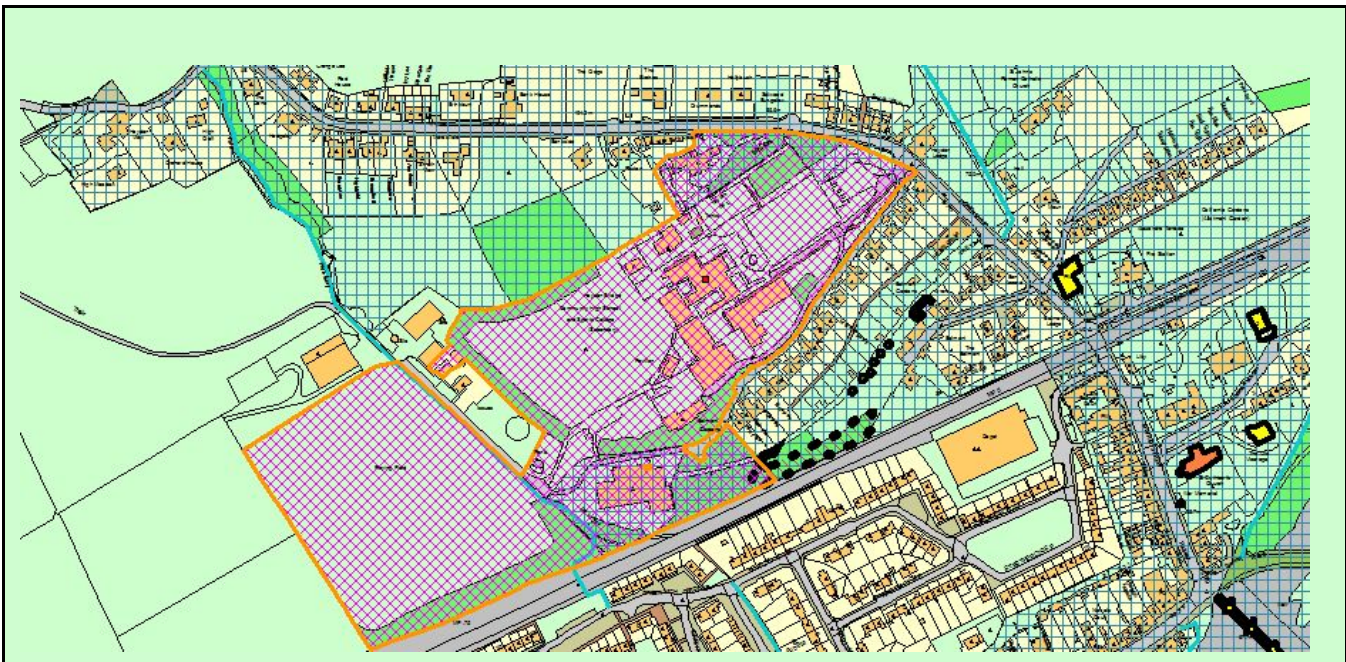


# Northumberland County Council

## Strategic Planning Committee 6 August 2019

<b>Application No:</b>	19/00805/CCD		
<b>Proposal:</b>	Renovation/improvement to school buildings inc. upgrade of front with new entrance canopy, re-design external works/ landscaping for new coach drop off lane/car park and creation of adjacent MUGA pitches, external decoration to Sports Hall and white UPVC replacement windows throughout.		
<b>Site Address</b>	Haydon Bridge Community High School And Sports College, North Bank, Haydon Bridge, Northumberland, NE47 6LR		
<b>Applicant:</b>	Mr Mark Elliott County Hall, Main Road, Morpeth, NE61 2EF	<b>Agent:</b>	Mr Graeme Kirkley NE40 Studios, Main Road, Ryton, NE40 3GA
<b>Ward</b>	Haydon And Hadrian	<b>Parish</b>	Haydon
<b>Valid Date:</b>	11 April 2019	<b>Expiry Date:</b>	11 July 2019
<b>Case Officer Details:</b>	Name: Miss Rachel Campbell Job Title: Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

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



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## **1. Introduction**

1.1 This application falls to be determined by members of the Strategic Planning Committee, in accordance with the Council's current Scheme of Delegation, as the application site is owned by Northumberland County Council who are also the applicant.

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

2.1 Planning permission is sought for the renovation and improvement of the existing school buildings, the creation of two Multi-Use Games Areas (MUGAs), the redesign of the car parking and coach drop off area and associated landscaping at Haydon Bridge High School and Sports College, North Bank in Haydon Bridge.

2.2 The application proposes to undertake internal and external alterations to the existing school buildings (blocks 1 to 5). The proposed development would upgrade the front facade of blocks 1 and 2 and would install a new canopy entrance to block 1. Dark grey (RAL 7016) Rainscreen cladding is proposed to be installed to the eastern elevation of block 1 with sky blue (RAL 5015) window reveals and off-white render to the eastern and western gable elevations. The proposed canopy would be installed at a height of 3.6 metres above ground floor level and to the eastern elevation and its fascia would be PPC aluminium in sky blue. Dark grey Rainscreen cladding is also proposed to be installed to the eastern elevation of block 2 with blue sky window reveals. The northern elevation of block 2 is proposed to be painted white and grey. The western elevation of block 3 is proposed to be rendered in sky blue. All of the elevations of block 5 are proposed to be painted grey. The windows are proposed to be replaced throughout all of the five blocks with Rehau uPVC in a grey or white colour.

2.3 The application also proposes to create two MUGA pitches which would individually measure 36.6 metres by 21.35 metres. The location of the proposed two MUGA pitches is on grassed land to the north of the application site, where there are currently a number of young trees. As part of the application, a total of 44 trees are proposed to be felled, the majority of which are to be removed to allow for the creation of the MUGA pitches but would also allow for the redesign of the car park and bus drop off area.

