularly public transport.

Principle of development: conclusion

7.21 In line with the NPPF the presumption in favour of sustainable development means that permission should be granted unless specific policies of protection in the NPPF, or its policies taken as a whole, indicate otherwise. The development of the site would assist the Council in meeting its housing needs in Hexham where there has historically been a low rate of housing delivery and it would help Hexham to maintain its role and function as a Main Town. The site is located close to the town centre, thereby offering scope for accessing facilities and services by means other than private cars.

7.22 In accepting that the scheme represents sustainable development then the presumption in favour of development applies and permission should be granted unless specific policies of protection (such as those relating to Green Belt and Strategic Green Space) indicate otherwise. As set out above, the development of the Green Belt part of the site would have only a limited impact upon the integrity of the Green Belt as a whole or on the purposes of including land within it. Taking together the investment in local community sports facilities that would flow from the development and the affordable housing provision on the site, both to be secured

through a Section 106 agreement, these are considered to amount to very special circumstances that would overcome the harm brought about by the inappropriateness of the development in the Green Belt.

7.23 Limited weight can be given to the NLPCS document which has reached an advanced stage in its preparation and which proposes the deletion of this part of the Green Belt in order to provide additional land for housing in order to ensure the delivery of sustainable development during the plan period. The release of this site, together with a number of other smaller sites within or adjoining the settlement, is deemed to better reflect the need for the incremental growth of the town rather than the release of larger areas of land on its periphery. Any harm resulting from the loss of part of the designated Strategic Green Space would be outweighed by the benefits of the scheme. For these reasons the principle of development is deemed acceptable.

7.24 Paragraph 74 of the NPPF states that existing sports and recreational buildings and land, including playing fields should not be built on (except in certain cases). Sport England have been consulted on the application and they have raised no objection as the development only affects land incapable of forming part of a playing pitch and would not lead to the loss of ability to the use or size of the playing pitch.

7.25 If Members are minded to grant approval of the application then, by virtue of it including inappropriate development on land allocated as Green Belt in an adopted Development Plan document with a floor space exceeding 1000 square metres, referral to the Secretary of State (through the National Planning Casework Unit) would be required.

Density, scale and layout

7.26 All matters, with the exception of access, are reserved for subsequent approval. The applicant has, however, provided an illustrative location plan showing how the site could be laid out to include the 43 units proposed, the position of the access road within the site and the provision of play and open space. This shows the road running along the eastern boundary of the site bounded to the west by semi-detached dwellings and a small apartment block. The road would then swing north westwards ending as a cul-de-sac with detached dwellings fronting onto the road. A play area and area of informal open space along the northern boundary of the site would be created.

7.27 The Design and Access Statement submitted with the application describes that the dwellings would front onto the road and would provide continuity with the form and layout of existing properties on Park Avenue that lies to the west of the site. The dwellings would be predominantly two storey with some in the centre of the site offering accommodation within the roofspace. Such a scale and mix of development would be in character with this part of the town although given the change in levels across the site careful consideration would need to be given at the reserved matters application stage on finished floor levels and overall massing. Adequate private amenity space, privacy and outlook for each dwelling could be achieved in accordance with the requirements of Tynedale Local Plan Policy H32 and paragraph 17 of the NPPF. A density of 22 dwellings to the hectare would be achieved which would be in keeping with that in the surrounding residential areas.

7.28 Details of the appearance of the dwellings are reserved for the next application stage. The NPPF stresses the importance that the Government attaches to the design of the built environment, with good design being a key aspect of sustainable development. The Design and Access Statement describes that the development would respond to its surroundings in terms of the appearance of the dwellings and their design, including proposed street scene drawings, would be subject to scrutiny and assessment in accordance with national and local planning policy at the next application stage.

Impact on trees and ecology

7.29 The application comprises a mix of plantation woodland, mature scattered trees, semi-improved grassland and scrub. In addition to these habitats the site also provides a commuting route, feeding resource and roosting opportunities for bats. The site is, therefore, considered to be important in the context of local biodiversity. In support of the application, a Phase I Habitat Survey and Protected Species Assessment and Tree Report were originally submitted. As a result of concerns raised by the Council's Ecologist and Tree and Woodlands Officer over the loss of a number of mature trees within the site and the lack of a bat roost assessment of the trees further protected species and tree surveys were undertaken.

7.30 Following a survey of the trees on site by the Council's Tree and Woodlands Officer a Tree Preservation Order (TPO) covering the woodland area to the north of Priors House, a distinct group of 6 trees to the north of the woodland and four individual oak trees in the northern part of the site near the golf course was confirmed on 30 September 2015.

