



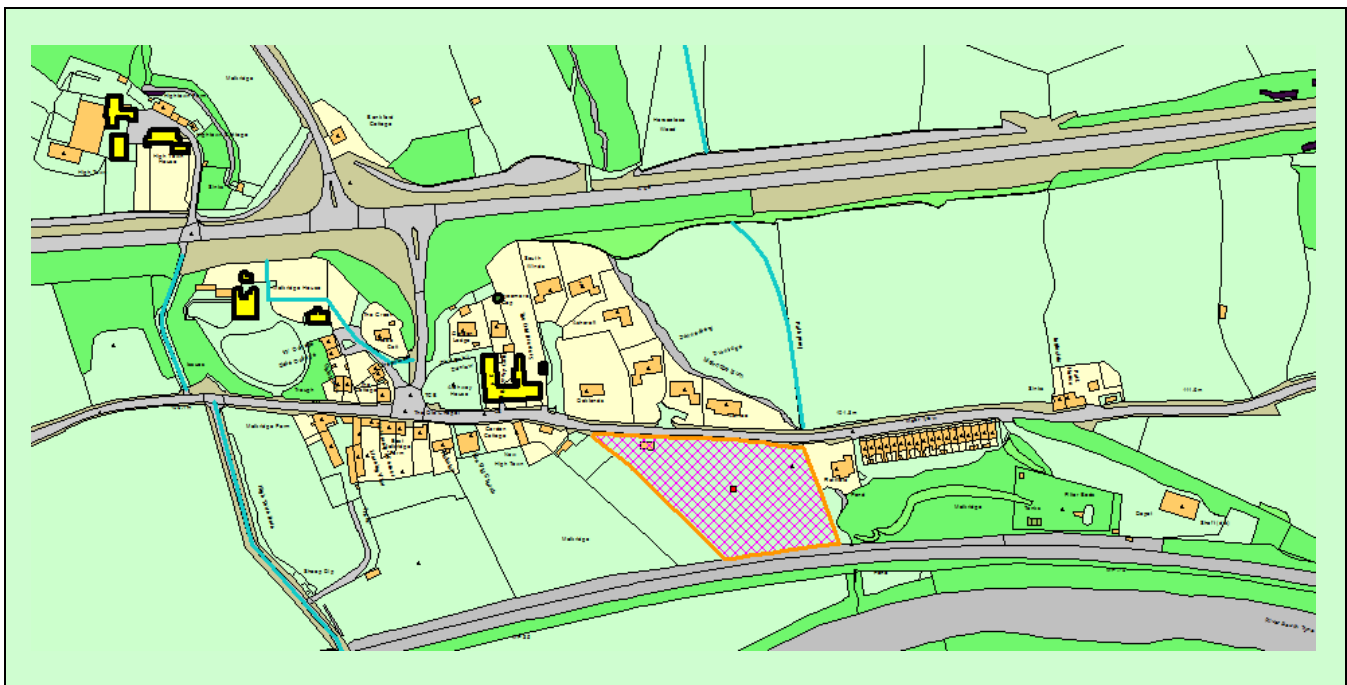
Northumberland

County Council

Tynedale Local Area Council Planning Committee

26 September 2018

Application No:	17/04501/OUT		
Proposal:	Outline planning permission for construction of eight residential dwellings with associated parking, landscaping and open space (All matters reserved except access and layout) (amended description)		
Site Address	Land South Of Ashlea, Melkridge, Northumberland		
Applicant:	Ben Grisdale and Frances Rodgers, 158 Rayleigh Drive	Agent:	Mrs Helen Marks, Lambert Smith Hampton, 41-51 Grey Street, Newcastle upon Tyne, NE1 6EE
Ward	Haydon And Hadrian	Parish	Melkridge
Valid Date:	19 December 2017	Expiry Date:	28 September 2018
Case Officer Details:	Name: Ms Melanie Francis Job Title: Senior Planning Officer Tel No: 01670 625549 Email: melanie.francis@northumberland.gov.uk		



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1. Introduction

- 1.1 This application is brought to the Planning Committee for determination following a request from the local Ward Member.