2.4 The redesign of the car park and bus drop off area would change the layout of the area to the east of the school buildings and would increase the number of car parking spaces from 40 to 59, would increase the number of coach parking/drop off spaces from 5 to 10 and would create 20 new cycle spaces and 2 new disabled car parking spaces. The application also includes the creation of a boulevard which would link the site entrance to the main school buildings.

2.5 Haydon Bridge High School and Sports College is located to the north west of Haydon Bridge Railway Station and is located to the north of the main residential area of Haydon Bridge. The school site is bounded by residential properties to the north, east and south and by open space to the west. The application site is directly adjacent to Haydon Bridge Conservation Area. The application site is also within an Area of High Landscape Value, is within a low risk coal advice

area and is within an Impact Risk Zone for a nearby Site of Special Scientific Interest.

### 3. Planning History

**Reference Number:** C/10/00192/CCD

**Description:** Addition to porch to southern elevation and amended pedestrian access to the zero carbon school building

**Status:** Permitted

**Reference Number:** C/10/00190/DISCON

**Description:** Discharge of conditions 3 (Materials), 12 (Temporary Car Park), 13 (Storage of Materials) and 15 (Dust) pursuant to planning permission 10/00015/CCD

**Status:** Permitted

**Reference Number:** C/10/00015/CCD

**Description:** Construction of a new single storey zero carbon learning centre

**Status:** Permitted

**Reference Number:** C/09/00091/CCD

**Description:** Proposed wind turbine

**Status:** Permitted

**Reference Number:** C/08/00123/CCD

**Description:** Replacement of an existing modular block with a permanent modular class block

**Status:** Permitted

**Reference Number:** T/20080961

**Description:** County Council: 08/00123/CCD - Replacement of an existing modular block with a permanent modular class block

**Status:** No Objection

**Reference Number:** T/20070079

**Description:** Provision of increased electricity supply

**Status:** No Objection

**Reference Number:** T/20051169

**Description:** NCC - 05/00191/CCD: Construction of extension and refurbishment

**Status:** No Objection

**Reference Number:** T/20041541

**Description:** Tree Notice: Removal of two self-seeded Acers at rear of Haydon Park building

**Status:** No Objection

**Reference Number:** T/20031447

**Description:** Tree Notice: Crown reduction of a lime tree by 4m

**Status:** No Objection

**Reference Number:** C/01/00148/CCD

**Description:** Construction of extension  
**Status:** Permitted

**Reference Number:** T/20010567  
**Description:** 01/00148/CCD - Construction of extension  
**Status:** No Objection

**Reference Number:** C/00/CC/42  
**Description:** Extension to existing sports hall  
**Status:** Permitted

**Reference Number:** T/20000634  
**Description:** 00CC42 - Extension to existing sports hall  
**Status:** No Objection

**Reference Number:** C/98/CC/56  
**Description:** Outline application for extensions to sports hall  
**Status:** Permitted

**Reference Number:** T/980521  
**Description:** 98/CC/56 - Extension and alteration to existing sports hall  
**Status:** No Objection

**Reference Number:** T/83/E/567  
**Description:** Detailed application for temporary siting of 3 mobile classrooms.  
**Status:** No Objection subject to Conditions

**Reference Number:** T/81/E/416  
**Description:** Detailed application for siting of four Mobile classrooms.  
**Status:** Permitted

**Reference Number:** T/81/E/382  
**Description:** Renewal of temporary permission for the siting of two mobile classrooms, as amended by plan and memorandum received on 8th June 1981.  
**Status:** Permitted

**Reference Number:** C/78/E/873  
**Description:** Erection of a 105' x 65' steel framed agricultural building on 0.06 ha for Haydon Bridge High School  
**Status:** Permitted

**Reference Number:** C/78/E/167  
**Description:** Construction of bus park  
**Status:** Permitted

**Reference Number:** C/77/E/831  
**Description:** Erection of a sports hall on 0.66 ha  
**Status:** Permitted

**Reference Number:** C/76/E/292  
**Description:** Change of use of agricultural land to school playing field on 4.21 ha  
**Status:** Permitted

#### 4. Consultee Responses

Public Protection	No objection subject to conditions and informatives.
County Archaeologist	No objection and no archaeological work will be required.
Northumbrian Water Ltd	No comment.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Countryside/ Rights Of Way	No objection subject to the protection of Parish of Haydon Public Footpath No. 30 throughout.
Strategic Estates	No response received.
County Ecologist	No objection subject to conditions and informatives.
Building Conservation	No objection.
Highways	No objection subject to conditions and informatives.
Haydon Parish Council	Supports the application. Haydon Parish Council are delighted to see investment in the school.
Northumbria Police Licensing Officer	No response received.
West Tree And Woodland Officer	No response received.
Sport England	No comment.

#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	83
Number of Objections	0
Number of Support	0
Number of General Comments	1

##### Notices

Site notice affecting Conservation Area & affecting the setting of a Listed Building – Displayed on 28<sup>th</sup> May 2019  
Press notice in Hexham Courant – Published on 25<sup>th</sup> April 2019

## Summary of Responses:

One general comment has been received in relation to this application and is summarised below:

- The red line boundary highlighted on the proposed site plan includes the eastern end of the access road to the rear of Belmont Gardens. This access road is adopted by Northumberland County Council. If the proposed site plan is not altered, it will be assumed that all residents of Belmont Gardens have to gain access to their properties by crossing school land. However, it has always been understood that the existing access road to the rear of Belmont Gardens is an adopted road and as such is open to all traffic and at all times.