7.31 In response to the TPO and further concerns raised by the Council's Ecologist the illustrative site layout has been amended so as to reduce the number of trees to be removed as part of the development proposals. In addition to the removal of the woodland covered by the TPO three of the ten individual protected trees in the northern part of the site would be removed together with two oak trees not covered by the TPO and which are deemed unsuitable for retention. 16 individual trees would be retained.

7.32 Both national and local planning policy seek to minimise the impact of development on biodiversity and, where possible, to provide enhancement of such resources. Policy NE2 of the Tynedale Core Strategy, Policies NE27, NE33 and NE37 of the Tynedale Local Plan and Policy 29 of the NLPCS all seek to protect important habitats and species, including existing trees and woodlands. Paragraph 118 of the NPPF deals specifically with irreplaceable habitats such as ancient woodland stating that: *Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.*

7.33 In order to accommodate the development the woodland plantation that forms the southern half of the site would need to be completely felled. This woodland is protected under the TPO, the Council's Tree and Woodlands Officer deeming it to have a good mix of species and important both in terms of its visual amenity and its role as a wildlife corridor. In response the applicant argues that this plantation has been unmanaged, resulting in many of the coniferous trees being in poor condition

and the broadleaved specimens small and multi-stemmed making them unsuitable candidates for a Tree Preservation Order. In accepting that the longevity of the trees may be lower, namely 10-20 years compared to the 40 years originally judged by the Tree and Woodlands Officer, and the number of defects in the mix of trees, then, taking into account the benefits of the scheme in terms of boosting housing supply within a sustainable location and providing appropriate replanting of native species within the site, then the removal of these trees is, on balance, acceptable.

7.34 By amending the proposed layout, it is acknowledged that the applicant has sought to reduce the number of significant trees within the site that would need to be felled and has also put forward a raft of mitigation measures in order to compensate for the loss of biodiversity that would result from the development. These include the use of felled trunks within the site to provide habitat, planting of native street trees and more extensive planting in the areas of open space in the north part of the site. Of the five mature trees (3 oak and 2 ash) to be felled outside of the woodland, three are covered by the TPO but all have been classified by the applicant's consultant as unsuitable for retention on grounds of them having significant defects making their removal necessary on grounds of safety. It is accepted that the argument for their retention would be stronger from an amenity and biodiversity point of view whilst the site is undeveloped. The issue of safety would, however, be an important factor when considering whether they should be retained as part of the development proposals. Conditions would be used to ensure that the trees to be retained on the site are protected during and after development.

7.35 No bat roosts were found at the site and so no roosts would be lost as a result of the proposals. The applicant's Ecologist concludes that bat commuting routes can only be regarded as important if they are directly linked to roosts. The areas used by bats for foraging would be retained in full as part of the development proposals. The applicant argues that the loss of the five mature trees to facilitate the development would be acceptable in terms of its impact upon protected species as appropriate linkages and linear features can be implemented which bats can rely on to gain access to wider habitats beyond the site. A condition would require the submission of a scheme for mitigation and compensation including replacement planting, the provision of bat and bird boxes and motion sensor street lighting so as to secure dark conditions for bat foraging and commuting. Whilst the development of the site would lead to the loss of some habitat, the benefits of the scheme set out earlier in the report together with the biodiversity enhancements that would be secured by condition would outweigh the loss of some of the individual trees and the woodland on the site. In these respects the development would accord with paragraph 118 of the NPPF and with development plan policy.

Impact on setting of designated heritage assets

7.36 Paragraph 129 of the NPPF requires local planning authorities to assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). A desk based assessment that considers designated heritage assets that may be affected by the development has been submitted with the application.

7.37 The application site itself does not contain any designated heritage assets and Priors House dating from the mid-20th century and which would be demolished, is of little heritage merit. The nearest listed buildings are located within the residential areas to the south of the site and at the Spital (now the Golf Clubhouse) to the north.

The northernmost part of the site would lie within the parkland associated the Spital but the significance of this in terms of the setting of the listed buildings has been much diminished by the creation of the golf course. Given this intervening use and the distance between the listed buildings and the site then the level of harm to the setting of the heritage assets would be negligible. Likewise, the development would not impact upon the significance of the setting of the other nearest listed buildings that lie predominantly within the built up area of the town.