2. Description of the Proposals

- 2.1 Outline planning permission is sought for the construction of eight dwellings with associated parking, landscaping and open space on land south of Ashlea, Melkridge. Approval is sought at this stage for the proposed means of access and the layout of development, and details of scale, appearance and landscaping would therefore be reserved matters.
- 2.2 The application site comprises a 0.7 hectare area of grazing/paddock land with timber stables to the northern boundary within the small settlement of Melkridge, which lies to the south of the A69 and around 2.2km east of Haltwhistle and 2.4km west of Bardon Mill. The site is bound to the north by an established hedgerow, beyond which is the main U7070 highway that runs east – west through Melkridge, with detached single-storey properties to the north side of this. To the east is the detached single-storey property of Flattfield with two-storey terraced properties on Moor View further east. The railway line forms the southern boundary of the site, with stables and paddock land to the west.
- 2.3 The application was originally submitted for 12 dwellings seeking approval of the access and layout of development. This proposed six properties (4 x 2-bed bungalow and 2 x 3-bed bungalow) fronting the U7070 with a single vehicular access relatively central to the site that would also serve six three-bed detached two-storey dwellings to the southern part of the site. Following concerns raised during the course of the consultation process and application, and discussions with Officers, the layout has been amended to try and address matters raised. These concerns included the amount of development on the site and effects upon the character and appearance of the settlement by virtue of the proposed access and layout.
- 2.4 The current layout now shows a reduced scale of development of eight 2-bed bungalows that would be sited in a more linear layout fronting the road. Instead of one larger vehicular access to the centre of the site the plans now propose two access points from the U7070 at the north-eastern and north-western corners of the application site. The western access would run along around half of the south-western boundary of the site to the rear of Plots B1 – B3 where there would be private and communal parking. The eastern access would lead to an area of communal parking to the front of Plots B5 – B8.

3. Planning History

Reference Number: T/89/E/355

Description: Outline – construction of dwelling and outbuildings

Status: Refused

Reference Number: T/20070785

Description: Construction of new dwelling and new vehicular access

Status: Refused and dismissed on appeal

4. Consultee Responses

Melkridge Parish Council	<p><u>January 2018 (original plans)</u></p> <p>Object to this development on the following points:</p> <ul style="list-style-type: none">- Concerns regarding access to the development as this is a narrow road that cannot accommodate 2 buses passing- The proposal seems excessive in proportion to the size of the village- Major concern regarding lack of parking in a village where parking is already an issue.- No provision to deal with surface water - to allow the water to flow into Horse Close Burn- Concern raised as there is a sewer that goes under the road from the bungalows to the main sewerage which is not included on any of the plans <p><u>June 2018 (first amended plans)</u></p> <p>Objected to the amended planning application on the following points:</p> <ul style="list-style-type: none">- The sewerage outlets that serves the three bungalows opposite the development is not shown but the main outlet is under B1 and issues regarding sewerage capacity as it already need attention on an annual basis.- The new access at the west site of the site is close to a blind bend and is at the narrowest point of the road.- Lack of parking spaces will encourage parking on the main road causing more risk of accidents on an already narrow road used by buses and farm machinery.- Query of the bin store- Suggest a site meeting to discuss issues <p><u>August 2018 (current amended plans)</u></p> <p>Objected to the amended layout for the following reasons:</p> <ul style="list-style-type: none">- Bungalow B1 is situated over communal sewer- New footpath will encourage parked vehicles on the highway- Vehicles entering from the west side of the development - this entrance is too acute for west bound vehicles- Drainage - pushing water from B8 where flooding is already a problem
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	- A road should be provided to the south of the development with an access to each house which would alleviate parking issues
NCC Highways	No objection subject to conditions.
Highways England	No objection
NCC Building Conservation	Considers that the current layout represents an improvement from that previously submitted and that further amendments to remove the access road and parking area from the frontage should be sought.
NCC County Ecologist	No objection subject to conditions.
NCC Public Protection	No objection subject to conditions.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Environment Agency	No objection subject to condition.
Northumbrian Water	No objection subject to condition.
The Coal Authority	No objection subject to condition.
Architectural Liaison Officer – Police	No response received.
Fire & Rescue Service	No objection
Northumbria Ambulance Service	No response received.
Network Rail	No objection subject to conditions/informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	8
Number of Support	0
Number of General Comments	0