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

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PNZL03QSMIF00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

*Tynedale LDF Core Strategy (2007)*

Policy BE1 – Principles for the Built Environment  
Policy CS1 – Principles for Community Services and Facilities  
Policy GD1 – The General Location of Development  
Policy GD4 – Principles for Transport and Accessibility  
Policy GD5 – Flood Risk  
Policy NE1 – Principles for the Natural Environment

*Tynedale District Local Plan (2000, Policies Saved 2007))*

Policy BE22 – The Setting of Listed Buildings  
Policy BE27 – Regional and Locally Important Archaeological Sites and Settings  
Policy CS23 – Development on Contaminated Land  
Policy CS27 - Sewerage  
Policy GD2 – Design Criteria for Development  
Policy GD4 – Range of Transport Provision for all Development  
Policy GD6 – Car Parking Standards outside the built-up areas  
Policy LR19 – Safeguard Existing and Promotion of New Public Rights of Way  
Policy NE27 – Protection of Protected Species  
Policy NE33 – Protection of Trees, Woodlands and Hedgerows  
Policy NE34 – Tree Felling  
Policy NE37 – Landscaping in Developments  
Policy TP27 – Development affecting Public Rights of Way

### 6.2 National Planning Policy

### 6.3 Other Strategies/Documents

*Northumberland Local Plan (Publication Draft Plan) (Regulation 19) Proposed Minor Modifications submitted 29 May 2019*

Policy ENV 2 – Biodiversity and Geodiversity  
Policy ENV 7 – Historic Environment and Heritage Assets  
Policy INF 2 – Community Facilities and Services  
Policy QOP 1 – Design Principles (Strategic Policy)  
Policy QOP 2 – Good Design and Amenity (Strategic Policy)  
Policy QOP 4 – Landscaping and Trees  
Policy STP 1 – Spatial Strategy (Strategic Policy)  
Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)  
Policy STP 3 – Principles of Sustainable Development (Strategic Policy)  
Policy STP 5 – Health and Wellbeing (Strategic Policy)  
Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)  
Policy TRA 2 – The Effects of Development on the Transport Network  
Policy WAT 2 – Water Supply and Sewerage  
Policy WAT 4 – Sustainable Drainage Systems

## **7. Appraisal**

7.1 The main considerations in the determination of this application are:

- Principle of the development;
- Design and impact upon heritage assets;
- Impact upon residential amenity;
- Highway safety and car parking;
- Ecology;
- Loss of trees;
- Public Protection;
- Impact upon the Public Right of Way;
- Drainage and sewerage.

### *Principle of the Development*

7.1 The National Planning Policy Framework (NPPF) maintains that the starting point for the determination of planning applications remains with the development plan, unless material considerations indicate otherwise. As a starting point, Policy GD1 of the Tynedale LDF Core Strategy refers to the principles for the general location of development. The policy states that the local centres such as Allendale, Bellingham, Corbridge and Haydon Bridge should be the focus for development, but to a lesser extent than the main towns. It follows on to state *“in all cases the scale and nature of development should respect the character of the town or village concerned”*.

7.2 The Northumberland Local Plan (Publication Draft Plan) was published for consultation in January 2019, with proposed minor modifications submitted on

29<sup>th</sup> May 2019. In accordance with Paragraph 216 of the NPPF; the policies contained within the document at this stage carry some weight in the assessment of planning applications.

7.3 Policy STP 1 of the Northumberland Local Plan (Publication Draft Plan) identifies Corbridge as a service centre and the service centre's within Northumberland should accommodate employment, housing and services that maintains and strengthens their roles.

7.4 Paragraph 96 of the National Planning Policy Framework (NPPF) states "*access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities*".

7.5 Paragraph 97 of the NPPF states "*existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) *The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*".

7.6 Policy CS1 of the Tynedale LDF Core Strategy sets out the principles for community services and facilities. These principles seek "to:

- (a) *Retain local shops and other community services and facilities, especially where there are no accessible alternatives;*
- (b) *Address deficiencies in services and facilities and facilitate improvements in their level of provision, quality and accessibility*".

7.7 Policy INF2 of the Northumberland Local Plan (Publication Draft Plan) relates to community services and facilities. This policy supports the improvement in the quantity, quality, accessibility and range of community services and facilities.

7.8 Policy STP 5 of the Northumberland Local Plan (Publication Draft Plan) relates to health and wellbeing. This policy states that "*development which promotes, supports and enhances the health and wellbeing of communities, residents, workers and visitors will be supported*". The policy follows on to state a number of criteria which development must meet.

7.9 The application proposes to renovate and improve the existing school buildings, to create two MUGA pitches, to redesign the car parking and coach drop off area and to undertake associated landscaping within the site. Haydon Bridge High School and Sports College is a community, educational facility and the proposed development would update the school and its layout and would provide additional sports facilities. The location of the proposed two MUGA pitches is on grassed land to the north of the application site, where there are currently a



number of young trees. The creation of the two MUGA pitches would provide additional sports facilities, which would benefit the local community and would be situated in a suitable location. The proposed development is considered to be acceptable as a matter of principle in accordance with Policies CS1 and GD1 of the Tynedale LDF Core Strategy, Policies INF 2, STP 1 and STP 5 of the Northumberland Local Plan (Publication Draft Plan) and Paragraphs 96 and 97 of the NPPF.

### *Design and Impact upon Heritage Assets*

7.10 Chapter 12 of the NPPF relates to achieving well-designed places. Paragraph 124 of the NPPF states *“good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*.

7.11 Policy BE1 of the Tynedale LDF Core Strategy sets out the principles for the built environment. One of the principles set out within Policy BE1 seeks to *“ensure that development is of a high quality design that will maintain and enhance the distinctive local character of the District’s towns, villages and countryside”*.

