



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Lesley Little

Email: lesley.little@northumberland.gov.uk

Tel direct: 01670 622614

Date: Monday, 24 October 2022

PLEASE NOTE CHANGE OF TIME

Dear Sir or Madam,

Your attendance is requested at a meeting of the **STRATEGIC PLANNING COMMITTEE** to be held in the **COUNCIL CHAMBER - COUNTY HALL** on **TUESDAY, 1 NOVEMBER 2022** at **2.00 PM.**

Yours faithfully

Rick O'Farrell
Interim Chief Executive

To Strategic Planning Committee members as follows:-

C Ball, L Darwin, R Dodd, B Flux, J Foster, G Hill, JI Hutchinson, J Lang, J Reid, G Renner-Thompson, M Robinson (Vice-Chair), G Stewart, M Swinbank, T Thorne (Chair), A Wallace and A Watson



Rick O'Farrell, Interim Chief Executive
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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 AT PLANNING COMMITTEES

(Pages 1
- 2)

To outline the procedure to be undertaken at Planning Meetings.

2. APOLOGIES FOR ABSENCE

3. MINUTES OF PREVIOUS MEETINGS

(Pages 3
- 6)

The Minutes of the Strategic Planning Committee held on 1 November 2022, as circulated, to be confirmed as a true record and signed by the Chair.

4. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.

- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

5. DETERMINATION OF PLANNING APPLICATIONS

(Pages 7
- 10)

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. 21/02505/CCMEIA

(Pages
11 - 82)

**Extraction and processing of 5.8 million tonnes of sand and gravel and the phased restoration of the site to a lake and associated wetlands
Land North East of Anick Grange Haugh, Anick Road, Hexham**

7. 18/03394/REM

(Pages
83 - 120)

**Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping, and other associated infrastructure
Land West of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth
Northumberland**

8. 19/01362/REM

(Pages
121 -
164)

**Reserved matters application for appearance, landscaping, layout, and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022).
Land West of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth, Northumberland**

- | | | |
|-----|---|-------------------------|
| 9. | 21/04298/REM
Reserved Matters application for appearance, landscaping, layout and scale for final phases of development comprising of 315 dwellings on approved application 16/04731/OUT
Land South West Of Glebe Farm, Choppington Road, Bedlington, Northumberland | (Pages
165 -
190) |
| 10. | 22/01082/RENE
Construction of a solar farm together with all associated works, equipment and necessary infrastructure
Land East of Burnt House Farm, Netherton Road, Bedlington | (Pages
191 -
226) |
| 11. | 22/01153/RENE
Construction of solar farm together with all associated works, equipment and necessary infrastructure
Land to the North East of Low Horton Farm, Blyth, Northumberland | (Pages
227 -
264) |
| 12. | APPEALS UPDATE

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. | (Pages
265 -
272) |
| 13. | S106 AGREEMENTS UPDATE 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. | (Pages
273 -
276) |
| 14. | URGENT BUSINESS

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

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

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

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor’s knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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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)

NORTHUMBERLAND COUNTY COUNCIL

STRATEGIC PLANNING COMMITTEE

At the meeting of the **Strategic Planning Committee** held at Council Chamber - County Hall on Tuesday, 6 September 2022 at 4.00 pm.

PRESENT

T Thorne (Chair) (in the Chair)

MEMBERS

C Ball
J Foster
JI Hutchinson
J Reid
M Robinson
M Swinbank
A Watson

R Dodd
G Hill
J Lang
G Renner-Thompson
G Stewart
A Wallace

OFFICERS

J Blenkinsopp
L Little
E Sinnamon
T Wood

Solicitor
Senior Democratic Services Officer
Development Service Manager
Principal Planning Officer

Around 2 members of the press and public were present.

20 **PROCEDURE AT PLANNING COMMITTEE**

The Chair outlined the procedure to be followed at the meeting.

RESOLVED that the information be noted.

21 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Darwin and Flux.

22 **MINUTES OF PREVIOUS MEETINGS**

(a) The Minutes of the Strategic Planning Committee held on 7 June 2022, as circulated, were agreed as a true record and were signed by the Chair.

(b) The Minutes of the Strategic Planning Committee held on 5 July 2022, as circulated, were agreed as a true record and were signed by the Chair.

23 DETERMINATION OF PLANNING APPLICATIONS

The report requested the Committee to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

RESOLVED that the information be noted.

24 21/04941/VARYCO

Variation of condition 2 on approved application 19/00904/FUL in order to amend landscape plans to change position of play area so condition 10 can be complied with, resulting in slight amendment to landscaping. (amended description)

Land South of Bluebell Court, East Cottingwood, Morpeth, Northumberland

An introduction to the report was provided by T Wood, Principal Planning Officer with the aid of a power point presentation.

Councillor A Byard, addressed the Committee speaking on behalf of Morpeth Town Council in objection to the application. She advised that the Town Council objected to the application as it was not clear why the change was required now and why the developer could not stick to the original plan. The objections of residents were noted in relation to further exposure of dust and disruption if the compound was to remain in its current position and delay in the provision of play facilities promised to new house-buyers. This contravened policy Des 1 of the Morpeth Neighbourhood Plan that development proposals should make a positive contribution to their surroundings in terms of ensuring that the development did not cause unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties.

In response to questions from Members of the Committee the following information was provided:-

- It was accepted that there could be some safety concern due to the proximity of the revised position of the play area to the SUDs pond, however there were many SUDs ponds throughout the County which were open and these were designed to form part of the landscape for nature and wildlife. The ponds would be dry for large parts of the year.
- The original conditions for the application in relation to the position of the compound which had been agreed with Highways in relation to road safety and the timing of the provision of the play park had overlapped. If the application had originally been submitted with the play park in the new proposed area, then this would have been equally as suitable.
- It was possible that more households would be affected by the moving of the compound.

- The developer had come forward with this proposal as it had been recognised that there was a breach of conditions, however it could not be guaranteed that further variation applications would not come forward as development continued. Developers were entitled to apply for variations and it would not be a material consideration to refuse an application just because a variation had been requested.
- It could not be clarified how many houses had been completed on the site, however the trigger for the provision of the play area was 30 and developers had come forward with this proposal in order that the provision of the play area was not delayed and they could comply with conditions. It was considered that this was the best outcome and the compound area would be restored to open space once the development had been completed.
- Whether the householders had purchased dwellings on the understanding that the play area was to be provided in a certain area was not a material planning consideration.

Councillor Dodd proposed acceptance of the recommendation to approve the application with conditions as outlined in the report. This was seconded by Councillor Robinson, who asked that an additional condition be added for the provision of a fence around the SUDs pond. Councillor Dodd advised that he did not wish for this to be included in the proposal as he considered this would change policy and therefore his original proposal for the application to be granted with the conditions as outlined in the report was seconded by Councillor Stewart.

It was clarified that the application had come to this Committee as the original application was for over 100 dwellings and that objections had been received in relation to the variation of conditions application.

Some Members advised that they could not support the proposal to approve the application without a condition requesting fencing to be provided around the SUDs pond due to safety concerns regarding the close proximity of a children's play area, however others felt that the provision of a fence was not in keeping with what was trying to be created.

Councillor Dodd considered that the SUDs pond was only being provided to contain run-off water in exceptional weather events and that the provision of a fence would curtail the open aspect and create difficulties in maintaining the space.

A vote was taken on the proposal to approve the application with the conditions as outlined in the officer's report as follows: FOR 5; AGAINST 9; ABSTAIN 0; and therefore the motion fell.

Councillor Robinson proposed acceptance of the officer's recommendation to approve the application as outlined in the report with an additional condition for the provision of a fence around the SUDs pond which was seconded by Councillor Ball. It was clarified that the fence would only be required for the SUDs pond next to the play area and delegated authority should be provided for the wording of the condition to be agreed with the Director of Planning and Chair of the Strategic Planning Committee.

Councillor Robinson advised that he thought it would be common sense to provide a fence around the SUDs pond and that to move the compound would cause inconvenience to more households.

A vote was taken on the proposal to approve the application in line with the officer's recommendation with an additional condition for the provision of fencing around the SUDs pond as follows: FOR 10; AGAINST 3; ABSTAIN 1.

RESOLVED that the application be **GRANTED** for the reasons and with the conditions as outlined in the report with an additional condition for the provision of fencing around the SUDs pond with delegated authority to be given to the Director of Planning and Chair to agree the wording.

25 **APPEALS UPDATE**

RESOLVED that the information be noted.

26 **S106 AGREEMENTS UPDATE REPORT**

RESOLVED that the information be noted.

CHAIR.....

DATE.....



Northumberland County Council

STRATEGIC PLANNING COMMITTEE

DATE: 1 NOVEMBER 2022

DETERMINATION OF PLANNING APPLICATIONS

Report of the Interim Executive Director of Planning and Local Services

Cabinet Member: Councillor C Horncastle

Purpose of report

To request the Strategic Planning Committee to decide the planning applications attached to this report using the powers delegated to it.

Recommendations

The Strategic Planning Committee 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
Interim Executive Director of Planning and Local Services
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 Strategic Planning Committee 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 Strategic Planning Committee 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 the tests that are set down in paragraph 56 of the NPPF and meet the tests set out in Community Infrastructure Levy Regulations 2010. Conditions 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.

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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

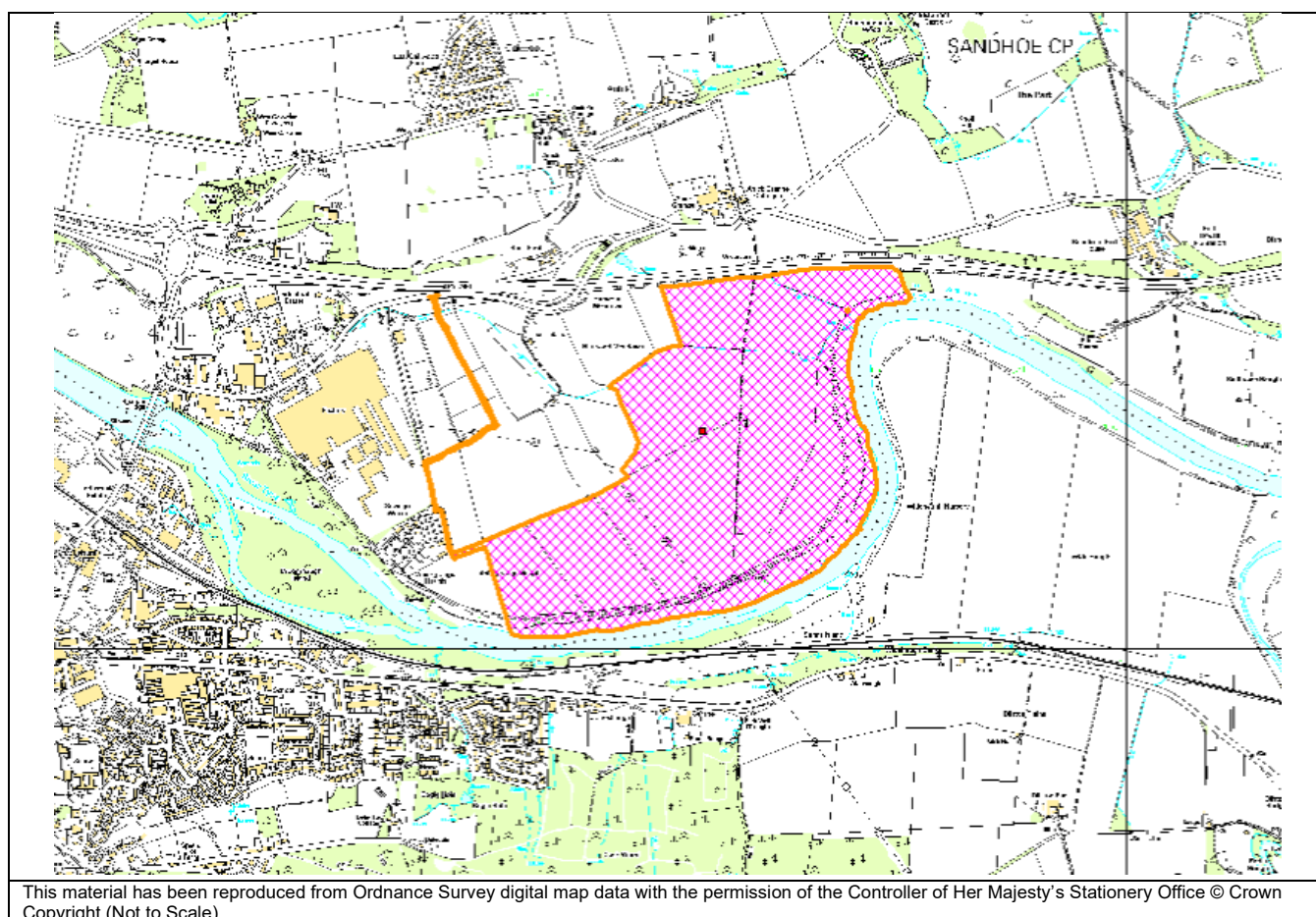
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Northumberland County Council

Strategic Planning Committee, 1 November 2022

Application No:	21/02505/CCMEIA		
Proposal:	Extraction and processing of 5.8 million tonnes of sand and gravel and the phased restoration of the site to a lake and associated wetlands		
Site Address:	Land North East of Anick Grange Haugh, Anick Road, Hexham		
Applicant:	Mr Ryan Molloy Thompsons of Prudhoe Princess Way Prudhoe Northumberland NE42 6PL	Agent:	Mrs Katie Wood R & K Wood Planning LLP 1 Meadowfield Court Ponteland Newcastle upon Tyne NE20 9SD
Ward:	Corbridge	Parish:	Sandhoe
Valid Date:	25 June 2021	Expiry Date:	2 November 2022
Case Officer Details:	Name: Mr Kevin Tipple Job Title: Senior Planning Officer Tel No: 01670 622631 Email: kevin.tipple@northumberland.gov.uk		



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Recommendation: That this application be GRANTED permission

1. Introduction

- 1.1 This application is being referred to the Strategic Planning Committee in accordance with the County Council's scheme of delegation as it is a major minerals application. By virtue of its scale, it is subject to Environmental Impact Assessment regulations and was accompanied by an Environmental Statement (ES). This report has taken into account the information contained in the Environmental Statement, additional environmental information and that arising from statutory consultations and other responses.

2. Description of the Proposal

- 2.1 Planning permission is sought for the extraction and processing of 5.8 million tonnes of sand and gravel and the phased restoration of the site to a lake and associated wetlands on land at Anick Grange Haugh, Anick Road, Hexham.

The Site

- 2.1 The site is located on the eastern edge of Hexham between the A69 and the River Tyne on haugh land on the inside meander of the river. To the immediate west of the site lies the Egger chipboard factory, a major employer in the town of Hexham. The site is also adjacent to an anaerobic digester (operated by Codlaw Renewables) and the Hexham sewage treatment works (operated by Northumbrian Water). The site is largely made up of arable fields divided by hedgerows. At the southern edge of the site is a flood embankment currently maintained by the Environment Agency. The earth bund which forms the embankment is approximately 2 metres in height and grassed over. There is currently no public right of way along the riverbank or along the flood embankment.
- 2.2 The total site area is 79.2 hectares and the extraction operations would be located within the extraction area that covers 33.8 hectares of the site.
- 2.3 To the north of the site is the C242 Anick Road/Ferry Road which runs from Corbridge to the junction with the A6079 west of the Bridge End Industrial Estate. An on-road section of the Hadrian's Cycleway uses this section of the C242. The nearest public rights of way run northwards from Anick Grange to Anick (Footpath 540/004) and southwards from Anick to the A69 (Footpath 540/006).
- 2.4 The nearest residential properties (excluding the access road) are:
- Anick View Estate – around 205 metres south of the operational site
 - The Timbers – around 515 metres north of the operational site (and around 200 metres east of access road)
 - Oaklands Care Facility, Anick Road – around 770 metres north-west of site (and 240 metres west of the access road)
- 2.5 Beyond the A69, to the north of the site, is Anick Bank Foot Farm, Anick Grange Farm and Cottages and the settlements of Anick and Oakwood. To the south of the River Tyne some of the residential areas within Hexham associated with Hexham extend to the south and east of Anick View.

- 2.6 Also to the north of the application site is an area of land of approximately 10 hectares which is allocated for employment related land uses in the Northumberland Local Plan.

Proposed Development

- 2.7 The proposed development is for a new sand and gravel extraction site involving the extraction of 5.8 million tonnes of sand and gravel over a 25-year period with restoration completed 2 years after extraction has finished. It is estimated that approximately 200,000 to 300,000 tonnes of mineral would be extracted from the site each year. A site compound area would also be created and would include a small office, weighbridge, welfare facilities, vehicle parking and an area to process and store the extracted mineral prior to it being exported from the site.

Proposed scheme of working

- 2.8 The site would be worked in a phased manner, moving from west to east across the site. There would be 5 main phases with each phase containing approximately 5 years' supply of sand and gravel. This would be preceded by initial set-up works to prepare the site for mineral extraction and processing.
- 2.9 The initial site set up works would include the construction of an access road into the proposed site compound area from the existing concrete track serving the anaerobic digestion plant and the sewage treatment works, the creation of the site compound area, and excavating the ground to create the groundwater lagoon.
- 2.10 The topsoil, subsoil and any necessary overburden would be stripped from the area of the proposed compound and would either be used to improve the quality of the field to the north east of the site, put into short-term storage in a bund in this field or removed from the site.
- 2.11 Within the compound area the area where the processing and storage of the mineral there would have a permeable compacted hardcore surface. The access road into the compound and the area around the weighbridge and site offices would be surfaced with an impermeable concrete surface. A grasscrete surface would be used for the car parking area. A wheelwash would be located to the west of the compound along the access road.
- 2.12 A flood alleviation bund, up to 2 metres in height would be constructed to the north and north east of the compound area using cohesive materials. Other works that would take place during the initial site set-up phase would include:
- Gapping up of existing hedgerows within the boundary of the area covered by the planning application;
 - Creation of a Skylark plot in the first available season;
 - Planting along the northern boundary of the site compound; and
 - Planting along the flood alleviation bund.
- 2.13 During the initial site set-up period, some sand and gravel would be excavated from the site of the compound area, and the groundwater lagoon. This sand and gravel would be exported from the site and processed off-site.

- 2.14 The off-site highways works would be completed during this site set-up period.
- 2.15 Following the initial site set-up works, the extraction of sand and gravel would commence in Phase 1. When the soils are in a dry and friable condition, they would be stripped from an area where extraction would take place in the coming year. Further soil stripping to expose the subsoil or underlying mineral would take place on an annual basis when conditions are appropriate for soil stripping to open up a new area where extraction would take place in that coming year. In addition, a further area of top soil will be stripped to expose the sub soils and this will then be seeded with a bird or wild flower mix. This phased approach to soil stripping and extraction is intended to minimise the operational area of quarry and would continue in this way on an annual or bi-annual basis. The overall footprint of Phases 1 and 2 are larger than Phases 3 to 5 as the sand and gravel reserve deepens from west to east across the proposed site.
- 2.16 Following the completion of mineral extraction within an area, restoration would start immediately. This would include the creation of a reduced 1:5 slope along the edge of the excavation that leads into the shallows and wider lake area. It would also include the creation of steep banks to the north of the lake in order to create alternative habitats. Phase 1 would be restored as the mineral extraction moves into Phase 2 in the extraction area. The extraction of the mineral and the restoration works would then continue through the individual phases.
- 2.17 Extraction operations would require 1 long reach excavator, 1 35 tonne dump truck to transport the extracted mineral from the extraction area to the processing area within the site compound and 1 wheel loader to be used within the processing area. Within the site compound area, an aggregate washing system with water treatment system would be located to crush, wash and screen the extracted aggregate. During periods when soil stripping is taking place, 1 standard reach excavator, 2 dump trucks and 1 dozer would be additionally used on site.
- 2.18 Electricity pylons run in a north/south direction through Phase 2 of the site. The infrastructure and lines would have to be relocated under the existing wayleave arrangements with the network operator.

Soil stripping and storage

- 2.19 Top soil would be removed from the site as it is not required for the proposed restoration of the site. It is proposed that a proportion of it would be moved to the field in the north east corner of the site where it would be used to improve the soil resource in that field. There would also be a top soil storage mound in this field. The remaining soil would be removed from the site and sold commercially.
- 2.20 Prior to any extraction works commencing in each phase of the proposed site, the top and sub-soils will be stripped from the working areas and either retained on Site to be used or stored in areas to the north-east of the Site or removed from the Site for sale. It is estimated that there is a depth of 300mm of topsoil and a depth of 700mm of subsoil across the site.

Working Hours

- 2.21 The proposed hours for excavation operations and the use of the processing plant would be as follows:
- Monday to Friday – 0730 to 1800
 - Saturday – 0730 to 1300
 - Sundays and Public or Bank Holidays – No working
- 2.22 The proposed hours when vehicles would leave the site are different to the proposed working hours for the extraction and processing operations. An earlier start time of 7am is proposed to allow vehicles to be loaded with sand and gravel and leave the site in time to arrive at a construction site at the beginning of the working day. The proposed hours for vehicles entering and leaving the site would be as follows:
- Monday to Friday – 0700 to 1800
 - Saturday – 0700 to 1300

Traffic and Access

- 2.23 Vehicles would access the proposed site from the C242 Anick Road / Ferry Road using the existing junction and the single-track concrete road to the west of the site. This access track runs along the eastern side of the Egger plant and gives access to the adjacent farmland, Hexham Sewage Treatment Works (operated by Northumbrian Water) and the anaerobic digestion plant (operated by Codlaw Renewables). This track would give access to the north-west corner of the proposed site adjacent to the existing anaerobic digestion plan where the site compound would be created.
- 2.24 The mineral would be exported from the site by heavy goods vehicles (HGVs) with an average 20 tonne payload. It is proposed that the average and maximum number of vehicle movements a day would be as follows:
- Monday to Friday – An average of 50 loaded HGVs to leave the site each day (100 in and out movements) with a maximum of 70 loaded HGVs leaving the site each day (140 in and out movements)
 - Saturday - An average of 25 loaded HGVs to leave the site each day (50 in and out movements) with a maximum of 35 loaded HGVs leaving the site.
- 2.25 Off-site highways works to the C242 road are additionally proposed. These off-site highways works would involve increasing the width of the C242 between the site access for Egger and the proposed access point to the proposed development to allow HGVs to more easily pass within the carriageway. This stretch of carriageway measures 420 metres in length and would be widened to 6.7 metres with a minimum 0.6 metres verge or hard strip where the existing stone wall to the south will be relocated and rebuilt. A new footpath link from the existing Egger car park to the west, through to the entrance of Oaklands site entrance is also proposed. As part of the works, a number of trees growing immediately adjacent the carriageway or within close vicinity would be removed.

Restoration

- 2.26 It is proposed that the site would be restored progressively as extraction is completed in each part of the site. The restoration of the extraction area would be to a large waterbody that has been designed to create a wildlife habitat to attract a variety of wetland birds. Shallow and steep margins would be created around the perimeter of this waterbody and these would form the basis of a wetland habitat for birds and other wildlife.
- 2.27 A deep lake would be created in the middle of the site following the extraction of sand and gravel. It is proposed that floating islands would be created within the middle of the deep lake by using floating pontoons, constructed from suitable material and attached to the bottom of the lake via chains and concrete blocks. Subsoils and other type materials will be placed onto the floating pontoons in order to provide habitats on these floating pontoons. These islands would be free of land predators and would create nesting areas for birds such as terns.
- 2.28 On the southern side of the lake a shallow shelf would be created with the aim of providing a mosaic of permanently wet and dry areas and ephemeral habitats that would be attractive to a range of wildlife, including wading birds. Dried silts would be used to construct a 1:5 slope profile along the southern edge of the excavation area. The foot of this slope would lead into a shallows area that will be sculpted using an excavator to create an undulating landform and wet areas. Silt and sub soils from the workings would be placed in this area to create permanently dry areas of land. Areas will be sown with a diverse grassland mix and managed to maintain short, open grassland suitable for wading birds. Some areas would be excavated down to a deeper level to create small permanent waterbodies. In addition, a dry ditch with steep sides will be created in between the excavation area and access track to the south. This would be left to revegetate naturally but it would also be planted with hawthorn and other prickly shrubs.
- 2.29 On the northern side of the lake a steep bank, with some shallow areas to the bottom of them, will be created through the excavations. This steep bank would be south facing and would provide opportunities to create good habitats for birds that roost and nest in sandbanks particularly kingfisher and sand martin. A 'lane' will be created to the northern perimeter of the site based around the vehicular access track around the lake. This will be created gradually as the excavations proceed across the Site. In Phase 1 and 2, this lane will be defined along its northern boundary by the small bund that is required for flood purposes. It will then continue along the northern boundary of the Site and be based around a hedgerow bank. A second hedgerow bank will be created to the south of this to create the lane; this will be constructed in each phase as working finish in that phase.
- 2.30 The groundwater lagoon to the south of the site compound area would have its edges graded and would then be planted to create a reed bed habitat.
- 2.31 Following the completion of all works at the site, there would be public access around the lake which would follow the site access track. A small car park would be created on the site of the proposed site compound.

Aftercare

- 2.32 Following the final extraction of sand and gravel and final shaping of the water body the site would enter a five year aftercare period. During this period the site operator would annually submit an aftercare report summarising progress at the site. The report and the works proposed would be discussed at an annual aftercare meeting attended by the Minerals Planning Authority and other relevant stakeholders. Such requirements would be secured through conditions. Following restoration beyond the aftercare period a legal agreement under Section 39 of the Wildlife and Countryside Act would provide management plans for the various features and character areas of the site, protecting it from inappropriate development.

Employment

- 2.33 The site would employ 10 people at the quarry and would support 2 jobs at the headquarters of Thompsons of Prudhoe in Prudhoe. There would also be indirect support for jobs in the supply chain and the wider company.

3. Constraints

- Green Belt
- Flood Zone 2
- Flood Zone 3
- Main River – 20 metre buffer
- Grade 2 Best and Most Versatile land
- SSSI Impact Risk Zone
- Trunk Road – 20 metre buffer

4. Supporting Information

- 4.1 The Environmental Statement (June 2021) and Environmental Statement Addendum (April 2022) considers the following effects:
- Socio economic
 - Landscape and visual impact
 - Ecology
 - Soils and agricultural land quality
 - Archaeology and cultural heritage
 - Water resources
 - Highways and transport
 - Noise
 - Air quality
 - Climate change
 - Hazards
 - Cumulative impact
- 4.2 The aim of Environmental Impact Assessment is to protect the environment by ensuring that the local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this, along with the proposed mitigation into account in the determination of the application.

5. Relevant Planning History

Reference Number: 19/04998/SCOPE

Description: Scoping Opinion: extraction of 5.8 million tonnes (3.3 million cubic metres) of sand and gravel over a 25 years period.

Status: SCOPE

Reference Number: 90/E/476

Description: Extraction of sand and gravel and restoration to lake, watersports and recreation on 30.2 hectares

Status: Refused on appeal

- 5.1 An application for planning permission to extract of sand and gravel at Anick Grange Haugh was submitted to Northumberland County Council in 1990 and planning permission was refused. The applicant appealed this decision, and a local inquiry was held. The appeal was dismissed by the Secretary of State on 20 August 1992. The reason for refusal was that there was considered to be an adequate supply of sand and gravel in Northumberland and there the need for the mineral did not outweigh or override the loss of Grade 2 agricultural land.
- 5.2 The scheme that was refused permission in 1992 is similar to the scheme that is proposed in this application, but had some differences. The 1992 scheme was smaller in size and included vehicular access along the river bank. It was also for a slightly shorter timescale of 20 years rather than 25 years. The site compound was proposed to the west of the site with an extraction rate that would result in 55 loaded vehicles a day leaving site, which is similar to what is proposed in this planning application.

6. Consultee Responses

- 6.1 A summary of the consultee responses is provided below. The full written text is available on our website at:
<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QV228MQS0GN00>

Sandhoe Parish Council	<p>Fundamentally disagree with the extraction of sand and gravel from the Anick Grange Haugh site and raise the following points:</p> <ul style="list-style-type: none">• Question the need for the volume of sand and gravel it is proposed to extract. No consideration has been given to newer technologies which may change the demand for building materials.• Consider there would be no economic benefit to the local area as the sand and gravel is not required for use in the immediate area.• Effect on the local environment, including the loss of Grade 2 agricultural land and flood risk.
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	<p>Consider extensive groundworks in a floodplain should not be considered with climate change accelerating.</p> <ul style="list-style-type: none"> • Consider the long-term plan of a wildlife haven and pleasure lake to be a distant fantasy when it will take more than a generation to achieve this. • Site would be an eyesore and a deterrent to tourism. • Increased traffic along Ferry Road and resulting impact on road safety, including the safety of cyclists using Ferry Road. There are already safety issues due to a high volume of large agricultural vehicles and heavy goods vehicles from Egger using this road and an additional 70 HGVs would exacerbate the safety issues.
Hexham Town Council	Strongly object. Concerns raised regarding an increase in heavy traffic at an already overworked junction, noise and pollution, increased risk of polluting the River Tyne, and consider the mineral extraction to be unnecessary when good supplies already exist. There is also concern that sand and gravel for concrete is a carbon pollutant and other building materials such as timber would be an alternative.
Corbridge Parish Council	If planning permission is granted, quarry traffic must not be routed via Corbridge. Trinity Terrace could not cope with any additional vehicles. Other matters concerning the proximate effects of the proposals have been raised by neighbouring residents and Sandhoe Parish Council.
Historic England	No comments.
Tyne Rivers Trust	Considers the data that has been collected is accurate and that the techniques employed are industry standard leading to good robust methods. However, it is important to note that the floodplain is disconnected at this site due to the current artificial separation of the flood embankment. Its future maintenance is unclear and the site has an increased relative elevation due to progressive incision of the riverbed. Tyne Rivers Trust would expect assurances to be provided by the Environment Agency and Lead Local Flood Authority that any change in maintenance over the working period of the site do not compromise safety to sites downstream such as Corbridge or reduced water quality if the river due to contamination from the site at times of flood by overland or groundwater connectivity.
Northumbrian Water Limited	<p>No comments. No connections to the public sewerage network are proposed and the application documents indicate that surface water will be managed on site.</p> <p>The application site lies immediately adjacent to Hexham sewage treatment works and this access road is required</p>

	to be unobstructed and accessible 24 hours a day 7 days a week for operational vehicles to enter the sewage treatment works site.
Public Protection	No objections but recommend the imposition of planning conditions relating to noise, days and time of operation, dust and air quality, artificial lighting, unexpected land contamination, the erection of a site board which details has methods members of public should use to communicate with the operator.
Highways	No objection, subject to the imposition of conditions requiring the submission and approval of a construction method statement and vehicle routing strategy prior to development commencing, implementation of the car and cycle parking facilities prior to the development being brought into use as well as conditions to restrict the number and direction of travel for HGV movements. The proposed access to the development is acceptable and appropriate, and off-site works will be required to be undertaken to widen Anick Road.
Environment Agency	No objection, subject to the imposition of a condition requiring the development to be carried out in accordance with the submitted flood risk assessment and the mitigation measures detailed.
Highways England	No objection, subject to a condition being applied to any granted consent to ensure National Highways' interests with regards to the safe operation of the Strategic Road Network are protected.
Natural England	No objection.
County Ecologist	No objections, subject to planning conditions requiring the development to be carried out in accordance with the Landscape and Ecological Management Plan and Biodiversity Net Gain Assessment. The proposed development may impact on protected or notable species in the absence of avoidance and mitigation measures. Compensation for impacts and enhancement for biodiversity can be delivered as part of the initial set-up and through the site restoration. The Defra Biodiversity Net Gain metric has been used to demonstrate a measurable net gain in biodiversity of 10%+ net gain over the lifetime of the development, and on final completion of site restoration to be maintained for a minimum of 30 years.
County Archaeologist	No objection.
Lead Local Flood Authority (LLFA)	No objection, subject to conditions requiring the development to be carried out in accordance with the submitted Flood Risk Assessment, site working and restoration plans, and the submission and approval of a site flood plan.

