



Northumberland

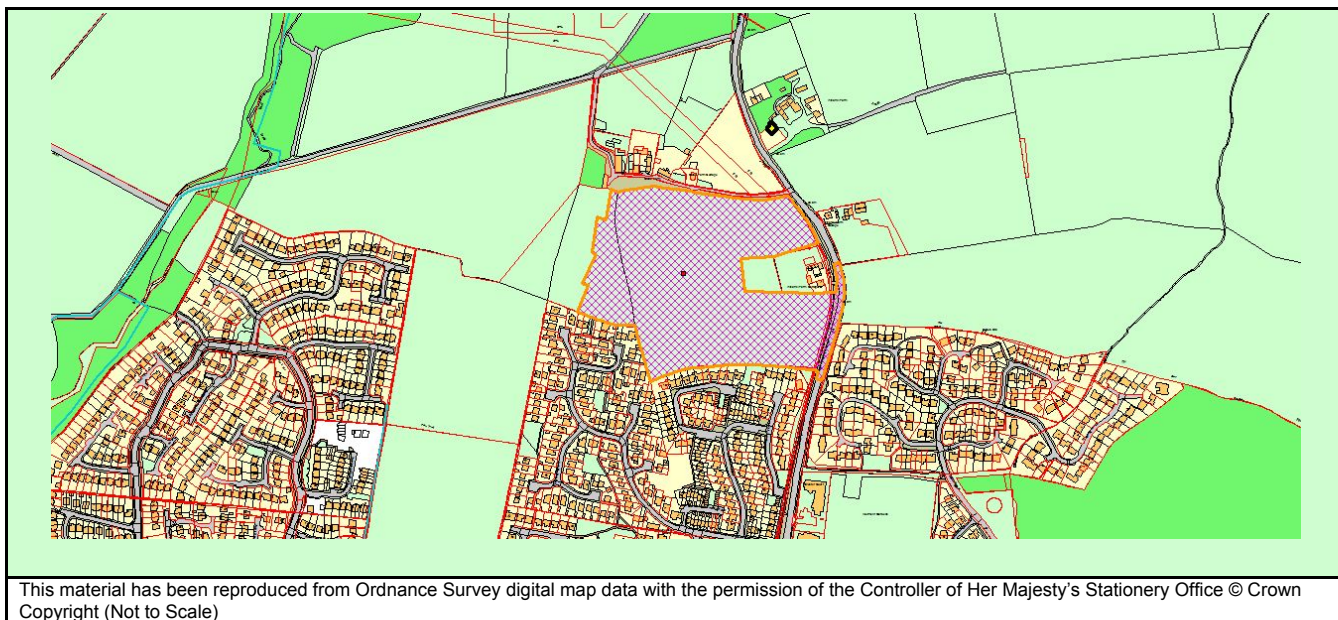
County Council

STRATEGIC PLANNING COMMITTEE

5 NOVEMBER 2019

Application No:	19/01457/REM		
Proposal:	Reserved matters application for appearance, landscaping, layout and scale for phase 1 comprising 149 dwellings.		
Site Address	Land South West Of Glebe Farm, Choppington Road, Bedlington , Northumberland		
Applicant:	Miller Homes Ltd	Agent:	Mr Alistair Willis, Lichfields, The St Nicholas Building, St Nicholas Street, Newcastle Upon Tyne, NE1 1RF
Ward	Bedlington West	Parish	West Bedlington
Valid Date:	10 May 2019	Expiry Date:	6 November 2019
Case Officer Details:	Name: Mr Geoff Horsman Job Title: Senior Planning Officer Tel No: 01670 625553 Email: geoff.horsman@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application is being referred to Strategic Planning Committee for a decision due to the scale of development proposed and because it is the subject of an objection from West Bedlington Parish Council.

2. Description of the application site & proposal

2.1 The application site comprises the easternmost part of a larger site granted outline planning permission (16/04731/OUT) on the 14 February 2019 for 500 dwellings with associated infrastructure and landscaping.

2.2 The site is bounded to the north by agricultural land and a small grouping of dwellings within the Glebe Farm complex. To the east lies Choppington Road and beyond this further agricultural land and some dwellings, including the Grade II Listed Windmill Farm. On the eastern side of Choppington Road, the site excludes an area occupied by Windmill Farm Cottage. This area of land is out with the application site, but surrounded by it on 3 sides, contains a dwelling and associated commercial buildings occupied by an agricultural machinery contracting business. To the south lies an estate of dwellings.

2.3 The site lies outside of the Bedlington settlement boundary as defined in the Wansbeck District Local Plan but is proposed for inclusion within the town's settlement boundary in the Council's emerging Local Plan.

2.4 The outline planning permission granted in February 2019 granted approval for the principle of 500 dwellings on the site and the details of the site access to Choppington Road. All other details (layout, scale, appearance and landscaping) were reserved for later approval.

2.5 The proposed site access arrangements comprise a single priority junction access to Choppington Road to the south of Windmill Farm Cottage. The junction would incorporate a central ghost right turn lane and the speed limit adjacent to the proposed access would be reduced from the present 40mph to 30mph.

2.6 This current application seeks approval of reserved matters (layout, scale, appearance and landscaping) for the 1st phase of the development comprising 149 dwellings. As stated earlier the phase 1 area lies at the easternmost edge of the outline planning permission site adjacent to Choppington Road.