Notices

Site notice – statutory publicity and affecting listed building: 18 January 2018

Press notice – Hexham Courant: 29 December 2017

Summary of Responses:

A total of 18 representations have been received from 8 contributors following consultation on the application. These representations include comments received on the original application as well as further re-consultation on amended plans. The main issues and concerns raised include the following:

- no demand or requirement for additional housing in Melkridge;
- lack of services/facilities, employment and not a sustainable location for housing;
- development is out of scale and character with the rural village;
- already approvals for housing in the village;
- not an inclusive form of development;
- additional traffic and resultant impacts on highway safety and parking;
- loss of greenfield/grazing land;
- impacts on water supply, flood risk, foul and surface water drainage;
- development proposed on line of sewer;
- impacts during construction period;
- additional noise, disturbance and light pollution;
- impacts upon residential amenity;
- planning history of the site – previous refusal;
- boundary treatments; and
- ecological impacts

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=P0U8XLQSL5E00>

6. Planning Policy

6.1 National Planning Policy

National Planning Policy Framework (2018)

National Planning Practice Guidance (2014. As updated)

6.1 Development Plan Policy

Tynedale Local Plan Policies (adopted 2000 - saved policies September 2007)

GD2 Design criteria for development, including extensions and alterations

GD4 Range of transport provision for all development

GD6 Car parking standards outside the built-up areas of Hexham, Haltwhistle, Prudhoe and Corbridge

H32 Residential design criteria

BE22 The setting of listed buildings

NE27 Protection of protected species
NE33 Protection of Trees, Woodlands and Hedgerows
NE34 Tree felling
CS21 Location of noise sensitive uses
CS22 Location of noise generating uses
CS23 Contaminated land
CS27 Sewerage

Tynedale Core Strategy (adopted October 2007)

GD1 The general location of development
GD2 Prioritising sites for development
GD5 Minimising flood risk
BE1 Principles for the built environment
H1 Principles for housing
H3 The location of new housing
H4 Housing on green field land
H5 Housing density
NE1 Principles for the natural environment

6.3 Other documents/strategies

Northumberland Landscape Character Assessment (2010)

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

7. Appraisal

- 7.1 In assessing the suitability of any proposal regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that the starting point for determining applications remains with the development plan, which in this case contains saved policies from the Tynedale Local Plan and the Tynedale Core Strategy as identified above.
- 7.2 Paragraph 48 of the recently published NPPF states that weight can be given to policies contained in emerging plans dependent upon the stage of preparation of the plan, level of unresolved objections to policies within the plan and its degree of consistency with the NPPF. Consultation is currently taking place on the emerging Northumberland Local Plan, although very limited weight can be given to this at this stage.
- 7.3 Following Officer assessment of the application, and having regard to matters raised during the consultation process, the main issues to consider in the determination of this application are therefore set out below insofar as they relate to consideration of the outline planning application:
- Principle of development
 - Effects on character and appearance
 - Heritage assets
 - Residential amenity
 - Highway safety

- Drainage and flood risk
- Ecology
- Ground conditions

Principle of Development

Location

- 7.4 The site is located in the smaller village of Melkridge, as defined in Policy GD1 of the Tynedale Core Strategy, which permits small scale development only. This says that *'in all cases the scale and nature of development should respect the character of the town or village concerned and take into account the capacity of essential infrastructure'*.
- 7.5 As identified in some of the representations, the village has no infrastructure or facilities apart from an hourly bus service that runs between Newcastle and Carlisle. The policies for housing within the Tynedale Core Strategy, namely Policies H1 and H3, limit new build housing to main towns, local centres and smaller villages with adequate services. This approach is not entirely consistent with the NPPF, which states that applications should be considered in the context of sustainable development.
- 7.6 Paragraph 78 of the NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, where there are groups of smaller settlements, development in on one village may support services in a village nearby. Melkridge is located between Bardon Mill to the east where there are some limited services, and Haltwhistle to the west some 3.2 km away, where there are a wide range of services as found in a main town within the former Tynedale area. Based on this it is considered that in line with paragraph 78 of the NPPF, development of this site could help to support services in nearby villages and the town of Haltwhistle.
- 7.7 In terms of development within the rural area, Local Plan Policy H15 limits housing development on sites not exceeding 0.4 hectares within or adjacent to existing settlements and small hamlets subject to a number of criteria, of which the following are relevant in this case. The design, scale and siting of new development and the cumulative effects of all new development must reflect and respect and not have an adverse impact on the character of the existing settlement or hamlet; the location of the site is contained by that sense of place; and the proposal does not require the formation of new public roads, involve a significant loss of trees, and have an adverse effect on a farming unit.
- 7.8 Based on this policy, and the considerations above, although the principle of housing could be acceptable on this site, careful consideration needs to be given to the scale and form of development to ensure this would be appropriate to the character of the settlement. Concerns have been raised by Officers at the pre-application stage and during the course of the application over proposals for larger-scale development that would not result in a sustainable form of development be in-keeping with the character of