7.12 Policy GD2 of the Tynedale District Local Plan sets out the design criteria which must be met by all types of development. One of the criteria set out within Policy GD2 states the design of proposed development *“should be appropriate to the character of the site and its surroundings, existing buildings and their setting, in terms of scale, proportions, massing, positioning and appearance of buildings, use of materials, structures and landscaped and hard surfaced areas”*.

7.13 Policy QOP 1 of the Northumberland Local Plan (Publication Draft Plan) sets out the design principles for all types of development to follow. Criterion (a) states that design will be supported where it *“makes a positive contribution to local character and distinctiveness and contributes to a positive relationship between built and natural features, including landform and topography”*. Criterion (c) states proposed development should incorporate *“high quality aesthetics, materials and detailing”*. Criterion (g) states that proposals will be supported where the design *“supports health and wellbeing and enhances quality of life”*.

7.14 Policy NE37 of the Tynedale District Local Plan sets out criteria for new development to meet in relation to landscaping.

7.15 Policy QOP 4 of the Northumberland Local Plan (Publication Draft Plan) relates to landscaping and trees. This policy states *“new development will be expected to incorporate well-designed landscaping”*.

7.16 Policy BE22 of the Tynedale District Local Plan relates to the setting of Listed Buildings. This policy states that *“proposals for development which would adversely affect the essential character or setting of a Listed Building will not be permitted”*.

7.17 Policy BE27 of the Tynedale District Local Plan relates to regionally and locally important archaeological sites and settings. This policy states *“development,*

*which would be detrimental to regionally or locally important archaeological sites or their settings, will not be permitted unless the proposed development is considered to be of overriding regional importance and no alternative site is proposed”.*

7.18 Policy ENV 7 of the Northumberland Local Plan (Publication Draft Plan) relates to the historic environment and heritage assets. This policy states *“development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland’s heritage assets and their settings”.*

7.19 The application site is directly adjacent to Haydon Bridge Conservation Area. The site is bounded by Haydon Bridge Conservation Area to the north, east and south. The Council’s Building Conservation team has been consulted on this application to assess the impact of the proposed development upon the setting and character of the Conservation Area. The Council’s Building Conservation Officer has no objection to the application and approves of the submitted schedule of materials and colours to be used in the proposed development. Therefore, the design of the proposed development would not cause harm to the character and setting of Haydon Bridge Conservation Area.

7.20 The application site is also located in an area of low archaeological potential, where groundworks associated with the construction of the school are likely to have impacted upon any archaeological remains. The Council’s Archaeology team has been consulted on this application to assess the location, nature, importance and density of archaeological remains at the application site and in the surrounding area. The Council’s Archaeologist considers that the proposed development is unlikely to adversely affect significant archaeological remains in this particular instance, therefore, has no objection and no archaeological works would be required.

7.21 The materials to be used in the proposed renovation works to the school buildings would differ to those existing. However, it is acknowledged that despite this, the proposed renovation works would improve the visual appearance of the school as a whole. A site visit was undertaken by the case officer on 28th May 2019 and at which time it was evident that the main school buildings were in need of updating and that the existing timber cladding was in poor condition. Also, it is considered that the changes to the design and layout of the car parking and bus drop off area would improve the movement of traffic and pedestrians and would create a clockwise movement at the eastern part of the site.

7.22 It is considered that the design and materials used for the proposed development would be sympathetic to the existing school buildings. The design and appearance of the proposed development would be in keeping with the character of the school and the wider residential area. The proposed works would accord with Policy BE1 of the Tynedale LDF Core Strategy, Policies BE22, BE27, GD2 and NE37 of the Tynedale District Local Plan and Policies ENV 7, QOP 1 and QOP 4 of the Northumberland Local Plan (Publication Draft Plan) and the principles of the NPPF in this respect.

*Impact upon Residential Amenity*

- 7.23 Policy GD2 of the Tynedale District Local Plan states there should be “*no adverse effect on adjacent land or buildings in terms of loss of light, noise or other disturbance, overbearing appearance or loss of privacy*”.
- 7.24 Policy QOP 1 of the Northumberland Local Plan (Publication Draft Plan) sets out the design principles for all types of development. One of the principles of this policy states that proposals will be supported where design “*protects general amenity*”. Policy QOP 2 of the Northumberland Local Plan (Publication Draft Plan) relates to good design and amenity. This policy seeks to preserve the amenity of those living in, working in or visiting the local area.
- 7.25 Haydon Bridge High School and Sports College is bounded by residential properties to the north, east and south. The properties of Belmont Gardens are located directly to the south and east of the school and the properties of North Bank are located directly to the north and east of the school. The Council’s Public Protection team have been consulted on this application and they have no objection to the application subject to conditions and informatives. The conditions relate to the submission of an operational noise management plan, the hours of operation of the MUGA pitches, artificial lighting, noisy working hours and construction delivery and collection hours. These conditions have been recommended by the Council’s Public Protection team in order to ensure the residential amenity of neighbouring properties is protected.
- 7.26 Overall, it is considered that the application would not have a detrimental impact on the amenity of neighbouring properties. The proposal would therefore accord with Policies GD2 of the Tynedale District Local Plan, Policies QOP 1 and QOP 2 of the Northumberland Local Plan (Publication Draft Plan) and the aims of the NPPF in relation to impact upon residential amenity.