2.7 The mix of dwellings proposed comprises 22 x 2 bed units, 19 x 3 bed units, 76 x 4 bed units and 32 x 5 bed units. The properties are a mix of bungalows and 2-2.5 storey high terraced, semi-detached and detached dwellings. 15 different house types are proposed.

2.8 In accordance with the Section 106 Agreement which runs alongside the outline planning permission, it is proposed that 15% of the dwellings in this phase (i.e. 22 units) would be affordable dwellings. 15 of these would be affordable rented dwellings and the other 7 would be Discount Market Value sale units. In terms of dwelling types the affordable units comprise a mix of 3 x 2 bed bungalows, 11 x 2 bed houses and 8 x 3 bed houses.

3. Planning History

Reference Number: 16/04267/SCREEN

Description: EIA screening for a maximum of 500 homes

Status: EIANR

Reference Number: 16/04731/OUT

Description: Construction of approximately 500 new dwellings with associated infrastructure and landscaping, all matters reserved except access.

Status: PER

Reference Number: 19/01509/REM

Description: Reserved Matters application in relation to 16/04731/OUT

Status: APPRET

Reference Number: 19/01585/NONMAT

Description: Non-Material Amendment (of condition 4 to ensure that phasing agreed now can be amended in future) on approved planning application 16/04731/OUT.

Status: PER

Reference Number: 19/01729/ADE

Description: Advertisement Consent: Installation of 2no. triangular boards and 8no. flag poles

Status: PER

4. Consultee Responses

West Bedlington Parish Council	Object to the application on several grounds as follows; removal of hedgerow, density of development as the development area is too small for the number of dwellings proposed, overlooking of existing dwellings and site has insufficient/poor access.
The Coal Authority	No objections.
Public Protection	No objection subject to updated conditions regarding gas protection measures.
Highways	No objection subject to conditions.
County Archaeologist	No objections.
Countryside/ Rights Of Way	No objections.
Building Conservation	No objections.
County Ecologist	No objection to landscaping proposals. Site layout plan should be amended to include bird/bat box details required by condition 38 of the outline permission.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Natural England	No response received.
Highways England	No objections.
Strategic Estates	No response received.
Affordable Housing	No objections.

Northumbrian Water Ltd	No objection subject to drainage being implemented as per the submitted drawings.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	74
Number of Objections	14
Number of Support	0
Number of General Comments	0

Notices

General site notice 21st June 2019

News Post Leader 6th June 2019

Summary of Responses:

14 objections received raising the following concerns:

- Highway safety concerns related to site access;
- Site access position will make it more difficult for vehicles to exit Chesters Estate to the south;
- Removal of vegetation;
- Loss of views;
- Increased traffic;
- Poor pedestrian connections to wider area;
- Flood risk;
- Impact on climate change from loss of site to development;
- Loss of farmland;
- Land instability;
- Overshadowing;
- Overlooking;
- Density of development too high;
- Bypass not incorporated into layout of site;
- Increased pressure on local services;
- Insufficient landscaping, particularly adjacent to existing properties.

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

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PR5457QS0J400>

6. Planning Policy

6.1 Development Plan Policy

Wansbeck District Local Plan (WDLP)

GP4 – Accessibility

GP5 – Landscape character
GP6 – Trees and hedgerows
GP13 – Biodiversity and wildlife networks
GP22 – Flood risk and erosion
GP22a – Land instability
GP23 to GP26 – Pollution and nuisance
GP29 – Land contamination
GP30 – Visual impact
GP31 – Urban design
GP32 – Landscaping and the public realm
GP34 – Resource conservation and integrated renewable energy
GP35 – Crime prevention
H5 – The design and density of new housing developments
H6 – Density
H7 – Affordable housing
T2 – Provision for buses
T3 – Provision for cyclists
T4 – Provision for walking
T5 – Access for people with reduced mobility
T6 – Traffic implications of new development
T7 – Parking provision in new developments
REC8 – Children’s play
CF6 – Water supply and drainage
CF7 – Planning conditions and obligations

6.2 National Planning Policy

NPPF

NPPG

6.3 Other Planning Policy Documents

Northumberland Local Plan Publication Draft Plan (Regulation 19) including proposed minor modifications (NLP)

STP 2 – Presumption in favour of sustainable development (Strategic Policy)
STP 3 – Principles of sustainable development (Strategic Policy)
HOU 2 – Provision of new residential development (Strategic Policy)
HOU 5 – Housing types and mix
HOU 6 – Affordable housing provision (Strategic Policy)
HOU 9 – Residential development management
QOP 1 – Design principles (Strategic Policy)
QOP 2 – Good design and amenity
QOP 4 – Landscaping and trees
QOP 5 – Sustainable design and construction
QOP 6 – Delivering well-designed places
TRA 1 – Promoting sustainable connections (Strategic Policy)
TRA 2 – The effects of development on the transport network
TRA 4 – Parking provision in new development
ENV 1 – Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 – Biodiversity and geodiversity

ENV 3 – Landscape
WAT 3 – Flooding
WAT 4 – Sustainable Drainage Systems
POL 1 – Unstable and contaminated land
POL 2 – Pollution and air, soil and water quality

Wansbeck Residential Development Design Guidance
Wansbeck Design Guide

7. Appraisal

7.1 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues raised relate to:

- Principle of development
- Housing mix and affordable housing
- Impact on the character and appearance of the area
- Residential amenity impact
- Land contamination & stability
- Transportation matters
- Flooding and drainage
- Ecology

Principle of Development

7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration. The saved policies of the Wansbeck District Local Plan (adopted 2007) remain the development plan and the starting point for determining applications. However, the NPPF advises that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.

