

Public Document Pack



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Rebecca Little

Email: Rebecca.Little@northumberland.gov.uk

Tel direct: 01670 622611

Date: Wednesday, 16 March 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **NORTH NORTHUMBERLAND LOCAL AREA COUNCIL** to be held in **MEETING SPACE - BLOCK 1, FLOOR 2 - COUNTY HALL** on **THURSDAY, 24 MARCH 2022** at **2.00 PM**.

Yours faithfully

Daljit Lally
Chief Executive

To North Northumberland Local Area Council members as follows:-

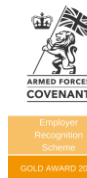
G Castle (Chair), S Bridgett (Vice-Chair), T Thorne, T Clark, G Hill, W Pattison, G Renner-Thompson, C Seymour, J Watson, C Hardy (Vice-Chair (Planning)), I Hunter, M Mather and M Swinbank

Any member of the press or public may view the proceedings of this meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving round but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. **PROCEDURE TO BE FOLLOWED AT A PLANNING COMMITTEE** (Pages 1 - 2)

2. **APOLOGIES FOR ABSENCE**

3. **DISCLOSURE OF MEMBERS' INTERESTS**

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room. NB Any member needing clarification must contact the monitoring officer by email at monitoringofficer@northumberland.gov.uk . Please refer to the guidance on disclosures at the rear of this agenda letter.

4. **MINUTES** (Pages 3 - 10)

Minutes of the meeting of the North Northumberland Local Area Council held on Monday, 24 January 2022, as circulated, to be confirmed as a true record and signed by the Chair.

5. **DETERMINATION OF PLANNING APPLICATIONS** (Pages 11 - 14)

To request the committee to decide the planning applications attached to this report using the powers delegated to it.

Please note that printed letters of objection/support are no longer circulated with the agenda but are available on the Council's website at <http://www.northumberland.gov.uk/Planning.aspx>

6. **19/01687/FUL** (Pages 15 - 42)

Change of use of land for the sitting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping.
Land North West of Springwood Coast View, Swarland

7. **21/02169/REM** (Pages 43 - 68)

Reserved Matters Application pursuant to planning permission 18/00828/OUT for access, appearance, landscaping, layout and scale.
Land North and West of Hillcrest, East Ord, Northumberland

8. APPEALS UPDATE

(Pages
69 - 82)

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

9. SECTION 106

(Pages
83 - 86)

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

10. PUBLIC QUESTION TIME

To reply to any questions received from members of the public which have been submitted in writing in advance of the meeting. Questions can be asked about issues for which the Council has a responsibility. (Public question times take place on a bimonthly basis at Local Area Council meetings: in January, March, May, July, September and November each year.)

As agreed by the County Council in February 2012, the management of local public question times is at the discretion of the chair of the committee.

Please note however that a question may possibly be rejected if it requires the disclosure of any categories of confidential or exempt information, namely information:

1. Relating to any individual;
2. Which is likely to reveal the identity of an individual;
3. Relating to the financial or business affairs of any particular person ;
4. Relating to any labour relations matters/negotiations;
5. Restricted to legal proceedings
6. About enforcement/enacting legal orders
7. Relating to the prevention, investigation of prosecution of crime.

And/or:

- Is defamatory, frivolous or offensive;
- It is substantially the same as a question which has been put at a meeting of this or another County Council committee in the past six months;
- The request repeats an identical or very similar question from the same person;
- The cost of providing an answer is disproportionate;
- It is being separately addressed through the Council's complaints process;
- It is not about a matter for which the Council has a responsibility or

- which affects the county;
- It relates to planning, licensing and/or other regulatory applications;
- It is a question that town/parish councils would normally be expected to raise through other channels.

If the Chair is of the opinion that a question is one which for whatever reason, cannot properly be asked in an area meeting, he/she will disallow it and inform the resident of his/her decision.

Copies of any written answers (without individuals' personal contact details) will be provided for members after the meeting and also be publicly available.

Democratic Services will confirm the status of the progress on any previously requested written answers and follow up any related actions requested by the Local Area Council.

11. PETITIONS

This item is to:

- (a) Receive any new petitions:** to receive any new petitions. The lead petitioner is entitled to briefly introduce their petition and a response to any petitions received will then be organised for a future meeting.
- (b) Consider reports on petitions previously received:**
- (c) Receive any updates on petitions for which a report was previously considered:** any updates will be verbally reported at the meeting.

12. LOCAL SERVICES ISSUES

To receive a verbal update from the Area Managers from Technical Services and Neighbourhood Services in attendance about any key recent, ongoing and/or future planned Local Services work for the attention of members of the Local Area Council, who will also then have the opportunity to raise issues with the Area Managers.

The Area Managers have principal responsibility for highway services and environmental services, such as refuse collection, street cleansing and grounds maintenance, within the geographic boundaries of the Local Area Council.

13. NORTHUMBRIAN MUSIC PARTNERSHIP

To receive a presentation and an update on the Northumbrian Music Partnership.

14. MEMBERS LOCAL IMPROVEMENT SCHEMES

Details of the North Northumberland Members Local Improvement

(Pages
87 - 114)

Schemes for the period 2021-22 are provided for information only.

15. LOCAL AREA COUNCIL WORK PROGRAMME

(Pages
115 -
122)

To note the latest version of agreed items for future Local Area Council meetings (any suggestions for new agenda items will require confirmation by the Business Chair after the meeting).

16. URGENT BUSINESS (IF ANY)

To consider such other business, as in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

17. DATE OF NEXT MEETING

The next meeting of the North Northumberland Local Area Council is scheduled for Thursday, 21 April 2022 at 3.00 p.m.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.

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Northumberland County Council

PROCEDURE AT PLANNING COMMITTEE

A Welcome from Chairman to members and those members of the public watching on the livestream

Welcome to also include reference to

- (i) Fact that meeting is being held in a Covid safe environment and available to view on a live stream through You Tube Northumberland TV
- (ii) Members are asked to keep microphones on mute unless speaking

B Record attendance of members

- (i) Democratic Services Officer (DSO) to announce and record any apologies received.

C Minutes of previous meeting and Disclosure of Members' Interests

D Development Control

APPLICATION

Chair

Introduces application

Site Visit Video (previously circulated) - invite members questions

Planning Officer

Updates – Changes to recommendations – present report

Public Speaking

Objector(s) (up to 5 mins)

Local member (up to 5 mins)/ parish councillor (up to 5 mins)

Applicant/Supporter (up to 5 mins)

NO QUESTIONS IN RELATION TO WRITTEN REPRESENTATIONS OR OF/BY LOCAL COUNCILLOR

Committee members' questions to Planning Officers

Chairman to respond to raised hands of members as to whether they have any questions of the Planning Officers

Debate (Rules)

Proposal

Seconded

DEBATE

Again Chairman to respond to raised hand of members as to whether they wish to participate in the debate

- No speeches until proposal seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/Refuse/Defer

Vote(by majority or Chair's casting vote)

- (i) Planning Officer confirms and reads out wording of resolution
- (ii) Legal officer should then record the vote FOR/AGAINST/ABSTAIN (reminding members that they should abstain where they have not heard all of the consideration of the application)

Agenda Item 4

NORTHUMBERLAND COUNTY COUNCIL

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

At a meeting of the **North Northumberland Local Area Council** held in the meeting space, County Hall, Morpeth, NE61 2EF on Monday, 24 January 2022 at 1 pm.

PRESENT

Cllr G. Castle
Chair

MEMBERS

C. Hardy
G. Hill
I. Hunter
M. Mather

G. Renner- Thompson
C. Seymour
M. Swinbank

OFFICERS IN ATTENDANCE

G. Bucknall	Lead Highways Delivery Manager
B. Hodgson	Neighbourhood Services Manager
R. Little	Assistant Democratic Services Officer
P. Soderquest	Service Director - Housing and Public Protection
G. Gavin	Head of Neighbourhood Services
S. Daniel	Community Safety Department Team Leader
P. Hedley	Chief Fire Officer
G. Binning	Deputy Chief Fire Officer
D. Brown	Strategic Policy, Risk and Performance Officer

ALSO IN ATTENDANCE

Cllr G.Sanderson

81. APOLOGIES FOR ABSENCE

Ch.'s Initials.....

Apologies for absence were received from Cllrs Bridgett, Clark, Thorne, Pattinson, and Watson.

84. PUBLIC QUESTION TIME

No questions had been received.

85. PETITIONS

(a) No new petitions had been received.

(b)

i. Housing Delivery for Permanent Residents

Rachel Douglass – lead petitioner, addressed the committee and spoke around the reasons for starting the petition. Her comments included:

- The last shared ownership property scheme in Seahouses was 12 years ago.
- The last social housing scheme in Beadnell was launched 10 years ago, where tenants were unable to purchase their homes.
- Increasingly escalating house prices in the area, with a typical 2 bed semi-detached house in Beadnell, selling for £220,000 as opposed to four years previously when those houses were £120,000.
- There were only two, four-bedroom social homes across the Beadnell, North Sunderland and Bamburgh area.
- Average wages were lower, long term due to seasonal jobs roles, which were needed in the area.
- Northumberland County Council owned land which could be used for investment in affordable homes.

P. Soderquest – Service Director - Housing and Public Protection, introduced the report to the committee, stating that he recognised that there was an issue with affordable homes in the Beadnell area and the struggle needed to get the balance right between tourism and homeownership for locals, in addition to the emerging pressures in coastal towns and a shift from affordable accommodation, into holiday lets. The report addressed years of challenge and with the Planning Policy and the emerging local plan, NCC would be able to work with social providers to ensure new affordable homes.

Following questions from members, the following information was provided:

- The process of compulsory purchasing is a difficult legal process where there would need to be sufficient evidence for grounds of compulsory purchase and would need to be addressed on a scheme-by-scheme basis.
- The new budget would see a significant capital investment in affordable housing along with a significant sum which had been ring-fenced to support affordable housing, renting, and working with partners and housing providers.

Ch.'s Initials.....

Members thanked both the petitioner and officers for their comments expressed that they were fully in support of the report provided.

ii. **Badgers in Tweedmouth Cemetery**

G. Gavin – Head of Neighbourhood Services, introduced the petition to the committee explaining that there were Badgers in Tweedmouth cemetery, and the petition was asking to protect loved ones by removing badgers safely, and gave the following updates:

- A comment on the draft report had been received on Friday 21 January 2022, from the named ecologist and stated that “Northumberland County Council do not apply for a licence to relocate the badgers, in regards to recommendation C in the petition report, another course of action will be suggested instead of submitting an application to relocate the badgers.”
- The named ecologist did not believe that a licence would be possible to obtain from Natural England, due to the level of damage on site, location of the sets and the level of activity, nor would a licence resolve the issues which were experienced.
- In addition to measures taken, it had been suggested to erect badger proof fencing between where the sets were located and the new section of the cemetery.
- A licence may still be required to erect the fencing, which would be sought from Natural England.
- There had been a ground penetrating radar survey, to investigate whether badgers had been disturbing remains on a sub-terranean level, concluding that badgers had not been tunnelling in the area surveyed.

Councillor Hunter, the ward member for Tweedmouth, thanked the team for their work on the report and at the cemetery, and supported the proposal for a fence but stated if that did not work, then alternatives should be looked at.

Councillor Hill raised concerns that Northumberland Council had given assurances that a licence application would be submitted and supported the progression of a licence application to be submitted to relocate the badgers.

Councillor Sanderson suggested that a licence application to move the badgers should still be submitted.

G. Gavin thanked members for their contribution.

(c) No updates on previous petitions.

9. **BUDGET 2022-23 AND MEDIUM-TERM FINANCIAL PLAN**

Ch.’s Initials.....

Councillor Sanderson, Leader of the Council provided a PowerPoint presentation and explained that this was the final Local Area Council meeting to receive this information and that an online consultation had also been completed. It was highlighted that there would be no cuts to frontline services, frontline staff were thanked for their continued hard work though the Covid pandemic.

It was stated that the pandemic should have been a huge economic shock, however due to the Government funding with furlough and business support grants this had not been the case within Northumberland, with no increase in unemployment which was better than the national and regional averages. There was a strong economy with the increase in staycations and the ability of businesses to keep going, along with major investors coming into the County. The Corporate Plan's vision and aims were outlined with the overarching priorities of driving economic recovery, through growth, investment, and jobs; and, tackling health inequalities in our communities through addressing the wider determinants, including income, education, housing, and environment highlighted.

The overall funding context for the 2022/23 budget was provided with it being highlighted that any increase in Council Tax precept remained at 2% without holding a referendum with an additional 1% for Adult Social Care for the next three years. Details were also provided on how the Council would continue to invest in the future of the County including British Volt, the Port of Blyth, Northumberland Line, and rural areas such as Wooler.

In line with previous practice the Budget for the next year and the MTFP model had been reviewed. A savings requirement of £9.704 million had been identified as required to balance the budget for 2022-23. A provisional savings requirement of £28 million had been calculated as necessary for the following two financial years. The approach to identifying spend and savings within the budget were outlined and details provided on proposed savings by Portfolio Holder.

Members thanked Councillor Sanderson for the presentation, praised officers for their input in the budget and stated that they looked forward to seeing the details which were due to be heard by full council on Wednesday, 23 February 2022.

RESOLVED that the information be noted.

LOCAL SERVICES ISSUES

Highways

G Bucknall - Lead Highways Delivery Manager provided a verbal update on north area highways. The update and subsequent questions included information on the following:

- 29 out of 31 major resurfacing schemes completed. Swansfield Park Road footpaths and Sunnyside Scremeston to still complete.
- Fawdon Farm, Station Road – Embleton and A1 across to Lemmington Bank had been completed since the last meeting in November.

- Day to Day operations had been running smoothly despite having had several officers isolating with positive covid tests and dealing with the fallout from Storm Arwen.
- Sandbag locations would be investigated as during Storm Arwen there were an insufficient amount in Berwick.
- Trees that had fallen from highway verges would be cleared by Northumberland Council but due to the substantial amount of wood, it was predicted that it would take months to fully complete the clear the debris.

Members thanked Graham and the team for their hard work responding to Storm Arwen.

Local Services

B. Hodgson - Neighbourhood Services Area Manager provided a verbal update on North area neighbourhood issues. The update and subsequent questions included the following information:

- Bin collections over the Christmas period had been successful with few complaints from residents regarding collection dates but communication worked well through the area.
- Priority following Storm Arwen was to clear roads, networks, cemeteries and places with high footfall.
- Leaf clearance was close to completion and cutting hedges, bushes and path edges had started.
- Planning for summer grass cutting and maintenance had begun.
- There was discussion around Berwick Town Council and the partnership between Northumberland County Council to collaborate local services.

Members thanked Bob and praised all frontline staff for their work over a difficult period.

A comfort break was announced for officers to change over.

NORTHUMBERLAND FIRE AND RESCUE SERVICE: COMMUNITY RISK MANAGEMENT PLAN 2022-26 CONSULTATION

The report provided information on the public consultation and details of the draft Northumberland Fire and Rescue Service (NFRS) Community Risk Management Plan (CRMP). Paul Hedley, Chief Fire Officer provided a power point presentation, a copy of which would be attached to the signed minutes and made available with the papers for this meeting on the Council's website. It was explained that it was a statutory requirement under the Fire Service National Framework Document (NFD) for each Fire and Rescue Authority to have a CRMP. The NFD detailed how each authority should discharge it's functions, with the most relevant aspects to the CRMP

Ch.'s Initials.....

highlighted as “identify and assess the full range of foreseeable fire and rescue related risks in their area” and “be accountable to communities for the service they provide”.

A wide-ranging public consultation exercise was now underway on the draft of the CRMP. Members were advised that each plan must reflect up to date risk analyses; demonstrate how prevention, protection and response activities would best be used wholistically to best prevent and mitigate the impact of identified risks on its communities. Separate strategies were in place for emergency response, protection and prevention which sat beneath the CRMP which all identified how strands of delivery complement and help risk reduction. The CRMP must also cover a minimum three-year time span, reflect effective consultation throughout its development and be easily accessible and publicly available.

Reassurance was provided that this was not a plan set in stone and would be flexible in order to respond not only to new and emerging risks but also unforeseen circumstances and impact. An annual update would take place where achievements and performance would be looked at along with what was needed for the forthcoming year, in order to assess if any changes to risk or service delivery models were required. If anything in this update required further public consultation, then this would be undertaken. A range of partners, including a specialist risk modelling company had also been involved in the production of the CRMP which had included providing simulation models to predict what the impact of potential changes on community risk and resilience would look like. This allowed greater confidence that these were defined and communicated across the area and how resources would be matched.

The purpose of the CRMP was to provide assurance that the right resources were in the right places to respond effectively to the risks within Northumberland. It was important that communities understood the process undertaken to analyse risk. It was explained that risk was a combination of the likelihood and consequence of a hazardous event and the NFRS had a duty to work with communities and partners to minimise or prevent the likelihood of these happening. In the last ten years there had been a 21% reduction in incidents attended, with 10 incident types identified as responsible for 90% of the events. It was explained that there was a correlation between outdoor fires and crime deprivation and good work was underway with Northumbria Police to work collaboratively with partners to reduce these risks.

Data was provided on incidents of dwelling fires and information was provided on what was currently done to reduce this risk and what was planned to further reduce incidents of this nature. Emerging risks were also identified and with the significant strain and challenge put on the service in responding to the pandemic and recent storms there was a need to ensure that the service would be able to meet future demands on the service. The Council’s corporate plan was also used to look at how future development might impact on the service or increase risk to ascertain if any changes would be required in order to provide assurance of a suitable response.