7. Public Responses

Neighbour Notification

Number of Neighbours Notified	277
Number of Objections	71
Number of Support	2
Number of General Comments	0

Notices

- 5.3 Site Notices (EIA) were posted at and around the site on 8 July 2021 and 30 June 2022. A press notice was placed in the Hexham Courant on 8 July 2021 and 30 June 2022.

Summary of Responses:

- 5.4 71 letters of objection have been received as a result of publicity on this application. The main issues raised by the comments objecting to the proposal can be summarised as follows:
- Need for the mineral and the proposed development:
 - No need for the mineral it is proposed to extract.
 - Current landbank for sand and gravel is over 12 years and therefore in excess of 7 years.
 - Material could be supplied from elsewhere.
 - Surplus of reserves in County Durham and Tyne and Wear.
 - The need calculations do not take into account Covid or Brexit.
 - There are other sites and resources available in the County.
 - Building methods are changing with less concrete being used.
 - Crushed rock, secondary aggregates and recycled aggregates can be used as alternatives to sand and gravel.
 - Criticism of the site selection and appraisal process that informed the allocation in the Local Plan.
 - Similar development rejected on appeal in 1992.
 - Traffic:
 - The road to be used to access the site is a national cycle route and unsuitable for heavy goods vehicles.
 - There will be increased risks to cyclists using Anick Road
 - Conflict with pedestrians using the section of Anick Road that does not have a footway between Oaklands and Beaufront Business Park.
 - Congestion will occur at the A69 and A6079/Ferry Road junctions.
 - The traffic survey that informed the application was carried out during the Covid lockdown is not representative.
 - The traffic survey does not take into account summer movements to the Anaerobic Digestion Plant.
 - Access road will be damaged and will need to be resurfaced.
 - The heavy goods vehicles will cause pollution.
 - Transport survey suggests there will be a negative impact on the traffic at the junction and those cars, pedestrians and cyclists that use the route.

- Wildlife:
 - Loss of habitat.
 - No need for wetland habitat.
 - Would show a disregard for our guardianship of the environment.
 - Timescale to see the site turned into a wildlife haven in 25 years time means a lot of current residents would not be around to see it.
- Agricultural land:
 - The site comprises Grade 2 agricultural land which should be protected as it is scarce in Northumberland making up 3% of the County.
 - This application was rejected previously due to the loss of this resource
- Green Belt:
 - The site is in the Green Belt and should not be developed.
 - Loss of openness to the Green Belt caused by fixed and temporary buildings along with a range of associated plant and machinery cannot be justified.
- Landscape:
 - Would result in an irreversible change to the landscape.
 - Will be a blight on a treasured landscape.
 - It will be an eyesore.
 - It will ruin a beautiful section of the Tyne Valley.
 - Will ruin the view from Anick Green.
 - Because it is next to Egger does not automatically mean that an industrious landscape should be allowed to expand.
- Flooding and water environment:
 - Site has a high probability of flooding from the River Tyne, ground and surface waters.
 - LLFA has stated the site should not be used.
 - Caistron Quarry has increased flood risk in the River Coquet.
 - Unprecedented flooding events are occurring more often due to climate change.
 - A flood event could cause pollution downstream.
 - Groundwater throughout the site is polluted with heavy metals at concentrations of concern.
 - Not clear that issues raised by EA regarding flood risk have been fully addressed.
 - Development could increase flood risk downstream at Corbridge.
 - Would create a reservoir that require compliance with the Reservoirs Act.
- Residential and local amenity:
 - Noise, dust and visual impact will all be issues
 - Noise has been underestimated
 - Will increase noise along river impacting those fishing
 - Do not wish to have views of the quarry

- Dust will impact on people with respiratory conditions
- Risk of silicosis
- Climate change:
 - The proposed development does not fit with Northumberland County Council declaring a “climate emergency”.
- Economy and Tourism:
 - Applicant will receive the economic benefits, but the economic negatives will be felt by Hexham and Corbridge.
 - Will reduce the desirability of Hexham and Corbridge as a tourism destination.
 - People will not come to Hexham to look at quarries.
 - Will result in net loss of jobs due to impact on tourism.
- Other:
 - Lack of guarantees the site will be restored in 25 years.
 - Need a fund to guarantee restoration.
 - No benefits to local people.
 - Advantages do not outweigh the disadvantages.
 - Will devalue property East end of Hexham has had more than its fair share of disruption.

5.5 Within the representations objecting to the proposal, reference is made to a petition (hosted on change.org) objecting to this proposed development, but this petition has not formally been submitted to the Council in response to this planning application. The petition was started in 2018 before the submission of the application in 2021. As of 19 October 2022, the petition had collected 4,093 signatures.

5.6 2 letters of support have been received. The main point raised in the first relates to the economic benefit the proposal would bring to Hexham. The second letter of support is from the landowner of a site at Haughton Strother previously operated by the applicant and refers to the success of the restoration at this site and the increase in nature conservation interest it has delivered.

5.7 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=QV228MQS0GN00>

8. Planning Policy

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 plan is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

Development Plan Policy

8.2 The policies in the Northumberland Local Plan (March 2022) that are relevant to the consideration of the application include the following policies.

- Policy STP 1: Spatial strategy
- Policy STP 2: Presumption in favour of sustainable development
- Policy STP 3: Principles of sustainable development
- Policy STP 4: Climate change mitigation and adaptation
- Policy STP 5: Health and wellbeing
- Policy STP 6: Green infrastructure
- Policy STP 7: Strategic approach to the Green Belt
- Policy STP 8 Development in the Green Belt
- Policy ECN 1: Planning strategy for the economy
- Policy QOP 1: Design principles
- Policy QOP 2: Good design and amenity
- Policy QOP 4: Landscaping and trees
- Policy TRA 1: Promoting sustainable connections
- Policy TRA 2: The effects of development on the transport network
- Policy TRA 3: Improving Northumberland's core road network
- Policy TRA 4: Parking provision in new development
- Policy ENV 1: Approaches to assessing the impact of development on the natural, historic and built environment
- Policy ENV 2: Biodiversity and geodiversity
- Policy ENV 3: Landscape
- Policy ENV 7: Historic environment and heritage assets
- Policy ENV 9: Conservation Areas
- Policy WAT 1: Water quality
- Policy WAT 3: Flooding
- Policy POL 1: Unstable and contaminated land
- Policy POL 2: Pollution and air, soil and water quality
- Policy POL 3: Agricultural land quality
- Policy MIN 1: Environmental criteria for assessing minerals proposals
- Policy MIN 2: Criteria for assessing the benefits of minerals proposals
- Policy MIN 3: Mineral and landfill site restoration, aftercare and after-use
- Policy MIN 7: Aggregate minerals
- Policy MIN 8: Aggregate mineral site allocations - Sand and gravel

National Planning Policy and Guidance

- National Planning Policy Framework (NPPF) (2021)
- National Planning Policy Guidance (NPPG) (2014, as updated)

Other documents

- Northumberland Landscape Character Assessment
- Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear (updated with 2019 and 2020 data), May 2022.

- North East England Aggregates Working Party. Annual Aggregates Monitoring Report 2020, December 2021
- Historic England. The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3 (Second Edition), December 2017.

9. Appraisal

- 9.1 Having regard to the requirements of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning consideration, including representations received, it is considered that the main planning issues raised relate to:
- Principle of development
 - Green Belt
 - Landscape and visual impact
 - Impact on residential amenity (noise, dust and air quality)
 - Access and traffic
 - Ecology and biodiversity
 - Flooding, drainage and hydrology
 - Cultural Heritage
 - Agriculture and soils
 - Contamination and land stability
 - Socio-economic effects
 - Climate change
 - Cumulative impact
- 9.2 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 9.3 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.
- 9.4 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles. The following sections assess the key issues in relation to the economic, social and environmental roles of the scheme as well as identifying its potential impacts and benefits in planning terms.

Principle of development and need for the mineral

- 9.5 Policy MIN 7 of the Northumberland Local Plan states that provision for a steady and adequate supply of aggregates to meet local and wider needs will be made by making land available to meet the needs for sand and gravel as identified in the Local Aggregate Assessment (LAA) and by maintaining a landbank of permitted reserves of at least 7 years for sand and gravel. It states that proposals for sand and gravel extraction will be supported where they are located within a preferred area identified in Policy MIN 8.
- 9.6 Land at Anick Grange Haugh is allocated for the extraction of sand and gravel for aggregate uses under Policy MIN 8 of the Northumberland Local Plan. Proposals for the extraction of sand and gravel for aggregate uses within the allocated area are supported in principle by Policy MIN 7 and Policy MIN 8.
- 9.7 The Local Plan identifies that there would be a shortfall in permitted reserves of sand and gravel to meet the forecast demand to the end of the plan period and to provide a landbank of at least 7 years at the end of the plan period. In addition, the productive capacity of the current sites with planning permission would fall below the forecast annual demand in the early part of the plan period mainly because the number of sites that are currently active is expected to decrease as the permitted reserves contained within these sites are exhausted. There would, therefore, be a shortfall in supply to meet the annual demand from Northumberland during the plan period without further provision. To meet this identified shortfall in supply to meet forecast demand, the Local Plan includes three site allocations, including one at Anick Grange Haugh, to ensure that an adequate landbank of at least 7 years is maintained and to ensure that productive capacity can meet annual demand.
- 9.8 The most recent iteration of the Local Aggregates Assessment (updated using data from 2019 and 2020) confirms that while the landbank of permitted reserves in Northumberland was in excess of 12 years at 31 December 2020 there would be a shortfall in sand and gravel supply from Northumberland over the plan period for the Northumberland Local Plan. The Local Aggregates Assessment also identifies planned house building, economic development and some large-scale infrastructure projects (such as the road improvement schemes on the A1 in Northumberland and Tyne and Wear) that will require a supply of aggregate minerals. The Local Aggregates Assessment advises that these developments will continue to place a demand on construction aggregates at levels that similar to those levels in recent years and the materials from the proposed development would be able to contribute to this supply. As sand and gravel is a high bulk, low-cost commodity it is important that, as far as feasible, the material can be supplied close to the markets to minimise the overall environmental and financial cost of transport from further afield. The applicant has previously extracted sand and gravel for aggregate uses from quarries at Haughton Strother Quarry near Humshaugh and Merryshields Quarry near Stocksfield, but these sites have recently ceased production due to the remaining permitted reserves being worked out which means these sites are no longer able to contribute to supply from Northumberland.
- 9.9 It is therefore considered that the proposed extraction of sand and gravel for aggregate uses from the site at Anick Grange Haugh is supported in principle

by Policies MIN 7 and MIN 8 of the Northumberland Local Plan and would contribute to a steady and adequate supply of this mineral over the plan period to meet the demand forecast in the Local Aggregates Assessment in line with Paragraph 213 of the NPPF. This support in principle is subject to the effects on local communities and the environment being acceptable when assessed against the relevant policies.

Green Belt

- 9.10 The site is located within the Green Belt (Policy STP 7 of the Northumberland Local Plan). Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 goes on to state that Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.11 In relation to proposals affecting Green Belt, Paragraph 147 of the NPPF identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 150 states certain forms of development, which includes mineral extraction (Paragraph 150a) and engineering operations (Paragraph 150b), are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it.
- 9.12 In terms of openness, the proposed site comprises open agricultural fields and can be viewed from elevated positions on the valley slopes. The site currently has an open character.
- 9.13 The activity associated with the mineral extraction operations would have a limited impact on the openness of the Green Belt. The mineral extraction itself would not result in any features that are above the existing ground level. The restoration of the site to a lake would also preserve the openness of the Green Belt.
- 9.14 The site compound and the associated flood bund would be the main element of the proposed development that affect the openness of the Green Belt. The impact of the compound would be temporary but long-term given the proposed period of working for the site. The flood bund would be retained as part of the restored site as it forms part of the 'green lane'. The Environmental Statement details the alternatives that were considered in relation to the location of the site compound area. The applicant selected a location adjacent to the existing built development and access track rather than an alternative

location in the middle of the site. It is considered that the proposed location of the site compound adjacent to other buildings, structures and operations associated with the Bridge End Industrial Estate (including Egger, the sewage treatment works and the anaerobic digestion plant) mitigates the visual impact and also limits the impact of the compound on the openness of the Green Belt. The flood bund is necessary in terms of flood protection for land outside of the site.

- 9.15 The visual impact assessment has identified significant visual effects on the residents of Anick, parts of Oakwood and parts of the south-east of Hexham. The views from these locations are above the valley floor and the area would continue to appear broadly open because the extraction operations do not result in large above ground structures, except for the site compound area. The flood bund is a low-level feature that would be viewed as part of the proposed additional planting in that part of the site. In visual terms, it is considered that the characteristics of the area would remain one of an open landscape.
- 9.16 In the context of the application site, it is also relevant to consider the role of the Green Belt in preserving the setting and special character of Hexham and Corbridge in line with Policy STP 7 of the Northumberland Local Plan. The submitted landscape and visual impact assessment shows that the proposed development would not be visible from the historic core of Hexham and Corbridge due to the distance and intervening vegetation between the site and Corbridge. The Egger factory is already a dominant feature in the vicinity and setting of the proposed site. It is therefore considered that the proposed development would not significantly affect the settings of Hexham and Corbridge. The type and scale of the proposed development would not conflict with the purpose of safeguarding the countryside from encroachment.
- 9.17 It is therefore considered that the proposed development would not be inappropriate in the Green Belt and accords with Policy STP 8 of the Northumberland Local Plan and the NPPF. It would preserve openness and would not conflict with the purposes of including the land in the Green Belt. The exception for mineral extraction under Paragraph 150 of the NPPF would therefore apply.

Landscape and Visual Impact

- 9.18 Policy ENV 3 in the Northumberland Local Plan states that 'proposals affecting the character of the landscape will be expected to conserve and enhance important elements of their character; in such cases design and access statements should refer, as appropriate, to Northumberland Landscape Character assessment and other relevant studies, guidance or management plans'. It also states that 'where applicable, the contribution of the Northumberland landscape to the understanding and enjoyment of heritage assets will be taken into account' in assessing development proposals.
- 9.19 Policy MIN 1 in the Northumberland Local Plan states that in considering proposals for minerals developments, appropriate weight will be given to potential effects on landscape character and sensitivity. Policy MIN 1 requires applicants to demonstrate that the proposal can be effectively and

appropriately integrated with its surroundings and the character of the landscape, particularly as a result of changes to landform and topography both during and after extraction.

- 9.20 Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by means including protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside.
- 9.21 The Environmental Statement includes a Landscape and Visual Impact Assessment (LVIA). The LVIA sets out the assessment methodology, as well as some outline information on the production of zone of theoretical visibility (ZTV) mapping, viewpoint selection and photomontages. It provides details of the landscape character and visual baselines and an assessment of the landscape and visual effects of the proposed development during the operational and restoration phases.
- 9.22 The site is located within National Character Area 11: Tyne Gap and Hadrian's Wall. The application site is located within Landscape Character Type (LCT) 30: Glacial Trough Valley Floor and Landscape Character Area (LCA) 30b: Newbrough to Corbridge. It is surrounded by LCT 31: Glacial Trough Valley Sides, with LCA 31f: Acomb to Ovington to the north and LCA 31d: Langley to Stocksfield to the south. The site does not lie within an area covered by any national or local landscape designations. The North Pennines Area of Outstanding Natural Beauty is not within the Zone of Theoretical Visibility for the proposed development, so there is no conflict with Policy ENV 6 of the Northumberland Local Plan in this regard.
- 9.23 The Northumberland Landscape Character Assessment identifies that within LCA 30b (Newbrough to Corbridge) the valley floor widens and the river assumes larger meanders. The valley floor and sides also support a mix of arable and dairy farming. Areas of built development and industry are prominent at Bridge End and Hexham. The Egger factory is a local landmark, the plume from the chimney being visible for considerable distances up and down the valley. Both Corbridge and Hexham retain their historic cores.
- 9.24 The site itself is relatively featureless, with low gappy hedgerows and a small number of hedgerow trees. Three large pylons and overhead electricity transmission lines cross the southern area of the site. This contrasts with the wider area, where mature trees, woodland and hedgerows are prevalent and key features giving the wider area a high scenic quality and sense of intactness. The Egger factory is a very dominant feature in the area surrounding the site, along with the adjacent sewage treatment works and anaerobic digestion plant.
- 9.25 The Landscape and Visual Impact Assessment identifies that the main impacts that would affect the landscape character of the site and the surrounding area are:
- The construction of the site compound, which includes the site offices, weighbridge, parking areas, processing plant and storage areas in the southwest of the site.
 - The flood bund and advanced tree belt planting to the northern boundary of the site compound and phases 1 and 2.

- The gap planting and enhancement of existing hedgerows.
 - The stripping and storage of soils on the site.
 - The extraction of sand and gravel, which would be wet worked, therefore creating a lake that would increase in size eastwards as extraction progresses thus changing the landcover of the site.
 - The progressive restoration of the whole quarry.
- 9.26 The landscape value of the application site itself is considered to be medium to low. Factors lowering the value include the low-lying, almost level landform, the open expanse of arable farmland with very few features such as trees and low, gappy hedgerows and the influence of the neighbouring industrial development including the anaerobic digestion plant, sewage works and the Egger factory, all of which lower the scenic quality and condition of the landscape. Factors increasing the value result from the context of the site within the Tyne Valley, which is valued locally and by visitors for its scenic, recreation and cultural values. The susceptibility of the site to the proposed change is also considered to be medium to low for the same reasons, therefore the sensitivity of the site to the proposed development is also considered to be medium to low.
- 9.27 The sand and gravel extraction would introduce a new, long term but temporary use, which would be out of character. The adverse effects on the landscape character of the site would be minimised by the fact that the site compound and processing plant would be located next to the existing industrial development at the anaerobic digestion plant, through the phased working of the site which seeks to minimise the size of the operational areas, and through the progressive restoration of each phase of the site once extraction is complete in that area. Tree planting to the north of the site compound and existing woodland along the River Tyne to the south and east of the site provide some mitigation in relation to the landscape effects.
- 9.28 As extraction progresses across the site from west to east, the landcover and land use would change from arable farmland to a lake. The area of open water would increase in size as extraction progresses across the site. The void created by the extraction void would fill up with water as sand and gravel is removed, which would reduce the perception of the landform change of the site as the majority of the landform changes would be under water. The working areas would be bare earth with disturbed brown water initially, but as work progresses restoration would quickly follow behind with the land returned to grassland and silt settling in the lake reducing the brown appearance of the water.
- 9.29 The LVIA assesses the magnitude of the operational impacts on the landscape character of the site itself and the immediate vicinity as medium to high due to the partial to major alteration of the landscape baseline and the long-term of these impacts. Therefore, combined with the medium to low sensitivity of the site to the development, the overall effect of the operational development would be moderate adverse (not significant). Once the site is restored, effects would become beneficial. The beneficial effects would continue to increase with time as habitats establish and mature.
- 9.30 In relation to visual effects, residential receptors comprise individual properties and settlements. These are high sensitivity receptors as they are

likely to value views over the Tyne valley and are susceptible to the changes proposed by this application.

- 9.31 The small settlement of Anick is located 500 metres north of the site access and 1 kilometre north of the extraction area in an elevated location on the valley side over-looking the site. There would be open views of the site during the operational and restoration phases (see Viewpoint 2 of the LVIA). The advanced tree belt planting to the northern site compound boundary would provide some screening as it establishes, but it would not screen all the operations. The magnitude of the impacts would be medium to high as minimising the size of the working area and progressive restoration would result in a partial to major alteration of the views. The effects would therefore be substantial adverse (significant) during operation, becoming substantial beneficial (significant) once the site is restored and the planting establishes.
- 9.32 The visual effects on the residents of Oakwood would be similar to those for Anick (see Viewpoint 3 of the LVIA), but there are trees between Oakwood and the site, which would filter views particularly when they are in leaf. The magnitude of the impacts would be medium due to the partial alteration of the views and the overall effect moderate to substantial adverse (significant), becoming moderate to substantial beneficial (significant) once the site is restored and the planting establishes.
- 9.33 In relation to Hexham, the LVIA demonstrates that there would be no views of the proposed development from the historic core of the town (see Viewpoint 13 of the LVIA from The Sele), but there would be some close views from residential areas in the south-east of the town. This includes the Anick View housing estate (see Viewpoint 6 of the LVIA) where there are views of the low-lying fields on the opposite side of the river, which are filtered by the woodland along the river. There would also be some more distant views of the site from the more elevated areas of Hexham to the south and south-west. The magnitude of the impacts on the residents in the vicinity of Viewpoints 6 and 8 would be medium, particularly in winter when the intervening trees are not in leaf, and the overall effects would be moderate to substantial adverse (significant). Effects on more distant views would be slight to moderate adverse (not significant) and for the majority of the town the development would be imperceptible. Adverse effects would become beneficial in the long term once the site is restored and the planting establishes, these effects would be significantly beneficial in closer views.
- 9.34 Visual effects on Beaufront, Sandhoe, Corbridge and Stagshaw would not be significant due to distance and intervening vegetation providing some screening.
- 9.35 The LVIA identifies that none of the residents of the farmsteads, individual and small groups of properties outside the settlements within the study area would experience significant effects due to intervening vegetation providing some screening and the low-lying landform. The most noticeable effects would be for the residents of the following individual properties.
- 9.36 The Timbers, lies to the north of the extraction area and within the haugh land area. The surrounding and intervening trees would filter views of the development and the low-lying landform would reduce visibility. The proposed

tree planting would help to screen views. The LVIA found that the magnitude of the impacts would be medium to low due to the partial to minor alteration of the views and the overall effect would be moderate adverse (not significant).

- 9.37 Anick Grange and Anick Grange Cottages are also located to the north of the site, but on the northern side of the A69. They face the site and there would be open direct views of the development, but visibility would be limited by the low-lying landform meaning the extraction area would be visible as a narrow band in the landscape (see Viewpoint 14 of the LVIA). The proposed tree planting to the northern site compound boundary would provide some screening. The LVIA found that the magnitude of the impacts would be medium to low due to the partial to minor alteration of the views and the overall effect would be moderate adverse (not significant).
- 9.38 Properties at Widehaugh are on the A695 to the south of the site. Viewpoint 7 of LVIA illustrates there would be filtered views of the development, particularly in winter and towards the end of the development when the extraction is in the east of the site. The LVIA found that the magnitude of the impacts would be medium to low due to the partial to minor alteration of the views and the overall effect would be moderate adverse (not significant).
- 9.39 Receptors also include the users of the roads, railway, long distance footpaths and cycle routes and public rights of way in the area around the site. Road and railway users are generally considered medium sensitivity receptors, with the exception of tourists and visitors whose attention or interest is focused on the landscape and who are considered high sensitivity receptors. Users of long-distance footpaths and cycle routes and public rights of way are considered high sensitivity receptors
- 9.40 The LVIA considers that none of the road or railway users travelling past the site and the wider area would experience significant effects due to intervening vegetation and built development providing some screening of the site. The A69 runs along the northern site boundary and is a key route through Northumberland, providing a valuable east-west link and a scenic journey along the Tyne Valley. For traffic travelling west on the A69 there would be a brief distant glimpsed view north of Corbridge, and then views would be screened again by road cuttings and intervening vegetation until the road runs directly to the north of the site, from where there are filtered oblique views into the site. For east bound traffic there would only be filtered oblique views into the site as the road runs along the northern site boundary. The magnitude of the impacts would be low due to the limited, glimpsed views, experienced for a small part of a journey, therefore the overall effects would be slight adverse (not significant).
- 9.41 From the C242 and Hadrian's Cycleway, which also run to the north of the site, there would be views of the proposed development for a short section of this route. The visibility of the proposed site would be limited by the low-lying landform meaning the extraction area would be visible as a narrow band in the landscape. Views from elsewhere on this road and Hadrian's Cycleway would be screened by intervening vegetation and built development. The magnitude of the impacts would be low due to the low-lying landform, intervening vegetation and as views would be experienced for a small part of

a journey, therefore the overall effects would be slight to moderate adverse (not significant).

- 9.42 Of the public footpaths and bridleways within the study area of the LVIA, it identifies that only the users of Footpath 540/004 between Anick and Anick Grange would experience significant effects as there would be open views of the development. The magnitude of the impacts would be medium to high as minimising the size of the working area and progressive restoration would result in a partial to major alteration of the views. The effects would therefore be substantial adverse (significant) during operation, becoming substantial beneficial (significant) once the site is restored and the planting establishes.
- 9.43 The proposed development would not have a visual impact on visitors to the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site at Corbridge as views would be screened by intervening vegetation. Similarly, Hexham Parks (Grade II Registered Park and Garden) would not have views of the proposed development. Hadrian's Wall itself and the buffer zone as well as the North Pennines AONB are not within the zone of theoretical visibility.
- 9.44 In relation to visual impact, the LVIA has highlighted that there would be some localised significant visual effects. These would be experienced by receptors to the north of the site at Anick due to the elevated, open views over the site in which the proposed development would be visible. There would be similar effects experienced by residents at Oakwood, but views from this location would be filtered by intervening vegetation. Residents to the south of the site would also experience some close filtered views of the development and the effects would be significant during the winter months when the intervening trees do not have leaves. Effects would become more beneficial with time as the site is restored and the proposed planting and habitats establish.
- 9.45 In relation to landscape character regard has been had to the Northumberland Landscape Character Assessment and the application has been supported by an LVIA in line with the requirements of Policy ENV 3 of the Northumberland Local Plan. Sand and gravel extraction would introduce a change to the landscape that would not reflect the current characteristics of the site and the surrounding area. The site is currently low-lying and relatively featureless arable farmland. As extraction progresses across the site from west to east, the landcover would change from arable farmland to a lake, increasing in size as the phased extraction and restoration progresses. The adverse effects on the landscape character of the site would be minimised to some degree by locating the site compound and processing equipment adjacent to the existing industrial development, by minimising the size of the operational areas, minimising the plant required to extract the sand and gravel and by progressively restoring each phase once it is complete. The proposed tree planting along the northern boundary of the site compound and Phases 1 and 2 as well as the existing woodland along the River Tyne to the south and east would also help to contain the effects. Once the site is restored, the effects have been assessed as being beneficial due to the landscape features created. However, there would still be some harm to some aspects of the local landscape and local visual amenity during the operational phase of the proposed development.

- 9.46 While the proposed development would result in a significant change to the landscape of the site, it is considered that the restored landscape can be integrated with its surroundings. However, given the harm identified to some receptors during the operational phase of the development it will be necessary to consider whether the benefits of the proposed development outweigh this harm in the planning balance for this application.

Impact on Residential Amenity

- 9.47 Policy MIN 1 of the Northumberland Local Plan requires applicants to demonstrate that there is appropriate separation between the site and dwellings and other sensitive uses, to prevent unacceptable levels of noise, dust, vibration, air pollution and harmful visual impact. Policy POL 2 states that development proposals in locations where they would cause unacceptable risk of harm from various forms of emissions including fumes, particles and noise will not be supported. Paragraph 211 (c) of the NPPF states that when determining applications for mineral extraction mineral planning authorities should ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source and recommends that appropriate noise limits for extraction in proximity to noise sensitive properties are established.

- 9.48 The following paragraphs deal separately with noise, dust and air quality.

Noise

- 9.49 Planning Practice Guidance recommends that mineral planning authorities set noise limits at noise sensitive properties that do not exceed the background noise levels by more than 10dB(A) during normal working hours (07.00 to 19.00). It also advises where it will be difficult not to exceed the background level by more than 10dB(A) LAeq, 1 hour free field without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable.
- 9.50 In respect of noise level limits for noisy short-term activities, Planning Practice Guidance goes on to state increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year at specified noise-sensitive properties should be considered to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs. Where work is likely to take longer than 8 weeks, a lower limit over a longer period should be considered. In some wholly exceptional cases, where there is no viable alternative, a higher limit for a very limited period may be appropriate in order to attain the environmental benefits. Within this framework, the 70 dB(A) LAeq 1h (free field) limit referred to above should be regarded as the normal maximum.
- 9.51 A noise impact assessment has been provided in support of the application. It assesses the background noise and considers the noise effects associated with the proposed development. The noise monitoring locations are close to The Timbers, Bank Foot (Anick), Anick View (Hexham) to the north of the A695, Woodland Rise housing development (adjacent to the A695 and Laurel Road, Hexham) and Widehaugh (east of Hexham).

- 9.52 The measured background noise levels LA90 at the monitoring locations were:
- The Timbers - 54 dB
 - Bank Foot, Anick - 58 dB
 - Anick View, Hexham - 46 dB
 - Woodland Rise, Hexham (adjacent to A695 and Laurel Road) - 49 dB
 - Widehaugh, east of Hexham - 51 dB
- 9.53 The noise impact assessment notes that each of these locations are exposed to road traffic noise levels that are representative of the locality. This includes noise from the A69 and A695.
- 9.54 For normal site operations the scenarios modelled in the noise impact assessment indicate that there would be no exceedance of 55 dB LAeq. In addition, no noise levels are predicted to exceed the temporary limits (70 dB LAeq) during the noisy short-term operations such as soil stripping. The proposed site operations may be audible at the closest receptors, but the noise impact assessment concludes this will not be at a level or character that is likely to cause any change in behaviour for receptors, resulting in an impact residing between the 'No Observed Adverse Effect Level' and 'Lowest Observed Adverse Effect Level'.
- 9.55 The applicant has also provided a noise management plan with the application that sets out the measures that will be adhered to ensure that the noise limits are met during the operation of the proposed development. The measure proposed reflect industry best practice to minimise off-site noise.
- 9.56 Given the predicted noise levels for the proposed development would not exceed the appropriate noise limits set out in Planning Practice Guidance for the normal or short-term operations, it is considered that effects on residential amenity from noise would be acceptable the proposals would be acceptable and accord with Policy MIN 1 of the Northumberland Local Plan.
- 9.57 The Council's Public Protection team has been consulted on this application and no objections have been raised. Public Protection recommend a planning condition be imposed by the mineral planning authority to limit noise at the identified receptors from the proposed site operations. It is therefore proposed that a condition is imposed to set a daytime (0700 to 1900) limit of 10dB LAeq over background (LA90) at the nearest residential receptors. It is also proposed that a condition is imposed to restrict the site operations to 07.30 to 18.00 from Monday to Friday and 07.30 to 13.00 on Saturdays with vehicle movements and loading permitted from the earlier start time of 07.00.