#### *Highway Safety and Car Parking*

- 7.27 Policy GD4 of the Tynedale LDF Core Strategy sets out the principles for transport and accessibility. Policy GD4 of the Tynedale District Local Plan sets out the criteria relating to transport for all types of development. Policy GD6 of the Tynedale District Local Plan relates to car parking standards outside of the built-up areas of Hexham, Haltwhistle, Prudhoe and Corbridge.
- 7.28 Policy TRA 1 of the Northumberland Local Plan (Publication Draft Plan) relates to promoting sustainable connections. Policy TRA 2 of the Northumberland Local Plan (Publication Draft Plan) sets out criteria relating to all types of development affecting the transport network.
- 7.29 The redesign of the car park and bus drop off area would change the layout of the area to the east of the school buildings and would increase the number of car parking spaces from 40 to 59, would increase the number of coach parking/drop off spaces from 5 to 10 and would create 20 new cycle spaces and 2 new disabled car parking spaces. The application also includes the creation of a boulevard which would link the site entrance to the main school buildings.
- 7.30 The Council’s Highway Development Management team has been consulted on this application and has no objection subject to conditions and informatives. The conditions relate to the implementation of the car parking area, details of the

means of vehicular access to be constructed, details of surface water drainage, the submission of a Full School Travel Plan, adherence to the Construction Method Statement and details of the refuse and servicing strategy. The Council's Highway Development Management team considers that the proposed development would not have an adverse impact on highway safety at this location and the proposed car parking layout is acceptable.

7.31 One general comment has been received in relation to this application. A neighbouring property has raised concerns that the red line boundary highlighted on the proposed site plan includes the eastern end of the access road to the rear of Belmont Gardens. This area has been included within the red line boundary because the proposals involve alterations to the existing access onto North Bank. It is also acknowledged that this road is owned by Northumberland County Council.

7.32 Subject to accordance with conditions, the proposed development is considered to be acceptable in highway terms. The proposals are considered to be in accordance with Policy GD4 of the Tynedale LDF Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan, Policies TRA 1 and TRA 2 of the Northumberland Local Plan (Publication Draft Plan) and the aims of Paragraph 109 of the NPPF in relation to highway safety.

### *Ecology*

7.33 Policy NE1 of the Tynedale LDF Core Strategy sets out the principles for the natural environment. This policy seeks to *“protect and enhance the character and quality of the landscape, biodiversity and geological interest of the District and give particular protection to areas and sites recognised for their environmental and scientific interest”*. Policy NE27 of the Tynedale District Local Plan relates to the protection of protected species and states development which is likely to adversely affect protected species will only be permitted, if harm to the species can be avoided. Policy ENV 2 of the Northumberland Local Plan (Publication Draft Plan) relates to the protection of biodiversity and geodiversity. The application has been accompanied by a Protected Species Risk Assessment Walk Over Visit Report.

7.34 The Council's Ecologist has been consulted on this application and considers the mitigation measures set out within the Protected Species Risk Assessment Walk Over Visit Report are appropriate and sufficient. The Council's Ecologist has no objection to the application subject to conditions to secure appropriate mitigation, to protect nesting birds, to protect the existing trees on site and to secure details of a landscape planting plan. Subject to accordance with these conditions, the application is considered to be acceptable in accordance with Policy NE1 of the Tynedale LDF Core Strategy, Policy NE27 of the Tynedale District Local Plan, Policy ENV 2 of the Northumberland Local Plan (Publication Draft Plan) and the aims of the NPPF in this respect.

### *Loss of Trees*

7.35 The application proposes to fell 44 trees; the majority of which are young, fruit trees located to the north of the site and their removal would allow for the creation of the two MUGA pitches but would also allow for the redesign of the car

park and bus drop off area. Policy NE33 of the Tynedale District Local Plan relates to the protection of trees, woodlands and hedgerows. This policy states “*development will only be permitted where it does not have an adverse effect on the character, amenity, nature conservation and landscape value of existing trees, woodlands and hedgerows*”. Policy NE34 of the Tynedale District Local Plan relates to tree felling and sets out specific criteria which must be met. Policy QOP 4 of the Northumberland Local Plan (Publication Draft Plan) relates to landscaping and trees.

7.36 The Council’s West Area Tree and Woodland Officer has been consulted on this application, however, no response has been received. The Council’s Ecologist has no objection to the removal of the trees subject to conditions. These conditions are necessary to ensure that the trees are removed at a particular time of year to avoid nesting birds, to ensure the trees are removed in accordance with British Standard Guidance and to ensure the trees proposed to be retained are carefully protected. There are a number of trees at the application site; predominantly sited along the curtilage boundaries. The felling of 44 trees would not adversely affect the local landscape and character of the area and is therefore considered to be in accordance with Policy NE1 of the Tynedale LDF Core Strategy, Policies NE33 and NE34 of the Tynedale District Local Plan and Policy QOP 4 of the Northumberland Local Plan (Publication Draft Plan).

#### *Public Protection*

7.37 The Council’s Public Protection team have been consulted on this application and they have no objection to the application subject to conditions and informatives. The conditions relate to the submission of an operational noise management plan, the hours of operation of the MUGA pitches, artificial lighting, noisy working hours, construction delivery and collection hours and contamination not previously discovered. Subject to accordance with the recommended conditions, the proposed development is considered to be in accordance with Policy CS23 of the Tynedale District Local Plan.

#### *Impact upon the Public Right of Way*

7.38 A Public Right of Way runs through the application site and is located to the west of the school buildings. The Council’s Countryside Rights of Way team have been consulted on this application and they have no objection subject to the Parish of Haydon Public Footpath No. 30 being protected throughout. Policies LR19 and TP27 of the Tynedale District Local Plan relate to safeguarding public rights of way and limiting any potential adverse impacts from proposed development. Policy TRA 1 of the Northumberland Local Plan (Publication Draft Plan) seeks to support development which “*protects, enhances and supports public rights of way*”. The proposed development would be located to the east of the Public Right of Way. The proposed development would be visible from the Parish of Haydon Public Footpath No. 30 but would not interfere with the footpath and would not disrupt its use. The proposed development would not adversely affect the Public Right of Way and would accord with Policies LR19 and TP27 of the Tynedale District Local Plan and Policy TRA 1 of the Northumberland Local Plan (Publication Draft Plan).