The consultation would be wide ranging with sessions previously provided at all Local Area Councils, North Northumberland being the last along with a significant media and social media campaign providing links to the consultation document.

Following questions and comments from members, the following information was provided:

- Northumberland Fire and Rescue Service was the National lead in the UK for wildfires and were aware of the opinions of prescribed burning but advocated for the management of the fuel, through prescribed burning, grazing, or cutting to ensure small fires did not grow into larger fires and actively monitoring.
- Covid had impacted prevention activity regarding schools, but activity had started again in schools, young driver education and the fire Cadets.

The Chair thanked the Officers for their attendance and presentation, advising that their work was much appreciated.

RESOLVED that the information be noted.

91. URGENT BUISNESS

Following emails from The River Tweed Commission, the North Northumberland Local Area Council needed to add an additional councillor to their outside bodies, Cllr Hunter volunteered.

River Tweed Outside Bodies:

- C. Hardy
- G. Hill
- I. Hunter
- C. Seymour

92. DATE OF NEXT MEETING

RESOLVED that this was noted.

CHAIR.....

DATE.....

Ch.'s Initials.....

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Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL

DATE: 16 MARCH 2022

DETERMINATION OF PLANNING APPLICATIONS

Report of the Executive Director of Place

Cabinet Member: Councillor C. Hornecastle

Purpose of report

To request the Local Area Council to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Local Area Council is recommended to consider the attached planning applications and decide them in accordance with the individual recommendations, also taking into account the advice contained in the covering report.

Key issues

Each application has its own particular set of individual issues and considerations that must be taken into account when determining the application. These are set out in the individual reports contained in the next section of this agenda.

Author and Contact Details

Report author - Rob Murfin
Director of Planning
01670 622542
Rob.Murfin@northumberland.gov.uk

DETERMINATION OF PLANNING APPLICATIONS

Introduction

1. The following section of the agenda consists of planning applications to be determined by the North Northumberland Local Area Council in accordance with the current delegation arrangements. Any further information, observations or letters relating to any of the applications contained in this agenda and received after the date of publication of this report will be reported at the meeting.

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:
 - Decision makers are to have regard to the development plan, so far as it is material to the application
 - Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. They must be:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
4. Where councillors are contemplating moving a decision contrary to officer advice, they are recommended to consider seeking advice from senior officers as to what constitute material planning considerations, and as to what might be appropriate conditions or reasons for refusal.

Important Copyright Notice

5. The maps used are reproduced from the Ordnance Survey maps with the permission of the Controller of Her Majesty's Stationery office, Crown Copyright reserved.

BACKGROUND PAPERS

These are listed at the end of the individual application reports.

Implications

Policy	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for money	None unless stated
Legal	None unless stated
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Planning applications are considered having regard to the Equality Act 2010
Risk Assessment	None
Crime & Disorder	As set out in the individual reports
Customer Consideration	None
Carbon reduction	Each application will have an impact on the local environment and it has been assessed accordingly
Wards	All

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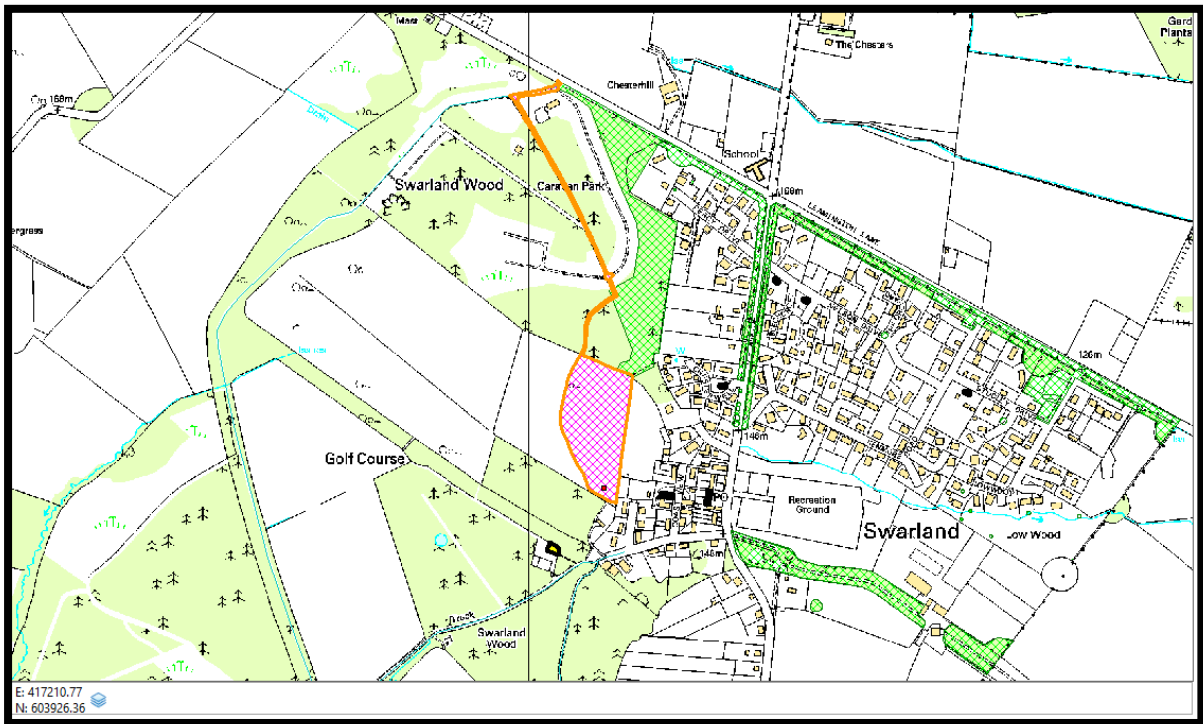
Northumberland County Council

NORTH NORTHUMBERLAND LOCAL AREA COUNCIL PLANNING COMMITTEE 24th March 2022

Application No:	19/01687/FUL		
Proposal:	Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping.		
Site Address	Land North West Of Springwood Coast View Swarland		
Applicant:	Harrison Leisure UK Ltd /o Agent (Mr H Emms) Lichfields The St Nicholas Building St Nicholas Street Newcastle Upon Tyne NE1 1RF	Agent:	Mr Harvey Emms Lichfields The St Nicholas Building St Nicholas Street Newcastle Upon Tyne NE1 1RF
Ward	Shilbottle	Parish	Newton-on-the-Moor And Swarland
Valid Date:	03rd October 2019	Expiry Date:	31st July 2020
Case Officer Details:	Name: Mr Tony Lowe Job Title: Principal Planning Officer Tel No: 01670 622708 Email: tony.lowe@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to the conditions below and S106 Legal Agreement to secure the following obligations:-

- Financial contribution towards the Councils Coastal Mitigation Service (£10,040)
- Financial contribution to fund a Traffic Regulation Order (TRO) and relocation of the existing 30mph / National Speed Limit change, northwards on Leamington Lane (£7,000)



1. Introduction

1.1 Following an objection from the Parish Council the application was referred to the Director of Planning and the Chairman of the North Northumberland Local Area Planning Committee for their consideration as to whether the application must go to committee or can be determined under delegated powers. It has been decided the application must be determined by the Planning Committee.

2. Description of the Site and Proposals

2.1 The site is part of Percy Wood Golf and Country Retreat, a large site comprising a golf course and caravan park.

2.2 The application site is a small portion to the southwest which is currently used as a driving range for the golf course. The site measures 2.5 hectares.

2.3 The site is bounded by woodland in the ownership of the applicant to the north and south and by the golf course to the west. The field to the east of the application site has outline planning permission for nine dwellings (17/00500/OUT, granted 31 May 2019).

2.3 Full planning permission is sought for 60no. static caravans on the site of existing golf driving range. Landscaping is proposed to site boundaries. Vehicular access to the development is proposed from Leamington Lane via the existing holiday park and a track through woodland leading to the site. The existing 18 hole golf course will remain unaffected by these proposals.

2.4 The site is not allocated for any particular purpose within the Development Plan.

2.5 The site is located within the risk zone of a SSSI.

3. Supporting Information

- Planning and Economic Statement
- Design and Access Statement
- Transport Assessment and Framework Travel Plan
- Preliminary Ecological Appraisal and specialist survey reports
- Arboricultural Impact Assessment, Method Statement and Protection Plan
- Flood Risk Assessment and Drainage Strategy
- Archaeology Impact Assessment
- Construction Environmental Management Plan Report

4. Planning History

Reference Number: 17/00194/FUL

Description: Reconfiguration of existing golf course, change of use of land to accommodate up to 216 holiday caravans, erection of leisure 'hub' building and separate golf building, and associated access and landscaping works. Withdrawn.

5. Consultee Responses

Newton on the Moor and Swarland PC	Newton on the Moor and Swarland PC objects to the application on the grounds of adverse visual impact on the open countryside, the development being too close to residents; sewerage and drainage; access and traffic and sustainability.
Highways	No objections subject to conditions to secure works to the adopted highway and S106 legal agreement to secure £7k towards a Traffic Regulation Order.
Public Protection	No objection subject to conditions controlling contaminated land and ground gas.
County Ecologist	No objections to the proposals on ecological grounds are raised subject to conditions to ensure the avoidance, mitigation and enhancement measures detailed in the application are carried out in full and subject to a legal agreement to secure a financial contribution towards the Council's Coastal Mitigation Service.
Lead Local Flood Authority (LLFA)	No objections subject to conditions
Building Conservation	No objection. No harm has been identified by these proposals.
County Archaeologist	There are no objections to the proposed development on archaeological grounds. No archaeological work is recommended.
Refuse and Waste Strategy	No response
Tree and Woodland Officer	No response
Education	No contributions sought

Health CCG	Financial contribution sought to mitigate for the impact of development on health care in the locality - request subsequently withdrawn
Architectural Liaison Officer - Police	No objections to the application progressing
Fire & Rescue Service	No objection in principle to the proposals.
Natural England	No objections subject to coastal mitigation
National Highways	Having considered the revised GG104 Safety Risk Assessment dated 10 November 2021, submitted in support of the planning application, this addressed the comments made by National Highways in response to the previous version. Founded on the results of the assessment and following additional examination of the 5-year collision data provided therein, National Highways are content to offer no objection to the application being determined.
Forestry England	In this case the FE are not a statutory consultee because the proposal does not affect Ancient Woodland. However, the FE have submitted comments because the FE own land outside the red line boundary (to west of Springwood) and have concerns regarding impact of the proposals on their land.

6. Public Responses

Neighbour Notification

Number of Neighbours Notified	15
Number of Objections	87
Number of Support	0
Number of General Comments	0

Notices

Site Notice – posted at the site 1st November 2019 and again 26th June 2021

Press Notice - Northumberland Gazette - Published 17th October 2019 and again 11th March 2021

Summary of Responses:

87no. letters of objections have been received in response to the publicity of this application. The objections primarily relate to

- Impact on the amenity of residents having regards to noise and disturbance from holiday makers
- Drainage, flood risk and sewerage concerns
- Ecology having regards to impact on Woodland, Great Crested Newts and Red Squirrels amongst other matters
- Highway safety matters
- Precedent for further development
- Impact on visual amenity and the landscape

- Procedural issues with the application regarding publicity, consultation and the application meeting statutory requirements and requirements of the Northumberland Local Validation Checklist
- Archaeology concerns
- Impact on air quality
- Consultation with Highways England
- Photographic evidence of the site and complaints regarding the burning of materials, parking and traffic

It must be noted that the above is a summary of the main issues raised. All objections can viewed online in full via the Councils website at:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PS0KJVQSGAM00>

7. Planning Policy

7.1 Development Plan Policy

Alnwick LDF Core Strategy (2007)

S1 Location and scale of new development
 S3 Sustainability criteria
 S8 Economic Regeneration
 S10 Tourism Development
 S11 Locating development to maximise accessibility and minimise impact from travel
 S12 Protecting and enhancing biodiversity and Geodiversity
 S13 Landscape character
 S14 Development in the open countryside
 S16 General Design principles

Alnwick District Wide Local Plan (1997)

TT5 Controlling car parking provision (and Appendix E)
 T4 Criteria Policy to assess Caravan Developments
 APPENDIX E Car parking standards for development
 CD32 Controlling development that is detrimental to the environment and residential amenity

7.2 Emerging Development Plan Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP1 - Spatial strategy
 STP2 - Presumption in favour of sustainable development
 STP3 - Principles of sustainable development
 STP4 - Climate change mitigation and adaptation
 QOP1 - Design Principles
 QOP 4 - Landscaping and trees
 TRA2 - The effects of development on the transport network

ENV1 - Approaches to assessing the impact of development on the natural, historic and built environment
ENV2 - Biodiversity and geodiversity
ENV 3 - Landscape
ECN 12 - Business in rural locations
ECN14 - Rural business diversification
ECN 15 - Tourism development
INF 6 Planning obligations

7.3 National Planning Policy

National Planning Policy Framework (2021)
Planning Practice Guidance

7.4 Other Documents/Strategies

Alnwick Landscape Character Assessment SPD (May 2010)

8. Appraisal

8.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development comprises policies in the Alnwick LDF Core Strategy (2007) and the saved policies from the Alnwick District Wide Local Plan (1997) as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

8.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF.

8.3 The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The Plan is in the final stage of preparation, there are no unresolved objections, and the Plan is consistent with national policy, and therefore significant weight can be given to the policies in the NLP.

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

- Principle of development
- Impact on landscape character
- Impact on amenity
- Impact on heritage assets
- Ecology and biodiversity
- Flood risk and drainage
- Ground conditions
- Highway safety
- Obligations

Principle of the Development

8.5 The NPPF operates under a presumption in favour of sustainable development and identifies there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles.

8.6 The NPPF Paragraph 84 provides support for the proposal, stating that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

8.7 The applicant submits that as a business the golf course and clubhouse are operating at a loss. The applicant submits Percy Wood has mixed fortunes and increasingly, the income from the holiday caravans and lodges is subsidising the financial losses of the golf course and clubhouse. The proposals seek to address this imbalance and reduce and reconfigure the golf course to align with the demand. In particular, the proposals seek to provide up to 60 new caravans, on the existing driving range site. The proposed caravans would support the enhancements to Percy Wood whilst making effective use of an under-used site to provide a range of new accommodation at Swarland. The 18hole golf course layout would be unaffected by these proposals.

8.8 The NPPF seeks to promote economic growth. The proposals see the expansion of an existing business to address economic weaknesses. In economic terms there is strong support for the proposal with the planning framework.

8.9 In locational terms, Policy S1 of the Alnwick Core Strategy (ACS) identifies Swarland as a Sustainable Village Centre. ACS Policy S3 outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops services the transport network and modes of transport other than the private car; that there is adequate existing or planned capacity in the physical and community infrastructure and environmental needs can be mitigated and that potential implications of flood risk have been assessed.

8.10 Policy S10 (Tourism Development) of the ACS requires proposals for new tourism development to be located in, or adjacent to rural service centres, sustainable village centres and local needs centres. Swarland is identified as a Sustainable Village Centre and it is considered that the proposals would be in accordance with Policy S10.

8.11 The proposed development is located on an existing holiday park, adjacent to a Sustainable Village Centre and as such is considered an appropriate location for further tourism development in this case.

8.12 Furthermore, there is support for this proposal in the emerging Northumberland Local Plan which carries significant weight. Policy STP 1 (Spatial strategy) designates Swarland as a Service Village. The service villages are identified in Policy STP 1 as

the focus for investment in rural areas to support the provision and retention of local retail, services and facilities. The site is outside of the settlement boundary for Swarland and, therefore, the proposal will only be supported if it meets a number of criteria set out in Policy STP 1. The proposals accord with STP1, g (i) and g (iii); supporting the sustainable growth and expansion of an existing business and supporting or, adding to the range of sustainable visitor attractions and facilities appropriate to the area.

8.13 There is also support for the proposal from emerging Policy ECN 15, part F, which includes/ states that new or extensions to existing sites for camping, caravans and chalets will be supported in accessible locations outside the two AONBs and the World Heritage Site and its buffer zone, subject to adequate screening. The site is located in an accessible location, adjacent to an Urban Village Centre outside an AONB and World Heritage Site.

8.14. Policy STP 3 includes a set of sustainability principles which proposals need to adhere to, where appropriate. This includes the requirement to be accessible by, or be able to be made accessible by, public transport, walking or cycling where feasible, thereby reducing the need to travel for both people and goods, and the dependence on travel by private car. The nearest bus service to Swarland stops some 2 miles away and is not easily accessible on foot. The proposal will meet the sustainability criteria set out in STP3, where appropriate, in particular parts a, e, k and l.

8.15 The principle of development is acceptable and is sustainable in pure locational terms and having regard to the economic benefits of the proposal. In principle the development complies with the existing and emerging Local Plan and the NPPF. However, for development to be fully sustainable it must be sustainable in all other respects. Other impacts of the development are discussed in more detail in the following sections of this report.

Impact on landscape character

8.16 The NPPF seeks to conserve and enhance natural, built and historic landscapes. This is followed through in local planning policies, both current and emerging.

8.17 The Government attaches great importance to the design of the built environment and, through paragraph 127 of 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.