Melkridge. In this respect, the applicant has therefore been advised to consider a smaller and more linear form of development parallel to the road.

- 7.9 The proposal is on a greenfield site, which would be contrary to Core Strategy Policy GD2 which sets out a sequential approach to the location of new development. However, this is not entirely consistent with the NPPF where there is no longer a requirement for local planning authorities to take a sequential approach to the location of new housing development, and which encourages the effective use of land.

Housing supply

- 7.10 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.11 As set out in paragraph 73 of the NPPF, where the strategic policies are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Northumberland's local housing need figure is currently 717 dwellings per annum. Against this requirement, and taking into account the supply identified in the Council's latest Five Year Supply of Deliverable Sites 2017 to 2022 report, the Council can demonstrate a 12.1 years supply of housing land. Therefore Northumberland clearly has more than a 5-year housing land supply, and as such, in this context, the presumption in favour of sustainable development does not apply.
- 7.12 This supply position updates that presented in the Council's 'Position statement following withdrawal of the draft Core Strategy (Nov 2017)', and in the Five Year Supply of Deliverable Sites 2017 to 2022 report (Nov 2017) which used an Objectively Assessed Need of 944 dwellings per annum, informed by superseded evidence. While the draft Northumberland Local Plan includes a housing target of 885 dwellings per annum, given that the plan is not yet adopted, this target has not been used for the calculation of the Council's five year housing land supply position, as to do so would not reflect the NPPF.

Summary

- 7.13 In summary, having regard to the development plan and the NPPF, it is considered that the principle of a small-scale form of development would be acceptable in this location, subject to other relevant matters being satisfied, including in relation to the amount and layout of development and impacts on highway safety. The reduction from 12 to 8 dwellings on the site is considered to be more appropriate to the scale of the village, and this would be a sustainable form of development, subject to other matters being satisfied that will be discussed further in this report.

Effects on Character and Appearance

- 7.14 Policy GD2 of the Local Plan seeks to ensure that design should be appropriate to the character of the site and its surroundings, existing buildings and their setting, in terms of the scale, proportions, massing, positioning of buildings, use of materials, structures and landscaped and hard surfaced areas. Policy H32 sets out specific criteria in relation to new residential development, including that proposals should reflect the character of the locality. Policy GD1 of the Core Strategy requires the scale and nature of development to respect the character of the town or village concerned and take into account the capacity of essential infrastructure. Policy BE1 sets out principles for the built environment, and seeks to ensure that development is of a high quality design that will maintain and enhance local character.
- 7.15 Melkridge is a linear village that has no conservation area, although it does have a number of listed buildings and attractive stone built period properties. Whilst acknowledging the mix of house styles within the village, including bungalows opposite the site and the stone terraced row at Moor View to the east, it is considered that any proposed development should be well designed and built of high quality materials in a vernacular style to reflect the rural and traditional housing of the village. This would be considered further as part of any further application for reserved matters for scale and appearance should outline permission be granted.
- 7.16 Officers had advised the applicants to focus on a smaller scale and more linear form of development, built parallel to the road in order to reflect the character of the village and address concerns over the amount of development. As originally submitted the application introduced a cul-de-sac/estate form of development within a traditional village, which was considered to create a form of development that was out of character with this rural location. In addition, the large vehicular access and proposed road was felt to result in a more urban form of development that would not be sympathetic to this location.
- 7.17 Following further discussions a number of different options were presented with different arrangements for access and parking to the rear and front of properties. This included individual access points from the main road, as well as all parking to the rear of the site. Whilst there would still be an impact on the character and appearance of the area, the current layout is considered to result in a more appropriate form of development incorporating less visually intrusive access, a more linear layout and accessible off-street parking to the rear and front of properties. The Design and Access statement sets out that the existing hedge to the north of the site is proposed to be removed in order to accommodate a new footway. Whilst it would be preferable to retain this where possible, replacement planting can be secured by condition, along with other appropriate boundary treatments, in order to mitigate the visual impact of development. This can also be secured in more detail through landscaping as a reserved matter should outline permission be granted.
- 7.18 On the basis of the amended plans, which reduce the number of dwellings and propose a more appropriate layout, it is considered that the proposal would result in an acceptable form of development that would not result in