7.38 The boundary of the Hexham Conservation Area, a designated heritage asset, does, however, run to the south of the site along Eilansgate and to the west taking in Park Avenue. Given the proximity of the site to the Conservation Area then the impact of the proposal upon its setting must be assessed. At the present time the site makes a positive contribution to the setting of the Conservation Area by virtue of its topography and its tree cover. The loss of the woodland and some of the other larger trees within the site would inevitably have some impact but, due to some tree cover being retained and the linear form of development reflecting that seen in nearby streets then overall it would not cause harm to the intrinsic character or setting of the Conservation Area.

Impact on residential amenity and adjoining land uses

7.39 Due to the intervening land uses, namely allotments, gardens and sports fields, between the site and the nearest residential properties, the development would not raise any amenity issues in terms of overshadowing or loss of privacy for local residents. The illustrative layout shows that adequate outlook, privacy and private amenity space would be provided for the site's future occupants. A number of noise mitigation measures are outlined in the Noise Assessment Report submitted with the application and these would be secured by way of condition. In these respects the development would accord with paragraph 17 of the NPPF and with the requirements of Tynedale Local Plan Policies GD2 and H32.

7.40 A buffer zone along the northern boundary of the site where it adjoins the Golf Course should ensure that no conflicts arise between future householders and golfers. Public Protection have, however, recommended a condition requiring an assessment of flying cricket and golf balls from the respective sports grounds to be carried out and, should any safety mitigation works be identified (such as fencing) then these should be implemented prior the occupation of the first dwelling.

Access and parking

7.41 Details of the access to the site form part of the outline application. A Transport Statement has been submitted with the application which examines the impact of the proposal and concludes that the development would not have an adverse impact on highway safety or on the highway network in the area. The application proposes the construction of a new access point onto Eilansgate immediately to the west of the Athletics Association's club house. This access road would be 5.5 metres wide with a 2.0 metre wide footway on each side. The Highway Authority has confirmed that this access arrangement is adequate to serve a development of this size. In this respect the development would accord with Tynedale Local Plan Policy GD4. The development itself would produce an insignificant increase in the amount of traffic already present on Eilansgate meaning that it would not have an adverse impact on the highway network in the vicinity of the site. A condition would ensure that adequate in-curtilage parking is provided for each of the dwellings and the illustrative

layout drawings indicates that such parking provision within the site could be achieved in accordance with the requirements of Policy GD7 and Appendix 1 of the Tynedale Local Plan.

7.42 A number of local residents have objected to the application on the basis of the loss of on-street parking spaces on Eilansgate that would be caused by the proposed new access and its visibility splays where parking restrictions would be in force. According to the residents, parking along Eilansgate is in particular demand during the operating hours of the Tynedale Athletic Association (TAA). The Highway Authority has not objected to the application on this basis as the spaces are currently unmarked and are not, therefore, seen as contributing towards Hexham's formal parking capacity. Notwithstanding this, the applicant undertook a survey of parking capacity of surrounding streets during two busy periods at the TAA grounds. This survey showed that there was significant local parking capacity to accommodate any increased parking demands that would result from the proposed new access serving the proposed development.

7.43 Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. As the Highway Authority is satisfied that the development would not increase demand for on-street parking and would not lead to the creation of significant additional trips on the local road network then the impact of the development would not be severe. A refusal on the grounds of highway impacts could not, therefore, be substantiated in this case.

Flood risk and drainage

7.44 The site lies within Flood Zone 1 and so is at the lowest risk of flooding. Due, however, to the size of the site a Flood Risk Assessment has been submitted with the application. This considers all sources of flood risk and concludes that the risks are low. Both the Environment Agency and the Council, as Lead Local Flood Authority, are satisfied that, subject to conditions, the development would not itself be at risk of flooding and would not increase the risk of flooding elsewhere. In these respects the development would accord with Tynedale Core Strategy Policy GD5 and with paragraph 103 of the NPPF.

7.45 In terms of drainage Northumbrian Water Ltd have raised no objection to the application subject to a condition requiring a detailed scheme of the disposal of foul and surface water drainage from the development to be agreed and implemented.

Contamination and land stability

7.46 A Desk Top Study covering contamination has been submitted with the application. This has been scrutinised by the Council's Public Protection team who have confirmed that they concur with its findings that there is no obvious evidence of any potentially significant historical contamination on the site. Subject to a condition controlling contamination not previously discovered on the site then the development would accord with paragraph 121 of the NPPF and with Tynedale Local Plan Policy CS23.