Dust and Air Quality

- 9.58 Planning Practice Guidance (Paragraph 023, Reference ID: 27-023-20140306) advises where dust emissions are likely to arise, mineral operators are expected to prepare a dust assessment study, which should be undertaken by a competent person/organisation with acknowledged experience of undertaking this type of work. It also explains there are 5 key stages to a dust assessment study:

- establish baseline conditions of the existing dust climate around the site of the proposed operations;
 - identify site activities that could lead to dust emission without mitigation;
 - identify site parameters which may increase potential impacts from dust;
 - recommend mitigation measures, including modification of site design
 - make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints.
- 9.59 The Environmental Assessment includes a chapter on air quality and is accompanied by an air quality assessment, which identifies the potential dust and air quality effects from the proposed development. The Air Quality Assessment considers the potential for fugitive dust emissions to be associated with the workings, which may generate dust and fine particulate matter (PM10). It also considers road vehicle exhaust emissions associated with development traffic that may increase pollutant concentrations at sensitive receptors close to the proposed site and the vehicle routes related to the proposed site.
- 9.60 The proposed development has the potential for fugitive dust emissions to occur as a result of the operations associated with the extraction, processing, storage and transfer of materials as well as the vehicle movements. The potential impacts that may occur as a result of the fugitive dust emissions are:
- Disamenity impacts – Caused by larger particles that may be visible to the naked eye but are not thought to cause health effects. They may cause disamenity through soiling and staining when deposition occurs on window ledges, cars and laundry; and
 - Health impacts – Caused by PM10 which can remain suspended in air for long periods of time. Particles of this size are fine enough to be inhaled and therefore have the potential to cause health effects.
- 9.61 The identified sensitive receptors in relation to dust from the site are:
- The Timbers – Residential dwelling around 200 metres east of the site access road
 - Oaklands, Anick Road – Care facility around 240 metres west of the site access
 - Anick View – Residential dwellings around 205 metres south of the working phases
- 9.62 In relation to the disamenity effects from fugitive dust, air quality assessment indicates the magnitude of these to be 'slight' at The Timbers and 'negligible' at both the Oaklands Care Facility and Anick View. This is as a result of the distance of these receptors to the activities that could generate dust, the prevailing wind direction in relation to the receptors and the magnitude of the source emission being 'medium' based on the criteria in Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of Mineral Dust Impacts for Planning'. The sand and gravel would be wet when extracted and this reduces some of the risk of dust.
- 9.63 In terms of health impacts from the generation of particulate matter, the Institute of Air Quality Management (IAQM) 'Guidance on the Assessment of

Mineral Dust Impacts for Planning' states that if the long-term background PM10 concentration is less than 17µg/m³ there is little risk that emissions from a mineral extraction site would lead to exceedances of the relevant air quality objectives at the existing sensitive receptors. The air quality assessment found that the predicted background concentration in the vicinity of the site is 10.45 µg/m³. It concludes that because this is well below the relevant value the potential for PM10 emissions from the development to affect human health are considered to be negligible.

- 9.64 The air quality assessment assessed the road traffic exhaust emission impact associated with predicted traffic from the proposed development and found impacts on NO₂ and PM10 concentrations to be negligible and therefore not significant.
- 9.65 In the letters of objection to this planning application some concerns have been raised in relation to exposure to fine dust containing 'Respirable Crystalline Silica'. Respirable Crystalline Silica forms a fraction of PM2.5. Silica is a natural substance found in varying amounts in most rocks, sand and clay. Should high levels of Respirable Crystalline Silica be inhaled regularly, over many years, particles can irritate the lining of the lungs, and over time this can cause a lung condition known as silicosis. From a UK perspective, there is a view that exposure to respirable crystalline silica and the associated risks of silicosis from long-term exposure represents an occupational health issue and is therefore a risk to workers that must be managed in the workplace. The Health and Safety Executive advise that silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust. No cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficiently high to cause this occupational disease. The site operator would have responsibilities to manage these risks to their employees under the health and safety at work legislation and managing these risks would also reduce risks to those living near the site.
- 9.66 To mitigate dust impacts from the site operations, the air quality assessment and environmental management plan detail the mitigation measures that would be implemented when the site is operational. These follow industry good practice, and the measures include:
- Site staff receiving training on the potential dust sources and how to prevent emissions;
 - Site staff undertaking regular visual inspections of dust conditions;
 - Site management giving attention to advance weather forecasts and organising dust management requirements accordingly;
 - A water bowser being based on site to dampen down road surfaces, stockpiles or work areas in dry weather to reduce the potential for dust emissions at source;
 - Providing wheel cleaning facilities and directing all vehicles leaving site will be directed through the wheel wash to ensure they do not carry any debris onto the public highway.
 - Dampening of internal haul roads in dry weather conditions;
 - Controlling onsite vehicle speeds to 15mph;
 - Minimising material drop heights into lorries

- A road sweeper being available for cleaning internal roads and the local highway network, if required;
- During persistent high winds, operations that have the potential to create dust would be suspended until conditions improve.

9.67 The Council's Public Protection team has been consulted on this application and no objections have been raised in relation to dust and air quality. Public Protection to submit for approval a dust management plan prior to the extraction and processing of minerals commencing at the site. Public Protection do however recommend the imposition of a planning conditions requiring a dust management plan to be submitted and approved by the mineral planning authority. This is to ensure the operator has an operational document that they have produced and would maintain and work to.

9.68 In relation to dust and air quality, it is considered that the proposals would be acceptable in and would accord with Policy MIN 1, Policy POL 2 and Policy QOP 2 of the Northumberland Local Plan and the NPPF.

Access and Traffic

9.69 Policies TRA 2 and MIN 1 (Part 2 g) of the Northumberland Local Plan are relevant to the effects of new development on the transport network. In considering the acceptability of proposal for mineral development, Part 2 (g) of Policy MIN 1 states appropriate weight will be given to the capacity and suitability of the transport network, including numbers of movements, site access arrangements, and impacts on non-motorised users. Policy TRA 2 requires all developments affecting the transport network to:

- a. Provide effective and safe access and egress to the existing transport network;
- b. Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;
- c. Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;
- d. Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;
- e. Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and
- f. Minimise any adverse impact on communities and the environment, including noise and air quality.

9.70 Paragraph 111 of the NPPF states 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.

9.71 The planning application is accompanied by a Transport Statement which assesses the impacts of the proposed development on the highway network. The Environmental Statement also includes a chapter on highways and transport.

- 9.72 The Transport Statement establishes the baseline conditions in the vicinity of the application site and also provides a forecast of the number of vehicle trips which are likely to be associated with the proposed development and the predicted changes in traffic flows that would result.
- 9.73 The mineral would be exported from the site by heavy goods vehicles with an average 20 tonne payload. The average and maximum number of vehicle movements a day would be as follows:
- Mondays to Fridays – An average of 50 a day (100 movements) with a maximum of 70 a day (140 movements); and
 - Saturdays – An average of 25 a day (50 movements) with a maximum of 35 a day (70 movements).
- 9.74 Vehicles would access the proposed site from the C242 Anick Road / Ferry Road using the existing T-junction and surfaced access road that runs along the eastern side of the Egger plant and gives access to the adjacent farmland, Hexham Sewage Treatment Works (operated by Northumbrian Water) and the anaerobic digestion plant (operated by Codlaw Renewables). This track would give access to the north-west corner of the proposed site adjacent to the existing anaerobic digestion plant where the site compound would be created.
- 9.75 The Institute of Environmental Management and Assessment (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic' recommend that a projected change in traffic flows of less than 10% is generally considered to create no discernible environmental impact. In terms of the total vehicles within the study area (the C242 and the A69), the predicted increase in the number of vehicles as a result of the proposed development is below 10%. However, the proposed development would result in a significant increase in the number of HGVs on the C242 to the east of Egger.
- 9.76 Vehicles travelling to and from the site would use the C242 and the A6079 to and from the A69. The C242 is a single carriageway road. To the west of the site access junction, the C242 (Ferry Road) serves a number of industrial and business premises, including Beaufront Park, Egger and Bridge End Industrial Estate. The C242 forms a priority T-junction with the A6079. The A69/A6079 junction is a grade separated interchange. HGVs would not travel east of the site on the C242 towards Corbridge, unless a delivery was being made to a specific client that needed to be accessed from the C242 to the east of the site.
- 9.77 The private access road from the C242 is 7.3 metres wide for the first 120 metres before a narrowing to a single lane, with passing places. The applicant has rights of access over the private road as its ownership is shared between the landowner, Egger and Northumbrian Water. Swept path analysis of HGV movements at the access have been undertaken and demonstrate the existing format of the junction is suitable for two-way HGV movements. The Highways Authority consider the proposed access to the development to be acceptable and appropriate.
- 9.78 Within the proposed site compound area car parking for 15 cars, which includes two bays equipped with electric charge facilities and one disabled

bay, would be provided. Covered cycle parking would also be provided close to the site offices. The proposed site compound has turning space for the HGVs, which would enter and leave the site compound via a weighbridge. All HGVs leaving the site will use the wheel wash to remove any debris from the wheels and chassis.

- 9.79 The Highways Authority have advised that if planning permission were to be granted for this proposed development, the developer would be required to undertake off-site highways works to widen a section of Anick Road to allow HGVs to more easily pass within the carriageway. These off-site highways works would involve increasing the width of the road along the section of the C242 between the access for Egger and the proposed access point from the C242 to the proposed development. This stretch of carriageway measures 420 metres in length and would be widened to 6.7 metres with a minimum 0.6 metres verge or hard strip where the existing stone wall to the south will be relocated and rebuilt. A new footpath link from the existing Egger car park to the west, through to the entrance of Oaklands site entrance is also proposed. As part of the works, a number of trees growing immediately adjacent the carriageway or within close vicinity will be removed.
- 9.80 The Highways Authority have recommended that a pre-commencement condition be imposed if planning permission were be granted for the proposed development requiring the highways works to be completed prior to the commencement of the transportation of sand and gravel from the proposed site. The developer would also be required to enter into an agreement under Section 278 of the Highways Act 1980 to undertake the works to the highway.
- 9.81 The C242 (Ferry Road/ Anick Road) forms an on-road section of the signed Hadrian's Cycleway. Vehicles movements to and from the proposed development would use the same road as cyclists on this route between the site access and the A6079. It is considered that the proposals to widen the C242 between the site entrance and the entrance to Egger would assist in addressing the potential conflicts identified between cyclists and the additional HGV movements on this section of road. The Highways Authority have not raised any objections in relation to impacts on cyclists using the C242.
- 9.82 The proposed road widening works would include a replacement footpath between the car park for Egger and the entrance to the Oaklands Care Home and would also retain the existing footpath either side of the entrance to Beaufront Business Park. The road widening scheme includes an allowance in the design for future footpath connection to business park and shows a footpath could be created in the highway verge.
- 9.83 One of the occupiers of Beaufront Business Park has objected to the proposed development, citing that employees are required to walk within the highway or verge if accessing the business park by foot and the proposed increase in vehicle numbers puts them at an increased risk. There is not currently a pedestrian footway between Beaufront Business Park and the existing footway to the west of the entrance to Oaklands. It is considered that the road widening scheme would improve the current situation for pedestrians as there would be more space within the highway for vehicles to pass and improvements to sight lines. The additional vehicle movements would however have a negative impact on the amenity of pedestrians.

- 9.84 The vehicles from the site would access the dual carriageway A69 using the A69/A6079 junction, which is a grade separated interchange. The A69 is part of the strategic road network and is managed by National Highways. National Highways were consulted on the application and have raised no objections. National Highways consider that the proposed movements would not have a severe impact on the strategic road network. National Highways have recommended that a condition be imposed if planning permission were to be granted to require the submission and approval of a Construction and Operational Traffic Management Plan. The Highways Authority has also not raised any objections with regard to the effects of the proposed development on the C242/A6079 junction and consider that the level of trip generation, along with the imposition of planning conditions to control the number of vehicle movements to and from the proposed site, will ensure that there is not detrimental impact to the operation of the road network and the A6079 / C242 (Ferry Road) junction.
- 9.85 It is therefore considered that the proposed development accords with Policies TRA1, TRA 2, TRA 3, TRA 4 and MIN 1 of the Northumberland Local Plan. If planning permission is granted it is recommended planning conditions are imposed to control the numbers of HGV movements and require the completion of widening works to the C242 Anick Road prior to sand and gravel commencing within Phase 1 of the site.

Ecology and Biodiversity

- 9.86 Policy ENV 2 of the Northumberland Local Plan states that development proposals affecting biodiversity and geodiversity, including designated sites, protected species, and habitats and species of principal importance will minimise their impact, avoiding significant harm through location and/or design. Where significant harm cannot be avoided, applicants will be required to demonstrate that adverse impacts will be adequately mitigated or, as a last resort compensated for. Proposals should also secure a net gain for biodiversity. Policy MIN 1 (Part 2, c) also includes criteria relating to the conservation and enhancement of biodiversity and nature conservation interests. The NPPF states that in considering proposals for mineral extraction, mineral planning authorities should ensure that there are no unacceptable adverse impacts on the natural environment (Paragraph 211b). It also states that planning permission should be refused if significant harm to biodiversity resulting from development cannot be avoided, mitigated or compensated (Paragraph 180a).
- 9.87 The Environmental Statement includes a chapter on ecology. A preliminary ecological appraisal and protected species surveys have been undertaken in support of this application. This included surveys in relation to great crested newts, bats, and breeding birds. The surveys have identified that there will be a potential impact on farmland breeding birds. The Council's ecologist has confirmed that the survey work has followed best practice, has been undertaken by suitably qualified ecologist and the assessments have identified the relevant matters needed to assess the impact of the proposed development on ecology.

- 9.88 Overall, the existing habitats on site are considered to generally be of low to local value, comprising large areas of arable land, improved and poor semi-improved grassland and species poor hedgerows, with occasional scrub and field trees.
- 9.89 There would be a progressive loss of hedgerow across the phases of extraction. Native species hedgerow is classed as a Habitat of Principal Importance (HPI) under Section 41 of the Natural Environment and Rural Communities Act 2006. However, the hedgerows on site are species-poor and gappy which are of lower value for wildlife. The proposed mitigation to gap-up retained hedgerows at the start of development and plant new hedgerows as part of the restoration is considered acceptable by the Council's ecologist.
- 9.90 The site has been assessed as of county value for the breeding bird assemblage and of district value for wintering birds. The proposed hedgerows and tree planting and the creation of a skylark plot at the start of the development would mitigate for the loss of some habitat. In the long-term, the creation of a lake with shallow margins and scrapes would provide habitat for wetland birds.
- 9.91 To mitigate the application includes proposals to undertake hedgerow planting to fill existing gaps planting to the north of the compound area and the creation of skylark plots. These works would be undertaken at the start of development.
- 9.92 The River Tyne is identified as a sensitive receptor. It is located to the south of the application site with the Environment Agency flood embankment and area of riparian grassland providing a barrier between the site and the river. This buffer would ensure that the ecology of the river is not adversely affected by the proposed development. The proposed development would also not have adverse effects on the hydrology of the river. The proposed site restoration would enhance the riparian corridor of the River Tyne through the creation of adjacent wetlands and the managed grasslands. The Environment Agency flood embankment along the river is not included within the proposed operational area of the site proposed extraction and with a buffer and appropriate working methods should not be adversely affected by the proposals.
- 9.93 The ecological appraisal work also concluded that there would be no direct impact on any nationally or locally designated wildlife sites.
- 9.94 As well as mitigation for species, the Defra Biodiversity Net Gain metric has been used by the applicant to demonstrate a measurable net gain in biodiversity. This demonstrates that a 10%+ net gain can be achieved over the lifetime of the development. This is considered to be a benefit of the proposed development.
- 9.95 If planning permission is granted for the proposed development, planning conditions would be imposed to require the submission and approval of a report to include an updated baseline Biodiversity Net Gain calculation by the Mineral Planning Authority. This would include details for the monitoring of the Biodiversity Net Gain delivery on site through the life of the site

operations, and a schedule of intervals for this review. Biodiversity Net Gain requires a minimum of a 30-year retention, management and monitoring. On completion of restoration of the whole site, monitoring would be undertaken in the first year of aftercare, and then in years 2, 5, 10, 20 and 30, with monitoring reports to include recommendations for remedial actions to ensure that the agreed habitats and habitat condition are achieved. These reports would be submitted to the Mineral Planning Authority for approval.

- 9.96 An ecological impact assessment has also been provided for the proposed off-site highways works. The Council's ecologist has confirmed that he has identified all relevant issues and is sufficient to assess the impact of the proposed works. Impacts to protected species would be avoided by timing of works and appropriate checks for nesting birds and bats. Mitigation and enhancement would be provided through the provision of four long-lasting bat boxes and six long-lasting bird nest boxes on retained trees prior to commencement of works.
- 9.97 In summary, the progressive restoration of the site to a wetland area would create a mosaic of habitats, would result in significant biodiversity gain (10%+) in both the medium and long term particularly in relation to wetland birds but also to the benefit of a wider range of species such as toads, bats and otters. The biodiversity net gains that will result from the proposed development are considered to be one of the significant benefits of this scheme. The proposed improvements to hedgerows, the tree planting and creation of a Skylark plot would mitigate for the loss of some habitat.
- 9.98 The Council's Ecologist and Natural England have been consulted on this planning application and have raised no objections. The proposals would not give rise to any unacceptable adverse effects and would contribute to a net gain for biodiversity. It is therefore considered that the proposed development would accord with Policies ENV 1, ENV 2 and MIN 1 (Part 2, c) of the Northumberland Local Plan and the NPPF. It is recommended that conditions are imposed to require the site to be operated in accordance with the submitted Landscape and Ecological Management Plan and the Biodiversity Net Gain Report.

Flooding, Drainage and Hydrology

- 9.99 The application site is situated entirely within Flood Zones 2 and 3. The scheme has the potential to be impacted by flooding from the River Tyne as well as flooding from other sources. The Environmental Statement for the proposed development includes a Flood Risk Assessment, which is supported by hydraulic modelling.
- 9.100 Paragraph 159 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 9.101 Paragraph 161 of the NPPF states all plans should apply a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change, so

as to avoid, where possible, flood risk to people and property. Amongst other things they should do this by applying the sequential test and then, if necessary, the exception test (NPPF, Paragraph 161a).

- 9.102 As explained in Paragraph 162 of the NPPF, the aim of the 'sequential test' is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 9.103 Paragraph 163 of the NPPF goes on to state that if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the 'exception test' may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3 of the NPPF.
- 9.104 In Annex 3 of the NPPF, sand and gravel workings are listed as 'water compatible development'. Planning Practice Guidance (Flood risk and coastal change, Paragraph 079, Reference ID 7-079-20220825) identifies the exception test is not required in relation to water compatible land-uses. However, it also states that water-compatible uses in Flood Zone 3b, should be designed and constructed to remain operational and safe for users in times of flood; result in no net loss of floodplain storage; and not impede water flows and not increase flood risk elsewhere.
- 9.105 Paragraph 166 of the NPPF states where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.
- 9.106 The Anick Grange Haugh site is allocated for sand and gravel extraction in the Northumberland Local Plan (Policy MIN 8). The Local Plan was supported by a Strategic Flood Risk Assessment and flood risk was considered in assessing the potential suitability of sites for allocation. Sites with lower flood risk are allocated for sand and gravel extraction under Policy MIN 8 of the Northumberland Local Plan but this would not be sufficient to meet the identified need over the plan period on their own. Other alternative sites in areas of lower flood risk were not considered to be suitable for allocation in the Local Plan for reasons other than flood risk and therefore the site at Anick Grange Haugh was selected to ensure that adequate provision for sand and gravel for aggregate uses to meet the needs over the plan period could be addressed. In accordance with Paragraph 166 of the NPPF it is not considered to be appropriate to apply the sequential test again in the determination of this application as this has been considered through the site allocation in the Local Plan. Also in accordance with Paragraph 163 of the NPPF, it is considered that the exception test does not need to be applied subject to the proposal meeting the relevant requirements set out in Planning Practice Guidance.

9.107 The flood modelling undertaken in support of the flood risk assessment includes two baseline scenarios. The first of these baseline scenarios involves the retention of the Environment Agency flood embankment along the River Tyne in perpetuity, while the second baseline scenario involves the removal of this flood embankment. Additional flood modelling work was undertaken by the applicant to address comments made following consultation with the Environment Agency. This additional modelling included the scenario involving the retention of the flood embankment in perpetuity. This resulted in some design changes to the proposed scheme, which involves the compound area being moved further south by approximately 35 metres in comparison to that proposed in the original submission.

9.108 For the baseline scenario involving the retention of the flood embankments, the results of the modelling work show:

- The flood embankments protect the proposed site and adjacent haugh land up to a 1-in-100 year storm event.
- The modelling demonstrates that at Phase 1 for a 1-in-100 year plus 18% climate change event, compared to the baseline scenario, there is a negligible change in flood depth inside or outside of the site.
- In the restoration phase for a 1-in-100 year plus 34% climate change event, compared to the baseline scenario, shows a small area of increased flood levels in a localised area immediately adjacent to the compound is possible however this would not increase the extent of flood risk in this location. Generally, there is a widespread reduction in modelled flood levels following restoration compared to the baseline.
- The flow further downstream of the site has been assessed to ensure flood risk is not raised at Corbridge. In each modelled scenario the maximum flow rate in the design scenario is lower than the baseline and this indicates that the development will achieve a reduction in downstream flood risk.

9.109 The results are as follows for the parent scenario including the removal of the flood embankments:

- For a 1-in-100 year plus 18% climate change event, the year 2020 for the baseline and Phase 1 scenario was modelled. This shows a reduction in flood levels across the majority of the flood extent of less than 0.25 metre in Phase 1 when compared to the baseline. There is only an increase in flood level on land adjacent to the compound area and within the site. The flood extent for Phase 1 largely reflects baseline scenario but there is an area to the north and west where there is a reduction in flood extent by more than 2 hectares.
- The restoration scheme, in a 1-in-100 year plus 34% climate change in the year 2080, compared to the baseline was also modelled. This shows that there is generally a widespread reduction in modelled flood levels. The reduction in flood levels is between 0.15 and 0.25 metres for areas to the north and west of the compound and around 0.35 metres to the north of the compound. There is a reduction in the extent

of the flood waters in localised areas in the north of Bridge End Industrial Estate.

- The flow further downstream of the site has been assessed to ensure flood risk is not raised at Corbridge. In each modelled scenario the maximum flow rate in the design scenario is lower than the baseline and this indicates that the proposed development will achieve a minor reduction in downstream flood risk.

9.110 In relation the surface water, the flow direction and runoff pathways for surface water generated across the application site were modelled. This identified flow pathways around the proposed compound area. As a result, ditches around this compound have been incorporated into the proposals scheme to redirect the flow. The surface water runoff from the compound and the site will be retained in the site. The modelling work also indicates that during a 1 in 100-year rainfall event there would be a rise in water level by 0.213 metres and this can be accommodated in the excavations. The proposed development would therefore not increase surface water run-off outside of the site.

9.111 In the modelling and flood risk assessment work, the impact of climate change on the proposed development has been considered. This includes the potential for a 20% increase in peak rainfall intensity up to 2115 and 34% increase in peak river flows up to 2115. The increase in peak river flow is significant but as the proposed development is water compatible the impacts are considered to be limited. In relation to peak rainfall, an increase of 20% in peak rainfall intensities is not anticipated to significantly alter the capacity for rainwater attenuation of the excavation created by the mineral extraction.

9.112 The Environment Agency and Lead Local Flood Authority have been consulted on the planning application and have no objections. The Environment Agency have requested that if planning permission were to be granted, a planning condition be imposed requiring the development to be carried out in accordance with the submitted flood risk assessment and the mitigation measures it contains which relate the floor levels of the site compound and the flood bund to the north of the site compound shown on the submitted plans. The Lead Local Flood Authority have also requested a condition requiring the submission and approval of a flood plan for the site.

9.113 Concerns regarding the effects of the proposed development on flood risk have been raised in the letters of objection. This includes concerns from residents in Corbridge that the proposed development would increase the risk of flooding downstream. As explained above, the modelling demonstrates that the proposed development would not increase flood risk downstream and there would be a reduction in the maximum flow rates downstream. The site compound would cause some localised displacement of flood water in some instances, but the displacement would be within the site.

9.114 In conclusion it is considered that the proposed development addresses the requirements of Policy WAT 3 of the Northumberland and the NPPF in relation to flood risk.

Cultural Heritage

- 9.115 The Environmental Statement includes a chapter on archaeology and cultural heritage. This is supported by a Heritage Assessment.
- 9.116 The site of the proposed development is located 1 kilometre to the west of the southern extent of the scheduled monument of Corbridge Roman fort and town, and 2.5 kilometres to south of the military buffer zone for the Frontiers of the Roman Empire: Hadrian's Wall World Heritage Site. It is also located on the opposite side of the River Tyne from the Hexham Conservation Area, the easternmost parts of which are around 460 metres west of the site. Grade I listed Beaufront Castle and associated listed features and landscaping is located around 1.2 kilometres to the north east. A number of other listed buildings are also located in the area surrounding the site.

Archaeology

- 9.117 The site is located adjacent to the river and parts of the site are likely to have been subject to river action and the deposition of alluvium over a long period of time. It is also located in a wider landscape containing known archaeological sites from the pre-historic period onwards. The nearest known ditched enclosure of probable Iron Age date and an adjacent temporary Roman camp are located on land to the west of Beaufront Red House, 700 metres east of the proposed development area and around 250 metres north of the northern bank of the River Tyne.
- 9.118 The route of the River Tyne may have varied over time, however Bronze Age burials are increasingly been discovered up to 300 metres from the line of the river. The nearest example was found in 1830 around 250 metres south of the river, to the immediate south of the application site.
- 9.119 The Stanegate Roman road runs north-west to south-east around 350 metres north of the site passing through Corbridge (Corstopitum) Roman station. The western extent of which is located around 1 kilometre east of the application site. The application site is located at some distance from known medieval and post-medieval settlements which would be likely to extend into this area.
- 9.120 The site has been subject to a desk-based assessment, geophysical survey and trial trenching. The geophysical survey report identified that geophysical survey is not effective across the central and southern parts of the site due to ground conditions. In the northern part of the site, the survey revealed some anomalies of probable archaeological origin including probable fields, enclosures and paddocks, boundary features and a possible track or droveway which could relate to either Iron Age/Romano-British activity or Roman activity associated with the extensive scheduled site of Corbridge (Corstopitum) Roman station.
- 9.121 The subsequent trial trenching in the lower gravel terrace, where the sand and gravel extraction is proposed, revealed two palaeochannels and multiple alluvial deposits but did not reveal significant archaeological remains. Trial trenching was also carried out on the higher river terrace, in the northern part of the site in the area of potential Iron Age/Romano-British or Roman activity identified in the geophysical survey. The trial trenching in this area revealed a multi-phase farmstead settlement of 2nd to 4th century date comprising

evidence for field systems, probable driveways for the management of livestock and relict wall foundations.

- 9.122 A third phase of trial trenching in the area of the proposed soil bunding to the north east of the site did not identify any archaeological remains and demonstrated that the area had been heavily disturbed in the modern period by borrow pits for the A69 road construction.
- 9.123 The County Archaeologist has been consulted on this application and agrees with the conclusions of the archaeology and cultural heritage chapter of the Environmental Statement in relation to the limited or negligible impact on the setting of the scheduled monuments in the area. While archaeological remains of significance were revealed in the northern part of the site, this area will not be subject to groundworks or storage of soils and as a result the archaeological remains in this area will remain *in situ*. Historic England have been consulted on this application and have raised no objections.
- 9.124 Based on the archaeological work carried out to date and the nature and location of the proposed development, the County Archaeologist also advises additional archaeological work is unlikely to add significantly to knowledge of the area or reveal significant archaeological remains. As a result, it is considered that no further archaeological work is required in connection with this application.
- 9.125 Therefore, in regard to archaeology it is considered that the proposed development accords with Policy ENV 7 of the Northumberland Local Plan.

Historic built environment:

- 9.126 The proposed development would not result in any direct, physical impacts to historic buildings or the historic built environment. Indirect impacts to the settings of Listed Buildings and other designated elements of the built environment such as Conservation Areas and Registered Parks and Gardens are relevant. The Environmental Statement includes a chapter on archaeology and cultural heritage and a Heritage Assessment.
- 9.127 The Listed Building settings identified as being possibly affected by the proposed development and discussed below are:
- Beaufront Castle - Grade I Listed Building
 - Curtilage listed Gardeners Cottage
 - Apple store and adjacent walls on north of kitchen garden - Grade II listed Potting shed with attached walls and steps in kitchen garden - Grade II listed
 - Beaufront Woodhead Farmhouse and Adjacent Cottage - Grade II listed and other Grade II listed farm buildings in the hamlet
 - Sandoe Hall - Grade II Listed
 - Chapel of St Aidan - Grade II Listed
 - Anick Farmhouse - Grade II Listed
 - Homeaway - Grade II Listed
 - Red Lion Cottage - Grade II Listed
 - Delegate Cottage - Grade II Listed
 - Bellevue - Grade II Listed

9.128 The impact to the settings of the following designated heritage assets have been assessed and it is considered that there would be negligible to no impact on:

- Hexham Abbey – Grade I listed
- Hexham Conservation Area
- Hexham Parks - Grade II Registered Park and Garden
- Dilston Haugh Farmhouse – Grade II listed
- Dilston Crossing House - Grade II listed
- Walkers Pottery Kilns - Grade II listed and Scheduled Monument
- Corbridge Conservation Area

9.129 Therefore, in respect to the Hexham Conservation Area and the Corbridge Conservation Area the proposed development would not conflict with Policy ENV 9 of the Northumberland Local Plan.

Beaufront Woodhead Farmhouse and Adjacent Cottage - Grade II listed, Group of farm buildings on north side of road, with walls attached – Grade II listed, and Cartshed 30m north east of farmhouse – Grade II listed

9.130 This stone-built 18th century dwelling incorporating older fabric is located to the north-east of the application site. A section of 1-metre thick wall on the west side of the building points to its early defensive origins as a bastle house, robustly built to protect its inhabitants and livestock.

9.131 The farmhouse is situated within a hamlet comprising a number of Grade II listed farm buildings and cottages. The settlement occupies an elevated position on the valley side. This could have been strategic, affording panoramic views across the valley to spot possible attackers. The mature trees directly in front the farmhouse have reduced this outlook slightly.

9.132 The agricultural setting of the listed buildings also enhances their historic interest as traditional Northumbrian farm buildings. In these ways, long range views southwards from around the listed buildings contribute to their historic interest and overall significance.

9.133 The proposed development would materially alter the character of the application site visible from the listed buildings. While the existing harmful visual impact of the Egger factory affects these views at present, the land would become further industrialised and erode the wider agricultural setting of the designated heritage assets. The impact would be mitigated slightly by intervening trees in the summer months.

9.134 The proposed development would therefore cause less than substantial harm to the setting of the Grade II listed farmhouse and farm buildings within the settlement.

Beaufront Castle - Grade I listed, Apple store and Potting shed - Grade II listed buildings , and Gardener's cottage – curtilage listed

9.135 To the north-east of the application site is Beaufront Castle. The building was designed by the notable architect John Dobson in his "domestic castellated" style with free Perpendicular/Tudor Gothic aesthetic qualities.

- 9.136 The estate setting of the country residence contributes greatly to its overall significance. The garden and grounds around the building are landscaped as shown on the first and subsequent editions of Ordnance Survey maps. The house benefits from dense woodland on its north-east and west sides, so views southwards towards the valley floor and across the Tyne are framed by trees. This also means that the house has a commanding presence in long range views within the valley which reinforced its high status. Views to and from the building are therefore designed and of high significance and very sensitive to change.
- 9.137 Views outwards towards the application site were assessed from the principal rooms on the ground and first floor in the main block of the house and from the Grade II listed terraced wall to its south. The application site is visible above the mature trees from all these key vantage points, but most noticeably from the first floor and terrace. The development would be visible in the periphery of the panoramic view from the Grade I listed building during at least operational Phases 3 to 5 of the development and following its restoration. The application site would encroach on designed views that currently benefit from tree cover that blocks oblique views over towards the Egger factory to the east of Hexham.
- 9.138 The Grade II listed Apple store and Potting shed and the curtilage listed Gardeners Cottage are situated on the western edge of the estate. Views from these functional buildings across the valley do not contribute to their significance, unlike the designed views from the main house. The Gardeners Cottage is orientated to face south down the valley and during the summer months its view towards the application site is interspersed with trees. Any views from the apple store and potting shed as functional buildings are likely to be fortuitous, rather than designed. The Egger factory can be glimpsed in some views from these estate buildings, but most are unaffected by this industrial complex.
- 9.139 The proposed development during all operational phases would bring industrial activity from the glimpsed peripheral into the middle of views from these listed and curtilage listed structures. It would therefore have an industrialising effect upon the largely rural setting of the buildings. It would also have a harmful impact on important designed views from the Grade I listed house, and from Grade I curtilage listed and Grade II listed buildings at the western edge of the estate.
- 9.140 It is considered that the harm would be 'less than substantial' harm to the setting of the Grade I listed buildings (which is of the highest significance) and the settings of Grade II listed buildings within its grounds.