7.3 In accordance with paragraph 48 of the NPPF weight may 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. The latest version of the NLP was submitted to the Secretary of State for examination in May 2019 and examination of the Plan has now commenced. Relevant policies in this document are a material consideration in determining this application and it is considered that such policies can be afforded some weight at this time.

7.4 The application site lies out with the settlement boundary for Bedlington as defined on the Wansbeck District Local Plan Proposals Maps but is now shown within the settlement boundary in the emerging Local Plan which reflects the outline planning permission granted for the site earlier this year.

7.5 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development

proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.6 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.

7.7 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles. The following sections assess the key issues in relation to the economic, social and environmental roles of the scheme as well as identifying its potential impacts and benefits in planning terms.

7.8 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position, as well as the Housing Delivery Test, is pertinent to proposals for housing in that paragraph 11(d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where recent housing delivery is below a 75% threshold. This situation is the principal means (albeit not the only way) by which existing policies relevant to housing can be deemed out-of-date.

7.9 As identified in the Northumberland Strategic Housing Land Availability Assessment (September 2019), the Council can demonstrate a plentiful five-year housing land supply from 'deliverable' sites against the County's minimum Local Housing Need figure. Using the 2014-based household projections for the 2019-2029 period, together with the latest 2018 affordability ratio, gives a minimum Local Housing Need of 676 dwellings per annum (Figure 3). Allowing for the 5% buffer therefore means that the SHLAA's identified 7,956 dwellings 'deliverable' supply would equate to a 11.2 years housing land supply (Figures 12-14).

7.10 The Housing Delivery Test result records that Northumberland achieved 197% delivery against its minimum housing need for the initial three years 2015-18, while delivery over the last three years 2016-19 means that the HDT result for 2016-19 is expected to be even higher at 238% (Figure 2).

7.11 Therefore, in the context of paragraph 11(d) and Footnote 7 of the NPPF, the presumption in favour of sustainable development does not apply.

7.12 The housing supply figures contained within the Wansbeck District Local Plan are considered to be out-of-date and therefore it is considered that in terms of housing land supply matters greater weight should be afforded to the Council's latest 5 year housing land supply data and the indicative distribution of housing requirements within the emerging Local Plan which seek to provide for 840 new dwellings within Bedlington over the Plan period of 2016-2036.

7.13 Wansbeck District Local Plan Policy GP1 does not support large scale housing development on green field sites outside of settlement boundaries. In terms of the Council's emerging Local Plan, housing development on the application site would accord with strategic policy as outlined in Policies STP1 and HOU2 which seek to direct new development to locations within defined settlement boundaries.

7.14 However, bearing in mind that there is an extant outline planning permission for 500 dwellings on a larger site of which this current application site is a part and that this application seeks the approval of Reserved Matters for phase 1 of that development, the principle of development on the site is considered to be acceptable and the site would be a suitable location for new housing development, subject to other elements of the development being acceptable to be discussed later in this report.

Housing Mix and Affordable Housing

7.15 Policy H7 of the Wansbeck District Local Plan states that on all housing sites of more than 0.5 hectares or developments of more than 15 dwellings, the authority will negotiate for the provision of at least 30% of the total dwellings proposed to be in the form of affordable housing. The developer will need to satisfy the authority that affordable housing provided under the policy will remain affordable on subsequent changes of ownership or occupant.

7.16 Paragraphs 62 and 64 of the NPPF advise that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities. Where major development is proposed, planning policies and decisions should normally expect at least 10% of the homes to be available for affordable home ownership. The Council's updated Strategic Housing Market Assessment (SHMA) was published in June 2018 and identifies a total housing need figure for the County as a whole of 885 dwellings per annum and a figure of 151 dwellings per annum for affordable housing. Therefore on this basis it is considered that 17% affordable housing should be provided for.

7.17 Policy HOU6 of the Council's emerging Local Plan refers to a different approach to meeting the identified annual need for 151 affordable dwellings. Rather than applying a blanket requirement for 17% affordable housing across the County as a whole, it is proposed that medium value areas such as Bedlington be required to provide a smaller contribution towards meeting affordable housing need than higher value areas. Under this scenario, 15% affordable housing would be sought in respect of the application site. However, the Council does not consider that it would be appropriate to apply this Policy at this time as Policy HOU6 in its present form was not included in the previous Regulation 18 version of the emerging plan, is

subject to extensive objections and the emerging Local Plan has not as yet been subject to examination in public.

7.18 The level of affordable housing provision for this site has already been agreed as 15% under the terms of the Section 106 Agreement which runs alongside the outline planning permission.

7.19 The mix of affordable units proposed for phase 1 reflects the requirements of the Section 106 Agreement. In this regard 68% of the affordable units would be affordable rented which accords with the Section 106 Agreement requirement that at least 67% of the units be within this tenure.

7.20 In terms of the dwelling size/tenure mix the Section 106 Agreement states that across the outline planning permission site as a whole that 13% of the affordable units should be affordable rented 2 bed bungalows, 33% affordable rented 2 bed houses, 20% affordable rented 3 bed houses, 20% DMV 2 bed houses and 14% DMV 3 bed houses. The proposed mix for phase 1 largely reflects these requirements with the only departures being that slightly more 3 bed affordable rented dwellings (23%) and slightly fewer DMV 2 bed houses (18%) are proposed. However, these discrepancies are small scale and could be addressed in later phases of the development.