7.47 The site lies within a low risk area with regards to previous mining activity and so, in terms of land stability, standing advice from the Coal Authority applies in accordance with paragraph 121 of the NPPF.

Archaeology

7.48 A desk based archaeological assessment has been submitted with the application. This confirms that no archaeological features have been identified on the site. The Council's Archaeologist has confirmed that no archaeological work would be required and so the development would accord with the NPPF and with Tynedale Local Plan Policy BE28.

Play provision on-site and off-site sports provision

7.49 The illustrative layout plan shows that a play area measuring 450 square metres and informal open space measuring 1400 square metres would be provided within the site. This level of provision would accord with the requirements of Local Plan Policy LR15 and the SPD. The provision and maintenance of these areas of open space would be secured through the Section 106 agreement and a condition specifying the timing of the construction of the play area is recommended.

7.50 With regards to off-site sports provision, changes to Government guidance brought in in April 2015 mean that planning obligations can no longer be sought to contribute towards pooled funding pots, such as historically been the case with off-site contributions towards outdoor sports provision. This means that the tariff-based contributions set out in the Supplementary Planning Document '*New housing: planning obligations for sport and play facilities*' from 2006 can no longer be imposed on developers of housing schemes.

8. Conclusion

8.1 The development represents sustainable development and so the presumption in favour of development set out in the NPPF applies and permission should be granted unless specific policies of protection indicate otherwise. The development of the Green Belt part of the site would have only a limited impact upon the integrity of the Green Belt as a whole or on the purposes of including land within it.

8.2 Officers have given careful consideration to the justification being put forward for new housing in a location which would mean that it would represent inappropriate development. It is accepted, however, based on the detailed information submitted including the very special circumstances, that the development can be justified through a combination of the very special circumstances as set out. Taking into account the investment in local community sports facilities and the above target level of affordable housing provision within the site, both of which would be secured through a Section 106 agreement, then very special circumstances exist that would overcome the harm brought about by the inappropriateness of the development within the Green Belt. Some weight must also be given to the NLPCS which proposes the deletion of this part of the Green Belt in order to provide additional land for housing in order to ensure the delivery of sustainable development during the plan period. Any harm resulting from the loss of part of the designated Strategic Green Space would be outweighed by the benefits of the scheme. Taking all of these factors into account, and the other benefits of the scheme including affordable housing provision, the principle of developing the site for housing would be acceptable and in accordance with national planning policy.

8.3 All other material considerations have been assessed on the basis of the supporting documents submitted with the application and consultee comments. Whilst the development would impact upon the trees within the site, the acceptability of such impacts have been weighed against other material considerations and appropriate mitigation measures would be secured by way of condition.

9. Recommendation

Authority to the Senior Manager – Development and Delivery to GRANT CONDITIONAL OUTLINE PERMISSION subject to completion of a Section 106 agreement to secure the total proceeds of the land sale being split in equal measure between Hexham Golf Club and the Tynedale Athletic Association and to secure affordable housing provision and open space within the site and subject to referral to the National Planning Casework Unit as a departure from Green Belt policy.

Conditions

01. Approval of the details of the appearance, landscaping, layout and scale hereinafter called the reserved matters shall be obtained from the Local Planning Authority.

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

02. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

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

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

04. The development hereby permitted shall be carried out in accordance with the following approved plans:

200-01 dated 29/09/2015 Location Plan as proposed
2046/SK0001/001 Proposed Eilansgate/ Site Access Junction

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

05. Notwithstanding any indication of materials which may have been given in the application a schedule and photographs/brochures showing the materials and finishes for the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the first dwelling. Thereafter, the development shall not be constructed other than in accordance with the agreed details.

Reason: In the interests of the satisfactory appearance of the development and in accordance with Tynedale Local Plan Policies GD2 and H32 and Tynedale Core Strategy Policy BE1.

06. Notwithstanding any indication of any boundary treatments which may have been given in the application, details of all boundary treatments, including any repairs or rebuilding of existing boundary walls, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interests of the satisfactory appearance of the development and in accordance with Tynedale Local Plan Policies GD2 and H32 and Tynedale Core Strategy Policy BE1.

07. The plans submitted in accordance with condition 01 above shall include:

(a) details of all proposed alterations in existing ground levels and the position of any proposed excavation within a distance from any retained tree equivalent to half the height of that tree, and;

(b) details of the specification and position of fencing (and of any other measures to be undertaken) in accordance with BS5837: 2012: 'Trees in relation to design, demolition and construction' for the protection of any retained tree from damage before or during the course of development.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with drawing no. 200-01 dated 29/09/2015 Location Plan as proposed.