Sandoe Hall - Grade II Listed

- 9.141 Sandhoe Hall is located to the east of Beaufront Castle. The grand country residence was also designed by John Dobson and was built in 1850 incorporating earlier fabric. The Hall has an L-shaped plan form, with a long north-west domestic wing to the rear.
- 9.142 The principal elevation faces south across its terraced and landscaped grounds and the valley beyond. This designed setting contributes to and

enhances the historic and artistic interest of the listed building, articulating the wealth and status of its owners and the horticultural and architectural fashions of the 19th century.

- 9.143 Dense woodland to the west of the grounds conceals the application site in views from in front of the Hall. We were not able to gain access to the Hall to assess impact on designed views from the upper floor but given the height of the building and the trees it is unlikely that these views would be affected.
- 9.144 We conclude that the proposed development would not harm the setting of this Grade II listed building.

Chapel of St Aidan - Grade II Listed

- 9.145 This chapel was designed in a free Perpendicular style by W.S. Hicks for John Straker of the adjacent Stagshaw Hall and was constructed in 1885. It has an aisleless 3-bay nave with porch at its south corner and a south-west bell turret, 2-bay chancel with north vestry and an organ chamber.
- 9.146 Trees hug the north and side elevations of the chapel, but this intimate wooded setting opens up to the south and allows uninterrupted views over the chapel grounds, fields beyond and the opposite side of the valley. The building may have been designed to be seen from miles around as a proclamation of the faith and status of the landed gentry who commissioned it. The openness of the setting of the chapel therefore makes an important contribution to the significance of the building.
- 9.147 The view from the chapel is channelled by the dense U-shaped band of trees around the perimeter of the grounds. The application site is only visible in the distance when stood at the south-western corner of the chapel grounds. From this vantage point, it appears as a narrow strip of agricultural land.
- 9.148 The proposed development would visually alter the appearance of this land, but this change would be small in the wider landscape and would not be visible from within the immediate vicinity of the chapel. It is therefore considered that the proposed development would not harm the setting of this Grade II listed building.

Anick Farmhouse - Grade II listed, and Homeaway – Grade II listed

- 9.149 These listed buildings are situated to the north of the application site in the settlement of Anick which overlooks the application site from the valley side.
- 9.150 Anick Farmhouse is a former bastle house dating from the late 16th or 17th century that has been adapted over the centuries. There are remains of its original byre doorway at ground level and upper doorway in its right bay. The building is now set behind a stone wall and a couple trees which will obscure some of the views from the house. The ranges of farm buildings to its north and west are also Grade II listed.
- 9.151 Along the lane to the west, the Grade II listed Homeaway is a stone built dwelling dated 1694. It is also orientated to face south across the valley and,

set back from the lane behind a low dry-stone wall, benefits from unimpeded views towards and over the application site.

- 9.152 The site forms part of the wider rural setting of the listed buildings. The meander of the river around the application site is prominent in panoramic views from these buildings. The visual impact of the proposed development and associated industrial activity for the duration of the phased work, would be harmful to the established agricultural setting of the listed buildings. The harm to the setting of the listed buildings would be less than substantial.

Red Lion Cottage - Grade II Listed

- 9.153 To the south of the application site, and to the east of Hexham is this listed dwelling, formerly a public house called the 'Red Lion'. Its front elevation faces the road and would have invited in travellers along the former principal route connecting Hexham and Newcastle. The front elevation looks towards the application site. While stood in front of the listed building, the flat fields of the site are largely screened by the intervening trees, fencing and the land banked to the north of the road. However, during the winter months Phases 2 and 3 of the proposed development operations could be more prominent in views north from the building, and additional noise, dust and lighting are likely to have a deleterious impact on the setting of the listed building. This impact would amount to less than substantial harm but following the restoration of the site, there would be negligible to no harm to this setting.

Delegate Cottage - Grade II Listed

- 9.154 This listed house is situated to the south of the application site in a slightly elevated position on the south side of the valley. This dwelling is a multi-period property with modest origins. It was originally a 2 up 2 down cottage built in 1800 with an attached single storey stable block and cow byre built in 1873 creating a smallholding. An additional storey was added in the 1950s when the building was converted into a single residence which gives the impression of a larger country house.
- 9.155 The principal elevation of the dwelling faces south, away from the valley into the front garden. Its immediate setting is more enclosed and intimate than the other hill side listed buildings. There are no designed views of significance. However, the rural backdrop of the fields, trees, hedges and clusters of settlement behind the building contribute to and enhance the historic and aesthetic interest of the building.
- 9.156 The Heritage Statement suggests that the visual impact of the proposed development on the application site could be screened by a band of trees to the north-east of the listed building. Mature hedging to the north of the property block views across the valley floor to the Egger industrial complex. The visual impact of the proposed development would therefore be low and mitigated further by the building 'turning away' from the application site so there is unlikely to be harm to the setting of this listed building.

Bellevue - Grade II Listed

- 9.157 To the south-west of the application site is Belle Vue. The Grade II listed building is situated on Causey Hill Road which climbs southwards away from Hexham town centre. The first floor window on the north front of the house has a carved headstone with the legend 'Belle-Vue 1825'. As suggested by its name, this 19th century dwelling was built so that excellent views down towards and over Hexham could be enjoyed from the large, sashed windows from its principal rooms.
- 9.158 Over the last two centuries, the historic setting of the listed building has drastically changed. Once located in the open countryside adjacent to a farmstead, Belle Vue has been engulfed by residential development. Nevertheless, its views across the valley are an integral part of its history and significance. The Egger factory has had a harmful impact in these designed views. However, the application site itself is hidden from view by the intervening houses. It is therefore considered that the proposed development would not cause further harm to the setting of this listed building.
- 9.159 In summary, the proposed development has been evaluated having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and Policies ENV 1 and ENV 7 of the Northumberland Plan. It is considered that the proposed development would fail to preserve the settings of the following listed buildings:
- Beaufront Castle – Grade I listed
 - Apple store and Potting shed - Grade II listed buildings
 - Gardener's cottage – curtilage listed
 - Beaufront Woodhead Farmhouse, farm buildings and cartshed – Grade II listed buildings Anick Farmhouse – Grade II listed
 - Homeaway – Grade II listed
 - Red Lion Cottage – Grade II listed
- 9.160 The proposed development would cause 'less than substantial' harm to the settings of these designated heritage assets in the terms of Policy ENV 7 of the Northumberland Local Plan. The measures to mitigate visual impact would do little to reduce the harmful impacts in long- and medium-range views from the listed buildings on the valley sides. The site following restoration would have less visual impact, but the permanent change in the character and appearance of the site, from agricultural land to artificial body of water would still have a harmful impact on the largely agricultural landscape setting of the heritage assets. Policy ENV 7 requires this degree of harm to be weighed against the public benefits of the proposal.
- 9.161 Planning Practice Guidance (Historic environment, Paragraph 020, Reference ID 18a-020-20190723) explains that public benefits could be anything that delivers economic, social or environmental objectives as described in the Paragraph 8 of the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.
- 9.162 The assessment of whether the proposed development would include public benefits that outweigh the identified harm to the settings of the identified designated heritage assets will be set out in the planning balance in the conclusions of this report

Agriculture and Soils

- 9.163 The Soils and Agricultural Land Report submitted with this application shows that all of the existing agricultural land within the site to be of best and most versatile quality ranging from Grade 2 (very good agricultural quality) to Subgrade 3a (good agricultural quality). Due to the proposed method of working and restoration, the site would not be returned to agricultural use following extraction. The proposal would therefore result in the permanent loss of 36.6 hectares of best and most versatile land and the Environmental Impact Assessment considers this to be significant.
- 9.164 Paragraph 174 of the NPPF identifies that in making decisions on planning applications, should consider the economic and other benefits of best and most versatile agricultural land (Paragraph 174b), and try to use areas of poorer quality land instead of higher quality land where significant development of agricultural land is demonstrated to be necessary (Footnote 58).
- 9.165 Part 1 of Policy POL 3 of the emerging Northumberland Local Plan deals with the permanent loss of Best and Most Versatile land. It states regard will be had to the wider economic and other benefits of the best and most versatile agricultural land when considering any irreversible loss in accordance with national policy. Where significant development of such land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.
- 9.166 Therefore, in accordance with the NPPF, regard should be had to the wider economic and other benefits of the best and most versatile land in the planning balance. This will need to take account of the significant impact on the best and most versatile agricultural land. The benefits associated of best and most versatile agricultural land include, but are not limited to, the production of food, the economic benefits associated with the agricultural sector, the role of the land within the ecosystem and carbon storage.
- 9.167 Planning authorities must consult Natural England on all non-agricultural applications that result in the loss of more the 20 hectares of best and most versatile agricultural land if the land is not included in the development plan. While this site is allocated in the Northumberland Local Plan (adopted March 2022), the plan had not been adopted at the time this application was submitted. Natural England were consulted on this application and no objections were raised in relation to impact on the agricultural land.
- 9.168 The proposed site is allocated in the recently adopted Local Plan which demonstrates it is necessary to develop site in order to meet the identified demand for sand and gravel over the plan period. Alternative sites to meet this need were considered through the preparation of the Local Plan. The presence of best and most versatile agricultural land was considered in decisions regarding whether it is appropriate to allocate the site. This is an important consideration in assessing this application.
- 9.169 If planning permission were to be granted it is recommended that relevant planning conditions are imposed to ensure the soil is handled in line with good practice as required by Policy POL 2 of the Northumberland Local Plan.

Contamination and land stability

- 9.170 Paragraph 174d of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 183 of the NPPF requires that in making decisions on schemes consideration is taken account of the ground conditions and any risks arising from contamination.
- 9.171 Policy POL 1 of the Northumberland Local Plan supports development proposals where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts. Policy WAT 1 of the Northumberland Local Plan seeks to ensure that all water bodies achieve 'good status' in terms of their ecological balance and other relevant factors, preventing any deterioration in that status. Development is not supported where it would have an adverse impact on water quality in surface water bodies or it could disrupt the ground water movement or affect its chemical balance, including any wider impacts.
- 9.172 The Environmental Statement identifies potential contamination sources within the site and surrounding area due to previous and neighbouring agriculture land use and the use of fertilisers, pesticides and herbicides, upstream sewer discharge, discharges from Egger, and metal rich sediments associated with the historic metal mining elsewhere in the River Tyne catchment. These contamination sources have the potential to impact on groundwater quality, the River Tyne and water within the proposed restoration. Testing of soils/sediments and groundwater has been undertaken to inform the environmental impact assessment to establish the concentrations of metals, Ammoniacal Nitrogen, Nitrate and Nitrite, and organic compounds.
- 9.173 The results of the baseline groundwater quality monitoring data identify that the groundwater quality has been affected by existing activities, namely agricultural activities, and discharges from the Egger industrial facility. It is also possible that groundwater quality has been affected by historic activities upstream, including mining, which has resulted in some elevated metals concentrations within the baseline data.
- 9.174 The groundwater modelling work undertaken in support of the application has shown that the overall groundwater flow regime would not be altered as a result of the quarry excavation and the abstraction of water from the groundwater lagoon. The groundwater is currently in hydraulic connectivity with the River Tyne and the proposed extraction would not change this. This would mean that groundwater would continue to move through the surrounding ground strata to the lake and then to the River Tyne. The proposed extraction of water will not have a negative impact on Egger groundwater abstraction or the groundwater flow regime and hydraulic gradients towards the river. The ground and groundwater within the site and the surrounding area has pollutants within it. These are currently transported into the River Tyne due to the connectivity between the groundwater and the

river. This connectivity would continue as a result of this scheme. The assessment also indicates that the proposed development would not result in the status of waterbodies deteriorating in accordance with the Water Framework Directive.

- 9.175 The applicant proposes that groundwater monitoring, both levels and quality monitoring, is undertaken throughout the operational phase of development to identify any potential sources of contamination. This is to ensure that during the proposed development the hydraulic gradient and connectivity between the site and River Tyne is retained; this in turn will ensure that that existing pollutants are continually monitored. Silts produced from the mineral processing washing plant would be subject to testing under an Environment Agency permit before they are used in the restoration of the site. Any silts that do not comply with the requirements (i.e. which have raised levels of heavy metal or other contaminants) would be removed from the site for disposal under a relevant waste permit. This prevents the pollutants becoming concentrated into the lake and then moving into the River Tyne. The bunded silt drying beds would be located within the site compound, which is situated above the floodplain to minimise the risk of sediment being mobilised during a flood event.
- 9.176 The Environment Agency and the Council's Public Protection team have been consulted on this application and have raised no objections in regard to this matter. The Environment Agency have confirmed they are satisfied that the assessments provided in support of the application have given appropriate consideration of the impact on the water environment. If planning permission is granted, it is recommended that planning conditions are imposed to require the implementation of the groundwater and silt monitoring detailed in the proposed Environmental Management Plan for the site. Public Protection also recommends the imposition of a planning condition to address unexpected contamination should it be found onsite during development of the site or during site operations.
- 9.177 In relation to land stability, Chapter 9 of the Environmental Statement assesses the hazards presented by the proposed development. This includes a geotechnical design and stability assessment that examines the stability of the slopes created during the excavations and the integrity of the land between the excavation and the River Tyne. An avulsion assessment also considers the possible increased risk of the River Tyne cutting through the existing riverbank and breaching the excavated lake in a flood event.
- 9.178 The geotechnical design assessment identifies that for a site that is 'wet worked' such as this, the main risk arises from the over steepening of the excavation slope profile, which could lead to undercutting and the failure or movement of the slope. A stability assessment concludes with an excavation slope of 1 in 2 gradient an adequate factor of safety can be maintained.
- 9.179 All excavations would be at least 20 metres distance from the base of the existing Environment Agency flood protection embankment and the geotechnical design assessment concludes that at no time should the integrity of the land between the excavation and the River Tyne be at risk due to the proposed development.

- 9.180 The Avulsion Assessment concludes that there is already a risk of the River Tyne breaching the existing Environment Agency flood protection embankment and eroding this embankment as it floods the haugh land. The proposed development does not include any works to the riparian riverbank or the Environment Agency embankment and therefore it would not increase this existing risk. The creation of the lake, by virtue of the below ground excavations, may increase the potential risk of this breach because flood waters could undercut the 1 in 2 slope profile created around the edge of the extraction area, the shallows and then the Environment Agency flood embankment. To reduce and mitigate this risk, the shallows slope profile will be restored to a 1 in 5 profile as soon as practicable, following extraction in that part of the site, and surfaced with erosion matting and suitable materials, to dissipate flood energy and the risk of avulsion.
- 9.181 It is therefore considered that the proposed development would accord with Policies WAT 1 and POL 1 of the Northumberland Local Plan and Paragraphs 174 and 183 of the NPPF.

Climate Change

- 9.182 In relation to climate change, Policy MIN 1 (Part 2, n) of the Northumberland Local Plan requires applicants to demonstrate how their proposal would impact on climate change and targets to reduce greenhouse gas emissions. Where appropriate, proposals should propose mitigation and adaptation measures. Part 1 of Policy STP 4 of the Northumberland Local Plan states development proposals should mitigate climate change and contribute to meeting nationally binding targets to reduce greenhouse gas emissions. Part 2 of Policy STP 4 states development proposals should support adaptation to climate change, be resilient to climate change, and not make neighbouring areas more susceptible to the negative impacts of climate change.
- 9.183 The Environmental Statement includes a chapter on climate change, which reports the likely significant effects of the proposed development in terms of climate change in the context of the site and surrounding area. The assessment focusses on the potential effects of the proposed development on greenhouse gas emissions, and also the vulnerability of the proposed development to climate change effects.
- 9.184 The impacts of the proposed development on greenhouse gas emissions have been assessed based on the emissions associated with the extraction of sand and gravel against industry benchmark standards. The greenhouse gas emissions per unit of output have been assessed against the baseline value. In this context the baseline is taken to be an equivalent 'typical' development rather than 'no development'. The justification for this assumption is that demand for the sand and gravel product exists, and supply will meet that demand. This means if the sand and gravel is not extracted at the proposed site, it would be extracted from somewhere else, and the emissions would still be produced.
- 9.185 The greenhouse gas emissions controlled or influenced by the proposed development along with its associated infrastructure have been considered. This includes direct emissions from company vehicles on site and process equipment, for example. It also includes indirect emissions from the

generation of purchased electricity, heat or cooling consumed by the company. The emissions associated with the quarrying operations have been calculated based on a predicted production of 250,000 tonnes of sand and gravel annually. The average annual greenhouse gas emissions associated with the proposed development is estimated to be 390 tonnes of carbon dioxide equivalent (tCO₂e). Operations will extend until 2047, generating a total of 9,750 tCO₂e. This equates to an intensity ratio of 0.0017 tCO₂e/t.

- 9.186 The predicted greenhouse gas emissions from the proposed development are lower than the predicted baseline scenario which uses the industry benchmark standards and published information on greenhouse gas emissions associated with the production of sand and gravel.
- 9.187 The transportation of the mineral is a key greenhouse gas cost associated with the proposed development. It is assumed that if the sand and gravel is not sourced from Anick Grange Haugh there would still be a demand for the material, and it would be supplied from elsewhere. This would give rise to greenhouse gas emissions. If the material has to be sourced further from the end-user, the carbon equivalent per tonne of material would be greater.
- 9.188 In relation to the vulnerability and resilience of the proposed development to climate change, the Environment Statement sets out an assessment against different emissions scenarios. As climatic conditions change there are likely to be impacts on a number of receptors. Potential receptor groups include infrastructure receptors, human health receptors, and environmental receptors.
- 9.189 The projected increase in maximum temperatures is likely to increase risk to site operatives and increase the risk of fires. Increased winter temperatures will reduce the heating capacity within buildings while the increased summer temperatures will lead to an increased demand for cooling within buildings to avoid potential overheating. Increased temperatures could lead to unsuitable habitats for any fauna and flora which are currently present, which could lead to migration or loss of species. The changing climate may also lead to the colonisation of new pathogens which could impact certain tree species.
- 9.190 Increases in winter precipitation is likely to cause disruption to operations. There could be periods where extraction is reduced depending on the severity of the flooding. An increased amount of rain will put more stress on the drainage systems, this coupled with the void created through the quarrying process could lead to water building up within the quarry. During the summer months droughts may become more common. It is possible that certain tree species may become water stressed and less able to tolerate disease load. Operations that require a water supply may also be impacted. Dry conditions may also lead to increased potential for dust to be generated from the site.
- 9.191 Storms could increase the risk of damage to facilities within the site and infrastructure. Increased wind speeds could also increase the risk of dust transportation.
- 9.192 The proposed development includes mitigation measures to manage the risks associated with climate. This includes measures to manage flood risk and control dust. The Environment Statement concludes that with this mitigation it

is considered that the impact of future climate change on the proposed development would not be significant in Environmental Impact Assessment terms.

- 9.193 It is therefore considered that the proposed development addresses the requirements of Policy MIN 1 and Policy STP 4 of the Northumberland Local Plan in respect of climate change.

Socio-economic effects

- 9.194 The Environmental Statement includes a chapter that identifies the socio-economic effects of the proposed development.
- 9.195 The proposed development would provide 10 jobs at the site and would directly support 2 jobs at the company headquarters in Prudhoe. It would also support the retention of other employees at the company, including those employed in haulage jobs. It will therefore not only create additional employment but help to secure and support the existing jobs at the company. The Environmental Statement also identifies the economic role of the extractive industries to the UK economy and its importance to the construction industry in relation to a range of building and infrastructure projects from those of a national importance to smaller scale projects on a local level.
- 9.196 The sand and gravel from this site would play an important part in ensuring that Northumberland can continue to supply sand and gravel into the local and regional market for the construction industry. The site is allocated under Policy MIN 8 of the Northumberland Local Plan to meet the demand identified over the plan period. As sand and gravel is a high bulk, low-cost commodity it is important that, as far as feasible, the material can be supplied close to the markets to minimise the overall environmental and financial cost of transport.
- 9.197 The Local Aggregates Assessment identifies some large-scale infrastructure projects, such as the road improvement schemes on the A1 in Northumberland and Tyne and Wear, that will require aggregate minerals. These materials will also be required to support the house building and economic related development in the Northumberland Local Plan and the Local Plans of other planning authorities in North East England. These developments will continue place a demand on construction aggregates at levels that similar to those in recent years.
- 9.198 Many of the letters of objection have raised concerns about the impacts of the proposed development on tourism and the visitor economy. Policy ECN 1 of the Northumberland Local Plan sets out the strategy for economic development and Part 2 of this policy states that development proposals will support and promote tourism and the visitor economy.
- 9.199 The letters of objection identify the importance of tourism to the area and include concerns about impacts from this proposal on visitors to Hexham, Hadrian's Wall, Corbridge Roman Site, Northumberland National Park and North Pennines Area of Outstanding Natural Beauty. The Landscape and Visual Impact Assessment submitted with the application shows that visitors to the Hexham Parks (Grade II Registered Park and Garden) and the Hexham Conservation Area would not have views of the proposed site. The site of the

proposed development is separated from Hexham by the Egger Plant, sewage treatment works, anaerobic digestion plant and other existing industrial development and buildings. The World Heritage Site at Corbridge is located 1 km east of the site but views of the site would be screened by intervening vegetation. In addition, the site would not be visible from the North Pennines Area of Outstanding Natural Beauty.

9.200 The A69 which runs to the north of the site is a key route for visitors to Hexham and other destinations in the west of Northumberland. When travelling along the A69 there would be low-lying views of the proposed development filtered by some of the existing vegetation that would be experienced for a small part of the journey. The Egger factory is already a dominate feature in the vicinity of the site, along with the adjacent sewage works and anaerobic digestion plant. Similarly, railway users travelling past the proposed site would not experience significant effects due to intervening vegetation and built development providing some screening. Cyclists on the Hadrian's Cycleway route would also only glimpse the site through existing vegetation. Users of the Footpath 540/004 on the valley side to Anick would have clear views of the site and visitors to Anick village would have clear views of the site, but it would be viewed in the distance and other impacts, such as noise and traffic disturbance, would not be apparent at this location.

9.201 In the long-term the restored wetland habitat that could become a nature reserve with public access. This would have the potential to contribute to the tourism and visitor offer in Hexham and the wider area.

9.202 It is therefore considered that the proposed development would not result in significant adverse socio-economic effects and would not conflict with Policy ECN 1 of the Northumberland Local Plan. It is recognised that there would also be some positive socio-economic benefits linked to the supply of the mineral to the construction sector and the jobs secured at the site and elsewhere.

Site restoration

9.203 Part 1 of Policy MIN 3 states proposals for minerals extraction will be supported where provision has been made for the appropriate restoration and aftercare of the proposed site at the earliest opportunity. Part 2 of Policy MIN 3 sets out the matters to be considered when assessing restoration proposals.

9.204 In accordance with Part 2 of Policy MIN 3, the proposed development:

- Makes provision for the phased working and restoration of the site.
- Provides net gains for biodiversity in accordance with Part 2 (a) of Policy MIN 3.
- Includes opportunities for public access following the final restoration of the site.
- The application site is not located within an aerodrome safeguarding zone, therefore the creation of the wetland would not conflict with this element of the policy. The flood risk assessment indicates that the scheme would not increase flood risk and would provide some additional flood capacity that would reduce peak flood flows at locations downstream of the site.

- Provides sufficient details to demonstrate that the proposed restoration and after-use of the site can be achieved.

- 9.205 Part 2 (c) of Policy MIN 3 requires proposals to protect soil resources by ensuring that they are retained, conserved and handled in line with best practice during site extraction operations and during restoration. The proposed wet working of the site means that it is not feasible to restore the site to agricultural land and therefore not all of the soils will be retained on site. The soil resources that would be retained will be used to improve the soil quality on a field to the north east of the site. The principle of the loss of this agricultural land is discussed elsewhere in this report and the loss of this land will need to be balanced against benefits of the proposed restoration development. Conditions would be imposed with the grant of planning permission to ensure the soils are handled in line with best practice and in line with the requirements of the relevant policy criteria.
- 9.206 Part 2 (g) of Policy MIN 3 also states that proposals should include sufficient safeguards to ensure the adequate restoration and aftercare of the site from the commencement of development until completion of restoration and aftercare. In exceptional circumstances, such as long-term schemes where no progressive restoration is proposed, proposals where innovative techniques are to be used, or where there is reliable evidence of financial failure, a financial bond or other financial guarantee shall be sought. This is consistent with Paragraph 211 (e) of the NPPF and the advice contained in Planning Practice Guidance (Minerals, Paragraph 048, Reference ID 27-048-20140306).
- 9.207 The application proposes phased extraction and restoration. The method of working proposed is similar to that used on other sand and gravel sites in Northumberland and elsewhere in the UK. There is also no reliable evidence before the Council of the likelihood of either financial or technical failure and if the site operator were to fail financially, responsibility for site restoration would revert to the separate landowner. For these reasons it is considered that a bond or other financial guarantee is not required for the proposal to comply with Paragraph 211 (e) of the NPPF and Part 2 (h) of Policy MIN 3 of the Northumberland Local Plan. It is therefore considered that there are appropriate safeguards to ensure the adequate restoration and aftercare of the site through the proposed phased working of the site, the use of planning conditions and a legal agreement to secure the management of the habitats that provide a biodiversity net gain for 30 years following the restoration of the site.

Benefits

- 9.208 Policy MIN 2 of the Northumberland Local Plan states when determining proposals for minerals extraction, great weight will be given to the benefits of minerals extraction. This is consistent with Paragraph 211 of the NPPF. Part 2 of Policy MIN 2 lists the matters that will be considered in assessing the benefits of individual proposals. The criteria in Part 2 of Policy MIN 2 are not a closed list and other benefits that are material planning considerations are capable of being considered where evidence is provided in support of a planning application.

9.209 The matters listed in Part 2 of Policy MIN 2 that are most relevant to this planning application are:

- The economic benefits of the proposal both nationally and locally, including contribution to the wider economy and the maintenance of employment and the creation of new employment opportunities;
- The contribution the extraction of the mineral will make to a steady and adequate supply of that material both locally and nationally; and
- Environmental enhancements, including those delivered through the restoration of the site following extraction and the after-use of the site and outside of the operational area.

9.210 In terms of the economic benefits, the operational phase of the sand and gravel extraction would result in the creation of 10 new jobs on the site. This includes a site manager, site foreman, employees to operate the weighbridge and employees to operate the variety of plant and machinery on the site. In addition, it will directly support at least 2 jobs within company's headquarters at Prudhoe as well as indirectly supporting the retention of all the other employees at Thompsons of Prudhoe (including those in haulage). The applicant estimates that the scheme will result in over £6,500,000 in wages for the employees at the quarry. The company also support an apprenticeship scheme. The operation of the quarry will also support a variety of contracts with other businesses for maintenance of machinery.

9.211 The proposed development would contribute to the steady and adequate supply of sand and gravel for aggregates uses both locally and across a wider area. This would help to meet the demand identified over the plan period for the Northumberland Local Plan and support the construction sector.

9.212 In terms of environmental enhancements, the phased restoration of the site to a wetland would provide a biodiversity net gain of 10+% which is significant. This includes the gapping up of existing hedgerows within the boundary of the area covered by the planning application and tree planting along the northern boundary of the site compound and Phases 1 and 2.

9.213 These matters will be considered in the planning balance. In accordance with Policy MIN 2 of the Northumberland Local Plan and the NPPF great weight will be given to the benefits of minerals extraction.

Cumulative Impact

9.214 In considering the effects of a proposed mineral development, Part 3 of Policy MIN 3 requires consideration of cumulative impacts. This includes the combination of effects from an individual site, the combination of effects from one or more sites in a locality, and the effects over an extended period of time. The Environmental Statement includes a chapter that assesses the cumulative impacts that may result from the combination of the identified effects of the proposed site operations, and the combination of effects from the extraction of sand and gravel at Anick Grange Haugh if it is worked in alongside another site or sites in the locality.

9.215 The method of assessing cumulative impacts in the Environmental Statement uses the sensitive receptors identified in the Noise Impact Assessment and Air Quality Impact Assessment in conjunction with the residential receptors

identified in the Transport Assessment and the Landscape and Visual Impact Assessment as the basis of the assessing the combined impacts from the proposed site operations.

- 9.216 The assessment concludes that the cumulative impact of all the environmental impacts resulting from the working of the proposed development on the nearby identified sensitive receptors, residential properties and villages is not considered significant. The impact on all the properties in terms of noise and dust is within levels that are considered acceptable. The vehicles from the proposed development would not go directly passed the entrance of any identified property or through any identified residential areas. The visual impact on these receptors is considered to result in the most noticeable change in their environment particularly to the properties to the north and south of the site located on the valley sides.
- 9.217 The properties that would experience the greatest visual impact from the proposed development are those located on the valley sides and would be further from the actual site operations. The properties located on the valley bottom and closer to the site would have a higher probability of experiencing impacts from noise and dust from the site operations, but they would be less likely to experience visual impacts due to existing vegetation and buildings breaking up direct views of the site.
- 9.218 There are no other minerals sites in the locality of the site. The assessment of cumulative impacts identifies and considers a proposed site downstream of Anick Grange Haugh at Wide Haugh, which site was put forward for consideration through the Local Plan process. The site is not allocated in the Local Plan. There also has not been planning application submitted or a request for a Screening or Scoping Opinion under the Environmental Impact Assessment Regulations. As a result, there is limited environmental information about this potential site. In relation to the assessed cumulative impacts from the application site and a potential site at Wide Haugh, the greatest cumulative impact is likely to relate to the setting of various listed buildings and structures in the locality. The assessment does however indicate that the overall cumulative impact of the working of both sites is unlikely to be significant.
- 9.219 In summary, it is considered that the proposed development is unlikely to result in significant cumulative impacts. It is therefore considered that there is no conflict with Policy MIN 1 of the Northumberland Local Plan in this regard.

Other Matters

Equality Duty

- 9.220 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

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

Human Rights Act Implications

9.222 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.

9.223 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.

9.224 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.

10. Conclusion

10.1 The proposed development for a new sand and gravel quarry at Anick Grange Haugh has been assessed against the Development Plan, national planning policy and other material planning considerations. The submissions in the Environmental Statement, including subsequent information submitted, have been assessed and considered in the preparation of this report.

10.2 The site is allocated under Policy MIN 8 in the Northumberland Local Plan to provide sand and gravel for aggregate uses. This is in order to meet the identified demand for these materials from Northumberland over the plan period. In line with the Northumberland Local Plan the proposed development would support a steady and adequate supply over the plan period, provide production capacity to meet forecast annual demand and contribute to

maintaining a landbank of at least 7 years during and at the end of the plan period.