7.21 With regard to phasing, the Section 106 Agreement requires that no more than 85 market units be occupied until at least 15 affordable units have been practically completed. 30 affordable units must be practically completed prior to occupation of 170 market units. The Affordable Housing Scheme for phase 1 submitted with this Reserved Matters application confirms that these triggers would be satisfied.

7.21 The Affordable Housing Scheme also includes details in respect of marketing, ensuring affordability in perpetuity and allocation and it is considered that these details likewise accord with the Section 106 Agreement.

7.22 The phase 1 proposals do provide for a mix of dwelling sizes, although there is a particular preponderance of 4 bed dwellings proposed. The applicant has advised in this regard that before deciding to bid on a site, Miller Homes will always seek advice from a chartered surveyor in the form of an RICS survey, providing a review of the local market, and what type of product is selling in the local market. This will then lead into advice on, broadly, what mix would be most appropriate as part of a proposed development. Miller have the added benefit of having another live site in Bedlington at Broadoakes. The sales on this site showed particular demand for the 4 and 5 bedroom family properties, with the smaller properties showing a reduced demand. The Government places great importance on delivery of housing and it is a central component of Miller's business. Consequently, it is likely that any other mix solution for the site would only result in a future re-plan of the site as the sales rate falls. As the outline planning permission does not include any prescriptive requirements on the house type mix on the site, and the mix responds directly to the local market requirements as demonstrated through other sites in Bedlington, it is considered the proposed mix is appropriate to the proposed development and its location.

7.23 Bearing in mind the above it is considered overall that the proposals accord with the Development Plan, the NPPF and the Council's emerging Local Plan in terms of affordable housing and housing mix.

Impact on Character and Appearance of the Area

7.24 Policy GP5 of the Wansbeck District Local Plan states that development must respect the character of the District's landscape. Proposals will be assessed in terms of: a) the siting, scale and design of buildings and materials; and b) the effect on distant views. Development which would have an adverse effect on the character or appearance of those areas which contribute most to the quality and distinctiveness of the local landscape will not be permitted. Such areas will include: a) the coast b) the valley of the River Blyth c) the valley of the River Wansbeck d) the valleys of the Willow Burn and Sleek Burn

7.25 Policy GP6 states that the authority will seek to protect trees, woodlands and hedgerows in the District and will encourage new planting, particularly of native species. Tree Preservation Orders will be made to protect trees of value judged to be at risk. When planning permission is granted for development, conditions will be applied or planning agreements entered into to secure the protection of existing trees or hedgerows of value on the site and to secure and maintain new planting. Development which would result in the loss of healthy trees which make an important contribution to the quality of the environment will not be permitted unless there are overriding social or economic benefits to the community and compensatory off-site provision of landscape infrastructure is made. Healthy trees lost as a consequence of development shall be replaced with trees of an equivalent standard. Policy GP30 advises that all proposed development will be assessed in terms of its visual impact. Developments which in visual terms would cause significant harm to the character or quality of the surrounding environment will be refused.

7.26 Policy GP31 states that when considering any proposed development the authority will require high standards of urban design to a) promote character in townscape and landscape and establish local identity; b) clearly define public and private spaces; c) encourage accessibility; d) make places with a clear image that is easy to understand, by providing recognizable routes, intersections and landmarks; e) encourage adaptability through development that can respond to changing social, technological and economic conditions; and f) promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs

7.27 Policy GP32 requires developers to incorporate a high standard of landscape treatment in their developments. When submitting their planning applications, developers will be required to demonstrate that: a) any existing landscape features of value including trees, shrubs, hedgerows and ponds, will be retained, protected and used to advantage as part of the development; b) new landscape features will be introduced which enhance the visual quality of the development, reduce its impact and provide habitat for the district's wildlife; c) new landscape features to be introduced will be appropriate to the use and character of the development and its location; d) opportunities to create new public spaces and improve existing ones have been considered; and e) arrangements will be made for the future management and maintenance of all landscaped areas, whether public or private.

7.28 Policy GP35 states that Development proposals will be expected to have regard to the objectives of 'planning out crime' through the incorporation of measures such as: promotion of mixed use development and other schemes that increase the range of activities that maximize the opportunities for surveillance; maximizing the amount of defensible space which is controlled, or perceived to be controlled, by occupiers and a high standard of street lighting.

7.29 Policy H5 relating specifically to new housing developments states that these should be well designed. Developers will be expected to demonstrate in their proposals that: a) movement through the area will be safe, direct and attractive and has been designed to put the needs of non-motorised users before the needs of motor vehicles; b) the impact of motor vehicles has been minimized and streets have been designed for slow speeds; c) residents will enjoy reasonable standards of privacy, outlook and daylight; d) the new development will relate well to its surroundings; e) the new housing area will have its own distinctive character and identity; f) the arrangement of houses, streets and open spaces is clearly defined and easily understood; g) there will be an appropriate mix of dwelling sizes and types which takes account of local housing needs; h) external spaces have been planned as an integral part of the development and are well defined; i) adequate provision is made for gardens or other forms of private amenity open space; j) the layout and design of dwellings allows for future adaptation to meet changing household needs; k) the new development has been designed to conserve energy and water resources; and l) appropriate provision is made for those with reduced mobility.