8.18 At the local level, Policy T4 of the Alnwick Local Plan considers the visual impact of caravan proposals. Policy S13 of ACS relates to landscape character and states that all proposals for development and change will be considered against the need to protect and enhance the distinctive landscape character of the district. All proposals will be assessed in terms of their impact on landscape features and should respect the prevailing landscape quality, character and sensitivity of each area as defined in the Alnwick District Landscape Character Assessment Supplementary Planning Document. Emerging policy ENV3, (landscape), which seeks to ensure the contribution that Northumberland's landscape make to its Environment, Economy and Communities, is recognised.

8.19 In the Alnwick Landscape Character Assessment SPD (May 2010) the site is within Character Area 18 - Longframlington/ Shilbottle Rolling Farmland, where emphasis is placed upon the restoration of landscape features, including priority is

addressing the decline in hedgerows, in order to improve visual and ecological coherence.

8.20 It is noted that objections have been received in response to the publicity of this application raising objections to the visual impact of the proposal and its impact on the wider landscape.

8.21 The applicant proposes 60no caravans accessed from the main access from the existing holiday park. The development is laid out along a central spine road north to south across the site. New landscaping is proposed. The caravans are to be constructed on concrete plinths. In design terms the applicant is still considering the manufacturers and suppliers of the caravans. However, the applicant submits that the development will be of high-quality design in this location.

8.22 It is accepted the application site itself will fundamentally change in character from golf course to use for static caravans and this will be apparent to residents adjacent to the site. However, it is considered the change will not be to the detriment to the character of the wider landscape. The site itself is self-contained within the existing golf course and holiday park. The development relates well to the existing urban form of Swarland and would be well screened by existing and proposed landscaping belts. As such the development would not be highly visible and as such the development would fit comfortably into the wider landscape in this case.

8.23 Conditions are recommended to ensure a coherent approach to the appearance of the development is achieved particularly in terms of design and colour palette. Other conditions are imposed to restrict the usage and number of caravans on the site.

8.24 Having regard to the above the development is deemed acceptable in terms of impact on landscape character. The development complies with the existing and emerging local plan and the provisions of the NPPF.

Impact on Residential Amenity

8.25 The NPPF advocates the creation of places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

8.26 Alnwick District Local Plan Policy T4 relates specifically to caravan development and at 4) states that regard must be had to whether the siting and scale of development would adversely affect the amenities, or services enjoyed by those living in nearby residential development.

8.27 Local objections have been received from residents expressing concerns regarding the proximity of the development and potential for tourism development to impact on their amenity.

8.28 The nearest residents to be directly affected by this development are located to the southeast corner of the site located at Springwood and those approved directly to the east of the site by way of application 17/00500/OUT - not yet constructed.

8.29 It is accepted that the development would impact on existing resident's general visual amenity because the site would change in character from a green field site to caravans. However, those objections based on the loss of a view are not a material

planning consideration, in this instance and cannot be taken into account in the determination of this application.

8.28 However it is important to have regards to other standards of amenity relating to privacy, outlook, light and overbearing impact.

8.29 The layout shows 60no. caravans laid out on a north south axis across the site. It is considered that the development sits comfortably within the site and achieves acceptable standards of separation within and out-with the development. The separation distances to the east are approximately 20m to the shared site boundary. The separation distances to the southeast (with Springwood) are in excess of 35m. Having regards to the proposed separation distances it is considered that the development is acceptable in terms of its relationship with neighbouring properties and the standards of amenity achieved.

8.30 Furthermore, new landscaping is proposed to site boundaries which will assist to screen the development from residents. Conditions are also imposed regarding the construction and end phases of development to further protect amenity, particularly in terms of restricting access to the main access from Leamington Lane and servicing and delivery arrangements to the site.

8.31 Significant objection has been received in respect of the potential for noise and disturbance from holiday makers be it from BBQ's, music or hot tubs. The Council's Public Protection Team (PHP) have considered this issue. Whilst residents' concerns are noted, the Council's Public Protection Team advise that the proposal *does not* introduce noise sources which would require assessment.

8.32 PHP advise that;

1. Noise from vehicles and people were considered when looking at the proposals and the impact was deemed to be equivalent to a residential development of a similar number of units. For a residential development, we would not require a baseline noise assessment, or a noise impact assessment of vehicular traffic associated with the dwellings.

2. The use of any hot tubs and any sound equipment (if they are to be installed) would be impossible to set (planning) conditions for, as they would with any residential property. It is suggested that the Site Licence could impose occupancy agreement/contract between the site operator and users which could cover hot tub or noisy activities on site. Statutory nuisance provisions could be used by the Council, in the same way they would be used for dealing with noisy neighbours in residential properties, if necessary.

3. Background noise levels are usually used when settings noise limits for fixed plant which is not the case here. It is our opinion that the introduction of caravans with associated car parking, would not be introducing noise sources inconsistent with that which will already be experienced by the existing residential dwellings.

8.33 Having regards to the above points; the fact the development is located on an existing holiday park complex and achieves satisfactory separation distances it is considered that the proposal is acceptable in planning terms.

8.34 In the context of the above, the proposals are not considered to be in conflict with the development plan or Part 15 of the NPPF in this respect.

Impact on Heritage Assets

8.35 The NPPF Paragraph 197 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 199-202 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

8.36 Alnwick District Core Strategy Policies S15 Protecting the built and historic environment and S16 General design principles are also relevant. Furthermore ENV 7 of the emerging Local Plan seeks to preserve the Historic environment and Heritage Assets.

8.37 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act 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.

8.38 Within the application site itself there are no designated heritage assets however, there are several listed buildings within the vicinity of the application site including Swarland Village Hall, listed at Grade II, is the closest to the application site and is located approximately 80m to the east. Swarland Hall Cottage, listed at Grade II, is located approximately 120m to the southwest of the application site. Additionally, there are a number of listed dwelling houses within Swarland village, all at Grade II.

8.39 The applicant has submitted a Heritage Statement to support the application. The Council's Building Conservation Officer has been consulted on the application and advises that no harm to the historic environment arises, as a result of the proposals, primarily because of the separation between the site and the assets and the fact the site does not form part of the visual setting of the assets or have historical connections to the assets.

8.40 The applicant has also submitted an Archaeology Impact Assessment. Considering the results of the submitted Archaeological Assessment and the nature of the development proposed, the risk of significant unrecorded archaeological features being affected by the proposed development is low. The County Archaeologist advises there are no objections to the proposed development on archaeological grounds and no archaeological work is recommended.

8.41 Having regard to the above it is considered the proposal is acceptable in heritage terms. The proposal complies with Chapter 16 of the NPPF and existing and emerging local development plan policies.

Ecology and Biodiversity

8.42 The NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services -

including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

8.43 Policies S3 and S12 of the ACS are relevant in relation to assessing the potential effects on protected species, ecology and biodiversity.

8.44 An ecological survey and specialist survey work has been submitted in support of this application. Both the Council's Ecologist and Natural England have been consulted on the application.

8.45 It is noted that residents have expressed concerns regarding the ecological impacts of the development.

8.46 In terms of on-site ecological issues the key issues are the impact of the development on Great Crested newts, bats and nesting birds given the nature of the site and its location. The Council's Ecologist has advised that impact on these species can be mitigated by way of planning conditions.

8.47 In terms of off-site ecological issues the site falls within the 'zone of influence' for coastal sites designated at a national and international level as Sites of Special Scientific Interest and Special Protection Areas/ Special Areas of Conservation/ Ramsar sites. Since this application will result in a net increase in accommodation, impacts to the designated sites may result from increased recreational disturbance.

8.48 To mitigate the impact of the development on the Coastal Zone the applicant has agreed to a financial contribution towards the Council's Coastal Mitigation Service (£10,080). The contribution will be secured by way of S106 Legal Agreement. The County Ecologist has confirmed no objections to the development in terms of off-site impacts.

8.49 Natural England has no objections subject to migration being secured for impact on the coastal zone. A financial contribution has been secured as above.

8.50 Having regard to the above, the development is acceptable in terms of on-site and off-site ecological impacts. The application complies with the NPPF and local development plan policy.

Flood Risk and Drainage

8.51 The NPPF Part 14 seeks to ensure flood risk is not increased elsewhere as a result of development.

8.52 The applicant has submitted a Flood Risk Assessment and Drainage Strategy to support the application. It is proposed that surface water will drain to an existing ditch to the eastern boundary of the site which will connect to a manhole with a proposed water restriction device. Water will eventually drain to an existing water course off site. The ditch (to the eastern boundary) will be widened, extended and bunded to accommodate the development. Easements are proposed in terms of the development and landscaping belts to reduce the chance of blockage to the ditch. In terms of foul drainage, foul water will drain to the NWL network.

8.53 It is noted that significant objection has been received from the Parish and local residents in respect of drainage. In support of their objection's residents have

submitted supporting photos and video footage to demonstrate drainage issues in the village.

8.54 Formal consultation has taken place with the Council as Lead Local Flood Authority (LLFA) and Northumbrian Water (NWL).

8.55 The LLFA have reviewed the local objections received including the photo and video footage. The LLFA have investigated residents' complaints and have visited the site. Following revisions to the development and much technical discussion, the LLFA advise the development is acceptable and does not object to the application, subject to conditions relating to the proposed ditch bund, maintenance and management and verification and validation of the drainage works. Specific planting species have been agreed between the LLFA and Council's ecologist to reduce the chance of blockage to the ditch from proposed landscaping belts. Planting is subject to a condition.

8.56 Furthermore, NWL has raised no objection to the application, and recommends a condition relating to the control of foul and surface water, as per the proposed drainage proposals.

8.57 It is noted that local residents have made direct contact with NWL expressing concerns regarding the proposed development when there has been a local sewerage incident. NWL have confirmed to the Council as Local Planning Authority they do not wish to make further comments on this application. They advise there has been an operational issue however, NWL have ensured that the existing rate of discharge will remain the same with the proposed development and as such this will not have a detrimental impact on the hydraulic capacity of the current drainage system downstream of their existing connection point.

8.58 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 the NPPF.

Ground Conditions

8.59 The NPPF states that Local Planning Authorities should take account of ground conditions and land instability, including from natural hazards or, former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation if necessary.

8.60 The Council's Public Protection Team have been consulted. The key issues relate to contaminated land and ground gas.

8.61 The Council's Public Protection Team has assessed the application and raises no objections to the application in terms of ground conditions, subject to restrictive planning conditions to secure further survey work in respect of possible contamination and ground gas.

8.62 The application complies with Part 15 of the NPPF in respect of land contamination and pollution issues.

Highway Safety

8.62 The NPPF seeks to ensure highway safety and states development should only be prevented or refused on highway grounds if there would be an unacceptable impact

on highway safety, or the residual cumulative impacts on the road network would be severe.

8.63 Vehicular access to the development is proposed from the existing point of access from Leamington Lane, via the existing holiday park and a new track through woodland to the north of the site. Each caravan has its own designated parking for two spaces. Refuse facilities and cycle parking are also proposed within the site.

8.64 In support of the application a Transport Assessment has been submitted. The Council as Highway Authority have been consulted on the application.

8.65 It is noted that significant objection has been received in response to the publicity of the application expressing concerns regarding highway matters. Residents are also concerned that the service track proposed to the south of the site will give rise to additional traffic.

8.66 The Highways Development Management (HDM) team have considered all aspects of the application and they advise no objections to the proposal, subject to standard highway conditions.

8.67 To make the development acceptable in planning terms, works to the adopted highway are required including localised widening of the main site entrance on Leamington Lane and pedestrian improvements at the junction with Coast View / C390 The Avenue. These works can be secured by planning condition in connections with a S278 Highways Legal Agreement.

8.68 Restrictive planning conditions are also recommended to be imposed to ensure that users of the site use the main access to the holiday park from Leamington Lane. Vehicular access by other means is prohibited. A condition regarding servicing and management of the site is also recommended in the interests of highway safety and amenity.

8.69 Forestry England (FE) own land outside the Red Line Boundary of the site and have expressed concerns regarding impact of the development on their land – land to the west of Springwood. A service track is shown on the proposed site layout connecting to land owned by FE. FE state the access is not suitable to accommodate the development and access rights have not been agreed. Rights of access are a private matter. However, a condition prohibiting vehicular access from the south is imposed in any event. Furthermore, the applicant has confirmed that no works are proposed outside the Red Line Boundary on the land owned by Forestry England.

8.70 It is noted that residents have expressed concerns regarding the construction phase of the development submitting that the site access will need to be widened to accommodate the width of the caravans and as such trees will need to be removed. It is acknowledged that the site is in existing use as a caravan park with delivery/ removal of caravans already taking place under the current arrangements. Submitted details indicate that the delivery will likely take place over a year, with no more than 5 delivered each week. There is no objection from either ecology or highways in this regard.

8.71 Given the proximity of the application site to the A1 Strategic Network, National Highways (NH) have been formally consulted. In response to NH objection, the applicant has submitted a GG104 Safet Risk Assessment. This has been assessed by NH and their objection has been withdrawn.

8.72 Having regard to the above the development is considered to be acceptable in highway terms in accordance with the NPPF.

Obligations

8.73 The NPPF requires that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

8.74 Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

8.75 To make the development acceptable in planning terms a S106 Legal Agreement is required to secure the following obligations: -

- Financial contribution towards the Councils Coastal Mitigation Service (£10,040)
- Financial contribution to fund a Traffic Regulation Order (TRO) and relocation of the existing 30mph / National Speed Limit change, northwards on Leamington Lane (£7,000)

8.76 It is noted that the NHS CCG requested a contribution towards health care provision within the vicinity of the site. On the basis that this development is for holiday accommodation, a financial contribution towards health care would not be justified because it would not meet the three tests above. The CCG have since withdrawn their request.

Other matters

8.77 Correspondence has been received from Howes Percival (solicitors) challenging aspects of the application on behalf on an objector/s. The correspondence submits that the application fails to meet statutory requirements and requirements of the Northumberland Validation Checklist. Officers have satisfied themselves that the application meets national statutory requirements. In terms of local validation requirements, this is a matter of planning judgement and Officers are satisfied sufficient information has been submitted to determine the application. Nevertheless, the points made are discussed further below.

8.78 The Red Line Boundary of the application is incorrect because it does not extend to the adopted highway as per published Planning Practice Guidance. The applicant has rectified this issue and the red line boundary of the application amended to show how the site will be accessed.

8.79 The Drainage Strategy is flawed because it relies on a drainage network that passes through their client's land or doesn't exist. The LLFA have assessed this correspondence and have confirmed to the LPA that the position of the LLFA remains unchanged and the Drainage Strategy does not need to be amended or updated considering this correspondence from Howes Percival.

8.80 An Air Quality Assessment (AQA) should have been submitted with the application. The Public Protection Team have confirmed they do not require an AQA to support the application. Having regards to Annual Average Daily Traffic (AADT), the proposals do not trigger the need for one in accordance with IAMQ guidance.

8.81 A Noise Survey and Landscape Impact Assessment should have been submitted. As paragraph 8.31 the Council's Public Protection Team have advised that a Noise Survey is not required in this case. It is a matter of professional judgement of planning officers that a Landscape Impact Assessment is not essential to the determination of this application.

8.82 The correspondence has challenged the planning application form declaration/s. The applicant has advised that the declaration/s are correct and all land within the Red Line Boundary of the application site is owned by the applicant.

8.83 The correspondence has challenged the lack of plan drawings and how it is not possible to determine the application without. No elevations have been submitted. Elevations are not available at this time because the applicant has not selected a supplier. Condition 33 recommends that further details of the caravans are submitted in due course. It is reasonable to progress a planning application of this type in this way. Fundamentally the site will change in character from golf use to 60no. Static Caravans. Impacts of the development have been discussed earlier in the report. It is considered that the application can be determined without full elevational details and condition 33 will control the final form of development.

8.84 The correspondence has questioned why an Archaeological Assessment had not been submitted. This was a valid point and rectified during the course of the application.

8.85 The correspondence states an Open Space Assessment should have been submitted. The site is not designated as protected open space within the existing or emerging local plan and it is therefore considered that an Assessment is not necessary in this case.

8.86 With regards to publicity of the application, officers are satisfied that the application has met the statutory requirements for the publicity of application, in accordance with legislation.

Procedural matters

Equality Duty

8.87 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

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

Human Rights Act Implications

8.89 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.

8.90 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.

8.91 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.

9. Conclusion

9.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

9.2 The principle of new tourism development is acceptable in this case. The site is located on an existing holiday park, adjacent to Swarland, a defined Urban Village Centre. The proposals also seek to enhance and support an existing business in economic terms.

9.3 The development by virtue of its location, design and layout is considered acceptable in terms of impact on landscape character. The proposals will be visible from short range views and while changing the outlook for neighbouring residents the proposals demonstrate acceptable standards of separation within and out with the development.

9.4 The proposals are acceptable in all other respects having regards to drainage, ground conditions and other technical matters including highway safety and ecology. The development is also acceptable in terms of impact on heritage assets.

9.5 All representations are noted including that from the Parish Council and local residents. It is considered that the Local Planning Authority have sufficient information to determine the application. All statutory requirements have been met.

9.6 The proposal is considered to result in a sustainable form of development and in this context the application is recommended for approval.

9. Recommendation

9.1 That this application be GRANTED permission subject to the conditions below and S106 Legal Agreement to secure the following obligations: -

- Financial contribution towards the Councils Coastal Mitigation Service (£10,040)
- Financial contribution to fund a Traffic Regulation Order (TRO) and relocation of the existing 30mph / National Speed Limit change, northwards on Leamington Lane (£7,000)

Conditions

Mandatory

01. The development hereby permitted must be commenced within three years from the date of this permission.

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission and to comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and reports reference:

Plans

Drawing Site location plan amended blue line uploaded 29th January 2020

Drawing Proposed Site Layout Plan P105 Rev P05

Drawing "Planting Strategy Driving Range Site" number N808-ONE-ZZ-XX-DR-L-2002 Rev P06.