- 10.3 The main considerations that weigh in favour of granting planning permission are the allocation of the proposed site for sand and gravel extraction in the recently adopted Northumberland Local Plan, the contribution that the site would make to maintaining a steady and adequate supply of sand and gravel for aggregate uses, the biodiversity net gains (10+%) that would arise as a result of the proposals, the employment that would be provided at the site and the company as well as the other direct and indirect economic benefits. The NPPF (Paragraph 211) and the Northumberland Local Plan (Policy MIN 2) state that the benefits of mineral extraction, including economic benefits, should be given great weight when determining planning applications. From the assessment of the application, the main considerations that weigh against the proposal is the loss of best and most versatile agricultural land, the harm to the settings of a number of designated heritage assets in the surrounding area and some of the landscape and visual impacts during the operational phase of the development.
- 10.4 In relation to the historic built environment, the assessment of the application has identified that there would be 'less than substantial' harm to the significance of the settings of a number of designated heritage assets in the surrounding area. These are considerations that must also be given great weight in line with the NPPF. Taking into account Paragraph 202 of the NPPF and Policy ENV 7 of the Northumberland Local Plan it is considered that the proposed development would deliver public benefits. In particular the supply of a steady and adequate supply of minerals in line with Section 17 of the NPPF and the biodiversity net gains that would arise from the proposals. Taking this into account, it is considered that the public benefits of the proposal would outweigh the identified less than substantial harm to the designated heritage assets. The proposed development would therefore accord with Policies ENV 1, ENV 7 and MIN 1 of the Northumberland Local Plan and Section 16 of the NPPF. This conclusion has had regard to the duties imposed by section 66 of the Listed Buildings and Conservation Areas Act 1990.
- 10.5 In relation to the loss of best and most versatile agricultural land, consideration has been given to the economic and other benefits of the best and most versatile agricultural land when considering the irreversible loss in accordance with the NPPF and Policy POL 3 of the Northumberland Local Plan. The proposed site is allocated in the recently adopted Northumberland Local Plan which demonstrates it is necessary to develop site in order to meet the identified demand for sand and gravel over the plan period. Alternative sites to meet this need were considered through the preparation of the Local Plan. On balance it is considered that the benefits of the proposed development outweigh the loss of this best and most versatile agricultural land.
- 10.6 In relation to landscape and visual impact, some significant adverse effects would occur during the operational phase of development, particularly to receptors with open views of the site from the valley sides. These effects would become beneficial as the site restoration and the proposed planting

matures. While some harm is identified it is considered that the benefits of the proposed development outweigh the identified harm.

- 10.7 The assessment of the application has also identified that the proposed site is in the Green Belt, but it is considered that it would not constitute inappropriate development in accordance with Paragraph 150 of the NPPF and Policy STP 8 of the Northumberland Local Plan. The site is also located within Flood Zone 3. It is considered that the proposed development meets the relevant policy requirements, and it would not increase the flood risk elsewhere and can be made safe. The Environment Agency and LLFA have been consulted and have no objections. In relation to noise, dust and air quality, it is considered that the proposals would be acceptable in and would accord with Policy MIN 1, Policy POL 2 and Policy QOP 2 of the Northumberland Local Plan and the NPPF. In terms of ecology the proposals would lead to a biodiversity net gain of 10+% and the proposed hedgerow planting, tree planting and creation of a skylark plot would mitigate the loss of some habitat. The potential contamination and stability issues have been addressed in accordance with the relevant policies in the Local Plan and the NPPF. In relation to Highways, it has been identified that there is suitable access to the site and that the level of trip generation along with the proposed conditions to control vehicle movements will ensure that there is no detrimental impact to the operation of the road network. Off-site highway works would be needed to widen a section Anick Road to allow heavy good vehicles from the site to pass more easily and it is recommended that a condition is imposed to require the works to be undertaken before extraction commences.
- 10.8 It is concluded that the planning balance weighs in favour of granting planning permission subject to the imposition of planning conditions.

11. Recommendation

- 11.1 It is recommended that this application be GRANTED permission subject to the following planning conditions:

Time limit

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

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

Approved plans and documents

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and details hereby permitted:
- Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021
 - Engineering Plan, Drawing number NT12453 Plan A5-2, Revision A, Date 06/05/2021

- Restoration Sections, Drawing number NT12453 Plan A5-3, Date 29/04/2021
- Phasing Plan – Phase 1 (2 years), Drawing number NT12453 A5-4, Revision A, Date May 2021
- Phasing Plan – Phase 1 (4 years), Drawing number NT12453 Plan A5-5, Revision A, Date May 2021
- Phasing Plan – Phase 2 (6 years), Drawing number NT12453 Plan A5-6, Revision A, Date May 2021
- Phasing Plan – Phase 2 (8 years), Drawing number NT12453 Plan A5-7, Revision A, Date May 2021
- Phasing Plan – Phase 2 (10 years), Drawing number NT12453 Plan A5-8, Revision A, Date May 2021
- Phasing Plan – Phase 3 (15 years), Drawing number NT12453 Plan A5-9, Revision A, Date May 2021
- Phasing Plan – Phase 4 (20 years), Drawing number NT12453 Plan A5-10, Revision A, Date May 2021
- Phasing Plan – Phase 5 (25 years), Drawing number NT12453 Plan A5-11, Revision A, Date May 2021
- Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021
- Flood Alleviation Bund, Drawing number NT12453 Plan A5-13, Date 17/01/2022
- Proposed Site Office and Welfare Building Floor Plan, Drawing number NT12453 Plan 5-14, Date May 2021
- Site Office – Proposed Elevations, Drawing number NT12453 Plan 5-15, Date 23/02/2021
- Welfare Building – Proposed Elevations, Drawing number NT12453 Plan 5-16, Date 23/02/2021
- Environmental Monitoring Plan, Drawing number NT12453 Plan 5-17, Date May 2021
- Silt Lagoon and Drying Bay, Drawing number NT12453 Plan A5-18, Revision A, Date 17/01/2022
- Terex Aggregate Washing Plant, Drawing number NT12453 Plan A5-19, Date May 2021
- Restoration Concept, Drawing number NT12453 Plan A6-1, Revision A, Date May 2021
- Ecological Impact Assessment: Road Improvements for Anick Grange Quarry, E3 Ecology Limited, Version R02, 13/06/2022
- Landscape and Ecological Management Plan, E3 Ecology Limited, Version R08, April 2022
- Environmental Management Plan, Wardell Armstrong, April 2022
- Anick Grange Flood Risk Assessment, 262896-ARP-ZZ-XX-RP-CD-0001, R4, 25 February 2022
- HGV Routing Plan, Drawing number NT15377-105, Date 17/01/2022
- Biodiversity Net Gain Assessment, E3 Ecology Limited, Version R01, August 2022
- Environmental Statement, Chapter 5 – Working Proposals, February 2022
- Environmental Statement, Chapter 6 – Restoration and Aftercare, February 2022

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently amended), no buildings, fixed plant or machinery shall be erected within the site other than approved under Condition 2 above, shall be erected or placed on the site other than with the prior written approval of the Mineral Planning Authority.

Reason: In the interest of local amenity, in accordance with Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

4. From the commencement of development until the completion of restoration a copy of this permission, the plans and documents hereby approved and any other plans or documents subsequently approved in accordance with this permission shall be made available in the site offices during normal working and subsequently shall be made available to all persons with a responsibility for the restoration and aftercare of the site. The existence of these shall be made known to all operatives likely to be affected by matters covered by them.

Reason: To ensure the development is carried out in accordance with the approved plans and that the approved planning documents are available for reference at the site at all times.

Completion

5. The extraction of mineral hereby permitted shall cease no later than 31 December 2048. Thereafter the site shall be restored in accordance with the plans hereby approved and conditions imposed, on or before 31 December 2049.

Reason: To ensure the development is completed within a reasonable time period.

6. The Mineral Planning Authority shall be notified in writing of the cessation of mineral extraction within 1 month of extraction ceasing.

Reason: To ensure the development is completed within a reasonable time period.

7. In the event of quarry operations ceasing for a continuous period of 24 months for any reason prior to 31 December 2048, the Mineral Planning Authority shall be notified in writing by the site operator within one further month of the date of cessation of the site. A revised scheme for the working and restoration of the site shall be submitted to the Mineral Planning Authority within three months of the written notification by the site operator for written approval. Thereafter the development shall be carried out in complete accordance with the approved scheme.

Reason: To ensure the development is reviewed in the event of the development not continuing in the specified period of time.

Site Operations

8. The Mineral Planning Authority shall be notified in writing of the date of commencement of development and of the commencement of operations within each operational phase (Phase 1, Phase 2, Phase 3, Phase 4 and Phase 5 as shown on the Composite Working Plan, Drawing number NT12453 Plan A5-1) at least seven days prior to their commencement.

Reason: To ensure that the development is completed and the site restored within a reasonable timescale, in accordance with Policy MIN 1 and MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework

9. The site operator shall maintain a notice board at the entrance to the site indicating the name, address and telephone number of a representative who would be available to deal promptly with any complaints. The notice board shall be maintained in a sound and legible condition throughout the period of working and restoration.

Reason: To assist local people in making contact with the operator.

Working hours

10. No excavation, processing or restoration operations shall be carried out except between the following hours:
- Mondays to Fridays – 07:30 to 18:00; and
 - Saturdays: 07:30 – 13:00.

With the exception of site drainage and emergency works, no operations shall be carried out on Sundays or Public Holidays.

Reason: To protect local amenity and provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

11. Heavy good vehicles shall not enter or leave the site or be loaded except between the following hours:
- Mondays to Fridays – 07:00 to 18:00; and
 - Saturdays: 07:00 – 13:00.

Reason: To protect local amenity and provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

Environmental Management Plan

12. Prior to the commencement of development, an updated Environmental Management Plan for the site approved in accordance with Condition 2 shall be submitted to and approved by the Mineral Planning Authority. This shall include, but not be limited to:
- a. Surface water management
 - b. Groundwater abstraction monitoring
 - c. Groundwater quality monitoring
 - d. Groundwater and surface water pollution prevention

- e. Noise monitoring and management
- f. Dust management
- g. Traffic management, incorporating a Construction and Operational Traffic Management Plan
- h. Lighting management
- i. Perimeter fencing and security
- j. Soil handling and management

Thereafter, the development shall be carried out in accordance with the Environmental Management Plan (including any subsequently amended versions).

Reason: To protect local amenity and in the interests of natural, built and historic environment and highway safety, in accordance with Policies MIN 1, TRA 2, WAT 1, WAT 4, WAT 5 of the Northumberland Local Plan and the National Planning Policy Framework.

13. The Environmental Management Plan for the site shall be reviewed by the developer no later than 31 March each year from the commencement of development until restoration is completed. If a revised Environmental Management Plan is required following the review process, the revised Environmental Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority for approval. The development shall thereafter take place in accordance with the revised Environmental Management Plan.

Reason: To protect local amenity and in the interests of natural, built and historic environment and highway safety, in accordance with Policies MIN 1, TRA 2, WAT 1, WAT 4, WAT 5 of the Northumberland Local Plan and the National Planning Policy Framework.

14. An annual report shall be submitted to the Mineral Planning Authority by no later than 31 March each year detailing the operational activities undertaken on the site each year. This report shall include but not be limited to:
 - a. Exports from site of sand, gravel and soil;
 - b. Remaining reserves of sand and gravel and remaining quantities of topsoil and subsoil;
 - c. Details of the locations where topsoil and subsoil stripping has taken place;
 - d. Details of restoration activities undertaken, including the areas restored and the planting/seeded undertaken.

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

Highways

15. The number of laden heavy goods vehicles leaving the site shall not exceed the following:
 - a. Mondays to Fridays – An average of 50 HGVs, with a maximum of 70 in any working day.
 - b. Saturdays – An average of 25 HGVs, with a maximum of 35 shall leave the site in any one working day.

The average number of loads per working day shall be calculated over a calendar year (1 January to 31 December). A record shall be kept at the site of the number of lorry loads leaving each day and of the yearly average and such record shall be made available to the Mineral Planning Authority upon request.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

16. The highway works shall be carried out in accordance with the approved plans referenced below (or as amended in consultation with the Highways Authority) and the transportation of sand, gravel and soil from the site shall not commence until the highway works have been carried out in accordance with these:
- a. Proposed Road Widening Scheme Sheet 1 of 2, Drawing number NT15377-100, Revision A, Date 17/01/2022
 - b. Proposed Road Widening Scheme Sheet 2 of 2, Drawing number NT15377-101, Revision A, Date 17/01/2022
 - c. Proposed Road Widening Proposed Cross Sections, Drawing number NT15377-103, Revision A, Date 17/01/2022

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.

17. Development shall not commence until a Construction and Operational Traffic Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The approved Construction and Operational Traffic Management Plan shall be adhered to throughout the construction and operational period. The Construction and Operational Traffic Management Plan must cover the construction of the compound area, car parking, wheel wash and groundwater lagoon as shown on the approved plan (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021) and shall include but not be limited to:
- a. Details of temporary traffic management measures, temporary access, routes, and vehicles;
 - b. Vehicle cleaning facilities;
 - c. The parking of vehicles of site operatives and visitors;
 - d. The loading and unloading of plant and materials;
 - e. Storage of plant and materials used in constructing the development
 - f. Details of quantities of materials (soils, sand and gravel, concrete and hard core) to be imported and exported from the site to cover the construction of the compound area, car parking area, wheel wash and groundwater lagoon as shown on the approved plan (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021); and
 - g. A swept path analysis of construction and operational vehicles at the Bridge End Roundabout.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

18. The extraction of sand and gravel from Phase 1 of the site shall not commence until the car parking area indicated on the approved plans (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021), including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained for the duration of the development 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 Policy TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.

19. The extraction of sand and gravel from Phase 1 of the site shall not commence until the cycle parking shown on the approved plans (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021) has been implemented. Thereafter, the cycle parking shall be retained for the duration of the development 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 Policy TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.

20. In accordance with the 'HGV Routing Plan' (Drawing number NT15377-105, dated 27 January 2022), all heavy goods vehicles leaving the site shall turn west onto the C242 Anick Road then turn north on the A6079 and onwards via the A69. All heavy goods vehicles entering the site shall travel via the A69 then south onto the A6079 and east on the C242 Anick Road and turn right into the site. A sign shall be maintained within the site directing all heavy goods vehicles to turn left onto the C242 Anick Road when exiting the site.

Reason: In the interests of maintaining highway efficiency and safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

21. All vehicles will comply with the management measures as set out in the approved Environmental Management Plan as detailed in Condition 12 and Condition 13. Such measures include but are not limited to those to ensure that no mud, stone, gravel or other debris is deposited on the public highway by any vehicles associated with site operations and before leaving the site all heavy goods vehicles shall have their loads covered and have their wheels and bodies cleaned.

Reason: In the interests of maintaining highway efficiency and safety, in accordance with Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

Flooding and surface water

22. The development shall be carried out in accordance with the approved flood risk assessment (Anick Grange Flood Risk Assessment, 262896-ARP-ZZ-XX-RP-CD0001, R4, 25 February 2022) and the following mitigation measures it details:
- a. Finished floor levels of the compound shall be set no lower than 33.2metres Above Ordnance Datum (AOD) as shown in 'Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021'; and
 - b. Flood Alleviation Bund crest shall be set to 33.2 metres above Ordnance Datum (AOD) as shown in 'Flood Alleviation Bund, Drawing number NT12453 Plan A5-13, Date 17/01/2022'.

The measures detailed above shall be retained and maintained throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with Policy WAT 3 of the Northumberland Local Plan and the National Planning Policy Framework.

23. Prior to the commencement of development, a scheme detailing the measures to be taken in the event of a flood, including the measures for an emergency evacuation, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter the scheme shall be implemented in full.

Reason: To reduce the risk and impact of flooding to the operational staff, in accordance with Policy WAT 3 of the Northumberland Local Plan and the National Planning Policy Framework.

24. All water from the site aggregate processing and washing plant shall be discharged into the lagoons shown on the approved plans (Site Compound Layout, Drawing number NT12453 Plan A5-12, Revision M, Date 08/02/2021). Silt must be removed from settlement ponds to the drying bays to avoid reducing the capacity of the settlement ponds for retaining water.

Reason: To ensure the effective disposal of surface water from the site, in accordance with Policy WAT 1 of the Northumberland Local Plan and the National Planning Policy Framework.

Ecology

25. All ecological measures and works shall be carried out in accordance with the details contained in 'Landscape and Ecological Management Plan, E3 Ecology Limited, Version R08, April 2022'. This includes, but is not limited to, mitigation measures, habitat creation, habitat enhancement (including for specific species), management work schedule, and long-term monitoring strategy.

Reason: To avoid and mitigate impacts on biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.

26. All ecological measures as part of the off-site highways work shall be carried out in accordance with the details contained in 'Ecological Impact Assessment Road Improvements for Anick Grange, E3 Ecology Limited, Version R02, June 2022' including, but not limited to:
- a. Measures to control the spread of invasive non-native species Himalayan Balsam.
 - b. A check for nesting birds by a suitably experienced ornithologist if vegetation clearance is undertaken between March and August inclusive.
 - c. The provision of 4 long-lasting bat boxes and 6 long-lasting bird nest boxes to be affixed to retained trees in advance of the commencement of any tree removal.

Reason: To avoid and mitigate impacts on biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.

27. The development hereby permitted shall be carried out in accordance with the 'Biodiversity Net Gain Assessment, E3 Ecology Limited, Version R01, August 2022' to achieve a minimum of 10% biodiversity net gain across the lifetime of the development as defined by the Environment Act 2021 and, upon final completion of site restoration the habitats shall be retained, managed and monitored for a period of no less than 30 years.

Reason: To compensate impacts and provide an enhancement for biodiversity, in accordance with the Environment Act 2021, Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.

28. Prior to commencement of development a Biodiversity Net Gain report shall be submitted to and approved by the Mineral Planning Authority, which thereafter shall be implemented in full. This report shall include:
- a. Any necessary updates to the initial biodiversity assessment of the site;
 - b. A schedule of intervals throughout the life of the development upon which the biodiversity will be re-assessed;
 - c. Provision for monitoring the Biodiversity Net Gain delivery at the scheduled intervals during the operation of the site;
 - d. Provision for the submission of a report assessing and detailing the Biodiversity Net Gain achieved on the site, at the agreed intervals; and
 - e. Provision for the submission of reports, through agreed intervals, during the aftercare period to monitor and manage the biodiversity net gains.

Reason: To compensate impacts and provide an enhancement for biodiversity, in accordance with the Environment Act 2021, Policy ENV 2 of the Northumberland Local Plan and Paragraph 180 of the NPPF.

Environmental Protection

29. With the exception of soil stripping, the construction of soil storage mounds, the construction and removal of baffle mounds, and construction of new permanent landforms, noise from the development shall not exceed 55dB(A) LAeq 1hr (free field) during the working hours detailed in Conditions 10 and 11, at the locations set out below:

- The Timbers, Anick Road
- Anick Bank Foot, Anick Road
- Anick View, Hexham
- Woodland Rise, Hexham (adjacent to A695 and Laurel Road)
- Widehaugh, Hexham

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

30. Temporary operations such as soil stripping and replacement, the construction of soil storage mounds, construction of new permanent landforms and aspects of site road construction and maintenance shall not exceed a noise level of 70 dB(A)_{L_{aeq}} (1 hour) freefield for any longer than 8 weeks in any 12 month period at the locations set out below:
- The Timbers, Anick Road
 - Anick Bank Foot, Anick Road
 - Anick View, Hexham
 - Woodland Rise, Hexham (adjacent to A695 and Laurel Road)
 - Widehaugh, Hexham

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

31. Prior to the commencement of development, a scheme for noise management and monitoring, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include (but not be limited to):
- a. The control measures to minimise noise impact;
 - b. The procedure the developer will follow in dealing with justified complaints from noise generated by the site; and
 - c. A noise monitoring programme, including the exact locations of noise monitoring points and proposed monitoring frequency.

Thereafter, the approved noise control and monitoring measures shall be implemented for the lifetime of development.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

32. Noise monitoring shall be carried out in accordance with the approved noise management and monitoring scheme as set out in the approved Environmental Management Plan. Noise monitoring shall be carried out by a competent person and the results of such monitoring shall be made available to the Mineral Planning Authority upon request within 2 working days.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against noise, in accordance with Policy

33. Prior to the commencement of development, a dust management scheme, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. The dust management scheme shall include measures for the control and reduction of dust emissions associated with the operation of the quarry which are likely to generate dust and the procedure for dealing with complaints of dust by any nearby receptors. Thereafter the approved dust management scheme shall be implemented for the lifetime of the development.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against dust, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

34. Prior to the commencement of development, a lighting scheme, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. This scheme shall detail the lighting to be used on site to demonstrate compliance with the pre and post curfew Lux levels for Environmental Zone E3 (Suburban), as defined in the Institute of Lighting Professionals Guidance Note 1 for the reduction of obtrusive light 2021 (GN01-21). The approved scheme shall be implemented in full.

Reason: In the interests of the amenity of the area and to provide a commensurate level of protection against artificial light, in accordance with Policy POL 2 and Policy MIN 1 of the Northumberland Local Plan and the National Planning Policy Framework.

35. If during redevelopment contamination not previously considered is identified, then an additional written method statement regarding this material shall be submitted to and approved in writing by the Mineral Planning Authority. No extraction within the area containing the contamination shall be carried out until a method statement has been submitted to and approved in writing by the Mineral Planning Authority, and measures proposed to deal with the contamination have been carried out.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policy POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

Soil Stripping, Handling and Storage

36. Prior to the commencement of development, a soil handling and management scheme, which may be included within the site Environmental Management Plan, shall be submitted to and approved in writing by the Mineral Planning Authority. The soil handling and management scheme shall include details of the proposed soil stripping, handling, storage and replacement methods to be used. Thereafter the method of soil stripping, handling storage, and

respreding shall only be undertaken in accordance with the approved scheme.

Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

37. The Mineral Planning Authority shall be given at least two working days' notice in writing (excluding Sundays and Bank or other public holidays), of any intended individual phase of topsoil or subsoil stripping.

Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

38. No plant or vehicle shall cross any areas of unstripped topsoil except for the purpose of stripping operations.

Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

39. The stripping and movement of soils shall only be carried out under sufficiently dry and friable conditions. The respreding of topsoil shall only be carried out when the materials and the ground onto which it is to be placed are in a dry and friable condition.

Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

40. Once formed, all mounds in which soils are to be stored for more than 6 months, or over the winter period shall be grass seeded in accordance with a specification to be provided in the soil scheme detailed in Condition 36, to minimise erosion and such mounds shall be kept free of weeds. Should any soil mound fail to develop an adequate grass sward, the mound shall be reseeded to a specification and timescale agreed in writing with the Mineral Planning Authority.

Reason: To ensure soils are managed appropriately, in accordance with Policies MIN 1 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

41. Prior to the commencement of the spreading of topsoil on the 'north east field' (as shown on Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021), a detailed scheme for the placement of soil on this area shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include, but not be limited to:
- a. The final contours (at 2 metre intervals) for this parcel of land, indicating how such contours tie in with the existing contours on adjacent land;
 - b. the depth of topsoil placement (to be a minimum depth of 300mm); and
 - c. handling and replacement methods.

Thereafter, the spreading of soils on the 'North East Field' shall be carried out in accordance with the approved scheme.

Reason: In the interest of the proper working of the site, in accordance with Policies MIN 1 and MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.

Restoration

42. Within six months of restoration being completed within either Phase 1, Phase 2, Phase 3, Phase 4 or Phase 5 as shown on the approved plans (see Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021), a report detailing the restoration activities and on-going management in the completed Phase, in conjunction with a report on the proposed restoration activities and on-going management in the subsequent Phase, shall be submitted to and approved in writing by the Mineral Planning Authority. Thereafter, the restoration activities shall be carried out in accordance with the approved scheme.

Reason: In the interest of the proper phased restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.

43. Within 3 months of the completion of restoration, the developer shall provide the Mineral Planning Authority with a plan with contours at sufficient intervals to indicate the final restored landform of the site.

Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.

Aftercare

44. Six months after completion of restoration in each Phase (see Composite Working Plan, Drawing number NT12453 Plan A5-1, Revision A, Date 05/05/2021), a strategy for the aftercare of each Phase shall be submitted to and approved in writing by the Mineral Planning Authority. The strategy shall identify the measures, with timescales, to be taken during the aftercare period.

Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework.

45. The whole site shall be put under effective after-care management following the completion of restoration. The period of after-care shall extend for a minimum of 30 years effective management in accordance with Condition 27, from the date of final restoration, unless it is agreed that a five year minimum effective management is appropriate for identified areas in the site. A plan shall be submitted and agreed in writing with the Mineral Planning Authority identifying the areas on the site subject to the 5 and 30 year aftercare.

Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework and the Environment Act 2021.

46. Before 31 March, or such other date approved in writing by the Mineral Planning Authority, of every year during the after-care period, a report shall be submitted by the developer to the Mineral Planning Authority recording the operations carried out on the land since the date of restoration, or previous after-care meeting, and setting out the intended operations for the next 12 months.

Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework

47. Before 31 May, or such other date approved in writing by the Mineral Planning Authority, of every year during the aftercare period, the developer shall arrange to attend a site meeting with the Mineral Planning Authority on a mutually agreed date to discuss the report prepared in accordance with Condition 46, and to which the following parties shall also be invited:
- a. All owners of land within the site;
 - b. All occupiers of land within the site; and
 - c. Representatives of other statutory bodies as appropriate.

The developer shall arrange additional aftercare meetings as required by the Mineral Planning Authority.

Reason: In the interest of the proper restoration and aftercare of the site, in accordance with Policy MIN 3 of the Northumberland Local Plan and the National Planning Policy Framework

Informatives:

Highways

S38/S278 Agreement - Highway works

You are advised that offsite highway works required in connection with this permission will require an agreement under Section 38 and Section 278 of the Highway Act 1980. These works should be carried out prior to commencement of the development. All such works will be undertaken under the supervision of the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk

Storage of building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

Deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979.

Section 59 Agreement - Extraordinary Expenses

You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the Section 59 Agreement of the Highway Act 1980 relating to extraordinary expenses

Ecology

Invasive non-native species

The applicant is reminded that Himalayan Balsam, which was noted to be present around the Cygnet hospital entrance and along the banks of the River Tyne, is listed on Schedule 9 of The Wildlife and Countryside Act (1981 as amended) making it an offence to "introduce plant or cause to grow wild" these species.

Steps should be taken to prevent further spread of the plant which would have a negative impact on biodiversity. Contractors should be aware of the potential to spread invasive non-native plant species either from or onto the site and take appropriate biosecurity measures to avoid this, guidance on what to do can be found here <https://www.nonnativespecies.org/what-can-i-do/training/site-workers/>.

Ecological Clerk of Works

It is recommended that ecological expertise is contracted on site during works to assist those implementing the development to comply with statutory requirements and planning conditions. An Ecological Clerk of Works can assist with on-site monitoring, advice and reporting of activities and operations that have potential to impact biodiversity.

Environmental Health

Dust Management

It would be expected that a dust management plan will be required by condition to identify the risks of dust from demolition and construction and how it will be controlled. Dust minimisation and control shall have regards to guidance such as

The Institute of Air Quality Management has produced very current documentation entitled “Guidance on the Assessment of Dust from Demolition and Construction” available at: <http://iaqm.co.uk/guidance/>

Additionally, the Mayor of London’s office has produced robust supplementary guidance document entitled “The Control of Dust and Emissions During Construction and Demolition” which is available at: <https://www.london.gov.uk/what-we-do/planning/implementing-londonplan/supplementary-planning-guidance/control-dust-and>

Environmental Permitting

Any mobile plant; crushers or screens may require appropriate environmental permits under The Environmental Permitting (England and Wales) Regulations 2016 (as amended). However, sand and gravel are not “designated materials” within the legislation/guidance and plant associated with the processing of these minerals do not require specific environmental permits to process these minerals.

Fuel Storage

If there is to be any onsite storage of fuels of oils, they should be stored following appropriate guidance and bunded to 110 percent of capacity. The legislation covering the onsite storage of fuels of oils is The Control of Pollution (Oil Storage) (England) Regulations 2001 which is regulated by the Environment Agency. Procedures should be in place for dealing with catastrophic spillages of any liquids which may have an impact upon land contamination and / or aquifers.

Artificial Lighting

The applicant should abide by the Institute of Lighting Professional’s Guidance Note 1 for the reduction of obtrusive light 2021 (GN01:2011): <https://www.theilp.org.uk/documents/obtrusive-light/>

The Public Health Protection Unit would determine this receptors impacted by any site operations as falling within Environmental Zone E3 (suburban) and consequently meet the limits in the guidance for sky glow (ULR) and pre & post-curfew light intrusion (lux) at the nearest residential receptors.

Watercourses

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: 19 October 2022

Background Papers: Planning application file(s) 21/02505/CCMEIA

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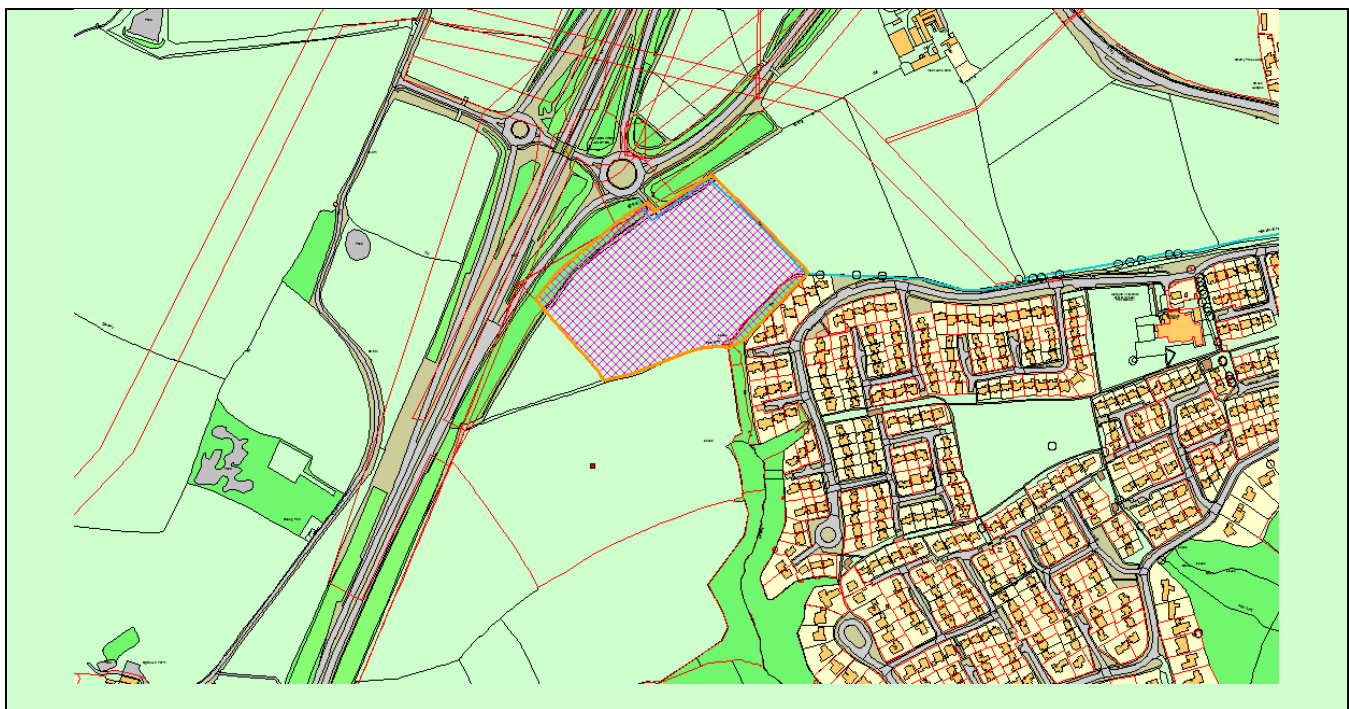


Northumberland County Council

STRATEGIC PLANNING COMMITTEE 1 NOVEMBER 2022

Application No:	18/03394/REM		
Proposal:	Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping, and other associated infrastructure		
Site Address	Land West of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth Northumberland		
Applicant:	Euro Garages Limited Euro House, Beehive Trading Park, Haslingden Road, Blackburn BB1 2EE	Agent:	Mr John Wyatt 41 Marske Mill Lane, Saltburn, TS12 1HT
Ward	Longhorsley	Parish	Mitford
Valid Date:	1 April 2020	Expiry Date:	3 rd November 2022
Case Officer Details:	Name: Mr David Love Job Title: Senior Planning Officer Email: David.love@northumberland.gov.uk		

Recommendation: That this application be minded to grant Reserved Matters Approval subject to the findings of the Air Quality Impact Assessment.