#### *Drainage and Sewerage*

7.39 Section 11 of the application form states that surface water would be disposed of by the mains sewer. Section 13 of the application form states that foul sewerage would also be disposed of by the mains sewer and therefore the proposed development would connect to the existing drainage system. Northumbrian Water has been consulted on this application and has no comment to make. The Council's Lead Local Flood Authority has been consulted on this application and have no objection subject to conditions. The conditions relate to the submission of details of the adoption and maintenance of all SuDS features and the submission of a verification report. Subject to accordance with these conditions, the proposed development is considered to be in accordance with Policy CS27 of the Tynedale District Local Plan and Policies WAT 2 and WAT 4 of the Northumberland Local Plan (Publication Draft Plan).

### *Other Matters*

#### *Equality Duty*

7.40 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

#### *Crime and Disorder Act Implications*

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

#### *Human Rights Act Implications*

7.42 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 well-being of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.43 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.44 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 National and local planning policies have been taken into consideration when assessing this application. The proposal would accord with Policies BE1, CS1, GD1, GD4, GD5 and NE1 of the Tynedale LDF Core Strategy, Policies BE22, BE27, CS23, CS27, GD2, GD4, GD6, LR19, NE27, NE33, NE34, NE37 and TP27 of the Tynedale District Local Plan, Policies ENV 2, ENV 7, INF 2, QOP 1, QOP 2, QOP 4, STP 1, STP 2, STP 3, STP 5, TRA 1, TRA 2, WAT 2 and WAT 4 of the Northumberland Local Plan (Publication Draft Plan) and the principles of the National Planning Policy Framework.

## **9. Recommendation**

That this application be GRANTED permission subject to the following:

### Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans. These plans are:

1. Drainage, Project No: 2018120 Drawing No: App 4 Revision: A produced by Portland Consulting Engineers (Date: 16/07/19) (Received on: 17/07/2019)
2. Microdrainage Calculations (Date: 17th July 2019)
3. Haydon Bridge High School Construction Method Statement REV 02 (Date: 04/07/19) (Received on: 05/07/2019)
4. Flood Risk and Drainage Impact Assessment - Haydon Bridge High School Refurbishment Northumberland Revision: A 2018120 produced by Portland Consulting Engineers (Date: July 2019) (Received on: 05/07/2019)
5. Haydon Bridge Community High School and Sports College - Heritage Statement (Date: 11/04/2019) (Received on: 11/04/2019)
6. Protected Species Risk Assessment Walk Over Visit Report Haydon Bridge High School produced by Anne Deary Francis (Received on: 05/07/2019)
7. Utility Survey, Project No: P18240 Drawing No: 18240-UM-01 Revision: B (Date: 9) (Received on: 07/03/2019)

8. Entrance Vehicle Tracking, Project No: 2018120 Drawing No: SK1  
Revision: A produced by Portland Consulting Engineers (Date: 05/07/19)  
(Received on: 05/07/2019)
9. External Building Finishes Schedule, Project No: GRA - 591 Revision: A  
(Date: 1st July 2019) (Received on: 05/07/2019)
10. Block 1 - Proposed - Ground Floor Plan, Project No: GRA - 591 Drawing  
No: HAY-GA-01-00-DR-A-00-100 Revision: 01 (Date: 01/03/19) (Received  
on: 07/03/2019)
11. Block 1 - Proposed - First Floor Plan, Project No: GRA - 591 Drawing No:  
HAY-GA-01-01-DR-A-00\_00-101 Revision: 01 (No Date) (Received on:  
07/03/2019)
12. Block 1 - Proposed - Roof Plan, Project No: GRA - 591 Drawing No:  
HAY-GA-01-02-DR-A-00\_00-102 Revision: 01 (Date: 01/03/19) (Received  
on: 07/03/2019)
13. External Works - Hard Landscaping as Proposed 1 of 2, Project No: GRA -  
591 Drawing No: HAY-GA-01-S-DR-A-00\_00-105 Revision: 02 (Date:  
06/03/19) (Received on: 07/03/2019)
14. External Works - Block 1 Main Entrance as Proposed, Project No: GRA -  
591 Drawing No: HAY-GA-01-S-DR-A-00\_00-106 Revision: 02 (Date:  
06/03/19) (Received on: 07/03/2019)
15. External Works - Main Hall Social Space as Proposed, Project No: GRA -  
591 Drawing No: HAY-GA-01-S-DR-A-00\_00\_107 Revision: 02 (Date:  
06/03/19) (Received on: 07/03/2019)
16. Block 1 - Proposed Entrance and Meeting Rooms Plan, Project No: GRA -  
591 Drawing No: HAY-GA-01-00-DR-A-00\_00\_108 Revision: 01 (Date:  
01/03/19) (Received on: 07/03/2019)
17. Block 1 - Performing Arts - Proposed Works, Project No: GRA - 591  
Drawing No: HAY-GA-01-ZZ-DR-A-00\_00-109 Revision: 01 (Date:  
01/03/19) (Received on: 07/03/2019)
18. Block 1 - Horseshoe Roof as Proposed, Project No: GRA - 591 Drawing  
No: HAY-GA-01-01-DR-A-20\_5-110 Revision: 01 (Date: 01/03/19)  
(Received on: 07/03/2019)
19. Block 1 - Main Entrance Canopy Proposal - Sheet 1, Project No: GRA -  
591 Drawing No: HAY-GA-01-01-DR-A-20\_50-111 Revision: 01 (Date:  
01/03/19) (Received on: 07/03/2019)
20. Block 2 - Ground Floor Plan as Proposed, Project No: GRA - 591 Drawing  
No: HAY-GA-02-00-DR-A-00\_00-113 (No Date) (Received on:  
07/03/2019)
21. Block 2 - First Floor Plan as Proposed, Project No: GRA - 591 Drawing No:  
HAY-GA-02-01-DR-A-00\_00-114 Revision: 01 (Date: 01/03/19) (Received  
on: 07/03/2019)
22. Block 2 - Second Floor Plan as Proposed, Project No: GRA - 591 Drawing  
No: HAYGA-02-02-DR-A-00\_00-115 (No Date) (Received on: 07/03/2019)
23. External Works - Hard Landscaping as Proposed 2 of 2, Project No: GRA -  
591 Drawing No: HAY-GA-02-S-DR-A-00\_00-116 Revision: 02 (Date:  
06/03/19) (Received on: 07/03/2019)
24. Block 2 - 6th Form & LRC - Proposed Floor Plan, Project No: GRA - 591  
Drawing No: HAY-GA-02-00-DR-A-00\_00-119 Revision: 01 (Date:  
01/03/19) (Received on: 07/03/2019)
25. Block 3 - Ground Floor Plan as Proposed, Project No: GRA - 591 Drawing  
No: HAY-GA-03-00-DR-A-00\_00-124 Revision: 01 (Date: 01/03/19)  
(Received on: 07/03/2019)