7.30 Finally, Policy H6 states that new housing developments with an average net density of less than 30 dwellings per hectare will not be permitted unless it can be demonstrated that: a) particular characteristics of the site prevent higher densities from being achieved; or b) development at higher densities would have a significant adverse effect on the character of the surrounding area. Densities higher than 30 dwellings per hectare will be encouraged at places with good access to public transport.

7.31 The Government attaches great importance to the design of the built environment and, through the NPPF, recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. The NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.32 Emerging Local Plan Policies QOP1, 2, 4 and 6 reflect the above design objectives.

7.33 The proposed site layout provides for a good mix of house types with dwellings positively addressing street frontages in terms of dwelling entrance locations, elevational detailing and soft landscaping and the submitted details reflect the Parameters Plan agreed at outline stage.

7.34 There are no landscape features of significant value within or to the boundaries of the application site. However, it is proposed to retain trees and hedgerows to the north, north east, south west and south boundaries of the phase 1

site. Some tree removal is proposed in the south east corner of the site to accommodate the site access and some hedgerow removal is also proposed within the site. However, loss of these features is as shown on the Parameters Plan agreed at outline stage and they are not considered to be of significant value. By way of mitigation, the applicant has submitted a landscape strategy plan which shows additional tree and hedgerow planting within the site and it is proposed that the matter of detailed planting plans be the subject of a condition.

7.35 In terms of landscape impact the surrounding countryside beyond the wider site is not considered to be of high landscape value with the A1068 Choppington Road to the east and existing nearby areas of housing having an urbanising effect in terms of the landscape character of the locality. The application site does not lie in any of the higher quality landscapes identified in Policy GP5 of the Local Plan.

7.36 The density of development proposed would be 25 dwellings per hectare which is less than the 30 dwellings per hectare specified by Policy H6 of the Local Plan. However, the site lies at the edge of Bedlington and the proposed density is considered acceptable given the settlement edge location of the site.

7.37 Overall in terms of appearance and impact on the character of the area the proposals would therefore be in accordance with the Wansbeck District Local Plan, the Wansbeck Design guides, the emerging Local Plan and the NPPF.

Residential Amenity Impact

7.38 There are existing residential properties sited immediately adjacent to the north, east and south of the application site, including Windmill Farm Cottage which is enclosed by the application site on three sides. A development of this scale may also have wider effects on amenity, which has also been considered.

7.39 Having regard to the submitted layout plan, separation distances of at least 20 metres are provided for between proposed dwellings on the application site and existing adjacent dwellings. Acceptable separation distances are also provided for between proposed dwellings within the application site. Overall it is considered that a suitable form of development is achieved on the site that would not have unacceptable effects upon the privacy or amenity of adjacent residents.

7.40 Overall, it is considered that an acceptable form of development can be achieved in this regard that would accord with the Wansbeck District Local Plan, the Wansbeck Design guides referred to earlier, the emerging Local Plan and the NPPF.

7.41 Policy GP23 of the Local Plan states that when determining planning applications, the authority will consider whether a proposed development has the potential to cause pollution or nuisance. Planning permission will not be granted for development liable to cause significant harm to either: a) human health and safety b) the amenity of local residents and other land users or c) the quality and enjoyment of all aspects of the environment

7.42 Policy GP24 states that when determining planning applications for development within the proximity of an existing or approved source of pollution, the authority will take into account the following factors: a) the impact of the polluting

activity on the health of users of the proposed development; b) the standard of amenity likely to be enjoyed by the users of the proposed development; c) whether the proposed development has particular sensitivities to pollution; d) the additional costs or other constraints which may be imposed on the polluting use as a result of permitting the proposed development; and e) whether any potential conflict can be resolved by the use of planning conditions or obligations. If after having considered the above factors the, the authority considers that the uses cannot reasonably co-exist, the proposed development will not be permitted

7.43 Policy GP25 advises that when determining planning applications, the authority will consider the levels and characteristics of any noise which may be generated as a result of permitting the development. The likely impact will be assessed in terms of the following: a) any disturbance to people living in the area; b) any disturbance to other noise-sensitive uses such as hospitals, schools, colleges, offices and community buildings; c) any effect on people's enjoyment of the outdoor environment including gardens, parks, the coast and the countryside; d) any disturbance to wildlife or livestock and e) whether any potential conflict can be resolved by the use of planning conditions or obligations. Proposals which would cause significant harm in terms of the above criteria will be refused.

7.44 Finally Policy GP26 states that when determining planning applications for development which could be exposed to an existing or potential source of noise, the authority will consider the following: a) the level and characteristics of the noise from existing activity; and b) whether the proposed use is particularly sensitive to noise. If after considering the above factors the authority concludes that the proposed development would not be compatible with the existing activity, the proposals will not be permitted.

7.45 Public Protection raise no objections on the above grounds and therefore the proposals are considered acceptable in this regard.

Land Contamination and Stability

7.46 Policy GP22a of the Wansbeck District Local Plan states that development on unstable land will not be permitted unless satisfactory measures to stabilise the site are carried out and done so at the expense of the developer. If risk from unstable ground conditions is suspected, developers will be required to submit a stability report with their planning applications to demonstrate that the site is stable or can be made so and that the development will not affect land stability beyond the site.