significant harm to the character and appearance of the area. Details of scale, appearance and landscaping would be subject to further consideration at the reserved matters stage, however it is considered that the proposals would accord with Policies GD2 and H32 of the Local Plan, Policies GD1 and BE1 of the Core Strategy and the NPPF.

Heritage Assets

- 7.19 The nearest listed buildings are at New High Town to the west of the site and Melkridge Hall with associated buildings which are Grade II listed. The site lies at the eastern end of the village, outside the historic core. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy BE22 of the Local Plan states proposals that would adversely affect the essential character or setting of a listed building will not be permitted.
- 7.20 Consultation has taken place with the Council's Conservation Team in relation to potential impacts on heritage assets. Comments received on the original plans welcomed the linear development and single-storey properties fronting the main road, but raised concerns over the amount of two-storey properties and layout of these. The design of the properties would be expected to be of a traditional form of single-storey cottage.
- 7.21 Following re-consultation on the amended plans the Conservation Officer has welcomed the linear development fronting the main road, subject to detailed design, which should be of a traditional form and considers this to be an improvement on the previous scheme. In addition, it is stated that it would be preferable if the proposed parking areas could all be to the rear of the properties, rather than having an access road serving a small number of spaces to the frontage.
- 7.22 Whilst these comments are acknowledged, Officers have considered a number of different options for the site with the applicant, including parking to the front and rear of the properties, which also included discussions with Highways Development Management (HDM). Officers wished to avoid significant areas of parking to the frontage of the site, whilst there is also a requirement to ensure that parking is accessible and practical to use for the occupants of the dwellings. The proposed layout is considered to result in a suitable arrangement that would be practical in terms of encouraging use of the off-site spaces whilst also looking to minimise the visual impact. Overall, it is Officer opinion that the proposals would not result in any harm to the setting of heritage assets in the locality, and the development would be in accordance with Policy BE22 of the Local Plan and the NPPF.

Residential Amenity

- 7.23 The application has been considered against Policies GD2 and H32 of the Local Plan in relation to impacts upon residential amenity. This includes

potential impacts upon the amenity of existing residents adjacent to the site and also for occupiers of the new dwellings.

- 7.24 Whilst there would be some additional impacts as a result of new housing on the site with associated intensification of use, as well as the proposed access points, by virtue of the overall scale of development, the proposed layout of the accesses and dwellings and the separation from and relationship with existing housing, the development could be undertaken without having a significant or detrimental impact on the amenity of surrounding residential properties. The proposed layout would also allow an acceptable level of amenity for occupiers of the new dwellings.
- 7.25 Following an initial objection from the Council's Public Protection team due to a lack of information to assess noise impact from the adjacent railway line, the applicant has provided further information in a noise report. Public Protection has subsequently removed its objection and recommends conditions to be attached should permission be granted. The proposals would therefore be in accordance with Policies GD2, H32 and CS21 of the Local Plan.