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1. Introduction

- 1.1 This application is being referred to Strategic Planning Committee for a decision due to the scale of development proposed and because it is the subject of the significant level of public interest in this proposal.

2. Description of the Application Site & Proposal

- 2.1 The application site covers the northernmost part of the site in respect of which outline planning permission was granted for mixed-use development under application 16/00078/OUT. The outline approval granted permission for a trunk road service area incorporating a hotel (circa 60 beds), restaurant/public house (550 square metres), petrol filling station and amenity building including retail (circa 650 square metres), hot food (circa 650 square metres) and supporting facilities (circa 400 square metres), B1 employment (circa 2100 square metres in the form of an Innovation Centre), up to 150 residential units of which 30% would be affordable), open space, SUDs, allotments and landscaping, countryside park including car parking, foul pumping station and creation of new access off Morpeth Northern By-Pass.
- 2.2 The site the subject of this Reserved Matters application is bounded to the north by the St. Leonard's Junction of the Morpeth Northern Bypass with the A1. To the east is open countryside and the Lancaster Park housing estate. To the south is undeveloped land within the wider outline planning permission site earmarked for redevelopment as housing and a countryside park. To the west is the A1.
- 2.3 This application seeks approval for reserved matters details in respect of layout, appearance, scale and landscaping for a trunk road services area, hotel, innovation centre units and associated infrastructure including access roads, parking, and landscaping.
- 2.4 The trunk road services area is sited in the northwest of the site and comprises fuel filling station facilities for both cars and HGV's/larger vehicles and an amenity building accommodating a range of facilities including food outlets, retail floorspace, seating areas, toilet facilities and meeting room space. A parking area is also proposed that would provide 122 parking bays for cars including 9 disabled spaces, 7 electric vehicle charging spaces and 4 spaces for cars towing caravans. Parking areas are also provided for HGV's and coaches (8 spaces), motorcycles and cycles (26 stands accommodating 52 cycles/motorcycles)
- 2.5 The services area amenity building measures approximately 38 metres by 37.7 metres and would be up to 11 metres in height having a central dual pitched roof with flat roof sections either side. External facing materials would comprise a mix of timber cladding, red brick, dark grey cladding/facias and glazing to the elevations and dark grey sheet roofing. The floor area of this building would be around 1430 square metres.
- 2.6 The fuel filling station facilities for both cars and HGVs (Heavy Goods Vehicles) would incorporate canopies.

- 2.7 The proposed hotel would be sited in the north-eastern area of the site and have a total of 40 bedrooms together with a restaurant/bar area that would be available for use by both residents and non-residents. In respect of use by non-residents the restaurant/bar would have its own entrance as well as being accessible from the hotel and would have a floor space of 172 square metres. A parking area is proposed for the hotel/restaurant/bar with 55 car parking spaces including 4 disabled spaces and 3 electric vehicle charging spaces. Cycle/motorcycle parking (4 stands accommodating 8 cycles/motorcycles) is also provided for.
- 2.8 The hotel/restaurant/bar building measures approximately 61 metres x 15 metres and would be up to 10 metres in height with dual pitched roofs in the main, apart from a single mono-pitched roof element at its southernmost end. External facing materials would comprise a mix of timber and dark grey cladding, red brick, glazing and grey standing seam metal roofing.
- 2.9 The innovation centre units, to be sited within the southern area of the site, would comprise 7 self-contained units within a single two storey building measuring approximately 85 metres x 14 metres x 7.8 metres high. The overall floorspace of the units combined would be 2052 square metres. A parking area is proposed for the innovation centre units with 51 car parking spaces including 10 disabled spaces and 3 electric vehicle charging spaces. Cycle/motorcycle parking is also provided for (8 stands accommodating 16 cycles/motorcycles). External facing materials would comprise a mix of red brick, timer & dark grey cladding, glazing and a grey standing seam roof with a curved design.
- 2.10 The proposed internal vehicle access road serving these various elements would be from the St. Leonards roundabout junction of the A1 with the A197 Morpeth Northern Bypass as per the outline permission with the hotel/restaurant/bar serviced from a priority junction off this access road. The other elements would connect to this access road via an internal site roundabout. A bus stop is proposed between the above mentioned 2 roundabouts to serve the site. It is proposed to divert an existing public footpath that skirts the boundary of the site and connects the St. Leonards junction with Pinewood Drive. The diverted route would follow the internal site access road with a dedicated footpath link then being provided from the internal site access roundabout to connect with the existing public footpath where it runs to the north of Pinewood Drive. A further dedicated footpath link to this existing public footpath is proposed from southernmost part of the internal site access road within the area covered by the reserved matters application.
- 2.11 SUDs basins are proposed within the southern part of this reserved matters application site with areas of soft landscaping to the east, south and west areas of the site. An existing strip of woodland between the site and existing dwellings on Pinewood Drive would be retained.
- 2.12 Small electricity substations and a foul sewage pumping station to serve the development are proposed in the northeast corner of the site.
- 2.13 In terms of the Environmental Impact Assessment (EIA) Regulations, a screening opinion was adopted by the County Council in respect of the outline application to which this current Reserved Matters application is pursuant. That opinion concluded that an Environmental Statement was not required in respect

of the outline application. Matters relating to the EIA Regulations have been considered again in respect of this current application. Having regard to these Regulations, relevant material planning considerations including representations received from objectors who consider that an Environmental Statement should have been submitted with this application, comments from consultees and the cumulative environmental impact of the proposals when taken together with other proposals/planning approvals for the outline permission site and other nearby sites the County Council has adopted a further EIA Screening Opinion which has been agreed by the applicant. This once again states that an Environmental Statement is not required in respect of this current application.

3. Planning History

Reference Number: 14/03354/SCREEN

Description: Proposed screening for outline planning application

Status: EIA Not required

Reference Number: 15/01285/OUT

Description: Outline application for a mixed use development comprising of Trunk Road Service Area incorporating a hotel (circa 60 beds), restaurant / public house (550 sqm), petrol filling station and amenity building including retail (circa 650sqm), hot food (circa 400 sqm) and support facilities (circa 400 sqm), B1 employment (circa 400 sqm), residential (up to 280 units), open space, SUDS (Sustainable Drainage Systems), allotments and landscaping, Countryside Park including car parking, sewage treatment plant and foul pumping station and creation of new access off Morpeth Northern By-Pass

Status: Refused

Reference Number: 16/00078/OUT

Description: Outline application for a mixed use development comprising of trunk road service area incorporating a hotel (circa 60 beds), restaurant/public house (550m²), petrol filling station and amenity building including retail (circa 650m²), hot food (circa 400m²) and supporting facilities (circa 400m²), B1 employment (circa 2100m² in the form of an Innovation Centre), residential (up to 150 units of which 30% would be affordable), open space, SUDs, allotments and landscaping, countryside park including car parking, foul pumping station and creation of new access off Morpeth Northern By-Pass.

Status: Approved

Reference Number: 18/02169/NONMAT

Description: Non-material amendment relating to planning permission 16/00078/OUT to make amendments to the wording of conditions 4, 6, 8, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 32, 33, 34, and 35

Status: Approved

Reference Number: 18/03339/DISCON

Description: Discharge of Condition 11 (Phasing Plan for the timing and delivery of the development) on approved planning application 16/00078/OUT

Status: PCO

Reference Number: 19/01362/REM

Description: Reserved matters application for appearance, landscaping, layout, and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, pursuant to approved outline planning application 16/00078/OUT.

Status: Pending consideration

Reference Number: 19/01471/DISCON

Description: Discharge of Conditions 4 (boundary treatment), 6 (car parking area), 8 (pedestrian and cyclist links), 12 (street maintenance), 13 (engineering details), 14 (cycle parking), 15 (surface water drainage), 16 (framework travel plan), 18 (construction method statement), 19 (refuse storage), 23 (mitigation measures), 25 (tree protection), 27 (landscaping), 31 (flood risk assessment) and 37 (acoustic design scheme) in relation to 16/00078/OUT

Status: Pending consideration

Appeals

Reference Number: 16/00011/REFUSE

Description: Outline application for a mixed use development comprising of Trunk Road Service Area incorporating a hotel (circa 60 beds), restaurant / public house (550 sqm), petrol filling station and amenity building including retail (circa 650sqm), hot food (circa 400 sqm) and support facilities (circa 400 sqm), B1 employment (circa 400 sqm), residential (up to 280 units), open space, SUDS, allotments and landscaping, Countryside Park including car parking, sewage treatment plant and foul pumping station and creation of new access off Morpeth Northern By- Pass

Status: Withdrawn

4. Consultee Responses

Mitford Parish Council	No objections.
Morpeth Town Council	<p>Object to the application. The employment offer for the proposed development falls a very long way short of the commitment in the Outline Consent – and since that permission was given against the Neighbourhood Plan on the grounds that the economic benefit overrode the Neighbourhood Plan policies, in our view, it is essential that these commitments must be met in full.</p> <p>We recognise that it is unusual to object to a "reserved matters" application in such strong terms, but the original Outline application was consented against the newly made Morpeth Neighbourhood Plan. The Officer's report which supported the Outline application placed a very significant weight on the economic benefits of the proposal. To quote: "Having considered the benefits of the proposals in terms of affordable housing provision, job creation, both in the short and longer term, including provision of an Innovation Centre for the research and development sector, it is considered that the economic benefits of the proposals justify a departure from local planning policies, including policies contained within the Morpeth Neighbourhood Plan."</p>

	<p>It is therefore a requirement that any "reserved matters" application should follow the commitments in Outline consent very closely, otherwise the departure from the Neighbourhood Plan is not justified.</p> <p>MTC also notes that the Outline consent contained linked proposals for both commercial development and housing development. Separate "reserved matters" applications are now coming forward for the two proposals. MTC is concerned that the link between these two elements of the Outline consent should not be considered separately, since the housing element was only justified by the commercial development and would otherwise not have been approved. We request that NCC (Northumberland County Council) Planning require that "reserved matters" applications for the two elements are submitted and considered together so that the full significance of the conditions on the Outline consent can be assessed. Just seven units of basic office space are offered as opposed to an "Innovation Centre for the research and development sector". There are no changes to the employment provision in the amendments and nothing like an "Innovation Centre"</p> <p>A significant reduction in the overall number of jobs to be created. The absence of an Innovation Centre and the reduced hotel size means that both the number and quality of jobs that would be created by the development fall far short of the commitments in the Outline approval. Nothing in the recent amendments changes this.</p> <p>Since the approval as a departure from the newly made Neighbourhood Plan was justified entirely on the economic benefits of the proposed development - these failings to meet the commitments in the Outline consent are critical. On this alone, the "reserved matters" application should be rejected.</p> <p>The "reserved matters" proposal only offers two thirds of the number of hotel bedrooms as the Outline approval specifies. The amended plans still propose just 40 hotel bedrooms as opposed to "circa 60" beds specified in the Outline consent.</p> <p>Less than half of the consented floor space of Use Class A3. Less floor space of Use Class A1. Neither of these have been altered in the amendments.</p> <p>In addition, MTC notes that the new Ecology Report does not mention the relevant environmental policies in the Neighbourhood Plan, nor does it recognise the status of Scotch Gill Woods as a Local Wildlife Site with specific protection under MNP Policy Env5. We remain concerned</p>
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	<p>that the noise, light spillage, and risk of water course contamination from the Services Station will impact severely on the woodland, wildlife, burn and River Wansbeck.</p> <p>Overall MTC maintains its strong objections to this "reserved matters" application.</p>
Hebron Parish Council	No response received.
Environment Agency	No objection.
Lead Local Flood Authority (LLFA)	No objection subject to conditions.
Public Protection	<p>The initial outline planning permission conditions were not recommended by this section who had objected to that application.</p> <p>No objection subject to conditions.</p> <p>The Public Protection team has also requested that an air quality assessment be provided which is yet to be submitted. It is expected that the air quality assessment will have been received and those findings assessed by the committee date of 1st November, at which Members will be updated</p>
County Ecologist	No objection subject to conditions to secure the proposed landscaping, surface water drainage and lighting scheme.
Natural England	The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
Highways	No objection subject to conditions regarding details of pedestrian/cycle linkage with Lancaster Park estate, electric vehicle charging facilities and restriction of use re innovation units.
National Highways (Highways England)	No objection following receipt of amended details and further information.
North Trees and Woodland Officer	No response received.
Countryside/ Rights of Way	<p>They note from the revised site layout plan the intention to upgrade the public footpath, to the highway authority's required specification and the proposed addition of a new footpath to connect to the existing Pinewood Drive footpath, both these proposals are welcomed. They therefore have no objection to the application on the condition that the public right of way network is protected throughout. No action should be taken to disturb the path surface, without prior consent from us 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.</p>

County Archaeologist	No objection subject to a condition.
Waste Management – North	No response received.
Education - Schools	No comment.
Fire & Rescue Service	No objection in principle.
Northumbrian Water Ltd	The updated drainage layout (ref: 066829-CUR-00-XX-DR-D-72001-P09) remains acceptable to Northumbrian Water. We advise that any planning approval granted lists the latest version of the drainage plans and documents as part of the approved documents list.
Northumbria Ambulance Service	No response received.
Northumberland Wildlife Trust	No response received.
Architectural Liaison Officer - Police	<p>They have reviewed and studied the planning application and whilst they have no objections around the development, however they would like to note the following points:</p> <p>After reading the Design and Access statement and looking through the associated documents, there is no mention of crime prevention or security measures at the proposed development.</p> <p>They have noted the majority of the boundary denotes a 2.5m high acoustic fence, which will help to physically prevent access, especially around the areas of the HGV (Heavy Goods Vehicles) and car parking areas to the west of the site.</p> <p>The routes from the site entrance appear to be clearly defined and the petrol forecourt benefits from informal surveillance from the PFS building, clear sight lines through unobstructed windows for the filling station sales assistant (where fuel payment is made) should be encouraged.</p> <p>Unfortunately, both the HGV and car parking areas appear to lack any form of informal surveillance and could be a target for theft from vehicles, both these areas should be supported by a good lighting strategy and covered by CCTV as part of the overall security strategy.</p> <p>With regards to the two ATM's located on the east elevation of the amenity building, the main concerns would be around the replenishment of the ATM's and the level of security around the</p>

	<p>external door that would give access to the enable this task to be carried out.</p> <p>They would recommend the use of CCTV (including ANPR technology) around the TRSA, although this is not a universal solution to security problems, it can help deter theft and can help with drive off prevention, by for example ensuring vehicle number plates are recorded clearly and the image is clear.</p> <p>CCTV can also assist with the identification of offenders once a crime has been committed. Developers of new commercial premises should carefully consider the use of CCTV and be clear about the objectives they wish to meet and establish a policy for its use and look to complete an Operational Requirement to develop the design, performance, and functionality of the CCTV system.</p> <p>They would also like to take this opportunity to promote the Secured by Design (SBD) Commercial Accreditation, which is designed to prevent crime and reduce the opportunities for crime to occur. In addition to the layout of the development, SBD (Secured by Design) also specifies what type of doors and windows should be used and covers other security measures which will help achieve the objectives which the scheme promotes. Further information can be found on their website www.securedbydesign.com or by contacting our office.</p>
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	105
Number of Objections	272
Number of Support	1
Number of General Comments	0

Notices

Site notice - Departure & PROW 8 April 2020

Morpeth Herald 23rd April 2020

Summary of Responses:

A summary of the concerns raised by objectors is as follows:

Changes from original permission

Change of layout will impact nature reserve

Application far removed from original outline app

Applicants allowed to amend and resubmit plans over 5 years

Changed plans, scale & layout – should be new planning application

Continuously changing the plans, now larger and encroaching woodland

Employment numbers reduced

Phasing issues - houses being built before Innovation centre
Innovation centre has been reduced to small industrial units
Pub/restaurant changed to drive thru
No country park, car park, or picnic area
Amenity building bigger
Acoustic fencing/barriers not in the original plan
Buffer to ancient woodland reduced in size
Hotel reduced in size and employment and different location
The footpath/cycleway connection to Lancaster Park missing/changed
Acoustic fencing/barriers were never in the original plan
No proposals for an emergency access road
Extra fuel station
Higher visibility from A1

Noise/light/air pollution

Noise pollution related to construction and development – houses too close to A1
Air pollution
Noise pollution and air pollution will remain above WHO recommended levels despite acoustic fencing
Light pollution

Drainage Issues

Issues identified by the Lead Local Flood Authority
Drainage system – flood risks and surface water issues
Contaminated surface water draining directly into Scotch Gill then river endangering wildlife

Land

Building on green belt
Building on productive farmland
Outside of settlement boundary

Economy

Development will draw custom away from small businesses in Morpeth town centre
Trade at Fairmoor garage will be affected
Housing was alleged to be necessary to underwrite the viability of development

Amenity/environment/crime/design

Bat survey out of date
Impact on surrounding area, green fields, and woodland
Impact wildlife and ecology
Cut through to Lancaster Park will impact woodland, wildlife and children playing
Acoustic barriers will create eyesore
Environmental hazards/damage
Increase in litter
Increase in criminal behaviour
Increase in traffic
Potential road safety issues
Deterioration quality of life for existing residents
The parking and manoeuvring area for HGVs too close to housing
Impact on infrastructure and local services
Effect character of market town
Basic buildings – no architectural merit

Overprovision of housing of this type in Morpeth and sufficient new housing estates
Will create urban sprawl

Other

Should be scrutinised and decided by county councillors on the committee and not by planners

In breach of neighbourhood plan

Deadlines have been missed

1 letter of support on the grounds that the scheme will bring much needed jobs and a hotel which is desperately needed in the town to help boost tourism and provide extra facilities to serve the enlarging community in north Morpeth.

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

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=PFF0U6QSJ7V00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan

STP 2 – Presumption in favour of sustainable development (Strategic Policy)

STP 3 – Principles of sustainable development (Strategic Policy)

STP 4 – Climate change mitigation and adaptation (Strategic Policy)

STP 5 – Health and wellbeing (Strategic Policy)

STP 6 – Green Infrastructure (Strategic Policy)

STP 7 – Strategic approach to the Green Belt (Strategic Policy)

STP 8 – Development in the Green Belt (Strategic Policy)

QOP 1 – Design principles (Strategic Policy)

QOP 2 – Good design and amenity

QOP 3 – Public realm design principles

QOP 4 – Landscaping and trees

QOP 5 – Sustainable design and construction

QOP 6 – Delivering well-designed places

TRA 1 – Promoting sustainable connections

TRA 2 – The effects of development on the transport network

TRA 4 – Parking provision in new development

ICT 2 – New developments

ENV 1 – Approaches to assessing impact of development on the environment

ENV 2 – Biodiversity and geodiversity

ENV 3 – Landscape

ENV 7 – Historic environment and heritage assets

WAT 1 – Water quality

WAT 2 – Water supply and sewerage

WAT 3 – Flooding

WAT 4 – Sustainable Drainage Systems

POL 1 – Unstable and contaminated land

POL 2 – Pollution and air, soil, and water quality

Morpeth Neighbourhood Plan 2016 (MNP)

Sus1 – Sustainable development principles

Des1 – Design principles

Env1 – Landscape and wildlife corridors

Env5 – Local Wildlife Sites

Emp5 – Safeguarding of employment sites and additional employment sites

Tra2 – Traffic congestion

Tra3 – Transport requirements for new developments

Tra4 – Development of footpath and cycleway networks

Inf1 – Flooding and sustainable drainage

6.2 National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide

National Model Design Code

6.3 Other Documents/Strategies

Northumberland Landscape Character Assessment

7. Appraisal

7.1 It is considered that the main planning issues raised relate to:

- Principle of development
- Impact on the character and appearance of the area
- Residential amenity impact
- Highway safety/transportation matters
- Flooding and drainage
- Ecology matters
- Archaeology

Principle of Development

Policy weight

7.2 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 the Northumberland Local Plan and the Morpeth Neighbourhood Plan, with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) all being material considerations in determining this application.

Principle of development approved by outline permission

7.3 The principle of development on this site was approved in November 2016 through the granting of outline planning permission 16/00078/OUT, with this current application being a reserved matters application pursuant to that outline

permission which seeks approval only for detailed matters of layout, appearance, scale, and landscaping in respect of the northernmost part of the outline permission site.

- 7.4 As such it is not considered that weight can be given in consideration of this reserved matters application to objections related to development outside of the defined settlement boundaries for Morpeth in the Morpeth Neighbourhood Plan and Local Plan or to the loss of agricultural land.
- 7.5 Concern has also been expressed by objectors that the reserved matters details submitted do not conform with a master plan drawing that was submitted with the outline application. However, that master plan drawing was for illustrative purposes only and no conditions on the outline permission require compliance with that drawing, with the outline permission clearly stating in condition 3 that matters concerning layout, scale, appearance, and landscaping were reserved for later approval.

Accordance with scope of outline permission

- 7.6 The proposals are considered to fall within the terms of the outline permission in terms of the mix of uses proposed and the overall scale of the various uses.
- 7.7 With regard to the mix of uses proposed the outline permission description of development refers to a trunk road service area incorporating a hotel, restaurant/public house, petrol filling station and amenity building. That amenity building accommodates retail, hot food and supporting facilities elements. The reserved matters details submitted include a combined hotel/restaurant/public house, a petrol filling station and an amenity building incorporating retail, hot food and supporting facilities elements, with such supporting facilities comprising welfare areas (e.g., toilets), a games area, meeting rooms, communal seating area and back of house facilities.
- 7.8 In terms of the overall scale of the various trunk road service area uses the proposed hotel at 40 bedrooms is less than the outline permission figure of around 60 bedrooms. The proposed amenity building with a floorspace of around 1430 square metres is similar to the total outline permission figures for the amenity building elements of around 1450 square metres. Turning to the amenity building elements, the outline permission description refers to around 650 square metres of retail floorspace, around 400 square metres of hot food floorspace and around 400 square metres of supporting facilities. In respect of this reserved matters submission the retail floorspace at around 230 square metres is less than but within the figure that is specified in the outline permission. The hot food element covers around 370 square metres which is similar to the outline permission floorspace figure. The supporting facilities element proposed totals around 830 square metres which is higher than the figure of around 400 square metres specified in the outline permission. However, the 830 square metres figure includes the communal seating area shared by a number of food outlets, with this seating area covering around 360 square metres and it could equally be argued that this forms part of the hot food element as it is likely to be used primarily by those purchasing food from the food outlets. If this seating area was classed as part of the hot food element, then this would take the hot food element floorspace proposed around 330 square metres above the outline permission hot food element figure of around

400 square metres. However, the pub/restaurant floorspace proposed is around 380 square metres less than proposed in the outline planning permission description and therefore this balances the floorspace figures out regarding these catering use elements of the trunk road service area.

- 7.9 Moving on to the B1 employment units, the outline permission description of development refers to a total floorspace of around 2100 square metres. This reserved matters application proposes around 2050 square metres of B1 floorspace. The outline permission description also refers to the B1 employment element being provided in the form of an 'innovation centre'. However, what is meant by an 'innovation centre' is not defined in the outline permission description or in any of the conditions attached to the outline permission. This reserved matters application proposes that the B1 floorspace will be provided in a single building sub-divided into 7 units. Overall, the B1 employment proposals are considered to fall within the terms of the outline permission description, notwithstanding the view of certain objectors that the proposed B1 building does not amount to an 'innovation centre'.

Employment generation

- 7.10 Certain objections have referred to the predicted 286 full-time equivalent jobs that would be created by the proposed development once operational as specified in the outline permission officer report to the 6 September 2016 Strategic Planning Committee. The economic benefits of the proposed development were one of the elements in the overall planning balance that weighed in favour of the grant of outline planning permission when Strategic Planning Committee chose to grant outline approval. However, objectors allege that this 286 jobs figure is over-optimistic and that the reserved matters proposals submitted for this non-housing element of the scheme will not generate anywhere near this amount of employment.
- 7.11 Firstly, in this regard, the outline permission granted, and the related Section 106 Agreement do not require a certain number of jobs to be achieved by the approved development once operational and therefore it is not considered that a refusal of reserved matters approval on such grounds would be justified for this reason alone.
- 7.12 However, notwithstanding this, job creation predictions in respect of outline permissions are often based on employment density guide documents which seek to predict job numbers from national surveys of jobs created for different types of uses. This is because at outline stage end users for the proposed commercial floorspace have often not been identified. Such guides can only ever provide a broad indication of likely job numbers as businesses even within the same use class can vary in terms of the numbers of people they employ. Furthermore, the B1 use class includes a wide range of employment uses comprising offices, research & development, and light industry and even employment density guides acknowledge that these different B1 uses can generate quite different employment numbers.
- 7.13 Utilising the Homes & Communities Agency Employment Densities Guide 2015 figures, which would have been available at the time the outline planning application was being considered, generates a full-time equivalent job numbers total of between 123 and 351 depends upon the type of B1 accommodation and

therefore the predicted figure of 286 full-time equivalent jobs at the time the outline application was being considered is within this range.

Green Belt Policy

- 7.14 The predominant interpretation of the former Joint Structure Plan (JSP) Policy S5 by County Council Officers at the time that the outline planning permission for this site was considered back in 2016, which was not challenged by the Planning Inspectorate or Secretary of State in respect of contemporary housing development appeals concerning the Loansdean and Stobhill sites in South Morpeth, On sites such as this close to defined settlement boundaries, it was not possible to determine with certainty whether or not sites fell within the Policy S5 Green Belt extension area due to the inner boundaries of that extension area not having been defined and therefore that such sites should not be considered as being in the Green Belt for the purposes of Policy S5.
- 7.15 However, more recent appeal decisions alongside Upper Tier Lands Tribunal and Court of Appeal decisions/judgements in 2020 and 2021 relating to a Certificate of Appropriate Alternative Development application in respect of land Compulsorily Purchased from Leech Homes for the nearby Morpeth Northern Bypass have taken the view that sites such as this which fulfil one or more the Green Belt purposes identified in NPPF paragraph 138 should be categorised as lying within the Green Belt extension area and are therefore in the Green Belt. However, the Court of Appeal ruling states that in such circumstances a Local Planning Authority may determine that a particular site is not in the Green Belt if there are 'sufficient reasons' for coming to such a view. For the avoidance of doubt, the outline permission remains lawful and valid despite the Court of Appeal's judgment explaining a different policy approach to the one taken earlier.
- 7.16 The officer report to Strategic Planning Committee in respect of outline planning application 16/00078/OUT gave significant weight to the Green Belt boundaries proposed at that time in the County Council's emerging Core Strategy. The illustrative site masterplan drawing submitted with that application showed only a small southern part of the housing element of the proposed development in addition to the countryside park area within the Green Belt as proposed by the emerging Core Strategy. The land covered by this Reserved Matters application was shown as not being within the proposed Green Belt. The officer report expressed the view that whilst the minor incursion of the housing scheme element into the proposed Green Belt resulted in the proposals being inappropriate development in the Green Belt it was considered that there were very special circumstances that justified a grant of planning permission with reference in this regard being made to the provision of a managed country park, 30% affordable housing provision, significant employment provision and the need in viability terms for the housing element to bring forward that employment provision.
- 7.17 The above-mentioned emerging Core Strategy was never progressed to adoption, although the proposed Green Belt boundaries outlined in that document with regard to this site have been carried forward unchanged into the County Council's Local Plan which is now adopted. Therefore, full weight can be applied to the NLP (Northumberland Local Plan) Greenbelt policies.

- 7.18 As such, greatest weight in respect of Green Belt matters, falls to Policies STP 1, STP 7 and STP 8 of the adopted development plan.
- 7.19 In assessing this current Reserved Matters application against Green Belt policy regard needs to be had to the outline planning permission covering the site that has already been granted and which remains extant and to which this reserved matters application is pursuant. That outline permission gave approval for certain types of development and specified some parameters also regarding the quantum of such development. That permission applied to a specified site and the land to which this reserved matters application relates comprises part of that site. The outline permission and its associated conditions did not specify where within its application site the various types of development proposed should be accommodated nor were any limits placed on the height of the various development types approved. Nevertheless, it is noted that the development types covered by this reserved matters application occupy the area shown for such development types on the illustrative masterplan that accompanied the outline application.
- 7.20 It is evident that the land the subject of this reserved matters application contributes to the NPPF paragraph 138 Green Belt purposes of safeguarding the countryside from encroachment and assisting in urban regeneration by encouraging the recycling of derelict and other urban land. As such ordinarily it would be appropriate to take the view that the site lies within the Green Belt for the purposes of NLP policy. However, as stated above, the Court of Appeal in their recent judgement have stated that a Local Planning Authority may legitimately take the view that a site within a General Extent Green Belt area such as this is not in the Green Belt because there are 'sufficient reasons' to exclude it from the Green Belt. In this instance the existence of extant Outline Planning Permission 16/00078/OUT for built development on the site and the opinion of officers, as outlined earlier, that the details proposed in respect of this pursuant Reserved Matters submission are within the terms of that outline permission are considered to amount to 'sufficient reasons' for excluding the land the subject of this Reserved Matters application from the Green Belt. Officers reach this conclusion as a matter of planning judgment, considering the above matters.
- 7.21 As such, it is not considered necessary to assess this Reserved Matters application further against Green Belt policy as outlined in the development plan or the NPPF.
- 7.22 Bearing in mind all the above, the principle of the development proposed under this Reserved Matters application is considered acceptable.

Impact on the character and appearance of the area

- 7.23 With regard to character and appearance matters, the key development plan policies are Policy Des1 of the MNP and Policy QOP 5 of the NLP. Policy Des1 states that all development proposals should make a positive contribution to their surroundings in several respects. In terms of character and appearance matters, relevant considerations are that the design and layout of development should achieve a sense of place by protecting and enhancing the quality, distinctiveness, and character of settlements. Development should also respect or enhance the character of the site and its surroundings in terms of its

proportion, form, massing, density, height, size, scale, materials, and detailed design features. Development should also safeguard, respect, and enhance the natural environment as well as biodiversity, landscape, wildlife corridors and the countryside, incorporating where appropriate biodiversity, landscaping and public and private open spaces which meet the County Council's open space standards and supports the creation of wildlife corridors.