7.47 Policy GP29 advises that where there is reason to suspect that land is affected by contamination, applicants for planning permission will be required to submit a report of a desk study of previous uses of the site and their potential for contamination. Unless the study clearly demonstrates that the risk to the proposed uses from contamination is acceptable, further more detailed investigations will be required before the application is determined to assess the risks and identify and appraise the options for remediation. Development will only be permitted if sustainable and feasible remediation solutions are adopted to secure the removal of unacceptable risk and make the site suitable for its new use. Contaminated materials should be decontaminated and re-used on site if this can be achieved economically and without unacceptable adverse impacts upon the environment or the health and safety of the community.

7.48 The application site is within a Coal Authority Development High Risk area. However, the Coal Authority raise no objections and NCC Public Protection also raise no objections subject to updated conditions from those on the previous outline permission relating to ground gas protection being imposed. As such the proposals are considered acceptable in terms of land contamination and stability subject to these conditions.

Transportation Matters

7.49 Policy GP4 of the Wansbeck District Local Plan states that new development should be located to reduce the need to travel and to minimise journey length. It should be accessible to all users by a choice of means of transport including buses, walking and cycling.

7.50 Policy T2 advises that improvements to bus service provision in the District and the introduction of measures to make bus travel more attractive will be sought. Planning permission for developments which are likely to generate a significant number of journeys will not be permitted unless proposals include new or improved access by bus to the development including the provision of appropriate infrastructure and/or financial support for services. Developments which affect existing facilities for bus users will not be permitted unless the facilities are retained or enhanced as part of proposals.

7.51 Policy T3 states that improved facilities for cycling in the District will be sought. Cyclists will be provided for as part of highway and traffic management schemes and by developers as part of new developments. Provision will include the development of safe and convenient routes and cycle parking facilities. Developers will be required as a condition of planning permission to provide cycle parking as part of their developments.

7.52 Policy T4 advises that measures to assist and encourage walking will be sought including the development of a comprehensive network of footpaths and footways. Developers will be required to provide safe, convenient and pleasant routes for pedestrians.

7.53 Policy T6 states that when planning applications are determined, the volume and character of traffic likely to be generated by and attracted to the proposed development will be considered. Proposals will only be permitted if: a) the existing highway network is adequate to cope with any additional traffic resulting from the development or necessary improvement works will be carried out before the development goes ahead; b) the proposed arrangements for access and egress will allow the safe and efficient movement of vehicles; c) internal circulation arrangements will be able to absorb vehicular traffic entering the site without queues forming on existing roads and will include measures to achieve safe traffic speeds; and d) adequate provision is made, in terms of safety and operating efficiency, for servicing and deliveries and for other heavy vehicles such as buses and emergency vehicles. A Transport Assessment, including a travel plan and an assessment of accessibility where appropriate, will be required to be submitted with proposals for development that will have significant transport implications.

7.54 Policy T5 advises that an environment which is accessible to all will be sought. Developers will be required to make appropriate provision for those with reduced mobility as part of their developments.

7.55 Finally Policy T7 of the Local Plan states that developers should make appropriate provision in their developments for the parking of motor vehicles and motorcycles. The appropriateness of proposed provision will be assessed in terms of the following: a) the scale and type of development; b) accessibility by public transport, on foot and by cycle; c) the potential for road safety and environmental problems as a result of increased parking demand in the area; d) the extent and nature of any parking restrictions in force on highways in the area; and e) county-wide maximum parking standards as set out in Appendix T3 (or any local standards published in a future Supplementary Planning Document).

7.56 Policies TRA1 and 2 of the emerging Local Plan reflect the above WDLP Policies.

7.57 Emerging Local Plan Policy TRA4 refers to new parking standards which are detailed in Appendix D of the Plan. These require a minimum of 2 in curtilage car parking spaces for 3 bed houses and 3 spaces for 4 bed houses. 1 visitor car parking space is also required for every 4 dwellings. However, it is not considered that these standards can be applied at the present time given the current status of the emerging Plan

7.58 Further detailed standards are laid down in Appendices T2 and T3 of the Wansbeck District Local Plan. These require at least 1 cycle parking space per dwelling. In terms of car parking the maximum requirement in a location such as this which is accessible by a choice of means of transport would be 2 spaces per dwelling.

7.59 The Council as Local Highway Authority have assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. The acceptability in principle of development on the site in terms highway capacity and the location/detailed design of the site access to Choppington Road were agreed at outline stage Following assessment of the current application documents as originally submitted the Local Highway Authority did raise some detailed queries regarding various detailed site layout matters, driveway/garage dimensions and visitor car parking. The applicant has submitted an amended site layout plan to address these concerns and the Local Highway Authority have now advised that they have no objections to the proposals subject to various conditions. The majority of these conditions are already included in the outline planning permission and therefore only conditions in relation to highways drainage and the provision of pedestrian access to Choppington Road from the north of the site are proposed.

7.60 With regard to public transport provision, there are bus stops on Choppington Road which are easily accessible from the site. Given the above, the application site is considered to be accessible by a choice of means of transport.

7.61 One of the objectors raised concern that the proposals did not accommodate part of the route for a bypass to the north of Bedlington. However, there is no requirement for such a route to be safeguarded either under adopted or emerging

planning policy or in respect of the conditions attached to the outline planning permission.

7.62 Overall the proposals are considered acceptable on transportation grounds.

Drainage and Flooding

7.63 Policy GP22 of the Wansbeck District Local Plan states that developers are required to consider the risk to their development from flooding and erosion and to consider any possible impact of their development on flood risk or erosion elsewhere. Development in areas of flood risk will not be permitted unless a flood risk assessment has been carried out and it can be demonstrated that: a) there is no reasonable alternative development option available which would involve no risk or a lower risk of flooding; b) the development does not increase the risk of flooding elsewhere; and c) satisfactory protection measures can be carried out at the expense of the developer and maintained for the lifetime of the development.