Highway Safety

- 7.26 A number of objections and concerns have been raised in relation to matters of highway safety as a result of the development, particularly in respect of access, additional vehicles and car parking. New development will need to deliver an appropriate form of development in terms of highway safety and infrastructure having regard to Policies GD4 and GD6 of the Local Plan, Policy GD4 of the Core Strategy and the NPPF. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.27 Comments have been received from the Council's Highways Development Management Team (HDM) in response to consultation on the application. HDM have considered matters of accessibility, road safety, parking, highway works and refuse storage/servicing and have raised no objection to the application subject to conditions. Whilst parking provision is considered to be generally acceptable, a condition would be required to provide details of pedestrian routes from some of the car parking to the rear of plots. In addition, conditions are recommended in relation to construction of the proposed access points, car and cycle parking, boundary treatments, construction method statement and refuse storage.
- 7.28 Whilst the concerns regarding impacts on highway safety are fully acknowledged, the proposals are considered to result in an acceptable form of development, and subject to conditions would be in accordance with Policies GD4 and GD6 of the Local Plan, Policy GD4 of the Core Strategy and the NPPF.

Drainage and Flood Risk

- 7.29 Policy GD5 of the Core Strategy requires the potential implications for flood risk to be taken into account when meeting development needs. Developers

will be expected to carry out an appropriate assessment of flood risk and development. Development will not be permitted if it is likely to increase the risk of flooding; or reduce the capacity of flood plains to store water; or increase the number of people or properties at risk. Paragraph 163 of the NPPF also requires local planning authorities to ensure that flood risk is not increased elsewhere, and where appropriate applications should be supported by a site specific flood risk assessment.

- 7.30 The site lies adjacent to Flood Zones 2 and 3 to the southern boundary, with a very small part to the south-west corner falling within Flood Zone 2. The submitted plans also indicate the line of a sewer and easement running across the site. Consultation has taken place with Northumbrian Water (NWL), the Environment Agency (EA) and the Lead Local Flood Authority (LLFA).
- 7.31 NWL has raised no objection to the application, and recommends a condition requiring development to be undertaken in accordance with the submitted drainage scheme with discharge of foul flows to a specified manhole and surface water to an existing watercourse or soakaway. The EA also raise no objection subject to a condition requiring compliance with the drainage strategy and that no development shall be within Flood Zones 2 and 3. The LLFA also raises no objection subject to a condition requiring further details of the surface water drainage arrangements.
- 7.32 On the basis of the consultation responses received, and subject to appropriate conditions, the proposal is considered to be acceptable in relation to drainage and flood risk, and would be in accordance with Policy GD5 of the Core Strategy and the NPPF.

Ecology

- 7.33 The Local Plan, Core Strategy and NPPF highlight the importance of considering potential effects upon the biodiversity and geodiversity of an area. Policy NE27 of the Local Plan and Policy NE1 of the Core Strategy are therefore relevant. Section 15 of the NPPF also relates specifically to the conservation and enhancement of the natural environment.
- 7.34 The application has been assessed by the Council's Ecologists, and following the submission of additional information they raise no objection subject to conditions. The Ecologists acknowledge potential impacts identified within the submitted ecological assessment, which include the loss of low habitat value semi-improved grassland, some trees hedging and dry stone walling. A condition is recommended to secure proposed mitigation measures that have been identified in the submitted assessment.
- 7.35 Whilst there would be some impacts upon the ecology and biodiversity of the area, the Council's Ecologists raise no objection subject to a condition securing appropriate mitigation measures. Subject to this the proposal is not considered to have significant impacts and would be in accordance with Policy NE27 of the Local Plan, Policy BE1 of the Core Strategy and the NPPF.

Ground Conditions

- 7.36 The application site falls within the higher risk coal working referral area and as such consultation has taken place with the Coal Authority and Public Protection in relation to potential issues of ground stability and contamination. No objection has been received from either party subject to conditions requiring further intrusive site investigations in relation to coal mining activity and also in relation to ground gas, acoustic design, contamination and noise during construction. On this basis the proposal would be acceptable and in accordance with Policy CS23 of the Local Plan and the NPPF.