Drawing "Drainage Strategy Driving Range" number 1674-11 Rev P5;

Drawing "Surface Water Wider Network" number 1674-13 Rev P4;

Drawing "SuDS Details" number 1674-16 Rev P5;

Documents

Transport Assessment Sept 2019

Ecological Appraisal Percy Wood dated August 2019

Great Crested Newt Survey, Percy Wood, August 2019

Bat Survey, Percy Wood, August 2019

Breeding Bird Survey, Percy Wood, August 2019

Flood Risk Assessment and Drainage Strategy - Coast Consulting Engineers;

Reference - 1674-10 Rev G; dated 9 June 2020

Design and Access Statement September 2019

Planning Statement September 2019

Heritage Statement August 2019

Reason: To ensure the development is carried out in accordance with the approved plans.

Highways

03. The development shall not be brought into use until a Service Delivery and Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Once approved the plan shall be implemented at all times while the site is operational. The details to be submitted shall include:

- i. Details of delivery times and frequency;
- ii. Details of delivery vehicle types including submission of plans as necessary;
- iii. Details of any control measures to prevent access from Coast View;
- iv. Details of delivery requirements including any closures of site, parking areas or impact upon internal operations of site to facilitate these operations including plans as necessary;
 - i) business operational hours;
 - ii) days, times, duration and frequency of deliveries/collections;
 - iii) the vehicle types permitted to service the site, including and maximum dimensions of delivery/collection vehicles used;
 - iv) delivery requirements including any closures of site, parking areas or impact upon internal operations of site to facilitate these operations, including plans as necessary;
 - v. Submission of vehicle swept path drawings as necessary to illustrate manoeuvres to/from the site and from the adopted highway at Leamington Lane
 - vi) measures to be employed to ensure the compliance of delivery suppliers.

Reason: To ensure the successful servicing operations of the site, in the interest of highway safety and in accordance with the National Planning Policy Framework.

04. Means of vehicular access to the permitted development shall be from the existing access to the Percy Wood Golf and Country Park at the U3049 Leamington Lane only with no customer or service / delivery vehicle routes permitted from the U3122 Coast View at any time.

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

05. Development shall not commence until details of localised widening on Leamington Lane in the vicinity of the existing vehicular access, has been constructed in accordance with details, including surfacing drainage, signage and road markings together with associated works, which shall first have been submitted to and approved in writing by the Local Planning Authority. The development shall not 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 the National Planning

Policy Framework.

06.The development shall not be brought into use until details of an improvement scheme to address pedestrian safety and connectivity between Coast View and the footways on the eastern side of the C90, The Avenue, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be brought into use until these works have been constructed in accordance with the approved plans.

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

07.Development shall not commence until a Construction Method Statement, together with a 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;
- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

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

08.The development shall not be occupied until the car parking area indicated on the approved plans has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

09.The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the 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.A Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority prior to formation of the first hardstanding and implemented in accordance with the approved details prior to first occupation.

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

11. 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.

Flood risk and drainage

12. The effective crest height of the bund on the eastern side of the extended ditch shall be set at a minimum of 149.60m AOD

Reason: To ensure surface water and pluvial flows are contained within the development site and do not spread onto third party land. Hence not increasing the risk of flooding elsewhere.

13. The core of the bund on the eastern side of the extended ditch shall be of clay/compacted material.

Reason: To ensure structural stability, to prevent the bund from breaching.

14. Prior to first occupation an assessment into the structural integrity of the proposed bund on the eastern side of the extended ditch shall be undertaken. This assessment shall ensure the structural integrity of the bund 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. The assessment should be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the bund is structurally secure, limiting the possibility of any breaching.

15. Prior to first occupation details of the extended ditch and new manhole chamber with the flow restriction device shall be submitted to and approved by the local planning authority. These details shall include information on the outfall, manhole, grille, mesh, screen arrangement and a supporting health & safety assessment. Thereafter all agreed details shall be constructed in full.

Reason: To ensure the effective attenuation of surface and pluvial water on site, not increasing the risk of flooding elsewhere.

16. 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 composed within and be implemented forthwith in perpetuity.

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

17. 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 the construction shall be carried out in accordance with the details agreed.

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.

18. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must 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:

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

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

19. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk Assessment and Drainage Statement revision G dated 9th June 2020. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2605 and ensure that surface water discharges to the existing watercourse.

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

Ecology and Biodiversity

20. The actions to carry out this development would be unlawful if not carried out under a Natural England European Protected Species Mitigation Licence. As such, the following condition would be required, as specified in BS 42020:2013 Biodiversity Code of Practice for Planning and Development. No development shall commence until the LPA has been provided either

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specific development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity /development will require a licence.

Reason: to maintain the favourable conservation status of a European Protected Species and to ensure that the development can legally commence.

21. No development shall take place unless in accordance with the mitigation detailed in the report Great Crested Newt Survey, Percy Wood, August 2019, E3 Ecology. This will include;

- A suitably qualified ecological clerk of works will be appointed.
- Site design should incorporate areas of coarse grassland strips to be over-seeded with a species-rich grassland mix.
- Plantation woodland along the western boundary of Area 2 will be retained as part of the development.
- New amphibian pools/features will be created.
- Habitat enhancement works will be undertaken prior to the start of development.
- No works on site with the potential to harm great crested newts will commence until a Natural England licence is in place.
- The installation of amphibian-proof fencing and the subsequent trapping of the site

will not take place during the winter period (November to February inclusive) in order to minimise the risk of causing harm to great crested newts.

- All works on site with the potential to affect newts will be completed only after contractors have completed a toolbox talk incorporating detailed guidance on legislation, best practice working methods and what to do should great crested newts be found.
- The working areas will be fenced around the peripheries, with access available where required into the development areas. The location of the fence will be at the outer boundary of the development plots on site to enable all works, including the construction of boundary fencing, within this area. The amphibian fencing should be situated such that its removal will not be required to enable any element of development.
- Drift fencing will be used as required to aid capture.
- Pitfall traps will be located at 5m intervals along the internal area of the fence.
- The trapping will take place for at least 30 days and in line with Natural England guidelines based on the nature of the development and the size of the local great crested newt population.
- Following the completion of the trapping period, the site will be hand searched by the project ecologist to confirm the absence of the species before works commence. Any newts caught on site will be placed into a designated receptor site.
- additional coarse grassland strips will be created within the development area and within the wider Percy Woods site. Amphibian hibernacula/refugia will also be installed within the Percy Woods site, located within woodland blocks and within grassland swards.
- New pools suitable for GCN will be created at pond 9, which is currently largely dry.
- New areas of coarse grassland will be subject to a management agreement.
- Details of the management and maintenance of habitats created will be confirmed as part of the Natural England licence.
- Monitoring of the ponds will be required with full details confirmed as part of the NaturalEngland licence.

Reason: To maintain the favourable conservation status of protected species.

22. No development shall take place unless in accordance with the mitigation detailed in the report Ecological Appraisal Percy Wood dated August 2019. This will include;

- Areas of plantation woodland in Area 1 should be retained where possible with the minimum number of trees removed in order to facilitate the development of the storage shed.
- The plantation woodland along the western boundary of Area 2 should be retained.
- The storage shed in Area 2 which includes the brown long-eared roost should be retained as part of the development. If site design means that the storage shed in Area 2 cannot be retained, works to this structure will not commence until a Natural England development licence has been obtained.
- Works to all other buildings (excluding the Storage shed in Area 2) will be undertaken in accordance with a precautionary working method statement.
- External lighting that may reduce bat use of the storage building will be avoided. High intensity security lights will be avoided as far as practical, and any lighting in areas identified as being important (woodland edges) for bats will be low level (2m) and low lumen. Light spillage to areas used by foraging or commuting bats should be less than 2 lux.
- No lighting will be installed along the flyways between the roosts and adjacent

trees, woodland and foraging areas.

- Where security lights are required, these will be of minimum practicable brightness, be set on a short timer and will be motion sensitive only to larger objects.

- New areas of habitat creation of benefit for biodiversity should be included within the detailed design.

- Vegetation clearance/tree felling will 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.

- A checking survey will be undertaken within 3 months prior to works commencing to ensure no badger setts have been created within 30m of proposed working areas.

- Any excavations left open overnight will 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 will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

- Works will follow a precautionary method statement to avoid the spread of rhododendron.

- A total of 40 bird boxes should be installed on retained trees both within the development

areas and on trees within the wider Percy Woods site.

- Nest boxes specifically designed for house sparrow and starling installed onto Accommodation or woodland nearby to provide nesting opportunities.

- A total of 20 bat boxes will be installed on to trees within the site owner's land holding.

- New ponds, enhancement of pond 9, and terrestrial habitat enhancement will be undertaken to conserve amphibians and particularly great crested newts.

- The landscape planting will be designed to enhance structural diversity, and will include

plants bearing flowers, nectar and fruits which are attractive to invertebrates, thereby helping to maintain the food resource for bats and wildlife generally.

- Hedgerow management and habitat creation will be designed to generate a diversity of ecotones, sheltered areas, fish-free wetlands and linear connections with tall hedgerows comprising regular field trees between roost sites and areas of good foraging habitat.

- Tree management will be carried out to promote deadwood habitats, retain standing over-mature trees, and promote biodiversity. Interlinking hedgerows will be enhanced through gapping up and tree establishment, particularly double hedgerows such as those associated with green lanes and minor roads.

Reason: To maintain the favourable conservation status of protected species and maintain and enhance the biodiversity value of the site.

23. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. This shall include the mitigation and enhancement as details in the ecological reports. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: to conserve and enhance the natural environment in accordance with the NPPF.

24. All works which include site clearance, works in woodland or rough grassland or widening of any ditch or watercourse will be supervised by a suitably qualified Ecological Clerk of Works (ECOW).

Reason: to maintain the favourable conservation status of protected species.

25. Any new evergreen planting in the watercourse corridor will only use native species yew, holly and Scots pine.

Reason: to maintain the biodiversity value of the site and prevent the spread of non-native species.

Ground conditions and pollution

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

a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.

b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion

b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this

scheme without express written agreement of the Local Planning Authority.

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

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

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

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

28. 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 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.

29. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 27, which has been 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.

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

Monday to Friday - 0800 to 1800.

Saturday 0800 to 1300.

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

31. Deliveries to and collections during the construction phase of the development

shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday.

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

Other

32. The development shall be implemented and occupied in accordance with the following:

- (i) The caravans are occupied for holiday purposes only;
- (ii) The caravans shall not be occupied as a person's sole, or main place of residence;
- (iii) The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority. The register shall be collected by the caravan site licence holder or his/her nominated person.

Reason: To encourage tourism by ensuring that the caravans are used for holiday accommodation only and to prevent their use as full-time permanent residential use, in a location where such development would be inappropriate, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S3, S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

33. No caravan shall be placed on the land unless it is of a specification, colour and materials as identified in a scheme of details to be submitted to and approved in writing by the Local Planning Authority. The caravans shall thereafter continue to be sited in accordance with the approved scheme of details.

Reason: In the interests of amenity, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

34. No development shall commence until details of external lighting have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

- The specific location of all external lighting units;
- Design of all lighting units;
- Details of beam orientation and lux levels; and
- Any proposed measures such as motion sensors and timers that will be used on lighting units;
- Timescales for implementation of the removal and replacement of lighting to the existing caravan park

The approved lighting scheme shall be installed in accordance with the approved details and timescales, and shall be maintained as such thereafter, unless removed entirely.

Reason: In the interests of amenity, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

35. No more than 60 caravans shall be on the application site the subject of this application at any one time.

Reason: To ensure that the use remains compatible with the surrounding environment and to ensure that the effects of any additional development upon the environment can be fully considered, in accordance with Policies RE16 and T4 of the Alnwick District Wide Local Plan, Policies S13 and S16 of the Alnwick District LDF Core Strategy and the National Planning Policy Framework.

36. For the avoidance of doubt any "caravan" located on the site is defined as any structure that complies with the definition of a caravan as set out in the Caravan Sites and Control of Development Act 1960, as amended by the Caravan Sites Act 1968 and Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravans) (Amendment) (England) Order 2006, or any order revoking and re-enacting those orders with or without modification.

Reason: In the interests of the character and appearance of the area.

Background Papers: 19/01687/FUL

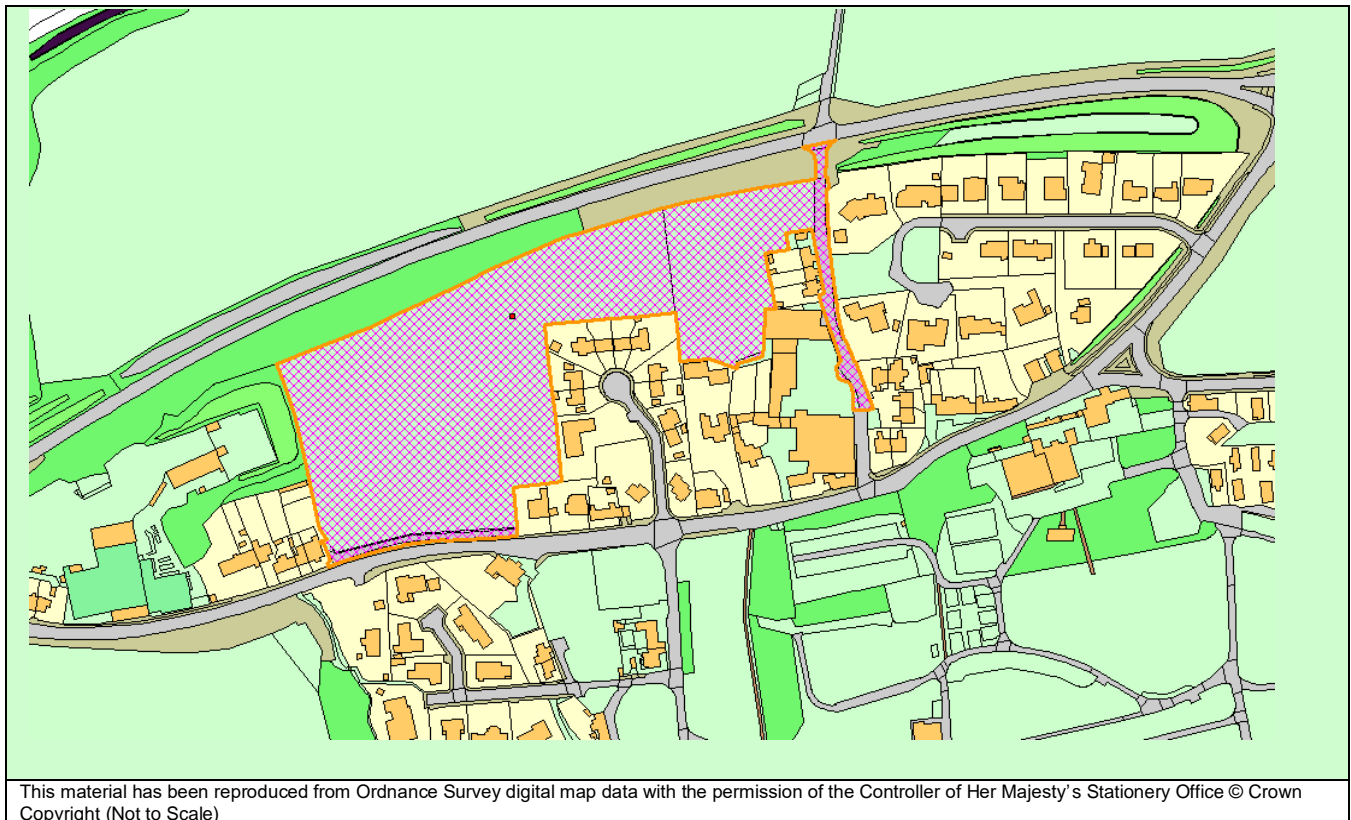


Northumberland County Council

North Northumberland Local Area Council Planning Committee 24 March 2022

Application No:	21/02169/REM		
Proposal:	Reserved Matters Application pursuant to planning permission 18/00828/OUT for access, appearance, landscaping, layout and scale		
Site Address	Land North and West of Hillcrest, East Ord, Northumberland		
Applicant:	Ascent Homes C/o DPP	Agent:	Mrs Jo Robison DPP, Studio 012, Haylofts, St Thomas' St, Newcastle upon Tyne, NE1 4LE
Ward	Berwick West With Ord	Parish	Ord
Valid Date:	16 June 2021	Expiry Date:	31 March 2022
Case Officer Details:	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to conditions.



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the North Northumberland Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

2. Description of the Proposals

2.1 Outline planning permission, with all matters reserved, was granted under application reference: 18/00828/OUT on 23rd November 2018 for the construction of 30 dwellings on land north and west of Hillcrest, East Ord. This outline application was determined by members of the North Northumberland Local Area Council Planning Committee.

2.2 This current application seeks approval of the reserved matters relating to outline planning application reference: 18/00828/OUT. The reserved matters for which approval is sought in this instance are means of access, appearance, scale, layout and landscaping.

2.3 The current reserved matters application relates to the construction of 30 dwellings, as approved at outline stage. The proposed 30 dwellings would be provided through 9 different house types (detached and semi-detached) and would provide:

- 4 x 2-bedroom dwellings.
- 15 x 3-bedroom dwellings.
- 11 x 4-bedroom dwellings.