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

Reason: To ensure the protection of the trees to be retained on the site in the interests of biodiversity and visual amenity and in accordance with Policy NE33 of the Tynedale Local Plan.

08. In this condition 'retained tree' means an existing tree which is to be retained in accordance with drawing no. 200-01 dated 29/09/2015 Location Plan as proposed and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the first dwelling.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with BS3998: 2010 Tree work – recommendations.

(b) If any retained tree is removed, uprooted, destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the details approved under condition 07 above before any

equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation made, without the written consent of the local planning authority.

Reason: To ensure the protection of the trees to be retained on the site in the interests of biodiversity and visual amenity and in accordance with Policy NE33 of the Tynedale District Local Plan.

09. Prior to the commencement of the first dwelling a plan for the landscape planting of the site, including timing of implementation, shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail the species and number of trees and shrubs to be used and shall use predominantly Northumberland native species. Thereafter the landscaping shall be implemented in accordance with the approved details and timescales. If within a period of five years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed, dies or in the opinion of the local planning authority becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives it written consent to any variation.

Reason: To maintain and protect the landscape value of the area and in accordance with Policy NE1 of the Tynedale Core Strategy and Policy NE37 of the Tynedale Local Plan.

10. Prior to the commencement of the first dwelling a deadwood management scheme, including a plan, shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall detail the measures to be undertaken to retain and manage deadwood at the site for the benefit of fungi, lichens, bryophytes and invertebrates associated with deadwood. The scheme shall include the retention of tree 318 and other felled trees as deadwood standing monoliths, set in the ground in an upright position, following removal of the crown. The plan shall show the location of deadwood standing monoliths and describe a method statement for their safe retention at the development site. Deadwood structures and features shall be created at a high level in standing deadwood as nesting and foraging opportunities for bats and birds. Once approved in writing by the Local Planning Authority the development shall be implemented in strict accordance with the approved scheme.

Reason: To mitigate the impact of the development upon the biodiversity of the site and in accordance with Policy NE37 of the Tynedale Local Plan.

11. Prior to the commencement of the first dwelling a biodiversity mitigation scheme, including a plan, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following measures:

- The landscape planting of the site using native deciduous tree and shrub species in the protective zone, the informal open space and formal play area;
- The sowing and maintenance of locally native wild provenance wildflower species grass seed mixture in the formal and informal play areas. Including an annual cut undertaken in August with the arising to be removed off the site;

- The landscaping planting of gardens and flower beds with native trees, shrubs and flower species attractive to pollinators;
- The provision of bird nesting and bat roosting opportunities, integrated into the fabric of the permitted dwellings and mounted on trees. The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. No fewer than 25 bird nesting and 25 bat roosting opportunities shall be created;
- The replanting and management of hedgerows around the boundary of the site. Replanting shall utilise only native species. The hedgerow shall be managed to create a hedgerow 2m in height and 1.5 wide at the base. Sections of hedgerows shall be cut on a 2 year rotation and cutting shall be undertaken in January or February;
- An annual beat up of any new trees or shrub planted, including the replanting of dead trees;
- 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;
- Gaps shall be created and retained in all boundary fences between dwellings to allow the passage of small mammals such as hedgehog. Gaps shall measure no less than 13cm by 13cm, and;
- No vegetation clearance or tree felled shall be undertaken between 1 March and 31 August unless an ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Once approved in writing the development shall be implemented in strict accordance with the approved scheme.

Reason: To protect the biodiversity of the site and the local area and in accordance with Tynedale Local Plan Policies NE27 and NE37.

12. Prior to the commencement of development a scheme for the installation of any permanent and temporary lighting on the site shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting shall be designed so that lighting levels are minimised in accordance with the document 'Bats and Lighting in the UK' by Institute of Lighting Engineers and BCT (2009). The lighting shall be designed to include motion sensor street lighting which secures dark conditions for bats.

Reason: To prevent the risk of harm to protected species and in accordance with Policy NE27 of the Tynedale Local Plan.

13. No trees shall be removed until a tree felling method statement has been submitted to, and approved in writing by, the Local Planning Authority. The method statement shall detail measures to be taken to reduce the risk of potential harm to bats which may use trees present as a roost location. All trees with a risk of supporting bats shall be identified by the project Ecologist and shall only be felled in strict accordance with the approved method statement.