Other Matters

Equality Duty

- 7.37 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

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

Human Rights Act Implications

- 7.39 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.
- 7.40 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.
- 7.41 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 application has been assessed having regard to the development plan, NPPF and relevant material planning considerations, as well as consultee responses and representations received during the course of the application. The principle of a smaller-scale of development within the settlement is considered to be acceptable, and the reduction to 8 dwellings is now felt to result in a more appropriate and sustainable form of development relative to the size and character of Melkridge.
- 8.2 Any subsequent reserved matters application would consider matters of scale, appearance and landscaping in more detail. However, the proposed means of access and the layout of the dwellings, which proposes 8 bungalows on the site in a more linear form, is considered to result in an acceptable form of development that would not be out of scale and character with Melkridge, or result in harmful impacts upon the amenity of adjacent residents. Furthermore, the proposal is not considered to result in significant or unacceptable impacts in respect of other matters, including highway safety, flood risk and drainage and ecology, subject to conditions to mitigate impacts where necessary. The proposal is therefore considered to result in a sustainable form of development overall that would be in accordance with the development plan and the NPPF.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. Approval of the details of the scale, appearance and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced. Thereafter, development shall not be carried out other than in accordance with the approved details.

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

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

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

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

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

04. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and documents. The approved plans and documents are:-

4484_02G – Proposed Plan

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and documents and to ensure that a satisfactory form of development is obtained.

05. Full details of the existing and proposed finished site levels, as well as finished floor levels of the dwellings, shall be submitted for approval with the reserved matters application. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of visual and residential amenity ensuring the visual amenity of the area from the outset, in accordance with Policies GD2 and H32 of the Tynedale Local Plan and the National Planning Policy Framework.

06. The development shall not be occupied until details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

Reason: In the interests of visual amenity and highway safety, in accordance with Policies GD2, GD4 and H32 of the Tynedale Local Plan and the National Planning Policy Framework.

07. No dwelling shall be occupied until the car parking areas indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. Thereafter, the car parking areas 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 Policies GD4 and GD6 of the Tynedale Local Plan and the National Planning Policy Framework.

08. No dwelling shall be occupied until details of the pedestrian routes from plots B1-B4 as shown on approved plan 4484_02G to the rear car parking area have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the pedestrian routes from plots B1-B4 to the rear car parking area shall be retained in accordance with the approved details

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

09. The development shall not be occupied until the means of vehicular access have been constructed in accordance with the approved plans.

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

10. No development shall commence until details of the proposed highway works comprising the construction of the new footway to the northern boundary of the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the highway works have been constructed in accordance with the approved plans.

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

11. No dwelling shall be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the each dwelling is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

12. Development shall not commence until a Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity, in accordance with Policy H32 and GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

13. No external refuse or refuse container 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 Policy GD4 of the Tynedale Local Plan and the National Planning Policy Framework.

14. Prior to commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved by the Local Planning Authority. This scheme shall be in accordance with the Flood Risk Assessment and Drainage Strategy from Patrick Parsons (N17344-Rev 3) and shall:

- i. Utilise infiltration and soakaways in the first instance. Full details of the soakaways including sizing, location, permeability rates and associated calculations are to be submitted and agreed with the Local Planning Authority;
- ii. If infiltration is not feasible, discharge from the development shall be restricted to 5l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the Lead Local Flood Authority and the Local Planning Authority. The Melkridge Burn to the east / south east of the development shall be utilised;
- iii. Provide attenuation on site for the 1 in 100 year plus climate change event;
- iv. Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable, justification for alternatives should be by means of a viability assessment; and
- v. Source control SuDS such as permeable paving shall be incorporated throughout the development.

The development shall thereafter be implemented in accordance with the approved details prior to any dwelling being occupied.

Reason: To ensure the effective disposal of surface water from the development, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

15. Prior to first occupation of any dwelling 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 the approved scheme shall thereafter be implemented 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 Core Strategy and the National Planning Policy Framework.

16. Details of the disposal of surface water from the development through the construction phase shall be submitted to and approved in writing with the Local Planning Authority. The development shall thereafter be implemented and undertaken in accordance with the approved details for the duration of the construction phase.

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 GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

17. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk Assessment and Drainage Strategy from Patrick Parsons (N17344-Rev 3). The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 0801 and ensure that surface water discharges to the existing watercourse or via soakaway.

Reason: To prevent the increased risk of flooding from any sources, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

18. No development shall be sited within Flood Zones 2 and 3.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy GD5 of the Tynedale Core Strategy and the National Planning Policy Framework.