26. Block 3 - Roof Plan as Proposed, Project No: GRA - 591 Drawing No: HAY-GA-03-01-DR-A-00\_00-125 Revision: 01 (Date: 01/03/19) (Received on: 07/03/2019)
27. Block 3 - Proposed Plans & Elevations, Project No: GRA - 591 Drawing No: HAY-GA-03-ZZ-DR-A-00\_00-127 Revision: 01 (Date: 01/03/19) (Received on: 07/03/2019)
28. Proposed Landscaping Plan - 1 of 2 - Front of School, Project No: GRA - 591 Drawing No: HAY-GA-00-S-DR-A-00\_00-152 Revision: B (Date: 04/07/19) (Received on: 05/07/2019)
29. Proposed Landscaping Plan - 2 of 2 - Rear of School, Project No: GRA - 591 Drawing No: HAY-GA-00-S-DR-A-00\_00-153 Revision: B (Date: 04/07/19) (Received on: 05/07/2019)
30. External Works Material Schedule, Project No: GRA - 591 Drawing No: HAY-GA-00-S-DR-A-00\_00-155 Revision: A (Date: 29/05/19) (Received on: 05/07/2019)
31. Block 1 - Elevation Treatment as Proposed, Project No: GRA - 591 Drawing No: HAY-GA-01-ZZ-DR-A-00\_00-200 Revision: 01 (Date: 01/03/19) (Received on: 07/30/2019)
32. Block 1 - Caretakers Store as Proposed, Project No: GRA - 591 Drawing No: HAY-GA-01-ZZ-DR-A-00\_00-201 Revision: 01 (Date: 01/03/19) (Received on: 07/03/2019)
33. Block 2 - Proposed Elevation Treatment, Project No: GRA - 591 Drawing No: HAY-GA-02-ZZ-DR-A-00\_00-202 Revision: 02 (Date: 06/03/19) (Received on: 07/03/2019)
34. Block 5 - Proposed Elevations, Project No: GRA - 591 Drawing No: HAY-GA-05-ZZ-DR-A-00\_00-203 Revision: 01 (Date: 01/03/19) (Received on: 07/03/2019)
35. Block 2 - Room Elevations - Library - R00.16b, 18 & 19, Project No: GRA - 591 Drawing No: HAY-GA-02-00-DR-A-00\_00-405 (No Date) (Received on: 07/03/2019)
36. Block 1 - Main Hall External Wall - as Proposed, Project No: GRA - 591 Drawing No: HAY-GA-01-ZZ-DR-A-25\_10-503 Revision: 01 (Date: 01/03/19) (Received on: 07/03/2019)
37. Block 3 - Proposed Entrance Area Section Details, Project No: GRA - 591 Drawing No: HAY-GA-03-ZZ-DR-A-25\_10-513 Revision: 01 (Date: 01/03/19) (Received on: 07/03/2019)

Reason: To ensure the development is carried out in complete accordance with the approved plans, in the interests of proper planning.

03. The car parking and bus drop off area shall not be brought into use until the car parking and bus drop off areas indicated on the approved plans, including any disabled car parking spaces contained therein, have been hard surfaced, sealed and marked out in parking bays in accordance with the approved plans. Thereafter, the car parking and bus drop off area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles and drop off buses associated with the development.

Reason: In the interests of highway safety, in accordance with Policy GD4 of the Tynedale LDF Core Strategy, Policies GD4 and GD6 of the Tynedale District Local Plan and the National Planning Policy Framework.

04. Notwithstanding the details submitted, the car parking and bus drop off area shall not be brought into use until details of the vehicular access and amended cycle access proposals, have been submitted to, and approved in writing by, the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access details shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policy GD4 of the Tynedale LDF Core Strategy, Policy GD4 of the Tynedale District Local Plan and the National Planning Policy Framework.

05. Prior to the car parking and bus drop off areas being brought into use, details of surface water drainage to manage run off from private land shall be submitted to, and approved in writing 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: In order to prevent surface water run off, in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with Policy GD5 of the Tyndale LDF Core Strategy and the National Planning Policy Framework.

06. Within six months of the date of this permission, 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 Policy GD4 of the Tynedale LDF Core Strategy, Policy GD4 of the Tynedale District Local Plan and the National Planning Policy Framework.

07. The approved Construction Method Statement and associated plans shall be adhered to throughout the construction period.

Reason: To prevent nuisance, in the interests of residential amenity and highway safety, in accordance with Policy GD4 of the Tynedale LDF Core Strategy, Policies GD2 and GD4 of the Tynedale District Local Plan and the National Planning Policy Framework.