3 x 2-bedroom dwellings and 2 x 3-bedroom dwellings would be delivered as affordable housing (amounting to 15% affordable housing). This 15% affordable housing contribution figure is as per the Section 106 Agreement which accompanied the outline planning permission.

2.4 The application site comprises of agricultural land that occupies an elevated position above East Ord Road (the main road that runs through the village of East Ord) to the south, with the site sloping at the western end of the site in a north-south direction. The application site is bounded by a narrow stretch of woodland to the north with the A698 (Rotary Way) and open land beyond. The application site is bounded by residential properties and some farm buildings to the east and south and is bounded by residential properties and an area of woodland to the west. Also, a Public Right of Way runs in a north-south direction to the east of the site and connects the A698 to East Ord Road.

2.5 The application site is within a Coastal Mitigation Zone, is within a Health and Safety Executive Site and is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI).

2.6 During the course of the application, the applicant has submitted additional and revised information and plans to address the initial concerns raised by the Council's Highway Development Management (HDM) team, the Council's Ecology team and the Council's Lead Local Flood Authority (LLFA) team. This reserved matters application originally proposed to construct 40 dwellings, an increase of 10 dwellings from the 30 dwellings approved at the outline application stage. However, during the course of the application it was raised with the applicant that the proposed increase from 30 dwellings to 40 dwellings could not be considered under this reserved matters application and hence the application was amended, and the number of dwellings proposed was reduced to 30. Amended plans have therefore been submitted to reflect this and full re-consultation has been undertaken.

3. Planning History

Reference Number: 17/04494/SCREEN

Description: Request for a screening opinion in respect to pre-application enquiry for the erection of approximately 30 dwellings.

Status: EIA Not Required

Reference Number: 18/00828/OUT

Description: Outline Permission with All Matters Reserved: 30 dwellings - Amended 21/08/18

Status: Permitted

Reference Number: N/00/B/0191

Description: Development comprising 36 dwellings, access roads and associated infrastructure works. (application revised to 36 dwellings, footpath link and land retained for future access to farm buildings revised 27.06.00).

Status: Refused

4. Consultee Responses

Lead Local Flood Authority (LLFA)	No objection subject to conditions and informatives.
Ord Parish Council	<p>Ord Parish Council have no objection. However, Parish Councillors would like the following points to be considered before the application is determined:</p> <ul style="list-style-type: none"> - The 30mph speed limit on the A698 at East Ord roundabout should be extended along Rotary Way, past the junction to this development, as this will allow residents to exit and access the housing estate safely. - Parish Councillors support the comments from the Northumberland Clinical Commissioning Group that a single payment of £26,100 needs to be made from the developer under the S106 on the completion of the 1st dwelling. - The Parish Council require clarification as to who will be responsible for the future maintenance of open space within the development and will there be a charge per property to cover the annual costs. - The maximum number of houses on this site should be 30.

Health Care CG	Request that a single payment of £20,100 is required from the developer as a Section 106 contribution and this should be on completion of the 20 th dwelling as previously agreed.
Highways	No objection subject to conditions.
Highways England	No objection.
Natural England	No objection.
Northumbrian Water Ltd	No issues to raise with the application. Recommend a condition relating to the implementation of the drainage scheme. Northumbrian Water comments simply reflect the ability of their network to accept flows if sewer connection is the only option.
County Archaeologist	No objection.
Public Protection	No comment to make on this reserved matters application.
Waste Management - North	No response received.
County Ecologist	No objection subject to conditions and informatives. The Section 106 Agreement completed under the outline application secures the required Coastal Mitigation Service contribution for this scheme.
Education - Schools	The financial contribution towards education provision for 30 dwellings has already been secured under the Section 106 Agreement completed under the outline application.
Fire & Rescue Service	No objection.
Architectural Liaison Officer - Police	No objection.
Northumbria Ambulance Service	No response received.
Affordable Housing	The proposed development would provide for 15% of the total dwellings as affordable homes, and thus would satisfy S.106 requirements. The proposed housing mix and tenure breakdown is in line with the county's identified needs and local and national policy requirements, considering the SHMA update, local housing needs study and RP plans to deliver more rented homes. There are no DMV homes in Berwick to date so this will provide a viable alternative and balanced offer for affordable homes. An affordable housing scheme should be submitted before the development commences.
Countryside/ Rights of Way	No objection, in principle, to the application subject to the protection of the Parish of Ord Public Footpath No.19 throughout. It is noted that the intended upgrade to the access from the A698 does not include a footway to the east to accommodate Public Footpath No. 19. The developer should consider improving this section of the public footpath and ensure that

	this has a specification for an upgrade to an adoptable standard that is agreed by the Council's Development Management team. It is suggested that the developer contact the Council's Countryside Rights of Way Officer, Phillip Bradley, to discuss any improvements or alignments.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	58
Number of Objections	4
Number of Support	0
Number of General Comments	0

Notices

Site Notice affecting Public Right of Way – Displayed on 25th June 2021
 Press notice in Berwick Advertiser – Published on 24th June 2021

Summary of Responses:

Four representations of objection have been received from two neighbouring residents which have raised the following concerns during the initial consultation process and during the re-consultation process:

- A right of access through the field for 2 East Ord Farm Cottages is not incorporated into the proposed plans.
- Impact on residential amenity.
- Impact on the Public Right of Way.
- Noise and dust during construction.
- 2 and 3 East Ord Farm Cottages have a liability for the upkeep of the private road, which the proposed development would seek to utilise. Will damage to the road be addressed during construction and will the properties be liable for the upkeep of the private road after construction.
- Housing density and impact on the character of the area.
- Overdevelopment of a small area of the site.
- Different house types and sizes proposed to those submitted at outline stage.
- Highway safety.
- Car parking issues for existing neighbouring properties, such as Osborne Cottages.
- Traffic.
- Access.
- Concerns regarding new street lighting outside East Ord Farm Cottages.

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=QTPZ81QSGR000>

6. Planning Policy

6.1 Development Plan Policy

Berwick upon Tweed Local Plan (1999)

Policy F1 – Environmental Wealth

Policy F5 – Berwick-Upon-Tweed

Policy F6 – Special Protection Areas, Special Areas of Conservation and Ramsar Sites

Policy F7 – National Nature Reserves and Sites of Special Scientific Interest

Policy F10 – Protected Species

Policy F12 – Trees and Woodlands

Policy F30 – Planning Obligations

Policy F31 – Social and Economic Welfare

Policy M14 – Car Parking Standards

Policy S6 – Affordable Housing

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021, as updated)

National Planning Practice Guidance (NPPG) (2019, as updated)

6.3 Emerging Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by Main Modifications recommended in the Inspectors' Report (January 2022)

Policy ENV 2 – Biodiversity and Geodiversity

Policy ENV 3 – Landscape

Policy ENV 7 – Historic Environment and Heritage Assets

Policy HOU 2 – Provision of New Residential Development (Strategic Policy)

Policy HOU 5 – Housing Types and Mix

Policy HOU 6 – Affordable Housing Provision (Strategic Policy)

Policy HOU 8 – Residential Development in the Open Countryside

Policy HOU 9 – Residential Development Management

Policy INF 1 – Delivering Development Related Infrastructure (Strategic Policy)

Policy INF 6 – Planning Obligations

Policy POL 1 – Unstable and Contaminated Land

Policy POL 2 – Pollution and Air, Soil and Water Quality

Policy QOP 1 – Design Principles (Strategic Policy)

Policy QOP 2 – Good Design and Amenity

Policy QOP 4 – Landscaping and Trees

Policy QOP 5 – Sustainable Design and Construction

Policy QOP 6 – Delivering Well-Designed Places

Policy STP 1 – Spatial Strategy (Strategic Policy)

Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)

Policy STP 3 – Principles of Sustainable Development (Strategic Policy)

Policy STP 4 – Climate Change Mitigation and Adaptation (Strategic Policy)

Policy STP 5 – Health and Wellbeing (Strategic Policy)

Policy STP 6 – Green Infrastructure (Strategic Policy)

Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)

Policy TRA 2 – The Effects of Development on the Transport Network
Policy TRA 4 – Parking Provision in New Development
Policy WAT 1 – Water Quality
Policy WAT 2 – Water Supply and Sewerage
Policy WAT 3 - Flooding
Policy WAT 4 – Sustainable Drainage Systems

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the development plan comprises policies from the Berwick Local Plan, as identified above. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The Plan is in the final stage of preparation, there are no unresolved objections, and the Plan is consistent with national policy, and therefore significant weight can be given to the policies in the NLP.

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

- Principle of the development.
- Planning obligations.
 - Affordable housing.
 - Education.
 - Health.
 - Coastal mitigation.
- Design and impact upon the landscape.
- Amenity.
- Archaeology.
- Highway safety.
- Impact upon the Public Right of Way.
- Ecology.
- Drainage and sewerage.
- Other matters.

Principle of the Development

7.4 The principle of residential development at the application site has been established through the granting of outline planning permission under application reference: 18/00828/OUT. This outline planning permission is linked to this current reserved matters planning application. The principle of the development has already been assessed through the outline application and this reserved

matters application solely assesses the matters of means of access, scale, layout, appearance and landscaping.

Planning Obligations

7.5 Policy F30 of the Berwick Local Plan relates to planning obligations and states that *“where it is necessary to the granting of planning permission in accordance with policies elsewhere in this plan and the development concerned, development will be permitted subject to a planning obligation to ensure that due regard is given to the environment and the interests of the local community. Developers will be required to provide appropriate infrastructure, or other consequential educational, social, recreational, sporting or community facilities and nature conservation benefits commensurate with the scale of the development”*.

7.6 Policy INF6 of the emerging Northumberland Local Plan also specifically relates to planning obligations. This policy states *“planning obligations may be used to secure the timely provision, and/or improvement and maintenance of any physical, social, community and green infrastructure and/or any mitigation and/or compensatory measures reasonably necessary to make a development acceptable in planning terms”*.

7.7 Paragraph 55 of the NPPF advises that *“local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition”*. Paragraph 57 of the NPPF advises that planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms.
- (b) directly related to the development.
- (c) fairly and reasonably related in scale and kind to the development.

7.8 A Section 106 Agreement to secure affordable housing, coastal mitigation, health and education contributions was completed to accompany outline planning application reference: 18/00828/OUT. As the scheme submitted under this reserved matters application continues to propose a total of 30 dwellings (the same number of dwellings as approved at outline stage), it is considered that the required planning obligations have already been secured under the Section 106 Agreement completed at outline application stage. However, each planning obligation will be summarised in turn below.

Affordable Housing

7.10 The application proposes to construct a total of 30 dwellings, of which 15% (5 units) would be affordable. Policy S6 of the Berwick Local Plan relates specifically to affordable housing and states *“the development of affordable housing to meet an identified community need will be permitted on sites which are suitable in terms of proximity to local services and facilities and access to public transport”*. Policy S6 follows on to state that the Council will negotiate with developers for the inclusion of an appropriate element of affordable housing, including on sites of 1.5 or more hectares or a development of 40 or more

dwellings in the town of Berwick-upon-Tweed including Tweedmouth, Spittal and East Ord.

- 7.11 Policies HOU 5 (housing types and mix) and HOU 6 (affordable housing provision) of the emerging Northumberland Local Plan require that development proposals should be assessed in terms of how well they meet the housing needs and aspirations identified in the most up-to-date Strategic Housing Market Assessment (SHMA) or local housing needs assessment.
- 7.12 2 x 3-bedroom dwellings and the 3 x 2-bedroom dwellings would be delivered as affordable housing (amounting to 15% affordable housing). This 15% affordable housing contribution figure is as per the Section 106 Agreement which accompanied the outline planning permission. The Council's Affordable Housing (AH) team has been consulted on this application and considers the proposed layout shows a reasonable distribution of affordable housing units.
- 7.13 Following discussions with the applicant, all 5 of the affordable housing units would be for Discounted Market Value (DMV) sale at 70% of the Open Market Value. The Council's AH team consider that the proposed housing mix and tenure breakdown is in line with the county's identified needs and local and national policy requirements, considering the Strategic Housing Market Assessment (SHMA) update, local housing needs study and Registered Provider (RP) plans to deliver more rented homes. There are no DMV homes in Berwick to date so this will provide a viable alternative and balanced offer for affordable homes. The Council's AH team also considers that an affordable housing scheme should be submitted before the development commences.
- 7.14 The proposed scheme would comply with the 15% affordable housing contribution as set out in the Section 106 Agreement which accompanied the outline planning permission. The proposed development is therefore considered to be acceptable in accordance with Policy S6 of the Berwick Local Plan, Policy HOU 6 of the emerging Northumberland Local Plan and Paragraph 65 of the NPPF in relation to affordable housing.

Coastal Mitigation

- 7.15 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as a competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.
- 7.16 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves; the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service (paid on occupation of the first unit) which will be used to fund coastal wardens who will provide the necessary mitigation.
- 7.17 The proposed development would create a total of 30 new units (as agreed at outline stage); therefore, the total contribution towards the Coastal Mitigation Scheme has already been secured by virtue of the legal agreement under

Section 106 of the Town and Country Planning Act 1990 (as amended) which was completed to accompany outline planning application reference: 18/00828/OUT. The proposed development is considered to be acceptable in accordance with Policy F30 of the Berwick Local Plan and Policy INF 6 of the emerging Northumberland Local Plan in relation to coastal mitigation.

Health

7.18 Paragraph 8 of the NPPF identifies three dimensions to sustainable development - an economic element, a social element, and an environmental element. Paragraph 8 indicates that the social role of sustainable development is to support strong, vibrant and healthy communities with accessible local services that reflect the community's needs and supports its health, social and cultural well-being.

7.19 Policy STP 5 of the emerging Northumberland Local Plan relates to health and well-being. This policy is supportive of development which promotes, supports and enhances the health and well-being of communities, residents, workers and visitors. This policy requires development proposals to provide access to a range of facilities including health, social care and education facilities.

7.20 Where major applications propose residential development of 30 units or above, the application is subject to consultation with the Northumberland Clinical Commissioning Group (NCCG). Contributions are based on the cost of space required from the total number of people that would accommodate the development taken in the context of GP capacity at catchment practices.

7.21 NCCG have responded to the consultation to request a contribution of £20,100 to facilitate the required GP surgery capacity expansion and to ensure the new health capacity is in place as the dwellings are occupied. It is noted that the requested contribution to health provision has increased slightly from that secured under the Section 106 Agreement at outline stage despite the number of proposed dwellings remaining at 30. Having sought further clarification from NCCG, they have confirmed that the original contribution toward health provision as secured under the Section 106 Agreement completed at outline stage can remain in place and would be acceptable in this instance. This is due to this matter being the only reason a new Section 106 Agreement would be required at this reserved matters stage and given the small change in additional contribution requested. It would therefore be unreasonable to request a new Section 106 Agreement at this stage. The proposal is acceptable in this respect in accordance with Policy F30 of the Berwick Local Plan and Policies STP 5 and INF 6 of the emerging Northumberland Local Plan.

Education

7.22 Paragraph 8 of the NPPF and Policy STP 5 of the emerging Northumberland Local Plan, which are set out above, are relevant to education provision as well as health care provision. In respect of major housing applications, issues of school capacity and the impacts of new development are considered through consultation with Education. Contributions, where necessary, are sought for physical infrastructure improvements based on capacity. Paragraph 95 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and local planning

authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

7.23 The proposed development would create a total of 30 new units (as agreed at outline stage); therefore, the total contribution towards education provision has already been secured by virtue of the legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) which was completed to accompany outline planning application reference: 18/00828/OUT. The proposed development is considered to be acceptable in this respect in accordance with Policy F30 of the Berwick Local Plan and Policies STP 5 and INF 6 of the emerging Northumberland Local Plan.

Design and Impact upon the Landscape

7.24 Chapter 12 of the NPPF seeks to achieve well-designed places. Paragraph 126 of the NPPF advises that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*.

7.25 Paragraph 130 of the NPPF sets out design principles for development proposals to follow. These principles seek to ensure developments:

- “a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”*.

7.26 Paragraph 134 of the NPPF states *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*.

7.27 Policies F1 and F3 of the Berwick Local Plan are relevant policies to assess the design impact of the proposals, as well as the impact of the proposal on local character and the landscape in which the proposals sit.

7.28 Policy F1 of the Berwick Local Plan relates to environmental wealth and states *“having regard to the provisions for development made in the Plan, and of Policy F31, primary importance will be given to sustaining and enhancing the Borough's*

environmental wealth, including its landscape and coast, its native biodiversity and its human heritage”.

7.29 Policy F5 of the Berwick Local Plan relates specifically to Berwick-upon-Tweed and states *“within the town of Berwick-upon-Tweed, including Tweedmouth, Spittal and East Ord, development will be permitted provided that:*

- i) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including indigenous species, means of enclosure and access; and,*
- ii) it accords with Policies elsewhere in the Plan”.*

7.30 Policies STP 2, STP 3, HOU 8, HOU 9, QOP 1, QOP 2, QOP 6 and ENV 3 of the emerging Northumberland Local Plan are relevant to matters relating to design and the context in which a proposal will be viewed, which includes landscape and local character.