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

Reason: In order to prevent any accumulation of mine gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

20. The development shall not be brought into use until a validation and verification report to the approved methodology in Condition 19 has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of mine gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

21. No dwelling shall be constructed until an acoustic design scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include internal room layout plans to show that the main habitable rooms shall have access to a window which can be opened on the facade facing away from the B6345 road. Thereafter, the approved acoustic design scheme shall be implemented in full before the occupation of the dwelling it relates to and retained in perpetuity.

Reason: To ensure a commensurate level of protection against obtrusive noise in accordance with Policy H32 and CS21 of the Tynedale Local Plan and the National Planning Policy Framework.

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

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policy CS23 of the Tynedale Local Plan and the National Planning Policy Framework.

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

Monday to Friday - 0800 to 1800

Saturday - 0800 to 1300

Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in investigation as to whether a statutory nuisance is being caused.

Reason: To protect residential amenity and ensure a commensurate level of protection against noise, in accordance with Policy CS22 of the Tynedale Local Plan and the National Planning Policy Framework.

24. The construction site hereby approved shall not receive deliveries outside the following hours:

Monday – Friday: 0800 to 1800

Saturday - 0800 to 1300

Reason: To protect residential amenity and ensure a commensurate level of protection against noise, in accordance with Policy CS22 of the Tynedale Local Plan and the National Planning Policy Framework.

25. Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority in respect of:

- intrusive site investigations in order to establish the exact situation in respect of coal mining legacy issues on the site;
- the site investigations shall thereafter be undertaken in accordance with the approved scheme, and a report of findings arising from the intrusive site investigations subsequently submitted to the Local Planning Authority;
- a scheme shall be submitted to and approved by the Local Planning Authority in respect of a scheme of any identified remedial works, and any remedial works shall thereafter be undertaken in accordance with the approved details prior to the commencement of development.

Reason: To ensure the safety and stability of the proposed development from the outset of development, in accordance with the National Planning Policy Framework.

26. No works, including site clearance or invasive investigations shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include methods of delivery of the mitigation recommendations of the submitted reports *Ecological Impact Assessment Melkridge, Haltwhistle, Northumberland* May 2018 and *Great Crested Newt Survey Melkridge, Haltwhistle, Northumberland* May 2018 by Patrick Parsons/E3 Ecology, including but not limited to:

- Scattered tree, intact hedgerow, broadleaf woodland and dry stone wall habitats shall be retained as far as is practicable.
- 5 house martin or swift boxes shall be installed on new properties.
- High intensity security lights shall be avoided, and any lighting in areas identified as being important for bats shall be low level (2m) and low lumen. No lighting shall be installed and light spillage shall be minimised along the potential bat flyways adjacent to trees, the watercourse, hedgerow or woodland.
- Vegetation clearance/tree felling shall be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.
- Any excavations left open overnight shall have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- The roots and crowns of retained trees shall be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.
- No works shall be undertaken on or additional lighting installed in the vicinity of the offsite mature ash tree, considered to be of moderate suitability for roosting bats.
- As a precautionary measure the wooden stable shall be demolished in accordance with a method statement.
- Site design shall incorporate a precautionary buffer by the watercourse where works will be avoided and will be carried out in line with pollution prevention guidelines.
- All site works shall be undertaken in accordance with the reptile and amphibian method statement.
- Should areas of woodland and scattered trees be lost to the development checking surveys for the presence of red squirrel shall be undertaken.
- Landscape planting within the site shall include native species of known value to wildlife and of local provenance.
- Wildlife and Countryside Act (1981) Schedule 9 listed invasive species shall be removed from site in accordance with agreed good practice guidelines.
- A pre works check of the Melkridge Burn shall be undertaken to reassess use of the burn by otter and to determine if White Clawed Crayfish are present.
- Should White Clawed Crayfish be present in the burn a rescue strategy procedure shall then be undertaken to ensure no risk of harm to this species during construction works.

The plan shall include clearly annotated site plans showing any protection measures and buffers, including recommended landscaping.

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

Reason: To maintain the biodiversity value of the site in accordance with Policies NE27 and NE33 of the Tynedale Local Plan, Policy NE1 of the Tynedale Core Strategy and the National Planning Policy Framework.

Background Papers: Planning application file(s) 17/04501/OUT