- 7.24 Policy Des1 also refers in terms of character and appearance matters to the need to ensure that development of and in proximity to designated and local heritage assets and their settings conserves, preserves, reflects, and enhances the historic asset and the historic environment in accordance with their significance. However, there are no heritage assets on or adjacent to the land the subject of this Reserved Matters application and it is not considered that any heritage assets or their settings would be adversely affected to a significant extent by the proposals the subject of this application.
- 7.25 NLP policy QOP 4 considers that developers will be required to provide landscaping including tree planting and hedgerows, particularly indigenous broadleaves species, wherever appropriate, in new development and to protect existing trees and hedgerows on sites where development is in progress.
- 7.26 NPPF paragraph 130 in respect of character and appearance matters states that planning decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change and establish 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.
- 7.27 Paragraph 131 states that trees make an important contribution to the character and quality of urban environments. Planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible.
- 7.28 NPPF paragraph 134 advises that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes.
- 7.29 For the purposes of paragraph 134 local design policy for the proposals the subject of this application regarding character and appearance matters is as set out in MNP Policy Des1 and in NLP Policies QOP 1, 2, 3 and 6 with these latter Policies reflecting the MNP and NPPF in seeking to ensure that proposed developments are of a high-quality design which reflects local character. The government guidance on design referred to is the National Design Guide and National Model Design Code.
- 7.30 The National Design Guide identifies 10 characteristics of good design – context, identity, built form, movement, nature, public spaces, uses, homes and

buildings, resources, and lifespan. The National Design Code provides detailed guidance on the production of design codes, guides, and policies to promote successful design. In this regard it expands upon the 10 characteristics of good design identified in the National Design Guide.

- 7.31 For the purposes of the Northumberland Landscape Character Assessment the site lies at the boundaries of Landscape Character Areas 35b – Font & Wansbeck Valley within Landscape Character Type Broad Lowland Valleys and 38b – Longhorsley within Landscape Character Type Lowland Rolling Farmland both of which extend westwards and northwards respectively from the site into the rural hinterland of Morpeth. The woodland strip in the Northeast corner of the site as well as land to the immediate south lies within an Area of High Landscape Value as defined in the NLP.
- 7.32 The landscape character of the site is heavily influenced by its edge of Morpeth location with built development and roads impacting on such character. These influences include the A1 to the west, the Morpeth Northern bypass to the north, built development along the A192 corridor including recently constructed housing at Northgate Hospital, Fairmoor, Fulbeck and Pottery Bank and the Lancaster Park housing estate to the east. As such the locality within which the site lies is considered to have a semi-rural character but with significant built development influences. The nearby housing areas referenced above have varied characters and when taken together with other more established built development at Fairmoor the surrounding locality is not considered to possess overall a distinctive built vernacular. Significant area of tree and hedge planting do exist in the locality with the application site being bordered by such existing planting, with the trees in the northeast corner of the site subject to landscape and ecology designations in the NLP being retained.
- 7.33 Having regard to the above and the relevant planning policies highlighted, the proposed site layout and buildings are considered acceptable in design terms and in respect of their impact on the character and appearance of the area. In this regard the proposed buildings provide attractive frontage to the key roads within the site including the site access from the St. Leonard's junction, whilst being well spaced across the site with generous landscaping to road frontages and site boundaries to reflect the semi-rural location of the site. Existing vegetation to the site boundaries the subject of landscape and ecology designations in the CMDLP is retained and in terms of levels the site elevations provided show no significant differences in levels between the proposed development and existing neighbouring land uses/properties. Overall, in terms of landscape impact there will clearly be some detrimental impact on landscape character arising from the loss of open agricultural land to built development. However, the principle of the quantum of development currently proposed has already been agreed at outline stage and the proposals provide for retention of the woodland area in the Northeast corner of the site that is the subject of the Area of High Landscape Value and ecology designations with new landscaping also proposed adjacent to this providing a buffer between this designated area and new built development.
- 7.34 In terms of building design and materials the proposed buildings utilise a common pallet of materials to ensure that the development would have an integrated appearance and assist in creating a sense of place and identity. Facing materials comprise a mix of traditional red brick and timber cladding with

more modern grey cladding and glazed curtain walling utilised also. Roof materials are a dark grey colour. The two most prominent buildings – the motorway services amenity building and the hotel/bar/restaurant - are of a more traditional design with dual-pitched roofs, whilst the less visually prominent innovation units, whilst utilising the same pallet of materials as the other buildings, have a more contemporary curved roof design.

- 7.35 In accordance with NPPF paragraph 131, the proposed landscaping scheme provides for tree-lined streets, with new tree planting also proposed in other key locations such as the new on-site roundabout whilst existing trees to the site boundaries are retained. New planting also includes native hedge and shrub planting and new wildflower meadow areas.
- 7.36 No elevation details have been supplied regarding the small pumping and sub-stations adjacent to the hotel/bar/restaurant and therefore a condition is suggested regarding this matter.
- 7.37 Overall, the proposals are considered acceptable in terms of their impact on the character and appearance of the area.

Residential amenity impact

- 7.38 In assessing residential amenity matters consideration needs to be given to three areas – privacy, outlook and daylight/sunlight impacts arising from the proposed development to existing and future residential occupiers, community safety issues related to crime and environmental protection matters related to noise, air pollution, light pollution, and ground contamination/stability.
- 7.39 Turning firstly to the matter of privacy, outlook and daylight/sunlight impacts arising from the proposed development to existing and future residential occupiers, MNP Policy Des1 states that proposals should not cause unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties. This is reflected also in NLP Policy QOP2.
- 7.40 In these respects, the proposals are considered acceptable. The nearest existing dwellings on Pinewood Drive within the Lancaster Park housing estate lie around 87-88 metres from the hotel/bar/restaurant and innovation unit buildings which are the proposed buildings closest to these dwellings. In terms of the new dwellings proposed by Persimmon Homes to the south and west of this Reserved Matters site a separation distance from the innovation units building (the nearest proposed building) to the proposed dwellings would be at least 47 metres. Furthermore, all these existing and proposed dwellings would be screened to a degree from the proposed development by existing retained tree planting.
- 7.41 Given the above it is not considered that significant harm would arise to residential amenity in terms of loss of privacy, outlook, or daylight/sunlight impacts.
- 7.42 Moving onto the matter of community safety issues related to crime, MNP Policy Des1 states that proposed site layout and development design should create safe and secure environments. Assessment of those measures will take account of advice in Circular 5/94 - Planning Out Crime [now expired].

Conditions may be imposed to ensure measures are implemented. NLP Policies QOP1 and QOP3 also promote the creation of safe environments with good natural surveillance.

- 7.43 Northumbria Police have advised that they have no objection in principle to the proposed development, although they raise some detailed matters related to CCTV, lighting, and Secured by Design accreditation.
- 7.44 The petrol filling station area, services building car park, hotel/bar/restaurant car park and innovation units frontage car parking is generally well overlooked from the proposed buildings. However, there are certain parts of the proposed layout that benefit from a lesser degree of natural surveillance – the HGV parking and re-fuelling areas, parking to the side of the innovation units, open land to the rear of the innovation units and hotel/bar/restaurant and the proposed footpath diversion connection from the site to the existing public footpath which runs to the north of existing dwellings in Pinewood Drive. In line with advice from the Police it is considered that CCTV and lighting will be required across the site and particularly within areas with less natural surveillance and a condition is proposed to secure this. This condition will also need to reference condition 5 of the outline permission that requires the implementation of lighting details in respect of the service area and innovation units prior to occupation of these areas in accordance with details submitted to and approved in writing by the Local Planning Authority.
- 7.45 Objectors have raised concerns that crime and anti-social behaviour would increase within the adjacent Lancaster Park housing estate given the presence of the proposed development and the connections proposed between the scheme and that estate. However, the Police have raised no objections in this regard and there is already a public footpath connection between the St. Leonard's junction and the Lancaster Park estate that runs through the site, which it is proposed retain as part of the proposed scheme, albeit on a diverted route within the application site.
- 7.46 Overall, as stated above, the Police raise no objections in principle, and it is considered that the proposals are acceptable in community safety terms subject to the above-mentioned condition regarding CCTV and lighting details.
- 7.47 Finally, as regards environmental protection matters related to noise, air pollution, light pollution, and ground contamination/stability the Council's Public Protection team raise no objections.
- 7.48 In terms of noise matters, condition 36 of the outline planning permission states that prior to the construction of the proposed commercial area, a noise impact assessment shall be undertaken in accordance with BS4142:2014, Method for rating and assessing industrial and commercial sound, to demonstrate that the cumulative noise rating level from all sources of an industrial or commercial nature, does not exceed the representative background noise levels at the closest existing and proposed dwellings by more than 5dB(A) during the daytime (0700hrs - 2300hrs) and night time (2300hrs - 0700hrs) periods. The rating limit at the closest receptors will be determined following background noise monitoring prior to the construction of the proposed commercial area, to obtain representative noise levels upon completion of the Morpeth Bypass.

- 7.49 The site layout has been designed to minimise the potential for noise pollution to existing and proposed residents, with the HGV parking area sited to the far north of the site furthest away from existing dwellings and landscaped buffers proposed between areas of built development and existing/proposed dwellings. A Noise Assessment has also been submitted with this Reserved Matters application which demonstrates that the requirements of outline permission condition 36 are satisfied subject to a 2.5-metre-high acoustic fence being provided to the south site boundary and a 3-metre-high acoustic fence being provided to the west site boundary. A condition is suggested to secure provision of these.
- 7.50 The Council's Public Protection team also suggest a condition requiring a re-assessment of noise matters prior to first occupation to ensure that detailed matters not yet specified such as plant associated with the various uses proposed under this application is taken account of in respect of mitigation requirements and therefore a further condition is suggested in this regard.
- 7.51 Further conditions suggested by the Public Protection team re noise complaints, and construction working/delivery hours are also proposed.
- 7.52 Regarding external lighting some details have been submitted in relation to road and car parking areas but these, although considered acceptable in ecology terms, do not cover the entirety of the site. As suggested above in respect of crime prevention matters, a condition is suggested regarding the details of lighting across the site to complement existing condition 5 of the outline permission.
- 7.53 In terms of ground contamination/stability matters, the Council's Public Protection team raise no objections subject to conditions regarding ground gas protection and it is proposed that these are attached. The Public Protection team has also requested that an air quality assessment be provided which is yet to be submitted. It is expected that the air quality assessment will have been received and those findings assessed by the committee date of 1st November, at which Members will be updated

Highway safety/transportation matters

- 7.54 In assessing highway safety/transportation matters consideration needs to be given to matters of highway capacity, highway design, car parking, provision for pedestrians and cyclists, public transport provision and emergency access arrangements.

Highway capacity

- 7.55 Turning firstly to the matter of highway capacity MNP Policy Tra2 regarding traffic congestion states that subject to compliance with other policies in the Neighbourhood Plan and elsewhere in the Development Plan, proposals will be supported where it can be demonstrated that: they will not severely adversely impact on traffic congestion in Morpeth town centre or at key junctions within the town or wider plan area, achieved through appropriate mitigation as necessary; and additional opportunities to alleviate traffic congestion on the highway network and through improvements to pedestrian and cycling routes

have been identified, considered, assessed and will be implemented subject to viability testing in accordance with paragraph 173 of the Framework.

- 7.56 MNP Policy Tra3 concerning transport requirements for new developments further states that proposals will be supported, inter alia, where it can be demonstrated that the cumulative impact on traffic flows on the highway network, including the roads within and leading to the town centre, will not be severe, unless appropriate mitigation measures are undertaken.
- 7.57 The latest version of the NPPF at paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.58 The above requirements are reflected also in NLP Policy TRA2.
- 7.59 Highway capacity matters were considered in detail at outline stage through submission and consideration of a Transport Assessment and the proposals were acceptable in terms of their impact on the capacity of the nearby strategic and local highway network. This continues to remain the case with the Council's highways team and National Highways raising no objections on highway capacity grounds.

Highway design

- 7.60 Moving onto the matter of highway design, MNP Policy Des1 states that the layout and design of proposals should take account of the potential users of the development to provide safe, convenient, and attractive links within the development and to existing networks for people with disabilities and restricted mobility, pedestrians, cyclists, and public transport users and provide vehicular access suitable for the development's use and location. NLP Policies TRA1 and 2 reflect the MNP policy.
- 7.61 The Council's highway team consider the technical design of the proposed layout to be acceptable subject to conditions.
- 7.62 National Highways originally advised that a Stage 1 Road Safety Audit (RSA) and associated Designers Response were needed to demonstrate that the proposed highways layout is acceptable before they can support this reserved matters application. This information has since been submitted and National Highways has confirmed that they offer no objection to this proposal.

Car parking

- 7.63 Regarding car parking MNP Policy Tra3, inter alia, states that proposals should incorporate adequate parking and manoeuvring space within the development in accordance with the Highway Authority's standards.
- 7.64 NPPF paragraph 107 states that if setting local parking standards for residential and non-residential development, policies should consider: the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-

low emission vehicles. Paragraph 108 states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework).

- 7.65 The County Council has no currently adopted car parking standards in respect of the application site. However, NLP Policy TRA4 states that an appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe, accessible, and convenient locations prior to the development, as a whole or in part, being brought into use. Vehicle parking should normally be provided in accordance with the parking standards set out in Appendix D of the Local Plan, or other such local standards set out in made neighbourhood plans which will be given priority in determining the appropriate amount of parking required. Where provision is not made in accordance with the relevant standards, it must be demonstrated how the amount of parking proposed to serve the development takes into account: the scale, type, mix and use of the development; the proximity and accessibility of the development to services and facilities reasonably required by users or occupiers of the development; the availability of and opportunities for access to and from the development by public transport, walking and cycling; the potential for road safety and environmental problems as a result of increased parking demand in the area; and the extent and nature of any parking restrictions in force on highways in the area.
- 7.66 Appendix D of the NLP sets out detailed car parking provision standards. However, it is made clear that the standards in respect of developments other than dwellinghouses are an indication of appropriate parking levels which will then be considered against Policy TRA4 and on a site-by-site basis.
- 7.67 As outline earlier in this report each of the 3 scheme elements - roadside services area, hotel/bar/restaurant, and innovation centre units – are provided with their own car parking areas.
- 7.68 Therefore, looking firstly at the roadside services area, a total of 122 car parking spaces are provided for around 1430 square metres of building floorspace that includes a mix of retail, hot food and supporting facilities uses. Applying the NLP standard for Class E shops up to 1000 square metres of 1 space per 50 square metres generates a need for 5 spaces in respect of the 230 square metres of retail shop floorspace proposed. The hot food element totalling 730 square metres (including communal seating areas) generates a need for a further 73 spaces at 1 space per 10 square metres. This totals 78 spaces leaving a balance of 44 spaces in respect of the supporting facilities. As stated above, provision is also made within the layout for HGV/coach parking.
- 7.69 Moving onto the 40-bed hotel with bar/restaurant, the NLP parking standards refer to 1 space per bedroom and 1 space per 3 staff for hotels. Using the 2015 Employment Densities Guide referred to earlier, it is estimated that staffing levels for a 40-bed hotel would be around 8 staff and therefore the hotel element would generate a need for 43 spaces. The bar/restaurant covers an area of 172 square metres generating a need for 17 spaces given the NLP standard 1 of space per 10 square metres for Class E food & drink uses. The total number of

spaces required under NLP standards would therefore be 60 spaces which is close to the 55 spaces provided.

- 7.70 The Council's Highways team raise no objections to the proposed car parking for the roadside services area or hotel/bar/restaurant.
- 7.71 Finally in respect of the innovation units, the outline permission advises that these could be utilised for any purpose falling within the previous Use Class B1 of the Use Classes Order which would allow for use for business offices, research & development, and light industrial purposes. Use Class B1 no longer exists following recent changes to the Use Classes Order with the above-mentioned uses now falling within Use Class E(g). The NLP parking standards refer only to Use Class E(g)(i) offices suggesting a requirement of 1 space per 30 square metres. No parking standard is given for Use Classes E(g)(ii) research & development and E(g)(iii) light industry. The Council's Highways team express concern regarding office use as this would generate a need for 68 parking spaces in terms of the 2052 square metres of floorspace proposed but only 51 spaces are proposed. In response to this concern the applicant has advised that they would be willing to accept a condition if reserved matters approval were granted restricting use of the innovation units to Use Classes to research & development and light industry use only as these tend to require less car parking than office uses. Such a condition is considered acceptable.
- 7.72 The parking provision for all three of the above scheme elements also includes provision for disabled persons and spaces with electric vehicle charging facilities which is considered acceptable.

Provision for pedestrians and cyclists

- 7.73 As outlined earlier MNP Policy Des1 states that the layout and design of proposals should take account of the potential users of the development to provide safe, convenient, and attractive links within the development and to existing networks for people with disabilities and restricted mobility, pedestrians, cyclists, and public transport users and provide vehicular access suitable for the development's use and location. Policy Tra2 requires improvements to pedestrian and cycling routes to be identified, considered, assessed, and implemented in alleviating traffic congestion. Policy Tra3 states that proposals should incorporate improvements to pedestrian and cycle routes to serve the development, where appropriate, to provide safe, convenient, and attractive routes to shops, employment, schools, and community facilities and which are integrated into wider networks. Proposals should also retain existing rights of way or provide acceptable modifications to these. Finally, in terms of the MNP, Policy Tra4 states that measures to join up footpaths and cycleways into comprehensive networks will be supported with priority being given to, inter alia, creating or improving routes between the main residential areas and the town centre and essential facilities and developing traffic-segregated pedestrian and cycle routes between schools and residential areas.
- 7.74 NLP policies TRA 1 and TRA 2 state that in consultation with landowners and occupiers the council will support the protection, maintenance and where appropriate, extension of the rights of way network and other recreational access routes throughout the borough. positive steps will also be taken to

minimise any adverse effects of increased access pressures on established rural interests.

- 7.75 Condition 8 of the outline permission requires the Reserved Matters details for each phase to include provision for pedestrian and cyclist connections between that phase and the Lancaster Park estate and associated improvements to footpaths within that estate.
- 7.76 A public footpath currently runs through the north and east edges of the site connecting the St. Leonard's junction of the A1/Morpeth Northern Bypass with Pinewood Drive. This footpath is not of high quality in terms of surfacing and parts of it can be prone to surface water flooding at certain times. The proposals include for diversion of this footpath within the site utilising the 3-metre-wide footpath/cycleway which forms part of the main access route and then narrower sections of 2-metre-wide footpath for pedestrians only that would connect this to the existing public right of way north of Pinewood Drive through an open space area between the proposed hotel/bar/restaurant and Pinewood Drive. The route would be tarmacked throughout and would cover a similar distance than the existing public right of way route within the site. The applicant has also agreed to tarmac a 95-metre-long section of the existing public right of way between the application site boundary and Pinewood Drive
- 7.77 The above public footpath route is not suitable for use by cyclists also as its width is only around 2 metres where it runs adjacent to Pinewood Drive and the width cannot be increased due to land ownership constraints. However, a 3-metre-wide pedestrian/cycle route is proposed between the adjacent Persimmon housing site (application 19/03262/REM on this agenda) and Pinewood Drive with this route running through the northeast corner of the Persimmon site adjacent to the EuroGarages site the subject of this application.
- 7.78 Each of the three scheme elements also provide for cycle parking as detailed earlier in this report.
- 7.79 Overall, the proposed links for pedestrians and cyclists are considered acceptable subject to conditions regarding the detailed specification in terms of those sections of these routes segregated from the vehicle highway.

Public transport provision

- 7.80 MNP Policy Tra3 states that proposals should make provision for accessible and efficient public transport routes within the development site or the improvement of public transport facilities to serve the development. NLP Policy TRA1 refers to similar matters.
- 7.81 In this regard the proposed layout includes a bus layby on the north-eastern side of the main site access road with space also provided alongside that layby for a bus shelter. Such provision is required only on one side of the access road as a bus could then utilise the roundabout to the immediate south to exit the site. The Council's Highways team consider this provision to be acceptable and anticipate that the details in respect of any bus shelter would be agreed at highways technical approval stage in consultation with Mitford Parish Council.

- 7.82 It is anticipated that the above bus infrastructure will serve the X14 (Newcastle to Thropton) and X15 (Newcastle to Berwick) services which enter/exit Morpeth to the north via the A1/Morpeth Northern Bypass St. Leonard's junction with only a short diversion into the site being required. In this regard there is provision in the Section 106 Agreement that runs alongside the Section 106 Agreement for up to £4,560 per annum to be paid to the County Council for a period of 5 years to subsidise diversion of the X14 into the site and provision for a subsidy of up to £20,000 per annum to be paid to the County Council for 5 years to subsidise the cost of providing a 2 hourly Sunday bus service for the development. There would also be access via the improved footpath routes referenced earlier to Pinewood Drive which is served by the local T1A circular bus service which provides a link between the Lancaster Park estate and Morpeth Town Centre.

Emergency access arrangements.

- 7.83 The outline permission included provision for an emergency access route to the site from the B6343 to the south via the Countryside Park and Persimmon housing scheme elements if the main access from the St. Leonard's junction became unavailable. In this regard condition 10 of the permission states that no part of the development shall be occupied until this access route has been constructed in accordance with details submitted to and approved in writing by the Local Planning Authority.
- 7.84 An application has not yet been received to discharge that condition, although the applicant acknowledges that the emergency access route will need to be provided prior to occupation and in this regard application 18/03339/DISCON relating to condition 11 (phasing) of the outline permission proposes that the emergency access route is provided in the 1st phase of development. The emergency access route has been assessed by the emergency services and, although not providing all the required details for approval, they are satisfied in principle that the route can be achieved. The final detail will be resolved through the application for a building warrant.

Flooding and drainage

- 7.85 MNP Policy Inf1, and NLP Policies WAT3 and WAT4 all seek to ensure that proposed developments are acceptable regarding flood risk and that sustainable drainage infrastructure is provided for.
- 7.86 The application site lies within Environment Agency Flood Zone 1 and is therefore considered to be at low risk of fluvial flooding. Nevertheless, the applicant has provided a flood risk & surface water drainage strategy with their application and the proposed site layout incorporates sustainable drainage including 4 attenuation basins in the southern area of the site. Surface water would drain into the Scotch Gill watercourse that runs to the east of the site via the Persimmon area to the south with a headwall feature being constructed at the interface of the sustainable drainage system and watercourse.
- 7.87 The LLFA raise no objections to the proposals on flood risk or surface water drainage grounds subject to various conditions regarding implementation in accordance with certain submitted drawings, details being agreed in respect of erosion prevention measures to the Scotch Gill watercourse banks and

verification regarding the installation of sustainable drainage features. Northumbrian Water likewise raise no objections in respect of surface or foul water drainage subject to a condition requiring implementation in accordance with the latest drainage drawings and the Environment Agency also advise that they have no objections.

- 7.88 Concerns have been raised by objectors regarding pollution of the Scotch Gill watercourse and the River Wansbeck which it feeds into from hydrocarbons and other chemicals associated with vehicles using the car parking areas and the proposed fuel filling station facilities. In terms of the water quality issue, which is covered by NLP Policy WAT1, the LLFA have advised that they are satisfied that the separators proposed for the filling station forecourt areas alongside the attenuation basins proposed will be sufficient to ensure that surface water is appropriately treated/filtered to remove harmful pollutants before it enters the Scotch Gill.

Ecology matters

- 7.89 In terms of the NLP the strip of woodland in the Northeast of the site forms part of a larger area to the south which is designated as a Site of Nature Conservation Importance (SNCI) with land to the south of the site also designated as a Local Nature Reserve. The SNCI designation in respect of the strip of woodland within the application site is not carried through into the MNP, although land to the south of the application site is designated as a Local Wildlife and Geological Site (LWGS). The River Wansbeck corridor which lies to the south of the site is designated as a wildlife corridor in both the NLP and the MNP.
- 7.90 MNP Policy Des1 states that proposals should ensure development safeguards, respects, and enhances the natural environment, the biodiversity, landscape and wildlife corridors and the countryside and incorporates, where appropriate, biodiversity, landscaping and public and private open spaces which meet the County Council's open space standards and supports the creation of wildlife corridors.
- 7.91 Policy Env1 concerning landscape and wildlife corridors states that Landscape and Wildlife Corridors defined on the Proposals Map will be protected from development, other than that required to maintain, enhance, or interpret their landscape or wildlife purposes. Development proposals should demonstrate they take the opportunity to enhance and extend the network of Landscape and Wildlife Corridors as a means of mitigating development impact with a focus on increasing biodiversity, wildlife value and general amenity value of these corridors.
- 7.92 Policy Env5 concerning designated sites states that those areas identified on the Proposals Map shall be protected as designated Local Wildlife Sites. There is a presumption against development of or near these sites, which will harm or put at risk their effectiveness as a wildlife habitat or refuge, as described in their designation. Any development impacting on any of these sites must include mitigation measures that ensure that the sites maintain their function effectively.
- 7.93 In terms of the NLP, policies seek to safeguard the ecological value of designated SNCI sites as well as land, which is not designated.

- 7.94 Finally in terms of NLP Policy ENV2 reflects guidance in the NPPF which seeks to not only safeguard designated sites and protected species but also secure biodiversity enhancement.
- 7.95 Detailed survey work has been undertaken and submitted with the application regarding ecology and tree matters. Detailed plans have also been provided concerning landscaping, external lighting, and drainage. These have been examined by the County Council's Ecologist who raises no objection to the proposals if conditions secure the implementation of these detailed proposals. Natural England likewise raise no objections.
- 7.96 As stated above a further condition is required concerning external lighting to ensure that the pedestrian and cyclist links between the site and the Lancaster Park estate are suitably lit and further consultation would take place with our Ecologist before any such condition was discharged to ensure that an acceptable balance is achieved between the needs of ecology and the need for safety for those using these links.
- 7.97 Northumberland Wildlife Trust objected to the proposals as originally submitted on the grounds of impact to the Local Nature Reserve to the south of the site but when re-consulted on amended plans/documentation they have not provided further comments.
- 7.98 In light of the above, it is considered that the proposals are acceptable in ecology terms subject to the conditions referenced.

Archaeology

- 7.99 MNP Policy Des1 states that proposals should ensure that development of and in proximity to designated and local heritage assets and their settings conserves, preserves, reflects, and enhances the historic asset and the historic environment in accordance with their significance. NLP Policy ENV7 outlines similar objectives.
- 7.100 Some archaeological assessment has already been undertaken in respect of the application site and a written scheme of investigation (WSI) re further archaeological evaluation has been agreed with the Council's Archaeologist. They raise no objections to the proposals subject to a condition that further evaluation is undertaken as part of the development in accordance with the details of the agreed WSI.

Air Quality

- 7.101 In order to measure the impact of the development on air quality, the applicant has been asked to submit an air quality impact assessment to the LPA. The Environmental Protection Team (EPT) have been in dialogue with Dragonfly Consulting Ltd to agree the methodology for this assessment. The EPT have advised that the assessment will need to consider the impacts from the commercial development, principally as a result of any increase in vehicular emissions in closer proximity to the existing residential receptors and upon the proposed residential development. The neighbouring residential development will also be a contributor to this as the residential road traffic will

have to pass through the commercial area when accessing and existing the housing. Once the findings of the assessment have been submitted to the LPA, the Environmental Protection Officers will provide an update as to those findings and conclusions. It is expected that the air quality assessment will have been received and those findings assessed by the committee date of 1st November, at which Members will be updated.

Other Matters

7.102 Concern has been raised by objectors regarding delivery of the Countryside Park which forms part of the mixed-use scheme for the wider site that was granted outline permission under application 16/0078/OUT. This has been submitted as part of the other reserved matters application covering the housing development which also forms part of this agenda reference 19/01362/REM.

7.103 Objectors have also expressed concern about the impact of the commercial uses referenced in this application on existing businesses elsewhere in Fairmoor and Morpeth. In this regard the principle of the commercial uses and their scale was agreed at outline permission stage and as stated earlier these Reserved Matters details are within the terms of the outline permission.

7.104 Reference has also been made by objectors to the impact of the proposals on local services. However, the proposals would not generate a need for education, healthcare or open space provision given that no residential development is proposed under this Reserved Matters application.

Equality Duty

7.105 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

7.106 The implications of the proposals in relation to crime and disorder have been considered earlier in this report.

Human Rights Act Implications

7.107 The Human Rights Act requires the County Council to consider 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.

7.108 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.

7.109 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, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 Overall, in terms of the principle of development, impact on the character and appearance of the area, residential amenity impact, flooding and drainage, ecology matters and archaeology these Reserved Matters details are acceptable subject to conditions.

9. Recommendation

That this application be minded to grant Reserved Matters Approval subject to the findings of the Air Quality Impact Assessment and subject to the following conditions.

Conditions/Reason

01. The development hereby permitted shall not be carried out other than in complete accordance with the details contained within the following approved plans/documents:

1406/23 Rev.K Overall Site Layout;
1406/24 Rev.J Planning Sheet 2 (West Site Layout);
1406/24 Rev.J Planning Sheet 2 (East Site Layout);
18.139/002 Rev.I Innovation Units Elevations;
18.139/003 Rev.F Hotel Elevations;
18.139/004 Rev.D Hotel Floor Plans;
18.139/005 Rev.B Innovation Units Floor Plan;
1406/18a Site Elevations Sheet 1;
1406/19a Site Elevations Sheet 2;
1406/26b Amenity Building Plans;
1406/27b Amenity Building Elevations;
12.07.18 Petrol & HGV Canopies;
3956/MA Rev.F Landscape Masterplan;
3956/01 Rev.F Planting Plan (1 of 4);
3956/02 Rev.F Planting Plan (2 of 4);
3956/03 Rev.F Planting Plan (3 of 4);

3956/04 Rev.F Planting Plan (4 of 4);
 066829-CUR-00-XX-DR-D-95950 Rev.P06 S278 General Arrangement Option 2;
 066829-CUR-00-XX-DR-D-95951 Rev.P04 Dimensions
 066829-CUR-00-XX-DR-D-95952 Rev.P02 Contours and Long Section
 066829-CUR-00-XX-DR-D-95001 Rev.P08 Highways England S278 General Arrangement;
 066829-CUR-00-XX-DR-D-95953 Rev.P01 Long Section, Main Spine Road
 066829-CUR-00-XX-DR-D-95010 Rev.P02 Highways England Section 278 Bund Amendments
 066829-CUR-00-XX-DR-D-72001 Rev.P13 S278 Drainage Strategy General Arrangement (drainage details only approved);
 066829-CUR-00-XX-DR-D-72002 Rev.P06 Drainage Strategy Wider Area Strategy;
 066829-CUR-00-XX-DR-D-72003 Rev.P02 Drainage Strategy Manhole Schedule;
 066829-CUR-00-XX-DR-D-72005 Rev.P01 Surface Water Connection;
 066829-CUR-00-XX-DR-D-72006 Rev.P02 Drainage Strategy Outfall Long section;
 Permeable Paving Details received 08/09/21;
 Micro drainage Calculations received 19/08/21;
 Memo Drain down and overtopping. Reference: 066829-CUR-00-XX-RP-D-00002-V02 Produced by Curtins dated 20/09/2021;
 Eurogarages Mitford Morpeth Kingfisher Lighting Report dated 27/08/21;
 Arboricultural Report dated 20/08/21;
 Revised Noise Assessment NJD17-0011-001R/R2 March 2020;
 Ecological Appraisal Rev.R06 April;
 Highways Technical Note dated 17/11/21.

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

02. All buildings/structures within the application site shall be constructed using external facing and roofing materials the details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To retain control over the external appearance of the development in the interests of amenity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

03. The substation and pumping station structures shown on approved drawing nos. 1406/24 Rev.J Planning Sheet 2 (West Site Layout) and 1406/24 Rev.J Planning Sheet 2 (East Site Layout) shall be constructed in full accordance with elevation and materials details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

04. No building hereby permitted within the application site shall be occupied unless and until the diverted Parish of Mitford Public Footpath 415/013 within the application site and an improved Parish of Morpeth Public Footpath 416/010 for a distance of at least 95 metres eastwards from the application site boundary as shown on approved drawing: 1406/23 Rev.K Overall Site Layout and the shared pedestrian and cyclist link approved as part of related Reserved Matters application ref: 19/01362/REM shown on approved drawing no. MIT125150/A/GA/001 Rev.N Architectural Site Layout between that application site and the Lancaster Park estate

to the east have all been constructed together with dropped kerbs within the Lancaster Park estate to provide access from those links to the primary school and other local services on that estate in full accordance with details additional to those provided with these reserved matters applications that have been submitted to and approved in writing by the Local Planning Authority. Those additional details shall include full engineering details in respect of the links including full structural details of any bridge/culvert crossings for the links over the woodland watercourse, details of lighting and details regarding the location and specification of dropped kerbs on the Lancaster Park estate.