Reason: To reduce the chance of harm to protected species in accordance with Policy NE27 of the Tynedale Local Plan.

14. Prior to the occupation of the first dwelling, details of the layout, activity features and materials to be used in the play area shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details prior to the occupation of the tenth dwelling.

Reason: To ensure the provision of an appropriately equipped play area in accordance with Policies GD2 and LR15 of the Tynedale Local Plan.

15. No development shall take place until a Construction Management Plan for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall provide for the parking and manoeuvring of vehicles of site operatives and visitors; storage of plant and materials used in constructing the development; wheel washing and/or road cleaning facilities and the timing/routing of deliveries to the sites. The approved Statement shall be implemented and complied with during and for the life of the works associated with the development, unless otherwise is approved in writing by the Local Planning Authority.

Reason: In order to achieve a satisfactory form of development having regard to highway safety from the outset of development and in accordance with Policy GD2 of the Tynedale Local Plan.

16. Plans showing sufficient in curtilage parking (providing for an appropriate no. of vehicles in accordance with the size of the properties) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The parking areas associated with each dwelling so approved shall be implemented to at least base course level before each property is occupied and to final wearing course before the development is completed. Thereafter these areas shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway and in accordance with Policy GD7 of the Tynedale Local Plan.

17. All road works and associated works intended for adoption shall be laid out and constructed in accordance with the Northumberland County Council Manuals and shall be completed in strict accordance with fully dimensioned layout plans incorporating road drainage, street lighting and landscaping together with a longitudinal section of the new road and details of construction of the carriageway, footpaths and accesses which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To achieve a satisfactory form of development in the interests of highway safety and in accordance with Policy GD4 of the Tynedale District Local Plan.

18. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced carriageway and footway to at least base course level, together with operational street lighting, between the dwelling and existing highway. All manhole covers and gully frames shall be set to the level of the temporary running surface until immediately prior to the laying of the final wearing course

Reason: To ensure that development is served by a satisfactory means of access and in accordance with Policy GD4 of the Tynedale District Local Plan.

19. Prior to the commencement of development a scheme to dispose surface water from the development shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details. This scheme shall:

- i) limit discharge to 5l/s for all rainfall events unless otherwise agreed by the Local Planning Authority;
- ii) provide attenuation on site for all rainfall events up to the 1 in 100 year plus climate change event;
- iii) give priority to the use of sustainable drainage systems;
- iv) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure the effective disposal of surface water from the development and not to increase the risk of flooding downstream. In accordance with Policy GD5 of the Tynedale Local Development Framework: Core Strategy.

20. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources. In accordance with Policy GD5 of the Tynedale Local Development Framework: Core Strategy.

21. No development shall take place until a site specific demolition/construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan must demonstrate the adoption of and use of Best Practicable Means to reduce the effects of noise, dust and site floodlighting. This plan shall contain emergency contact telephone numbers in the event of a complaint being received and shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: To retain control over noise, dust and floodlighting, in the interests of surrounding amenities of existing and future occupiers and in accordance with Policy GD2 of the Tynedale Local Plan.

22. If during redevelopment contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the 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.

Reason: To protect the environment and ensure that the remediated site is reclaimed to an appropriate standard and in accordance with Policy CS23 of the Tynedale Local Plan.

22. The dwellings hereby approved shall be constructed so as to provide sound attenuation against external noise as described in Noise Assessment Report, Dated 20 October 2014, and Ref: JDL/LEH/NA/09/14, By QEM Environmental Consultants.

Reason: In the interest of amenity and in accordance with Policies GD2 and CS21 of the Tynedale Local Plan.

20. An Assessment of flying cricket /golf balls from the sport ground upon the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the dwellings on site. Should the assessment indicate the need for additional works to mitigate flying balls from leaving the sport grounds, these mitigation works shall be agreed with the Local Planning Authority and implemented in full prior to occupation of any of the dwellings. (Where mitigation is required in form of a high wired mesh fence, this shall be supported with a maintenance scheme to ensure that the fence is kept in good repair and fit for purpose).

Reason: In order to ensure protection against flying balls which may potentially be prejudicial to the amenity of the occupants of the respective properties and in accordance with Policies GD2 and H32 of the Tynedale Local Plan.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) the garages hereby approved shall not be converted into habitable accommodation, including utility room, study or similar uses, without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of adequate off-road parking space within the site and in accordance with Policy GD7 of the Tynedale Local Plan.

Date of Report: 21 December 2015

Background Papers: Planning application file(s) 14/03776/OUT