08. The development shall not be brought into use until details of a refuse and servicing strategy for the development have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins and the servicing of the site by refuse, delivery and food delivery vehicles, including vehicle swept path analysis. The approved strategy for refuse storage facilities shall be implemented before the development is brought into use and thereafter retained and operated in accordance with the approved details.

Reason: To ensure sufficient and suitable facilities are provided and in the interests of highway safety, in accordance with Policy GD4 of the Tynedale LDF Core Strategy, Policy GD4 of the Tynedale District Local Plan and the National Planning Policy Framework.

09. 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 MUGAs to the Local Planning Authority for its written approval, with the approved scheme implemented in full.

Reason: To protect residential amenity and to provide a commensurate level of protection against noise, in accordance with Policy GD2 of the Tynedale District Local Plan.

10. The MUGAs shall only be used between the hours of 07:00 to 18:30 hours Monday to Friday only, as specified in the submitted application for planning permission.

Reason: To protect residential amenity and to provide a commensurate level of protection against noise, in accordance with Policy GD2 of the Tynedale District Local Plan.

11. There shall be no artificial lighting used on the proposed MUGAs.

Reason: To protect residential amenity and to provide a commensurate level of protection against light, in accordance with Policy GD2 of the Tynedale District Local Plan.

12. 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 of Monday to Friday – 08:00 to 18:00 and Saturday 08:00 to 13:00.

Reason: To protect residential amenity and to provide a commensurate level of protection against noise, in accordance with Policy GD2 of the Tynedale District Local Plan.

13. Deliveries to and collections during the 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 Local Planning Authority.

Reason: To protect residential amenity and to provide a commensurate level of protection against noise, in accordance with Policy GD2 of the Tynedale District Local Plan.

14. 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 buildings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policy CS23 of the Tynedale District Local Plan.

15. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (Protected Species Risk Assessment Walk Over Visit, Haydon Bridge High School, Anne Deary Francis, 5.7.19) including, but not restricted to, adherence to timing restrictions; adherence to precautionary working methods; adherence to external light recommendations in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Engineers, 2018; any deep (in excess of 300mm) excavations left open overnight to be either securely covered or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped; an updated ecological assessment to be carried out in the event that development works do not commence before the end of July 2021 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to, and agreed in writing by, the Local Planning Authority before works commence.

Reason: To maintain the favourable conservation status of protected species, in accordance with Policy NE1 of the Tynedale LDF Core Strategy, Policy NE27 of the Tynedale District Local Plan and the National Planning Policy Framework.

16. No removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law, in accordance with Policy NE1 of the Tynedale LDF Core Strategy, Policy NE27 of the Tynedale District Local Plan and the National Planning Policy Framework.

17. No development shall be carried out other than in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012 and a tree protection plan to be submitted to, and agreed in writing by, the Local Planning Authority before any development works begin within the full canopy spread of any retained tree.

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policy NE1 of the Tynedale LDF Core Strategy, Policy NE33 of the Tynedale District Local Plan and the National Planning Policy Framework.

18. A detailed landscape planting plan, including the planting of locally native species of local provenance, shall be submitted to, and agreed in writing by, the Local Planning Authority with the planting to be fully implemented 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, in accordance with Policy NE1 of the Tynedale LDF Core Strategy, Policy NE37 of the Tynedale District Local Plan and the National Planning Policy Framework.

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

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime, in accordance with Policy GD5 of the Tynedale LDF Core Strategy and the National Planning Policy Framework.

20. Prior to first operations of the school, a verification report, carried out by a qualified drainage engineer, shall be submitted to, and approved in writing by, the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- i. As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc.);
- ii. Construction details (component drawings, materials, vegetation);
- iii. Health and safety file;
- iv. Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards, in accordance with Policy GD5 of the Tynedale LDF Core Strategy and the National Planning Policy Framework.

## Informatives

1. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out in accordance with the approved conditions. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at [westernareahighways@northumberland.gov.uk](mailto:westernareahighways@northumberland.gov.uk)
2. You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk)
3. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
4. Completion of the plans for the Full School Travel Plan shall be through the Modeshift STARS scheme. Schools should have achieved bronze level by the end of year 1 of occupation. You can contact the School Travel Plan advisor on 01670 624117.
5. In accordance with the Highways Act 1990 mud, debris or rubbish shall not be deposited on the highway.
6. MUGAs with fencing around should be designed and built to minimise noise generated from their use and should be constructed of perforated sheet metal or weld mesh in place of a chain-link type fence in order to reduce rattle and ball impact noise.

It is also important that anti-vibration (AV) bushings are used to fix the fence panels to the supports. These bushings acoustically dampen the panels and minimise structure-borne noise transmission, which has the effect of reducing the magnitude and duration of the impact noise.

Relevant guidance is included in the Artificial Grass Pitch (AGP) Acoustics – Planning Implications August from Sport England 2015 (Revision 001) available at:

<https://www.sportenglan.org/media/4515/agp-acoustics-planning-implications.pdf>

7. Any fixed, external lighting installed as part of this development should have regard for ILP Guidance on the Reduction of Obtrusive Light, 2012: <https://www.theilp.org.uk/documents/obtrusive-light/>

The applicant should ensure that lighting does not cause an annoyance to any nearby receptors.

Experience of lighting installations has shown that complaints about floodlighting normally arise from poorly designed or installed lighting schemes. It is recommended that the applicant ensures the lighting contractor installs

the proposed lighting scheme in line with submitted proposals and that the ILP guidance is adhered to in order to minimise the impact of lighting as part of this development.

8. 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 Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

9. The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains 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.

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 or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

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)

**Date of Report:** 22.07.2019

**Background Papers:** Planning application file(s) 19/00805/CCD