7.64 Policy CF6 continues by stating that when considering all development proposals, the authority will take into account the availability of water supply, surface water drainage and sewage disposal facilities. Development will only be permitted if adequate services can be provided prior to occupation and without harm to the environment and existing uses. Sustainable drainage systems to control and manage surface water run-off should be incorporated into new development schemes. Proposals for the long term maintenance and management of such systems should be established at the planning application stage.

7.65 The NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere. The site lies within Flood Zone 1 and in order to address flood risk given the size of the site, the applicant has submitted a Flood Risk Assessment (FRA).

7.66 Policies WAT3 and WAT4 of the emerging Local Plan likewise seek to ensure that developments are acceptable on drainage and flood risk grounds and incorporate sustainable drainage infrastructure where possible.

7.67 The application site lies wholly within Flood Zone 1 and therefore risk of flooding on the site is not considered to be high.

7.68 After reviewing the applicant's submitted information relating to flood risk and surface water drainage as originally submitted, the Council's LLFA team objected due to insufficient details having been provided. In response the applicant has submitted amended plans and further information and the LLFA team have now confirmed that they have no objections subject to conditions. Northumbrian Water raise no objections subject to implementation in accordance with the submitted plans.

7.69 Overall, it is considered that the proposals are acceptable in relation to surface water drainage, flood risk and foul drainage and would be in accordance with the Wansbeck District Local Plan, the emerging Local Plan and the NPPF.

Ecology

7.70 Policy GP10 of the Local Plan states that development proposals in or likely to affect sites designated as being of national importance to nature conservation will be subject to special scrutiny. Development which is likely to have an adverse effect will not be permitted unless the authority is satisfied that: a) the reasons for the development clearly outweigh the nature conservation value of the site including its importance in relation to the national network of sites; and b) there are no reasonable alternative means of meeting the development need. Where development affecting a site is permitted, the use of conditions and/or planning agreements will be used to ensure the protection and enhancement of the site's nature conservation interest or to provide compensatory measures for any harm.

7.71 Policy GP13 states that the value to biodiversity of all sites proposed for development will be considered when planning applications are determined whether or not they are designated sites. Particular importance will be attached to the protection of priority habitats and species in Wansbeck. Where proposals affect a habitat which contributes, or could potentially contribute, to a network of natural habitats the developer will be required to protect and enhance the network.

7.72 The NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken. It states that the presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered, planned or determined.

7.73 Emerging Local Plan Policies ENV1 and ENV2 reflect these objectives.

7.74 The Council's Ecologist raises no objection to the applicant's submitted landscape proposals in terms landscaping to be retained/removed and the principles of new planting. However, they suggest that the site layout plan should be amended to include bird/bat box details required by condition 38 of the outline permission. The applicant has advised that they wish to submit such details separately as part of the Biodiversity Management Plan that they will be submitting in due course to discharge this condition in respect of phase 1. Such an arrangement is considered acceptable.

7.75 The matter of ecology coastal mitigation was addressed through the Section 106 Agreement at outline stage, with improvements to certain footpaths out with the application site being secured.

7.76 Given the above the proposals are considered to be in accordance with relevant policies in the Wansbeck District Local Plan, the emerging Local Plan and the NPPF.

Other Matters

7.77 Objectors have raised concerns regarding increased pressure on local services and infrastructure. This matter is addressed through the Section 106 Agreement that runs alongside the outline planning permission with contributions secured for education (£1,331,000), primary healthcare (£346,500), off-site sport/recreation (£229,000) and the strategic highway network (up to £155,000).

Equality Duty

7.78 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

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

Human Rights Act Implications

7.80 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.81 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.

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

8. Conclusion

8.1 The principle of development and the location and design of the site access to Choppington Road have already been agreed at outline stage.

8.2 In respect of the submitted Reserved Matters details relating to layout, scale appearance and landscaping the proposals are considered acceptable subject to conditions in terms of housing mix and affordable housing, impact on the character

and appearance of the area, residential amenity impact, land contamination & stability, transportation matters, flooding and drainage and ecology.

9. Recommendation

That this application be GRANTED permission subject to the following conditions:

Conditions/Reason

01. The development hereby permitted shall not be carried out other than in complete accordance with the detail contained within the application form, and the following approved plans:

Site Location Plan 1081-MIL 001A;
Proposed Site Layout Plan 1081-MIL 100E;
Adoption Plan 1081-MIL 101A;
Boundary Treatment Plan 1081-MIL 102D;
Site Sections 1081-MIL 400;
Proposed Brick & Tile Layout B&T01;
Landscape Design Strategy NT14231/001;
Stevenson House Type 474801B;
Buttermere House Type 522801B;
Jura House Type 523801B;
Larkin House Type 3508013;
Chadwick House Type 477801B;
Fenwick House Type 476801B;
Foster House Type 466801B;
Hawthorne House Type 343801B;
Nevis House Type 341801B;
Rolland House Type 464801B;
Tolkien House Type 345801B;
Yare House Type 213801B;
HT1 House Type 2038013;
HT2 House Type HT2;
HT3 House Type 203;
Single Garage Plan SG/01 A/6X3;
Double Garage Plan DG/02 A/6x3;
Engineering Layout QD1531-03-02B;
Catchment Areas Plan QD1531-03-03;
Phase 1 Discharge Plan QD1531-03-04;
External Levels Sheet 1 QD1531-04-01B;
External Levels Sheet 2 QD1531-04-02;
External Levels Sheet 3 QD1531-04-03;
SuDS Basin General Arrangement QD15431-04-04;
Flow Control Manhole QD1531-08-02;
Headwall Types QD1531-08-03;
Section 38 Plan QD1531-16-02;
Section 104 Plan QD1531-17-01;
Refuse Tracking QD1531-40-01;
Bus Tracking QD1531-40-02;
Cycle Store A101;
Drainage Calculations;
Affordable Housing Statement;

Energy Statement.