7.31 The residential nature of the proposed development is deemed to be appropriate in this setting, given that outline planning permission was previously granted under application reference: 18/00828/OUT in relation to this application site. Therefore, as aforementioned, the principle of development for this proposal has already been assessed under the outline planning application. The application proposes residential development close to the existing settlement of East Ord, located on its periphery. The proposed layout is not similar to that shown in the indicative site plans submitted at outline stage. The outline planning application was for the construction of 30 dwellings, covering the whole of the site, with this revised proposal being for the construction of 30 dwellings, covering the north and eastern part of the site and with public open space within the southern part of the site and with the existing pastureland to the west being retained. The proposed dwellings are to be of a two storey nature. Differing from the indicative site plan itself is not an appropriate reason for refusal, as this is not an approved plan of the outline planning permission.

7.32 The proposed 30 dwellings would be provided through 9 different house types (detached and semi-detached) and would provide:

- 4 x 2-bedroom dwellings.
- 15 x 3-bedroom dwellings.
- 11 x 4-bedroom dwellings.

7.33 3 x 2-bedroom dwellings and 2 x 3-bedroom dwellings would be delivered as affordable housing. The proposed scheme provides a mixture of dwelling types and housing mix to the local housing market, meeting a range of needs. This is generally reflective of this area of East Ord, which is characterised by a range of house types and a relatively broad housing mix.

7.34 The proposed dwellings would be constructed of lbstock facing bricks (of different blends, depending on the house type), with either Marley Modern Smooth Grey or Marley Old English Red roofing tiles (again, depending on the house type), with some house types incorporating Monoconche Scratch render (off-white colour). Render, brickwork and a mixture of grey and red roofing tiles are all materials which feature heavily within the built form which surrounds the

application site; therefore, the proposed appearance of the dwellings is considered to be acceptable and in keeping with the character of the wider locality. It is noted that the 30 dwellings would all be two storey in height. There is a mixture of two storey and single storey dwellings within the surrounding area, with the properties to the south at Hillcrest being predominantly single storey. The scale of the proposed dwellings is therefore considered to be appropriate and in keeping with the scale of the existing properties within the wider, surrounding local area. A condition relating to the submission of details of the proposed materials to be used is considered necessary to ensure that the dwellings are in keeping with the character of East Ord and respect the site's landscape setting. It is considered that the proposed residential development would protect and maintain the positive qualities of the site's edge of settlement location and the urban/rural northern fringe of the village.

7.35 In terms of scale, the details submitted show the proposed dwellings would have moderately sized residential curtilages due to being sited within moderate sized plots of land. It is acknowledged that the density of the scheme has remained the same, however, the total area of the whole site occupied by residential development has decreased since the outline planning application stage. This issue has been raised within the representations of objection. However, despite a decrease in the area of the site covered by residential development at this reserved matters stage, in terms of scale, the residential curtilages of the dwellings would be similar, albeit slightly smaller, to others within the wider locality, yet they are considered to be compatible in this location and in the wider area and would provide sufficient levels of private, outdoor amenity space for future occupiers.

7.36 The proposal is considered to fit within the landscape, being in an edge of settlement location on the urban/rural fringe, and sited between the A698 (Rotary Way) and the existing built form of East Ord. The application site is bounded by woodland to the north and west, which would screen the majority of the proposed development when viewed from outside of the settlement and from long distance views. Although there may be glimpses of the proposal from the wider rural area, it will be viewed against the backdrop of the existing built form of East Ord. Further to this, it is also considered that the design of the proposal would complement the existing built environment in proximity to the site and would not appear jarring with its surroundings. It is therefore considered that this proposal will appear congruous with its surroundings or in keeping with its character or fitting with the context of the locality. It is therefore considered that the proposal grasps the identity of its locality, with the proposed built form complementing its surroundings.

7.37 It is therefore considered that the proposed development would be appropriate in design and impact upon landscape terms and would adhere to Policies F1 and F5 of the Berwick Local Plan, Policies STP 2, STP 3, HOU 8, HOU 9, QOP 1, QOP 2, QOP 6 and ENV 3 of the emerging Northumberland Local Plan and the principles of Chapter 12 of the NPPF in this respect.

7.38 The representations of objection have made comments in regard to the scheme's design, housing density, the impact on the character of the area and the overdevelopment of the site. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment,

it is considered that the proposal as submitted, is acceptable in this respect in planning terms.

Amenity

- 7.39 As aforementioned, Chapter 12 of the NPPF seeks to achieve well-designed places and to create better places in which to live and work. Paragraph 130 of the NPPF advises that planning policies and decisions should ensure that developments promote health and well-being and provide a high standard of amenity for existing and future users.
- 7.40 Policy QOP 2 of the emerging Northumberland Local Plan specifically relates to good design and amenity. This policy states that development will be required to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in, working in or visiting the local area.
- 7.41 The application site is located immediately adjacent to the settlement of East Ord and adjacent to existing residential development. The application site is bounded by a narrow stretch of woodland to the north with the A698 (Rotary Way) and open land beyond. The application site is bounded by residential properties and some farm buildings to the east and south and is bounded by residential properties and an area of woodland to the west.
- 7.42 The proposal seeks to construct residential development on agricultural land that occupies an elevated position above East Ord Road (the main road that runs through East Ord) to the south, with the site sloping at the western end of the site in a north-south direction. The proposed residential development would be located on the settlement edge and it is acknowledged that the proposed residential development has the potential to impact on the amenity of neighbouring properties and land uses more than that experienced presently by the current agricultural use of the site. However, it is considered that the proposed development would not have a significant adverse impact on the amenity of neighbouring residential properties and land uses in terms of loss of privacy or overlooking, loss of light, outlook or have any overbearing impact, as a result of the sufficient separation distances which can be achieved combined with the careful orientations of the proposed dwellings.
- 7.43 It is acknowledged that the 30 dwellings would be two storey in height. There is a mixture of two and single storey dwellings within the surrounding area, with the properties to the south, at Hillcrest, being predominantly single storey. The two storey scale of these dwellings is considered to be appropriate because, based on the layout of the site, there is considered to be acceptable separation distances between the proposed dwellings and the immediate existing residential properties to ensure that the two storey scale would not adversely impact upon the residential amenity of neighbouring properties.
- 7.44 Concerns regarding amenity have been raised within the representations of objection, which are from occupiers directly adjacent to the site. Whilst the concerns raised have been taken into consideration when assessing the impact on amenity, it is not considered they represent an appropriate reason for refusal in this instance. It is therefore considered that for the reasons outlined above, the scheme proposed, represents a proposal which would not impact significantly on

neighbouring occupiers as to warrant refusal in terms of impact on amenity. In addition to potential longer term amenity impacts, concerns have been raised within the objections regarding amenity impacts during construction; however, this is a matter which is relevant to an outline application rather than a 'reserved matters' application such as this and this matter was dealt with at the outline stage, through conditions recommended by the Council's Public Health Protection team, to ensure the protection of neighbouring amenity.

7.45 The matters of appearance, scale and layout, for which the local planning authority's approval is sought, is considered to be acceptable in this respect and thus the proposal is in accordance with Policy QOP 2 of the emerging Northumberland Local Plan and the principles of Chapter 12 of the NPPF.

Archaeology

7.46 Chapter 16 of the NPPF seeks to conserve and enhance the historic environment. Policy ENV 7 of the emerging Northumberland Local Plan relates to the historic environment and heritage assets. This policy states "*development proposals will be assessed, and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings*" and "*development proposals, which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, will require an appropriate desk-based assessment and, where necessary, a field evaluation*".

7.47 Outline planning application reference: 18/00828/OUT was subject to a phased programme of archaeological assessment, including desk-based assessment and evaluation trenching. The archaeological trial trenching exercise identified a number of features of archaeological interest, including medieval pottery, linear ditches, localised quarrying, cobbled surfaces and a small number of pits. With the exception of two linear features and one pit (which produced shards of late medieval pottery), finds recovered from the features were typically modern/post-medieval/19th century. The Council's Archaeologist has been consulted on this application and considers that although a number of archaeological features were recorded within the site following the phased programme of archaeological assessment, none were considered to be significant enough to require further archaeological work. Therefore, the Council's Archaeologist has no objection from an archaeological perspective to the proposed development which is subject to this reserved matters application and considers that no archaeological work is required in this instance. Therefore, the application is considered to be in accordance with Policy ENV 7 of the emerging Northumberland Local Plan and the principles of Chapter 16 of the NPPF in this respect.

Highway Safety

7.48 This current reserved matters application requires consideration to be given to matters of highway safety in respect of the proposed layout of the proposed housing development, including the internal highway layout and parking provision, and to access from the A698 (Rotary Way), to ensure a safe and suitable access can be provided to support the proposed housing development.

7.49 Chapter 9 of the NPPF relates to promoting sustainable transport. Paragraph 110 of the NPPF advises that developments should ensure that:

- appropriate opportunities to support sustainable transport modes are taken up.
- safe and suitable access can be achieved for all users.
- the design of streets and parking areas reflects current national guidance.
- any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.50 Paragraph 111 of the NPPF follows on to advise *“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”*.

7.51 Paragraph 112 of the NPPF adds to this and states *“within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”*.

7.52 Policies TRA 1 (promoting sustainable connections), TRA 2 (the effects of development on the transport network) and TRA 4 (parking provision in new development) of the emerging Northumberland Local Plan are also relevant to this application.

7.53 The Council’s Highway Development Management (HDM) team has been consulted on this application and has no objection subject to conditions. Highways England have been consulted on this application and they have raised no objection. During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the Council’s HDM team. The recommended conditions relate to details of Public Footpath works, the protection of the Public Footpath, details of vehicular access, details of refuse storage facilities and strategy, details of highway works, submission of a Construction Method Statement and for the garages within the scheme to be used solely for the purposes of vehicle parking and to be retained as such in perpetuity. The Council’s HDM team consider it is necessary for a condition to be attached to any permission granted to ensure that the garages within the scheme are used solely for the purposes of vehicle parking and that they will be retained as such in perpetuity because they have been included in the overall car parking numbers provided for the scheme. It is noted that the majority of the conditions recommended by the Council’s HDM team under this reserved matters application, are conditions which already apply to the outline

application. Therefore, it is not necessary to carry these across as the conditions from the outline application continue to apply to this development.

7.54 Subject to accordance with the recommended conditions, the matters of layout and means of access, for which the local planning authority's approval is sought, are considered to be acceptable in this respect and thus the proposal is in accordance with Policies TRA 1, TRA 2 and TRA 4 of the emerging Northumberland Local Plan and the principles of Chapter 9 the NPPF.

7.55 The representations of objection have made comments in regard to highway safety, car parking, traffic, access and street lighting. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's HDM team and Highways England, it is considered that the proposal as submitted, is acceptable in respect of highway safety and access. It is also noted that the representations raise the issue of rights of access over the land; however, this is a civil matter and is not a material planning consideration.

Impact upon the Public Right of Way

7.56 Paragraph 100 of the NPPF seeks to protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. Policy TRA 1 of the emerging Northumberland Local Plan relates to promoting sustainable connections and similarly to Paragraph 100 of the NPPF, seeks to protect, enhance and support public rights of way.

7.57 A Public Right of Way runs in a north-south direction to the east of the site and connects the A698 (Rotary Way) to East Ord Road. The residential development is proposed to be accessed from the A698 (Rotary Way) via the Public Right of Way. The Council's Countryside Rights of Way (CSROW) team has been consulted on this application and they have no objection, in principle, to the application subject to the Parish of Ord Public Footpath No. 19 being protected throughout. The CSROW team note that the intended upgrade to the access from the A698 does not include a footway to the east to accommodate Public Footpath No. 19. They therefore advise that the developer should consider improving this section of the public footpath and ensure that this has a specification for an upgrade to an adoptable standard that is agreed by the Council's Development Management team. It is suggested that the developer contact the Council's CSROW Officer for this area to discuss any improvements or alignments.

7.58 The Council's CSROW team also advise that no action should be taken to disturb the path surface, without their prior consent as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided. Overall, the Council's CSROW team has no objection subject to the protection of the Public Footpath No.19 throughout and thus the proposed development would not adversely affect the Public Right of Way and would accord with Policy TRA 1 of the emerging Northumberland Local Plan and Paragraph 100 of the NPPF in this respect. The representations of objection have made comments in regard to impact on the Public Right of Way. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with

the Council's Countryside Rights of Way team, it is considered that the proposal as submitted, is acceptable in respect of its impact upon the Public Right of Way.

Ecology

7.59 Chapter 15 of the NPPF seeks to conserve and enhance the natural environment. Policies F6 (special protection areas, special areas of conservation and Ramsar sites), F7 (national nature reserves and sites of special scientific interest), F10 (protected species) and F12 (trees and woodlands) of the Berwick Local Plan and Policies ENV 2 (biodiversity and geodiversity) and QOP 4 (trees and landscaping) are all relevant to this application and ultimately seek to protect designated ecological sites and protected species and seek to enhance the natural environment through appropriate landscaping and biodiversity enhancement measures.

7.60 The application site comprises of agricultural land on the edge of the built-up area of East Ord. The application site is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI). An updated Preliminary Ecological Appraisal has been submitted to accompany this application. Natural England has been consulted on this application and has raised no objection to the proposals. The Council's Ecologist has also been consulted on this application and has also no objection; however, this is subject to conditions. The recommended conditions relate to the protection of protected species (including bats, badgers and hedgehogs), the protection of nesting birds, the submission of a tree and hedgerow protection plan, the submission of a landscape and ecological management plan, the management of biodiversity habitats and the provision of bird and bat boxes and features. Subject to accordance with the recommended conditions, the matters of layout and landscaping, for which the local planning authority's approval is sought, are considered to be acceptable in this respect and thus the proposal is in accordance with Policies F6, F7, F10 and F12 of the Berwick Local Plan, Policies ENV 2 and QOP 4 of the emerging Northumberland Local Plan and the principles of the NPPF.

Drainage and Sewerage

7.61 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 169 of the NPPF advises that *"major developments should incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits".*

7.62 Policies WAT 2 (water supply and sewerage), WAT 3 (flooding) and WAT 4 (sustainable drainage systems) of the emerging Northumberland Local Plan are also relevant to this application and align with the principles for drainage and sewerage as set out within Chapter 14 of the NPPF.

7.63 Surface water and foul sewage from the proposed development would be disposed of by mains sewers. Therefore, the proposal would connect to the existing, public drainage system. The proposal also includes the incorporation of SuDS features.

7.64 Northumbrian Water has been consulted on this application and has no issues to raise with the application. However, Northumbrian Water recommend a condition relating to the implementation of the drainage scheme. It is acknowledged that Northumbrian Water's comments simply reflect the ability of their network to accept flows, if sewer connection is the only option.

7.65 The Council's Lead Local Flood Authority (LLFA) team has also been consulted on this application and has no objection subject to conditions and informatives. During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the Council's LLFA team. The recommended conditions relate to finished floor levels, plot drainage details, adoption and maintenance details of all SuDS features, surface water disposal details during the construction phase, the submission of a drainage verification report and the removal of permitted development rights to the rear gardens of Plots P1, P2, P5 and P6. The Council's LLFA team consider it is necessary for permitted development rights to be removed from the rear curtilages of the dwellings at Plots P1, P2, P5 and P6 because a private sewer runs through them, and it is therefore imperative that access to the private sewer is maintained at all times.

7.66 Conditions on the outline permission, as well as conditions in respect of the reserved matters, as recommended by the Council's LLFA team and Northumbrian Water, can ensure that appropriate drainage arrangements are in place. Subject to accordance with the recommended conditions, the matters of layout and landscaping, for which the local planning authority's approval is sought, are considered to be acceptable in this respect and thus the proposal is in accordance with Policies WAT 2, WAT 3 and WAT 4 of the emerging Northumberland Local Plan and the principles of Chapter 14 of the NPPF.

Other Matters

7.67 Some of the consultees have requested that conditions from the outline application are carried over to this reserved matters application. This is not necessary as the conditions from the outline continue to apply to the proposal as a whole. The conditions as set out on the outline application continue to apply to this development/proposal.

Equality Duty

7.68 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

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

Human Rights Act Implications

7.70 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.

7.71 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.

7.72 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 main planning considerations in determining this application have been set out and considered above indicating accordance with the relevant development plan policies. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local planning policies and the NPPF on the matters of relevance in this application.

8.2 The technical issues affecting the proposal have been suitably addressed subject to conditions set out in the recommendation.

8.3 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be GRANTED permission subject to the conditions set out below:

Conditions/Reason

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

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

02. The development hereby permitted shall, except where modified by conditions elsewhere in this permission, not be carried out other than in complete accordance with the following approved plans:

- Location Plan, Drawing No: P03 Revision: C
- Planning – Site Sections, Drawing No: P04 Revision A
- Site Sections Sheet 3, Drawing No: SK33 Revision: P2
- Proposed Drainage Plan, Drawing No: DS01 Revision: P7
- Drainage Contributing Areas, Drawing No: DS02 Revision: P6
- Preliminary Engineering Layout, Drawing No: SK11 Revision: P4
- Planning – Site Layout, Drawing No: P01 Revision: S
- Landscape Layout, Drawing No: 1616 / 01 Revision: J
- Materials and Enclosures Layout, Drawing No: P02 Revision: J
- Site Access Proposals, Drawing No: 21-027/001 Revision: A
- Site Access 11.6m Refuse Vehicle Swept Path, Drawing No: 21-027/TK04
- Technical Note 01 – November 2021 produced by Milestone Transport Planning Ltd, Ref: 21-027-N
- Technical Note 02 – November 2021 produced by Milestone Transport Planning Ltd, Ref: 21-027-N
- Stage 1 Road Safety Audit Report Revision A produced by Novo 55 Consulting Ltd
- Transport Statement April 2021 produced by Milestone Transport Planning Ltd Ref: 21-027-N
- Drainage Statement produced by Coast Consulting Engineers Ltd, Report No: 20176-RDS1-Drainage Statement Revision: P8
- Drainage Statement Addendum by Coast Consulting Engineers Ltd, Report No: 20176-RDS2-Drainage Statement Revision: P1
- Additional Drainage Information (received on: 14th September 2021)
- Microdrainage Data dated 15/04/2021 (received on: 26th May 2021)
- Hazardous Ground Gas Assessment produced by Coast Consulting Engineers Ltd Ref: 20176 – East Ord Date: 4th May 2021
- East Ord, Berwick-upon-Tweed, Northumberland - Updated Preliminary Ecological Appraisal Revision A January 2021 produced by Brindley Associates Ltd Ref: 1616
- House Type CT3 – Planning Plans, Drawing No: CT3 – 001 Revision: C
- House Type CT3 – Planning Elevations, Drawing No: CT3 – 002 Revision: D
- Ground Floor Setting Out, Drawing No: PEONY/S/AS/04 Revision: A
- Setting Out – First Floor, Drawing No: PEONY/S/AS/05 Revision: A
- Front Elevation, Drawing No: PEONY/S/AS/06 Revision: A
- Rear Elevation, Drawing No: PEONY/S/AS/07 Revision: A
- Gable Elevation, Drawing No: PEONY/S/AS/08 Revision: A
- House Type 02 – Planning Plans, Drawing No: 02-001 Revision: I

- House Type 02 – Planning Elevations, Drawing No: 02-002 Revision: I
- House Type 07 – Planning Plans, Drawing No: 07-01 Revision: J
- House Type 07 – Planning Elevations, Drawing No: 07-02 Revision: I
- House Type 08 B – Planning Plans, Drawing No: 08B – 001 Revision: A
- House Type 08 B – Planning Elevations, Drawing No: 08B – 002 Revision: A
- House Type 12 B – Planning Plans, Drawing No: 12B – 001 Revision: A
- House Type 12 B – Planning Elevations, Drawing No: 12B – 002 Revision: A
- House Type 15 B – Planning Plans, Drawing No: 15B – 001 Revision: A
- House Type 15 B – Planning Elevations, Drawing No: 15B – 002 Revision: A
- House Type CT1 – Planning Plans, Drawing No: CT1 – 001 Revision: C
- House Type CT1 – Planning Elevations, Drawing No: CT1 – 002 Revision: E
- House Type CT2 – Planning Plans, Drawing No: CT2 – 001 Revision: E
- House Type CT2 – Planning Elevations, Drawing No: CT2 – 002 Revision: G

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

03. Notwithstanding any description of the materials within the application, no development shall commence above damp proof course level until precise details, to include samples of the materials, to be used in the construction of the external walls and roofs of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in complete accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development from the outset in accordance with Policies F1 and F5 of the Berwick Local Plan and the principles of Chapter 12 of the National Planning Policy Framework.

04. All habitat which will be managed for biodiversity including all areas of Proposed wildflower meadows (MG5) will be located outside of the curtilages of the houses, protected by fencing and managed to provide optimum biodiversity habitat. The managed biodiversity habitat will be in accordance with "Landscape Layout" Plan, Drawing No: 1616/01 Revision: J.

Reason: To ensure this planning application results in biodiversity net gain for the lifetime of the development in line with the requirements of the National Planning Policy Framework.

05. A scheme for the provision of bird and bat boxes/features integrated into the fabric of the buildings shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. Integrated bird and bat nesting features at a ratio of one per dwelling (total = 40) shall be installed. This should include swift bricks in groups of four to the northern elevation positioned away from windows.

Thereafter, the bird/bat boxes shall be installed in accordance with the approved details during the course of construction and retained as such in perpetuity.

Reason: To protect and enhance the biodiversity of the site in accordance with the aims of the National Planning Policy Framework.

06. All garden boundaries will include a gap at the base measuring 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species, in accordance with Policy F10 of the Berwick Local Plan.

07. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance the natural environment for the duration of the development in accordance with the aims of the National Planning Policy Framework.

08. An updating ecological appraisal survey shall be carried out in the event that development works do not commence before the end of April 2024 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the Local Planning Authority before development works commence.

Reason: To maintain the favourable conservation status of protected species, in accordance with Policy F10 of the Berwick Local Plan.

09. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Statement revision P8" dated "3rd February 2021" and received on "4th February 2022". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 0700 and ensure that surface water discharges to the combined sewer at manhole 0700. The surface water discharge rate shall not exceed the available capacity of 4.5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the aims of the National Planning Policy Framework.

10. All finished floor levels within the development shall be set at least 150mm above the proposed ground level.

Reason: To provide protection to all plots from overland surface water in accordance with the aims of the National Planning Policy Framework.

11. Prior to the commencement of development, plot drainage details for all plots shall be submitted to and approved in writing by the Local Planning Authority. Plot drainage in this definition is extended to any back inlet gullies, linear drainage around the curtilage of the dwelling and filter drains within gardens.

Reason: To ensure that any overland surface water flows are intercepted and conveyed away from any dwelling offering suitable protection in accordance with the aims of the National Planning Policy Framework.

12. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer, or a suitably qualified professional, must be submitted to and approved in writing by the Local Planning Authority, to demonstrate that all sustainable drainage systems (SuDS) have been constructed as per the agreed scheme. This verification report shall include:

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

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards in accordance with the aims of the National Planning Policy Framework.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other subsequent order, no alterations, boundary treatments, hard surfaces or outbuildings/structures shall be constructed within the rear curtilages of the dwellings at Plots P1, P2, P5 and P6 hereby permitted, without the prior granting of planning permission from the Local Planning Authority.

Reason: To ensure access is maintained at all times to the private sewer which runs through the rear gardens of Plots P1, P2, P5 and P6.

14. The development shall not be occupied until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

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

15. Details of the Public Footpath works shall be submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the highway works have been constructed in accordance with the approved plans/details.

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

16. The garages within the hereby approved residential scheme shall be used solely for the purposes of vehicle parking and shall be retained as such in perpetuity.

Reason: To ensure adequate car parking is provided for the residential development, in accordance with the aims of the National Planning Policy Framework.

17. Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the charging of electric vehicles at all times.

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

18. 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 Surface Water Drainage Strategy by Coast Consulting referenced 20176-RDS1 – Drainage Statement Rev P8 and “Drainage Statement Addendum” – 20176-RDS2 – Drainage Statement Rev P1. The scheme shall include updated detail on surface water drainage around the highway entrance and shall thereafter be carried out in accordance with the agreed details.

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere, in accordance with the aims of the National Planning Policy Framework.

Informatives

1. The Parish of Ord Public Footpath No.19 shall be protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
2. The culverting of any watercourse or alternations of any existing culverted watercourse will require the prior written consent of Northumberland County Council, under the Land Drainage Act (1991). Please contact the FCERM team (fcerm@northumberland.gov.uk) for further information.

Date of Report: 09.03.2022

Background Papers: Planning application file(s) 21/02169/REM

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Northumberland County Council

Appeal Update Report

Date: March 2022

Planning Appeals

Report of the Director of Planning

Cabinet Member: Councillor CW Horncastle

Purpose of report

For Members' information to report the progress of planning appeals. This is a monthly report and relates to appeals throughout all 5 Local Area Council Planning Committee areas and covers appeals of Strategic Planning Committee.

Recommendations

To note the contents of the report in respect of the progress of planning appeals that have been submitted to and determined by the Planning Inspectorate.

Link to Corporate Plan

This report is relevant to all of the priorities included in the NCC Corporate Plan 2018-2021 where identified within individual planning applications and appeals.

Key issues

Each planning application and associated appeal has its own particular set of individual issues and considerations that have been taken into account in their determination, which are set out within the individual application reports and appeal decisions.

Recent Planning Appeal Decisions

Planning Appeals Allowed (permission granted)

Reference No	Proposal and main planning considerations	Award of costs?
20/03777/FUL	<p>Change of use to dwelling with single storey extension and internal/external alterations – The Water House, Redesmouth, Hexham</p> <p>Main issues: no completed Section 106 Agreement to secure planning obligation of financial contribution for sport and play provision.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03059/FUL	<p>Erection of garage – The Red House, Fairmoor, Morpeth</p> <p>Main issues: inappropriate development in the Green Belt.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/03062/FUL	<p>Proposed alterations and rear extension to dwelling house (retrospective) - 23 Shoresdean, Berwick-upon-Tweed</p> <p>Main issues: poor quality flat roof design with detrimental impact on the property and the character of the environment.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Split Decision

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Dismissed (permission refused)

Reference No	Proposal and main planning considerations	Award of costs?
21/01660/FUL	Proposed erection of perimeter fencing and gates – site of former The Bungalow, High Pit Road,	No – claim

	<p>Cramlington</p> <p>Main issues: by virtue of siting, height and design the proposal constitutes an incongruous feature that fails to respect or enhance the character of the area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	refused
20/03231/OUT	<p>Erection of 4no. dwellinghouses (C3 use class) with all matters reserved – land north-west and south-east of The Haven, Back Crofts, Rothbury</p> <p>Main issues: fails to address highway safety matters in relation to site access and manoeuvrability.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/01918/FUL	<p>Demolition of modern agricultural sheds and development of six new residential dwellings, including gardens, car parking, and all ancillary works – Longbank Farm, Longhoughton</p> <p>Main issues: principle of housing in an isolated location in the open countryside is unacceptable; significant urbanising effects in the open countryside eroding the local landscape and not enhancing the Northumberland Coast AONB; insufficient information to assess off-site highway works; and no Section 106 Agreement completed to secure affordable housing.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/04343/LBC	<p>Listed building consent for metal railings to balcony – 8 Prospect Place, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/02282/LBC	<p>Listed building consent for replacement of all single glazed windows with double glazed units matching the current design – West House, Chillingham Castle, Chillingham</p> <p>Main issues: insufficient information to demonstrate that the proposed works are necessary or justified and the existing windows are beyond reasonable repair.</p>	No

	Delegated Decision - Officer Recommendation: Refuse	
21/01085/FUL	Single storey front extension – 2 The Limes, Morpeth Main issues: the proposals would result in an incongruous and overbearing addition with visual harm to the property and wider street scene. Delegated Decision - Officer Recommendation: Refuse	No
21/01697/FUL	Single-storey dual pitched extension to rear – 11 Quatre Bras, Hexham Main issues: the extension would not be in keeping with the traditional character of the building or the Hexham Conservation Area; and detrimental impact on residential amenity of neighbouring properties. Delegated Decision - Officer Recommendation: Refuse	No
20/00705/FUL	Proposal for the erection of a dwelling and garage with associated landscaping – Plot 28, Grange Road, Berwick Main issues: scale and visual impact would be detrimental to and out of character with the immediate surroundings. Delegated Decision - Officer Recommendation: Refuse	No
20/02536/FUL	Retrospective - Installation of hard standing, electricity and water points, alterations to access and other ancillary works - land west of North Farm Cottages, Embleton Main issues: incursion into the open countryside and would erode the rural character of the site and its surroundings. Delegated Decision - Officer Recommendation: Refuse	No
20/04369/REM	Reserved Matters application in accordance with condition 1, 2 and 5 - seeking approval of layout, scale, appearance and landscaping, including details of materials/finishes (residential development of up to 6 dwellings) pursuant to planning permission 13/00802/OUT - land north of High Fair, Wooler Main issues: layout, scale and massing would be out	No

	<p>of character with surrounding area.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/00656/FUL	<p>Retrospective: replacement of all windows and doors – 67 Main Street, North Sunderland, Seahouses</p> <p>Main issues: proposal does not preserve or enhance the character and appearance of the Conservation Area and results in less than substantial harm with no public benefits.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/02916/FUL	<p>Addition of a balcony to the first floor east facing gable elevation accessed by new door – 1 Elfin Way, South Shore, Blyth</p> <p>Main issues: incongruous feature on the property that fails to respect or enhance the character of the area; and harm to amenity.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
20/04348/FUL	<p>Former Veterinary Clinic Converted to 4 x Residential Apartments – 37-39 Croft Road, Blyth</p> <p>Main issues: harmful impact on residential amenity; fails to address highway safety matters in relation to parking provision; and lack of completed planning obligation in respect of a contribution to the Coastal Mitigation Service.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No
21/00667/FUL	<p>Conversion of agricultural buildings into 4no. residential units – High Baulk Farm, Great Whittington</p> <p>Main issues: retention and alteration of modern hay barn as part of conversion works is unacceptable in principle; and harmful design that would not be in keeping with the curtilage listed buildings.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	No

Planning Casework Unit Referrals

Reference No	Proposal and main planning considerations	Award of costs?
None		

Planning Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date and decision level
20/03861/VARYCO	<p>Variation of condition 2 (approved plans) pursuant to planning permission 20/00297/FUL in order to allow new wall to be moved closer to boundary wall to underpin and give support. Also French doors have 3/4 height windows on either side and single window in extension will be replaced using existing 2no. sash windows and mullions – Ashleigh, 26 Cade Hill Road, Stocksfield</p> <p>Main issues: extension would be out of scale and character with the existing property and would have a harmful impact on the character and appearance of the site and surrounding area; and detrimental impact upon the residential amenity of the neighbouring property.</p>	<p>26 May 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04660/FUL	<p>New external plant – Asda, Main Street, Tweedmouth</p> <p>Main issues: insufficient information in relation to noise and potential impacts on residential amenity.</p>	<p>19 August 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03542/FUL	<p>Change of use of land to site shepherd's hut for tourism accommodation – land east of Kingshaw Green, Tyne Green, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; inadequate flood risk assessment; and insufficient information regarding foul water treatment.</p>	<p>13 September 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/01008/FUL	<p>Construction of 58no. dwellings with associated landscaping, access and</p>	<p>16 September 2021</p>

	<p>infrastructure works – land to north of Fairmoor Centre, Morpeth</p> <p>Main issues: unacceptable in principle as the site is allocated in the development plan for employment use and it is considered that the site should be retained for such purposes; outstanding technical matters also remain to be resolved regarding surface water drainage and highways matters; and Section 106 contributions in respect of education, primary healthcare and affordable housing have not been secured.</p>	Appeal against non-determination
21/01578/OUT	<p>Outline permission with all matters reserved - demolition of existing garage, stable block and tennis court and erection of 1 dwelling with associated driveway and landscaping (Self Build) - land west of Roecliffe, Ladycutter Lane, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; and encroachment into the countryside and would not respond to the character of the area.</p>	<p>19 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/01600/FUL	<p>Development of 9no. affordable houses, including access road, gardens, car parking and other ancillary works - land north of B6350, Corbridge</p> <p>Main issues: inappropriate development in the Green Belt; development in an unsustainable location in the open countryside; results in encroachment into the countryside, loss of mature trees and visually intrusive and harmful impact on rural and open character of the site and setting of Corbridge; and loss of Grade 2 agricultural land.</p>	<p>27 October 2021</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03224/FUL	<p>Change of use of private dwelling into 4no. holiday lets and separate holiday home to rent and erection of 4no. holiday homes to rent with associated car parking – Bayview, Beachway, Blyth</p> <p>Main issues: inadequate off-road car parking provision and resultant off-site impacts; increased noise and light pollution to the shoreline of the Northumberland Shore SSSI and harmful to bird species in that area; inadequate provision to mitigate the impact of increased recreational disturbance to designated sites of ecological importance; insufficient information to demonstrate that the proposals are acceptable in terms of</p>	<p>27 October 2021</p> <p>Appeal against non-determination</p>

	coastal erosion vulnerability and surface water drainage; and insufficient information to demonstrate the proposals are acceptable in terms of impacts on the World War II pill box and setting of Blyth Battery.	
21/02878/FUL	Change of use of land for siting of shepherd's huts and associated development – land north of White House Farm, Sleafy Main issues: inappropriate development in the Green Belt.	4 November 2021 Delegated Decision - Officer Recommendation: Refuse
21/00465/FUL	Resubmission: alterations to existing window opening on front elevation and installation of replacement balcony – Riverview, Shepherds Hill, Alnmouth Main issues: unacceptable impact on amenity of neighbouring properties; and detrimental impact on the AONB.	1 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/02734/FUL	Demolish garage and erect two storey side extension and single storey flat roof rear extension – 23 The Beeches, Ponteland Main issues: disproportionate addition to the property resulting in negative impact to the character of the area and inappropriate design.	7 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01136/FUL	Construction of 1 no detached dwelling (as amended) - land south of Embleton Hall and behind Front Street, Longframlington Main issues: fails to protect and enhance the landscape character of the village; and forms an incursion into the open countryside, is not essential and fails to support the conservation and enhancement of the countryside.	13 December 2021 Delegated Decision - Officer Recommendation: Refuse
21/01882/FUL	Change of use of agricultural buildings to residential use and incorporation into existing dwelling; creation of one new dwelling - Stublic Hill, Langley-on-Tyne, Hexham Main issues: the site is located in open countryside, the building is of no historic merit and the conversion proposes a large extension; inappropriate design resulting in harm to the building and the North Pennines AONB; and no contribution to sports and play provision has been provided.	4 January 2022 Delegated Decision - Officer Recommendation: Refuse
20/02979/DISCON	Discharge of conditions: 3 (materials - chimney), 4 (schedule of plaster work), 5 (installation services) and 6 roof/rainwater	19 January 2022 Delegated Decision - Officer