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

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening shall be made in the following elevations of the plot dwellings specified unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority - 1 west, 9 east or west, 23 west, 24 south, 31 north, 58 west, 59 south, 62 south, 63 east, 64 west, 65 north, 66 south, 67 south, 83 east, 88 north, 96 west, 99 west, 109 north, 111 south, 122 west, 125 north, 131 north, 136 south, 137 south, 143 south, 144 east, 147 south east, 149 south east.

Reason: To safeguard the privacy and amenity of the occupiers of adjacent properties and in accordance with Policy

03. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to a minimum CS2 standard specified in BS 8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy GP29 of the Wansbeck District Local Plan and the NPPF.

04. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 3, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy GP29 of the Wansbeck District Local Plan and the NPPF.

05. Hard and soft landscaping shall be provided in respect of each plot hereby permitted prior to the end of the first planting season following first occupation of the dwelling on that plot and for open space areas prior to the end of the first planting season following first occupation of those dwellings adjacent to that open space area in accordance with details (including plant species, numbers, densities and locations and play area details) to be submitted to and approved in writing by the Local Planning Authority and the Landscape Design Strategy NT14231/001 forming part of the approved application documentation. Any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from its planting on that plot shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing.

Reason: In the interests of visual amenity having regard to Policy GP32 of the Wansbeck District Local Plan and the NPPF.

06. Individual plots shall not be occupied until the car parking for the relevant plot and any adjacent visitor car parking indicated on the approved plans, has been implemented in accordance with the approved plans. Thereafter, that car parking shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

07. No dwelling shall be occupied until details of a scheme for the improvement (possible relocation) of the existing bus stops on the A1068, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before any dwelling is occupied.

Reason: In the interests of highways and pedestrian safety, amenity and encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.

08. Notwithstanding the details submitted, Plots 71-109 and Plots 131-137 shall not be occupied until a 2.0m wide pedestrian connection between the northern side of the development and the existing footways on the A1068 has been constructed in accordance with details, including lighting, drainage and signage, which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of pedestrian safety, amenity and encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.

09. Individual plots shall not be occupied until cycle parking shown on the approved plans for the relevant plot has been implemented. Thereafter, that cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

10. No external refuse or refuse containers shall be stored outside of the approved refuse storage area except on the day of refuse collection.

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

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

- i. Restrict discharge from the development to 15.1l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the LLFA and the local planning authority.
- ii. Adhere to the principles as set out in the drainage strategy from Queensberry Design reference QD1531-03-02B and QD1531-03-04.
- iii. Provide attenuation on site for the 1 in 100 year plus climate change event.
- iv. Provide detailed plans and cross-sections for the SuDS basin.
- v. Provide details on the permeable paving within the development.
- vi. Allow the discharge rate to increase to 45l/s when phases 2, 3 and 4 on drawing QD1531-03-03 from Queensberry Design are developed.

Thereafter the development shall be undertaken in full accordance with the scheme as approved by the Local Planning Authority.

Reason: To ensure the effective disposal of surface water from the development in accordance with Policy GP22 of the Wansbeck District Local Plan and the NPPF.

12. Prior to commencement development in respect of plots 114-122 inclusive within the development, a scheme to intercept and dispose overland flows from adjacent areas shall be submitted to and approved by the Local Planning Authority. This scheme shall include a report on the existing ditch and its outfall. Where possible this ditch network shall be retained and incorporated into the Surface Water Drainage Strategy by Queensberry Design referenced 1531-04-01B. Thereafter the development shall be undertaken in full accordance with the scheme as approved by the Local Planning Authority.

Reason: To ensure the effective drainage of overland flows from the development, not increasing the risk of flooding elsewhere in accordance with Policy GP22 of the Wansbeck District Local Plan and the NPPF.

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

Reason: To ensure that the scheme for disposal of surface water operates at its full potential throughout the development's lifetime in accordance with Policy GP22 of the Wansbeck District Local Plan and the NPPF.

14. Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority. Thereafter construction works shall be undertaken in full accordance with those approved details.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features in accordance with Policy GP22 of the Wansbeck District Local Plan and the NPPF.

15. Prior to first occupation an assessment into the structural integrity of the proposed SuDS basin shall be undertaken. This assessment shall ensure the structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance.

Reason: To ensure the basin is structurally secure, limiting the possibility of any breaching in accordance with Policy GP22 of the Wansbeck District Local Plan and the NPPF.

16. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved 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-statutory technical standards in accordance with Policy GP22 of the Wansbeck District Local Plan and the NPPF.

Date of Report: 23/10/19

Background Papers: Planning application file(s) 19/01457/REM