	<p>goods) pursuant to planning approval 17/02196/LBC - Felton Park Lodge, Felton Park, Felton</p> <p>Main issues: lack of information provided to approve and discharge the conditions.</p>	<p>Recommendation: Refuse</p>
21/01840/FUL	<p>Replacement of timber cladding with new natural cedar boarding. Change of balustrade to glazed and patio size as built. (retrospective) - The Signal Box, Farley Cottage, Ellingham</p> <p>Main issues: design would have a harmful effect on the character and appearance of the existing property and surrounding area.</p>	<p>21 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/02984/FUL	<p>Erection of 4 bedroom dormer bungalow - land south of The Old Farmhouse, Ulgham</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; fails to demonstrate that safe ingress and access can be achieved from the proposed access; and no completed legal agreement to secure a contribution to the coastal mitigation service.</p>	<p>24 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/03160/LBC	<p>Listed Building Consent: Replace 3 existing sash windows and associated secondary glazing at front of property in original style with grade 1 Redwood sashes and duplicating original pattern. The work will include slim line double glazed units – The Manor House, 55 Northumberland Street, Alnmouth</p> <p>Main issues: less than substantial harm caused to the listed building and Conservation Area and no public benefits identified.</p>	<p>25 January 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/02824/FUL	<p>Retrospective: Installation of raised decking to part of side garden – 7 East Burton Cottage, Bamburgh</p> <p>Main issues: detrimental impact on residential amenity.</p>	<p>2 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03892/FUL	<p>Demolition of outbuilding and rear bay window. Proposed rear single storey extension with roof terrace – 8 Woodlands, Warkworth</p> <p>Main issues: unacceptable impact on residential amenity.</p>	<p>3 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03042/FUL	<p>Change of use from landscape contractors yard to residential, removal of existing</p>	<p>14 February 2022</p>

	<p>buildings and erection of one no. dwellinghouse (C3 use) - Warkworth Landscaping Services, land north of Old Helsay, Warkworth</p> <p>Main issues: development in the open countryside; fails to support the conservation and enhancement of the countryside; fails to protect and enhance landscape character; and no suitable mitigation secured to address recreational disturbance to designated sites.</p>	<p>Delegated Decision - Officer Recommendation: Refuse</p>
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Recent Enforcement Appeal Decisions

Enforcement Appeals Allowed

Reference No	Description and address	Award of costs?
None		

Enforcement Appeals Dismissed

Reference No	Description and address	Award of costs?
18/00223/ENDEVT	<p>Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB</p> <p>Main issues: material change of use of the land from agricultural for the siting of 4 caravans</p> <p>N.B. The Inspector directed that the enforcement notice be amended by: a) the deletion of all the text in the allegation and the substitution of it by the following text: 'Without planning permission; the material change of use of the land from agricultural to the stationing of caravans for storage purposes, as shown in the approximate position and outlined in blue on the plan attached to the enforcement notice.' b) the deletion of all the text from requirement (i) and the substitution of it by the following text: 'Cease the use of the land for storage purposes and remove all the caravans from the land.'</p>	No

18/00223/ENDEVT	<p>Land to the West of Buildings Farm, Whittonstall, Consett, DH8 9SB</p> <p>Main issues: material change of use of the land for the siting of one caravan and the erection of fencing in excess of 2 metres in height</p> <p>N.B. The Inspector directed that the enforcement notice be amended by the deletion of the text '(i) Remove the caravan (outlined in black on the plan attached to the enforcement notice) from the land' and the substitution of it by the text '(i) Cease the use of the land for residential purposes and remove the caravan (outlined in black on the plan attached to the enforcement notice) from the land'.</p>	No
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Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
None		

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
20/01932/FUL	<p>Construction of single dwelling with annex and ancillary accommodation, c.6.5 metre high wind turbine, associated landscaping and highway works (amended description) - land south of Church Lane, Riding Mill</p> <p>Main issues: isolated dwelling in the open countryside; inappropriate development in the Green Belt; insufficient information to fully assess ecological impacts; harmful impacts on the character of the site, wider area and countryside; lack of completed Section 106</p>	<p>Hearing date: 18 January 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>

	<p>Agreement to secure planning obligations for contributions to sport and play provision; and insufficient information to assess noise from wind turbine and impacts in residents and local area.</p>	
21/01584/FUL	<p>Demolition of agricultural buildings. Replace and build on footprint 4 workers cottages and install solar panels – South Dissington Farm, Eachwick</p> <p>Main issues: development in the open countryside and no demonstrated need for new rural worker’s dwellings; and inappropriate development in the Green Belt with no very special circumstances demonstrated.</p>	<p>Hearing date: 22 February 2022 (virtual hearing)</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
20/03389/FUL	<p>Proposed residential development of four dwellings (as amended 21.12.2020) - land south of Centurion Way, Heddon-on-the-Wall</p> <p>Main issues: the proposal would appear as an incongruous and over-dominant addition to the street scene, would not be sympathetic to the built environment or local character, and would fail to add to the overall quality of the area and undermine community cohesion.</p>	<p>Hearing date: to be confirmed.</p> <p>Committee Decision - Officer Recommendation: Approve</p>

Implications

Policy	Decisions on appeals may affect future interpretation of policy and influence policy reviews
Finance and value for money	There may be financial implications where costs are awarded by an Inspector or where Public Inquiries are arranged to determine appeals
Legal	It is expected that Legal Services will be instructed where Public Inquiries are arranged to determine appeals
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Planning applications and appeals are considered having regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	Each application/appeal may have an impact on the local environment and have been assessed accordingly
Wards	All where relevant to application site relating to the appeal

Background papers

Planning applications and appeal decisions as identified within the report.

Report author and contact details

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Northumberland

County Council

S106

Agreements Update Report

January 2022

Report of the Executive Director of Regeneration, Commercial and Economy

Cabinet Member: Councillor Colin Horncastle

Purpose of report

For Members' information to report the agreement monitoring and collection of s106 contributions in the planning process. This is a monthly report and relates to agreements throughout Northumberland during the previous monthly period.

Recommendations

To note the contents of the report in respect of agreement monitoring and collection of s106 contributions.

Link to Corporate Plan

This report is relevant to all the priorities included in the NCC (Northumberland County Council) Corporate Plan 2018-2021.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the month of January 2022 and payments received in these months.



New Agreements

January	New Agreements completed and added to Database
21/02738/FUL	Land West of 6 Railway Street, Berwick
21/00449/Ful	Land at Seaton House Boulmer
21/01868/FUL	Land West of 1 Northside, Shilbottle, Alnwick
21/02384/FUL	South-west of Swinhoe Cottage, Chathill

Contributions Received January

Development	Type of Contribution	Amounts Received
21/02384/Ful Swinhoe Cottage	Coastal Mitigation Service	£345
21/02738/Ful Land West of Railway Street	Coastal Mitigation Service	£615

Awards Paid Out	Project	Amount Paid
Barnesbury Cycling Club	Improve Cycle / BMX track	£10,000

106 team - Any queries please email: s106@northumberland.gov.uk

Implications

Policy	Section 106 obligations are in line with policy unless other stated in individual applications.
Finance and value for money	As stated on individual applications
Legal	Legal Services will be instructed to assist with the preparation and monitoring of the obligations
Procurement	None
Human resources	None
Property	None
Equalities (Impact Assessment attached?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/a	Each application will have regard to the Equality Act 2010
Risk assessment	None
Crime and disorder	As set out in individual reports and decisions
Customer consideration	None
Carbon reduction	As set out in individual reports and decisions
Wards	All

Background papers

Planning applications and 106 Agreements

Report author and contact details

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North Northumberland Local Area Council

Members Local Improvement Schemes




2021 - 2025

Progress Report - 1st March 2022

Total Budget May 2021 - April 2022 £15,000.00
Actual Cost + Committed Cost to Date £10,000.00
Total Estimated Cost £10,000.00

Balance Remaining to 31/3/22 £ 5,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost




Total Budget May 2021 - April 2022	£15,000.00		
Actual Cost + Committed Cost to Date		£11,399.00	
Total Estimated Cost	£11,399.00		
Balance Remaining to 31/3/22	£ 3,601.00		



KEY
 Approved Scheme Budget
 Proposed Scheme
 Completed Scheme / Final Cost




Total Budget May 2021 - April 2022	£15,000.00
Actual Cost + Committed Cost to Date	£14,000.00
Total Estimated Cost	£14,000.00
Balance Remaining to 31/3/22	£ 1,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Total Budget May 2021 - April 2022		£15,000.00		
Actual Cost + Committed Cost to Date			£11,700.00	
Total Estimated Cost		£11,700.00		
Balance Remaining to 31/3/22		£ 3,300.00		




KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

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Total Budget May 2021 - April 2022 £15,000.00
Actual Cost + Committed Cost to Date £0.00
Total Estimated Cost £0.00
Balance Remaining to 31/3/22 £ 15,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Cllr. W. Pattison Members Schemes 2021 to 2025






North Northumberland - Longhoughton



Northumberland
County Council

Report Date 01/02/2022

Job Number	Scheme Description	Estimated Cost	Actual Cost	Current Status	Proposed Completion	Current Scheme Status/Comments
2017 / 2018						
HO176319	Traffic calming (20mph speed limit/zone) B1339 Main Street, Embleton - Phase 1	£2,000.00	£2,000.00	Design	TBA	H Awaiting detailed design and estimates - Joint LTP scheme Phase 1 design
2019 / 2020						
HO196523	Traffic calming (Speed reduction measures) B6346 Eglington Village - Phase 1	£2,000.00	£2,000.00	Design	TBA	Design brief issued.
2020 / 2021						
HO206828	Contribution towards purchase and installation of new interactive speed sign at Christon Bank	£3,880.17	£3,880.17	Delivery	TBA	Sign Order to be issued.
HO206768	Traffic calming (Speed reduction measures) B1339 Longhoughton - Phase 1	£2,000.00	£2,000.00	Design	TBA	Design brief issued.
HO206832	Purchase and installation of 1No. new interactive speed sign at Eglington	£3,709.55	£4,086.15	complete	complete	Post installed. Sign due to be installed 27th or 28th April.
HO206790	Contribution towards footpath resurfacing works in Longhoughton Ward	£6,000.00	£6,000.00	Delivery	TBA	Northern Area Highways scheme - Contribution to HR219675
HO206874	Traffic calming (Proposed traffic restrictions and gateway treatment) Craster - Phase 1	£7,188.19	£7,188.19	Design	TBA	Design brief issued budget increased by £5,188.19.
2021 / 2022						
HO210005	Traffic calming (Proposed gateway signage) C47 North Charlton	£7,350.00	£7,350.00	Design	TBA	Design brief to be issued - Budget increased by £5,350.00.
HO210006	Installation of solar powered bollards and new exit signage at High Newton Car Park	£0.00	£0.00	cancelled	cancelled	Order issued
HO210063	Purchase and installation of new interactive speed sign at Chathill Village - to be located at the Swinhoe/Seahouses end of the village	£3,839.90	£3,839.90	completed	completed	Scheme completed
HO210075	Contribution towards the construction costs of the new Ellingham Village Hall	£3,000.00	£3,000.00	completed	completed	Contribution to Ellingham Village Hall made on 6 December 2021.

<p style="text-align: center;"> Total Budget May 2021 - April 2022 £15,000.00 Actual Cost + Committed Cost to Date £14,189.90 Total Estimated Cost £14,189.90 Balance Remaining to 31/3/22 £ 810.10 </p>		<p style="text-align: center;"> KEY  Approved Scheme Budget  Proposed Scheme  Completed Scheme / Final Cost </p>
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Total Budget May 2021 - April 2022 £15,000.00
Actual Cost + Committed Cost to Date £2,527.42
Total Estimated Cost £2,527.42
Balance Remaining to 31/3/22 £ 12,472.58

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost

Total Budget May 2021 - April 2022 £15,000.00

Actual Cost + Committed Cost to Date £10,000.00

Total Estimated Cost £10,000.00

Balance Remaining to 31/3/22 £ 5,000.00

KEY



Approved Scheme Budget




Proposed Scheme

Completed Scheme / Final Cost

Total Budget May 2021 - April 2022 £15,000.00
Actual Cost + Committed Cost to Date £0.00
Total Estimated Cost £0.00

Balance Remaining to 31/3/22 £ 15,000.00

KEY

	Approved Scheme Budget
	Proposed Scheme
	Completed Scheme / Final Cost



	Number
A = Proposed Schemes	1

	Number	Original Estimated Cost	Current Estimate / Actual Cost	Totals
Total Budget May 2021 - Apr 2022				£195,000.00
Total Approved schemes	47	£336,248.82	£331,260.00	
Total Uncommitted Balance				-£114,165.72

Highway Scheme	29	£213,926.80	£210,057.64
External Contribution	18	£117,322.02	£116,202.36
	47	£331,248.82	£326,260.00

Northumberland County Council
North Northumberland Local Area Council
Work Programme 2021/22

Rebecca Little : 01670 622611 : Rebecca.Little@northumberland.gov.uk

UPDATED: 16 March 2021

TERMS OF REFERENCE

- (a) To enhance good governance in the area and ensure that the Council's policies take account of the needs and aspirations of local communities and do not discriminate unfairly between the different Areas.
- (b) To advise the Cabinet on budget priorities and expenditure within the Area.
- (c) To consider, develop and influence policy and strategy development of the Council, its arms-length organisations, and other relevant bodies, to ensure that they meet local requirements and facilitate efficient and transparent decision making.
- (d) To receive information, consider and comment on matters associated with service delivery including those undertaken in partnership agencies, affecting the local area to ensure that they meet local requirements, including matters relating to community safety, anti-social behaviour and environmental crime.
- (e) To consider and refer to Cabinet any issues from a local community perspective with emerging Neighbourhood Plans within their area, and consider local planning applications as per the planning delegation scheme
- (f) To consider and recommend adjustments to budget priorities in relation to Local Transport Plan issues within their area, and to make decisions in relation to devolved capital highway maintenance allocations.
- (g) To engage, through the appropriate networks, with all key stakeholders from the public, private, voluntary and community sectors to facilitate the delivery of area priorities. This will include undertaking regular liaison with parish and town councils.
- (h) To inform, consult and engage local communities in accordance with Council policy and guidance, through the appropriate networks.
- (i) To, as appropriate, respond or refer with recommendations to local petitions and councillor calls for action.
- (j) To make certain appointments to outside bodies as agreed by Council.
- (k) To determine applications for grant aid from the Community Chest, either through Panels for individual Local Area Councils, or through the Panel of Local Area Council Chairs for countywide applications.
- (l) To refer and receive appropriate issues for consideration to or from other Council Committees, and as appropriate invite Portfolio Holders to attend a meeting if an item in their area of responsibility is to be discussed.
- (m) To exercise the following functions within their area:-
 - (i) the Council's functions in relation to the survey, definition, maintenance, diversion, stopping up and creation of public rights of way.
 - (ii) the Council's functions as the Commons Registration Authority for common land and town/village greens in Northumberland.

- (iii) the Council's functions in relation to the preparation and maintenance of the Rights of Way Improvement Plan.
- (iv) the Council's functions in relation to the Northumberland National Park and County Joint Local Access Forum (Local Access Forums (England) Regulations 2007).
- (v) the Council's role in encouraging wider access for all to the County's network of public rights of way and other recreational routes.

ISSUES TO BE SCHEDULED/CONSIDERED

Standard items updates: Public question time (bimonthly, not at planning only meetings), petitions, Members' Local Improvement Schemes (bimonthly, not at planning only meetings), Berwick Regeneration Commission (bimonthly, not at planning only meetings)

To be listed:

Enhanced Services with Town and Parish Councils
Off-street Electric Vehicle Charging Points
Cycling and Walking Board
Enforcement

Northumberland County Council
North Northumberland Local Area Council
Work Programme 2021-22

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22 July 2021

- Planning
- Local Services Update
- Appointments to Outside Bodies
- Members Local Improvement Schemes
- Berwick Regeneration Project

19 August 2021

- Planning Applications

23 September 2021

	<ul style="list-style-type: none"> • Planning • Local Services Update • Policing Update • Local Transport Plan Update • Berwick Regeneration Project • Borderlands • Youth Service Presentation
21 October 2021	
	<ul style="list-style-type: none"> • Planning
18 November 2021	
	<ul style="list-style-type: none"> • Planning • Local Services Update • Berwick Regeneration Project • Dualling of the A1 – Update from Highways England • Northumberland Communities Together
23 December 2021	
	<ul style="list-style-type: none"> • Planning
20 January 2022	
	<ul style="list-style-type: none"> • Planning • Budget Presentation

	<ul style="list-style-type: none"> • Local Services Update • Northumberland Fire and Rescue Service – Community Risk Management Plan Consultation • Berwick Regeneration Project
24 February 2022	
	<ul style="list-style-type: none"> • Planning • Local Transport Plan
24 March 2022	
	<ul style="list-style-type: none"> • Planning • Local Services Update • Members Local Improvement Schemes • Northumbria Music Partnership
21 April 2022	
	<ul style="list-style-type: none"> • Planning
19 May 2022	
	<ul style="list-style-type: none"> • Planning • Local Services Update • Tweed Valley Railway Campaign

**NORTHUMBERLAND COUNTY COUNCIL
LOCAL AREA COUNCIL - NORTH NORTHUMBERLAND
MONITORING REPORT 2020/21**

Ref	Date	Report	Decision	Outcome

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