Reason: In the interests of the promotion of sustainable transport choices in accordance with Policies Sus1, Tra3 and Tra4 of the Morpeth Neighbourhood Plan, Policy R8 of the Northumberland Local Plan and the NPPF.

05. For the duration of construction works in respect of the development approved within the application site up until the first occupation of any building hereby permitted within the application site access shall be maintained at all times to the general public to the Parish of Mitford Public Footpath 415/03 within the application site along its currently designated route or any diverted route through the site submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the promotion of sustainable transport choices in accordance with Policies Sus1, Tra3 and Tra4 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

06. Unless otherwise agreed in writing by the Local Planning Authority under Condition 6 below, prior to any building or fuel filling station within the application site being brought into use, acoustic fencing shall be provided to the south and west boundaries of the application site in the locations shown on approved drawing nos. 1406/23 Rev.K Overall Site Layout and 1406/24 Rev.J Planning Sheet 2 (West Site Layout) and to a height which accords with the Revised Noise Assessment produced by NJD Environmental Associates, Report reference: NJD17-0011-001R/R2 dated March 2020 in accordance with elevation and specification details to be submitted to and approved in writing by the Local Planning Authority. Thereafter such acoustic fencing shall remain in place at all times.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

07. Prior to any building or fuel filling station within the application site being brought into use, the applicant shall employ a competent acoustic consultant to either assess the level of noise emissions from the development at the nearest noise sensitive properties or carry out an addendum desk-top assessment of the noise impacts based upon the final selection of plant to be installed on the site. The assessment shall be undertaken in accordance with the methodology described in BS 4142:2014. The applicant shall submit a report based on the consultant's findings to the Local Planning Authority for written approval. Where the noise levels from the development exceed 5dB above the background noise levels in Table 5 of the Revised Noise Assessment produced by NJD Environmental Associates, Report reference: NJD17-0011-001R/R2 dated March 2020 at the nearest noise sensitive receptors, appropriate mitigation measures shall be agreed in writing with the Local Planning Authority and implemented in full within a timescale approved in writing by

the Local Planning Authority. Thereafter no changes to the above-mentioned plant shall be made unless approved in writing, with or without further mitigation measures, by the Local Planning Authority and any mitigation measures installed under the terms of this condition shall remain in place at all times following their installation.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

08. Within 21 days from receipt of a written request from the Local Planning Authority notifying the operator of a justified noise complaint the Operator shall, employ a competent independent acoustic consultant to assess the level of noise emissions from the development at the complainant's property. The assessment shall be undertaken in accordance with the methodology described in BS 4142:2014+A1:2019. The operator shall submit a report based on the consultant's findings to the Local Planning Authority for written approval. Where the noise levels from the development exceed 5dB above the background noise levels in Table 5 of the Revised Noise Assessment produced by NJD Environmental Associates, Report reference: NJD17-0011-001R/R2 dated March 2020 at the complainant's property, appropriate mitigation measures shall be agreed and implemented in full within a timescale approved in writing by the Local Planning Authority. Thereafter any such mitigation measures shall remain in place at all times.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

09. During the construction period, there shall be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800. Saturday 0800 to 1600.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

10. Deliveries and collections to and from the site associated with the construction phase of the development hereby permitted shall only take place between the hours: Monday to Friday - 08:00 to 18:00 Saturday - 08:00 to 16:00 With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

11. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015+A1:2019 (Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and

verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

12. No building shall be occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 11 in respect of that building, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

13. No building within the application site shall be occupied unless and until electric vehicle charging facilities for that building have been provided in accordance with specification details for those facilities submitted to and approved in writing by the Local Planning Authority. Thereafter those facilities shall remain in place at all times.

Reason: To promote the use of zero or low emission vehicles in the interests of counteracting the harmful effects of climate change in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

14. No building or fuel filling station area within the application site shall be occupied or used unless and until vehicle, pedestrian and cyclist access to that building has been provided from the St. Leonard's junction of the A1 with the Morpeth Northern Bypass in accordance with the details approved by the Local Planning Authority under this Reserved Matters approval. Thereafter such vehicle, pedestrian and cyclist access shall remain in place at all times.

Reason: In the interests of highway safety in accordance with Policies Des1, Tra3 and Tra4 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

15. Prior to completion of the head wall, erosion prevention measures to the upstream banks of the watercourse shall be installed in full accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter those erosion prevention measures shall remain in place at all times.

Reason: To provide adequate protection from riverbank erosion standards in accordance with Policy Inf1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

16. Prior to the first occupation of each phase of the development as approved through discharge of condition 11 attached to outline planning permission 16/00078/OUT, a verification report for that phase carried out by a qualified drainage engineer or a suitably qualified professional shall be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include as built drawings for all SuDS (Sustainable Drainage Systems) components -

including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc); construction details (component drawings, materials, vegetation); Health and Safety file; and details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards to minimise flood risk in accordance with Policy Inf1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

17. The landscaping details approved under this application in respect of any phase of the development as approved through discharge of condition 11 attached to outline planning permission 16/00078/OUT, shall be implemented in full no later than the first planting season following the substantial completion of the final building in that phase and shall be undertaken in accordance with a phased planting schedule submitted to and approved in writing by the Local Planning Authority prior the first occupation of any building in that phase. Any such landscaping removed, dying, or becoming seriously damaged, defective, or diseased within 5 years from its planting shall be replaced in the same location within the next planting season with landscaping of a similar size and species to that which it is replacing.

Reason: In the interests of visual amenity and biodiversity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

18. No development shall take place unless in accordance with the recommendations of the report Ecological Appraisal Rev.R05 April 2020 forming part of the approved application documentation.

Reason: to avoid adverse impacts on the woodland habitat of Scotch Gill Woods Local Nature Reserve/Local Wildlife Site in accordance with Policies Des1, Env1 and Env5 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

19. A programme of archaeological work shall be undertaken in full accordance with the Written Scheme of Investigation (Mitigation Strategy for Archaeological Strip, Map and Recording: Land West of Lancaster Park, Northumberland, NE61 3SX. Allen Archaeology on behalf of Euro Garages Ltd. 13 August 2018). The scheme of archaeological work set out in the Written Scheme of Investigation shall be implemented in full up to and including reporting stage before the condition is fully discharged.

Reason: In the interests of archaeological evaluation and safeguarding in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

20. Prior to the first occupation or use of any building or fuel filling station within the application site external lighting and CCTV shall be provided to that building or fuel filling station and its curtilage and to all footpaths within the application site connecting that building or fuel filling station to the site boundaries in full accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter such external lighting and CCTV shall remain in place at all times.

Reason: In the interests of community safety in accordance with Policy Des1 of the Morpeth Neighbourhood Plan and the NPPF.

21. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 and the Town & Country Planning Use Classes Order 1987, as amended (or any order revoking and re-enacting those Orders with or without modification) the innovation units within the application site shall not be used other than for purposes falling within Classes E(g)(ii) – Research and development of products or processes and/or E(g)(iii) - Industrial processes of the Use Classes Order without the prior grant of planning permission from the Local Planning Authority.

Reason: To ensure that adequate car parking is provided for in respect of those occupying these units in the interests of highway safety in accordance with Policy Tra3 of the Morpeth Neighbourhood Plan and the NPPF.

22. The development hereby permitted shall be undertaken in full accordance with details in respect of proposed levels and finished floor levels for all open areas and buildings in relation to existing levels within and adjacent to the application site which shall have been submitted to and approved in writing by the Local Planning Authority. These details shall broadly accord with drawings 1406/18a Site Elevations Sheet 1 and 1406/19a Site Elevations Sheet 2 forming part of the approved application documentation.

Reason: In the interests of visual amenity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Policy H15 of the Northumberland Local Plan and the NPPF.

23. Prior to commencement of development, a scheme for a robust, continuous acoustic barrier constructed at the locations and heights as shown in the submitted Noise Assessment (NJD Environmental Associates, Report Reference: NJD17-0009-001R/R3 dated August 2022 - Revised) with a minimum surface density of 10 Kg/m² together with a scheme of maintenance, shall be submitted to, and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed before first residential occupation. The barrier shall be maintained in accordance with the approved scheme and retained throughout the life of the development.

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

Informative

Statutory Nuisance

The effectiveness of the development's design in ensuring that a nuisance is not created, is the responsibility of the applicant / developer and their professional advisors / consultants. Developers should, therefore, fully appreciate the importance of obtaining competent professional advice. In all cases, the Council retains its rights under the Section 79 of the Environment Protection Act 1990, in respect of the enforcement of Statutory Nuisance.

Stopping up/ diversion of footway/bridleway

You are advised of the necessity to formally stop up or divert the footpath(s) or bridleway(s) affected by this development, prior to the commencement of any works. You should contact the Council's Asset and Infrastructure Management Division at highwaysearch@northumberland.gov.uk at your earliest convenience, as this is a lengthy procedure.

Date of Report: 20th October 2022

Background Papers: Planning application file(s) 18/03394/REM

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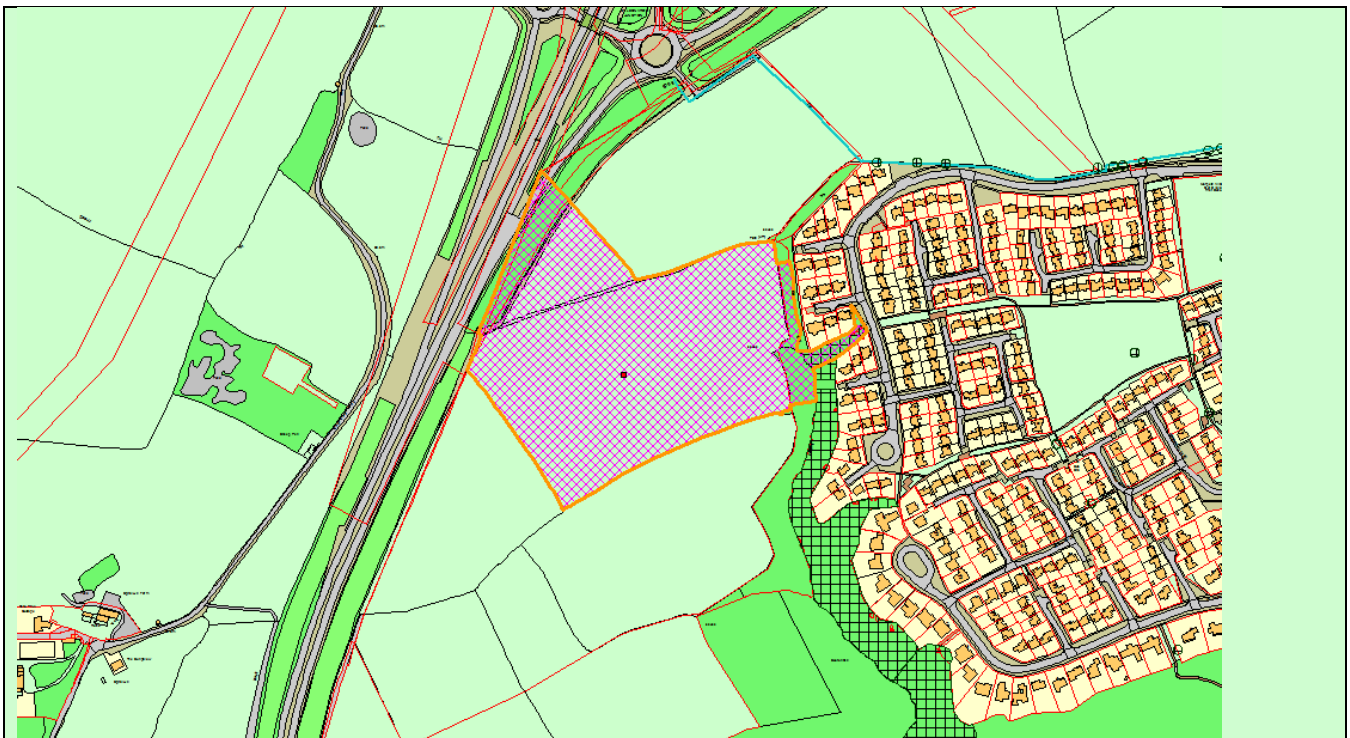


Northumberland County Council

STRATEGIC PLANNING COMMITTEE 1st November 2022

Application No:	19/01362/REM		
Proposal:	Reserved matters application for appearance, landscaping, layout, and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022).		
Site Address	Land West of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth, Northumberland		
Applicant:	Nicola Reed, Persimmon Homes, 2 Esh Plaza, Sir Bobby Robson Way, Newcastle Great Park, NE13 9BA	Agent:	None
Ward	Longhorsley	Parish	Mitford
Valid Date:	6 May 2019	Expiry Date:	3 rd November 2022
Case Officer Details:	Name: Mr David Love Job Title: Senior Planning Officer Email: David.love@northumberland.gov.uk		

Recommendation: That this application be GRANTED Reserved Matters Approval



1. Introduction

- 1.1 This application is being referred to Strategic Planning Committee for a decision due to the scale of development proposed and because of the subject of the significant level of public interest in this proposal. Also, for consideration on the agenda for this committee are related applications for reserved matters approval for a Trunk Road Service Area, Hotel, and Innovation Centre on adjacent land to the north (18/03394/REM).

2. Description of the Application Site & Proposal

- 2.1 The application site covers a section of the northernmost part of the site in respect of which outline planning permission was granted for mixed-use development under application 16/00078/OUT. The outline approval granted permission for a trunk road service area incorporating a hotel (circa 60 beds), restaurant/public house (550 square metres), petrol filling station and amenity building including retail (circa 650 square metres), hot food (circa 650 square metres) and supporting facilities (circa 400 square metres), B1 employment (circa 2100 square metres in the form of an Innovation Centre), up to 150 residential units of which 30% would be affordable), open space, SUDs, allotments and landscaping, countryside park including car parking, foul pumping station and creation of new access off Morpeth Northern By-Pass.
- 2.2 The site the subject of this Reserved Matters application is bounded to the north by undeveloped land within the wider outline planning permission site which is the subject of related application 18/03394/REM and beyond this the St. Leonard's Junction of the Morpeth Northern Bypass with the A1. To the east is the Lancaster Park housing estate. To the south is undeveloped land within the wider outline planning permission site earmarked for redevelopment as a countryside park. To the west is the A1.
- 2.3 This application seeks approval for reserved matters details in respect of layout, appearance, scale, and landscaping for 150 dwellings with associated infrastructure including access roads, parking, and landscaping. Also covered is the countryside park with associated infrastructure such as car parking.
- 2.4 The proposed dwellings would be provided within 3 areas of the site each separated from the other by existing hedge/tree planting which would be retained. In this regard a small group of 21 dwellings would occupy a triangular shaped area at the northern end of the site bounded by the commercial area the subject of application 18/03394/REM to the north and east, the A1 to the west and an existing area of tree/hedge planting running east-west to the immediate south. A further small group of 21 dwellings would be sited at the southernmost part of the site to the south of another east-west area of existing hedge/tree planting, with the remaining 108 dwellings occupying the central part of the site.
- 2.5 The main access to the proposed dwellings for vehicles and pedestrians would be from the commercial area to the north the subject of application

18/03394/REM. A cycleway/footpath only connection would also be provided in the northeast corner of the site from the proposed housing area through Scotch Gill Wood to connect with Pinewood Drive.

- 2.6 A total of 18 house types are proposed. These comprise a mix of 6 x 2 bed bungalows, 8 x 2 bed houses, 30 x 3 bed houses, 69 x 4 bed houses and 37 x 5 bed houses. Dwelling heights range from 1 to 2.5 storeys with most dwellings being 2 storeys in height. A mix of terraced, semi-detached, and detached units are provided.
- 2.7 30% of the proposed dwellings (i.e., 45 units) would be affordable dwellings. These would comprise 20 affordable rented units (3 x 2 bed bungalows, 6 x 2 bed houses, 9 x 3 bed houses and 2 x 4 bed houses) and 25 Discount Market Value (DMV) sale units (3 x 2 bed bungalows, 6 x 2 bed houses and 16 x 3 bed houses).
- 2.8 SUDs basins are proposed in the east, west and south areas of the site. Linear areas of open space are proposed running in a north-south direction at the eastern and western boundaries of the site connected east to west by two areas of open space. All these areas incorporate existing tree/hedge planting. A more middle area of open space is also provided for. An existing strip of woodland between the site and existing dwellings on Pinewood Drive would be retained.
- 2.9 A small electricity substation and a foul sewage pumping station to serve the development are proposed in the north and west of the site, respectively.
- 2.10 In terms of the Environmental Impact Assessment (EIA) Regulations, a screening opinion was adopted by the County Council in respect of the outline application to which this current Reserved Matters application is pursuant. That opinion concluded that an Environmental Statement was not required in respect of the outline application. Matters relating to the EIA Regulations have been considered again in respect of this current application. Having regard to these Regulations, relevant material planning considerations including representations received from objectors who consider that an Environmental Statement should have been submitted with this application, comments from consultees and the cumulative environmental impact of the proposals when taken together with other proposals/planning approvals for the outline permission site and other nearby sites the County Council has adopted a further EIA Screening Opinion which has been agreed by the applicant. This once again states that an Environmental Statement is not required in respect of this current application.

3. Planning History

Reference Number: 14/03354/SCREEN

Description: Proposed screening for outline planning application

Status: EIANR

Reference Number: 15/01285/OUT

Description: Outline application for a mixed use development comprising of Trunk Road Service Area incorporating a hotel (circa 60 beds), restaurant / public house (550 sqm), petrol filling station and amenity building including retail (circa 650sqm), hot food (circa 400 sqm) and support facilities (circa 400 sqm), B1 employment (circa 400 sqm),

residential (up to 280 units), open space, SUDS, allotments and landscaping, Countryside Park including car parking, sewage treatment plant and foul pumping station and creation of new access off Morpeth Northern By- Pass

Status: REF

Reference Number: 16/00078/OUT

Description: Outline application for a mixed use development comprising of trunk road service area incorporating a hotel (circa 60 beds), restaurant/public house (550m²), petrol filling station and amenity building including retail (circa 650m²), hot food (circa 400m²) and supporting facilities (circa 400m²), B1 employment (circa 2100m² in the form of an Innovation Centre), residential (up to 150 units of which 30% would be affordable), open space, SUDs, allotments and landscaping, countryside park including car parking, foul pumping station and creation of new access off Morpeth Northern By-Pass.

Status: PER

Reference Number: 18/02169/NONMAT

Description: Non-material amendment relating to planning permission 16/00078/OUT to make amendments to the wording of conditions 4, 6, 8, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 32, 33, 34, and 35

Status: PER

Reference Number: 18/03339/DISCON

Description: Discharge of Condition 11 (Phasing Plan for the timing and delivery of the development) on approved planning application 16/00078/OUT

Status: PCO

Reference Number: 18/03394/REM

Description: Reserved Matters Application relating to 16/00078/OUT - Development of Phase 1 of proposals which include Trunk Road Service Area, Hotel and Innovation Centre plus associated access, parking, landscaping, and other associated infrastructure

Status: PCO

Reference Number: 19/01471/DISCON

Description: Discharge of Conditions 4 (boundary treatment), 6 (car parking area), 8 (pedestrian and cyclist links), 12 (street maintenance), 13 (engineering details), 14 (cycle parking), 15 (surface water drainage), 16 (framework travel plan), 18 (construction method statement), 19 (refuse storage), 23 (mitigation measures), 25 (tree protection), 27 (landscaping), 31 (flood risk assessment) and 37 (acoustic design scheme) in relation to 16/00078/OUT

Status: PCO

Appeals

Reference Number: 16/00011/REFUSE

Description: Outline application for a mixed use development comprising of Trunk Road Service Area incorporating a hotel (circa 60 beds), restaurant / public house (550 sqm), petrol filling station and amenity building including retail (circa 650sqm), hot food (circa 400 sqm) and support facilities (circa 400 sqm), B1 employment (circa 400 sqm), residential (up to 280 units), open space, SUDS, allotments and landscaping, Countryside Park including car parking, sewage treatment plant and foul pumping station and creation of new access off Morpeth Northern By- Pass

Status: WTHD

4. Consultee Responses

Mitford Council	Parish	No objections.
Morpeth Council	Town	<p>Object to the application.</p> <p>Given that the housing element of the original Outline Consent was only approved on the grounds that it was required to make the employment site “financially viable” – we argue that this application should not be considered for approval unless/until the employment site application is approved in full accordance with our comments as above.</p> <p>And, with two separate developers now involved, both expecting to make a commercial profit on the separate developments, we find the original argument about the need for housing difficult to accept. If possible, we believe that an “open book” viability assessment should be carried out on both proposals to verify the original claim that the housing element is required.</p> <p>We maintain our original objections which we do not believe have been adequately addressed by further information from the developer. These include:</p> <ul style="list-style-type: none"> • The need for up-to-date species surveys and implications for hedgerow retention and maintenance. • The inconsistency of the plans with the approved landscape, highways, footpaths, cycleways, and emergency access route plans for the entire site. • As well as the "procedural" grounds for not splitting a single outline permission, the infrastructure (road access etc) required for the housing element relies on delivery of the employment element, and separate delivery will pre-empt prejudice of a separate application for the employment element. • The cycleway did not form part of the original application and there are concerns that this will not only have an adverse effect on the wildlife corridor and green space but also the privacy and security of existing residential properties (Policy Des1 - D, F, H, Policy Env1); • There are concerns with regards to flooding on the site and potential pollution of the Scotch Gill water course (Policy Des1 - L, Policy Inf1). <p>Specific Additional Points:</p> <p>i) We note that the developer claims that the original Outline Consent establishes “the principle of housing on the site.” We would argue strongly that this is not the case, given the particular circumstances of and grounds for that consent. It was a one-off approval against the recent (six months old) Neighbourhood Plan, which does not establish</p>

	<p>any sort of “general principle”</p> <p>ii) The developer justifies 5-bedroom houses on the grounds that there are houses of a similar size in Fulbeck The Dell, the entrance to Lancaster Park and Pottery Bank Court. We argue that the first two locations comprise individual houses rather than an estate and that all three locations are not sufficiently close to the proposed development.</p> <p>iii) The developer measures the proposal against Morpeth Neighbourhood Plan Policy Set 1. We disagree that M: Merely meeting existing building regulations on renewable energy and low carbon buildings does not meet the standard “encourage the use of...”</p> <p>The development relies on the other part of the development to provide infrastructure and services – which is a very practical reason it should not be approved without the employment element. We note that public transport provision for the whole development will be addressed by having a bus stop at the service station, which might be served by the X14 and X15. Otherwise, the estate relies on the bus routes running past the entrance of Lancaster Park 0.8 Km away (assuming pedestrian links are in place)</p> <p>iv) We do not find that the developer has submitted evidence that the proposals for a “Countryside Park” do not impact on the purpose and functions of the Local Wildlife Site as set out in its original designation as required by MNP Policy Env 5 <i>“There is a presumption against development of or near these sites, which will harm or put at risk their effectiveness as a wildlife habitat or refuge, as described in their designation. Any development impacting on any of these sites must include mitigation measures that ensure that the sites maintain their function effectively.”</i></p> <p>We also re-iterate our request for clarity on the Section 106 position and confirmation as to whether Persimmon Homes (North East), as applicant, will be taking on responsibility for the relevant aspects (including education funding provision). We also note that the education provision, at £1,333 per dwelling, was agreed before the County Council realised it had made errors in its school place provision calculations. It addressed this and or subsequent applications requested £6,674 per dwelling (e.g., 16/02336/FUL amongst others).</p>
Hebron Parish Council	No response received.
Environment Agency	No comments.
Lead Local Flood Authority (LLFA)	The LLFA have no objections to application 19/02562/REM subject to the following documents being listed as approved documents and a verification report condition.

	<ul style="list-style-type: none"> • Microdrainage calculations, 1 year, 30-year, 100 year + 45% CC "File Mitford 15-04-21.MDX" provided to the Council 30/08/2022 • SUDs Source Control Drainage Strategy Ref 1878 51 issue P5 dated 30/08/2022 • Proposed Drainage Layout - Sheet 1 of 4 Ref 1878 issue P10 dated 30/08/2022 • Proposed Drainage Layout - Sheet 2 of 4 Ref 1878 issue P9 dated 30/08/2022 • Proposed Drainage Layout - Sheet 3 of 4 Ref 1878 issue P8 dated 30/08/2022 • Proposed Drainage Layout - Sheet 4 of 4 Ref 1878 issue P10 dated 30/08/22 • Proposed Drainage Layout Ref 19056 02 Issue P4 dated 04/09/2022 • SuDS details Ref 1878 25 Issue P6 dated 04/09/2022 <p>Conditions 29-35 of decision notice 16/00078/OUT will still need to be discharged prior to construction/occupation retrospectively.</p>
Public Protection	No objections.
County Ecologist	No objection subject to conditions regarding ecology mitigation and implementation in accordance with submitted plans/documents.
Natural England	The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. No objections.
Highways	No objection subject to conditions
National Highways (Highways England)	No objection.
North Trees and Woodland Officer	No response received.
Countryside/ Rights of Way	Parish of Mitford Public Footpath No.13 runs further to the northeast of the proposed site. They have no objection to the application on the condition that Public Footpath No.13 is protected throughout. No action should be taken to disturb the path surface, without prior consent from us 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.
County Archaeologist	No objection subject to conditions.
Building Conservation	The proposed development site lies due west of Morpeth Conservation Area and is situated due north of the Grade II listed Highford Bridge ¹ , the Grade II listed Mill House ² and Old Abbey Mill ³ and the Grade II Newminster Abbey ⁴ and ruined Abbey complex, also a Scheduled Ancient Monument under the

	<p>Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance.</p> <p>We have found that the setting of the listed buildings is preserved as the development proposals do not result in harm to their setting and significance.</p>
Waste Management – North	Various comments received regarding layout and how this might impact on the refuse strategy / recovery.
Education - Schools	No response received.
Fire & Rescue Service	<p>The proposed development does not appear to conform to Approved Document B Vol 1: Dwellings, Section 13 Vehicle Access. In particular, plots shown as having shared drive Access.</p> <p>For dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house.</p> <p>Access routes and hardstanding's should comply with the guidance in Table 13.1 of the above approved document.</p> <p>Dead-end access routes longer than 20m require turning facilities and should comply with the guidance in Table 13.1 of the above approved document.</p>
Northumbrian Water Ltd	The updated drainage layout (Parts 1-4 Rev.P8 dated July 2021) remain acceptable to Northumbrian Water. Any planning approval granted should list the latest version of the drainage plans as part of the approved documents list and the scheme should be implemented in accordance with those details.
Northumbria Ambulance Service	As an emergency service we may be required to use the above road(s) for access and egress in the event of being activated to attend an emergency call or convey patients to hospital for out-patient appointments.
Northumberland Wildlife Trust	<p>Would like to echo the comments of the County Ecologist dated 24 August 2020. NWT are concerned about the impact to the Wansbeck and Hartburn Woods Local Wildlife Site (LWS), which lies directly east of the proposed development, particularly given the appearance of a proposed footpath on the revised site layout plan. The impact of this footpath to the LWS has not been assessed, nor any mitigation proposed. It would therefore be inappropriate for the development to proceed until this has been addressed.</p> <p>No response received to later re-consultation on further documentation.</p>
Architectural Liaison Officer - Police	No objection to this development.

	<p>However, they note the following:</p> <p>Thank you for sending through the above planning application, we have no objections from a crime prevention point of view, however I have noted the footpath access leading from the proposed development through to Lancaster Park and whilst we understand the need for connectivity, we also need to balance this with security and public safety. If no alternative route can be found that avoids access via an established cul-de-sac, the footpath should be at least 3m wide, well maintained (to enable natural surveillance) and be lit to BS5489-1:2020 which is the industry standard for road and public amenity lighting.</p>
Affordable Housing	No objections.
The Coal Authority	Site does not fall within the Development High Risk area and therefore the Coal Authority's Standing Advice is referred to.
Strategic Estates	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	321
Number of Objections	173
Number of Support	0
Number of General Comments	0

Notices

General site notice 17 June 2019, 17th August 2022

Morpeth Herald 30th May 2019

Northumberland Gazette, 18th August 2022

Summary of Responses:

A summary of the concerns raised by objectors is as follows:

Changes from original permission

Change of layout will impact nature reserve

Application far removed from original outline app

Applicants allowed to amend and resubmit plans over 5 years

Changed plans, scale & layout – should be new planning application

Continuously changing the plans, now larger and encroaching woodland

Employment numbers reduced

Houses being built before Innovation Centre

Innovation Centre has been reduced to small industrial units

Pub/restaurant changed to drive thru

No country park, car park, or picnic area

Amenity building now 50% larger

Acoustic fencing/barriers not in the original plan

Buffer to ancient woodland reduced in size
Hotel reduced in size and employment and different location
The footpath/cycleway connection to Lancaster Park missing/changed
Acoustic fencing/barriers were never in the original plan
No proposals for an emergency access road
Extra fuel station
Higher visibility from A1
No central village green
No allotments
More houses, smaller space for housing and closer to TRSA

Noise/light/air pollution

Noise pollution related to construction and development – houses too close to A1
Air pollution
Noise pollution and air pollution will remain above WHO recommended levels despite acoustic fencing
Light pollution

Drainage Issues

Issues identified by the Lead Local Flood Authority
Drainage system – flood risks and surface water issues
Surface water draining directly into Scotch Gill then river endangering wildlife

Land

Building on green belt
Building on productive farmland
Outside of settlement boundary

Economy

Development will draw custom away from small businesses in Morpeth town centre
Trade at Fairmoor garage will be affected
Housing was alleged to be necessary to underwrite the viability of development

Amenity/environment/crime/design

Bat survey out of date
Impact on surrounding area, green fields, and woodland
Impact wildlife and ecology
Cut through to Lancaster Park will impact woodland, wildlife and children playing
Acoustic barriers will create eyesore
Environmental hazards/damage
Increase in litter
Increase in criminal behaviour
Increase in traffic
Potential road safety issues
Deterioration quality of life for existing residents
The parking and manoeuvring area for HGVs too close to housing
Impact on infrastructure and local services
Effect character of market town
Basic buildings – no architectural merit
Overprovision of housing of this type in Morpeth and sufficient new housing estates
Will create urban sprawl
Affordable housing in most undesirable location

Other

Should be scrutinised and decided by county councillors on the committee and not by planners

In breach of neighbourhood plan

Deadlines have been missed

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

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=PQKOTSQS0K500>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan

STP 2 – Presumption in favour of sustainable development (Strategic Policy)

STP 3 – Principles of sustainable development (Strategic Policy)

STP 4 – Climate change mitigation and adaptation (Strategic Policy)

STP 5 – Health and wellbeing (Strategic Policy)

STP 6 – Green Infrastructure (Strategic Policy)

STP 7 – Strategic approach to the Green Belt (Strategic Policy)

STP 8 – Development in the Green Belt (Strategic Policy)

HOU 5 – Housing types and mix

HOU 6 – Affordable housing provision (Strategic Policy)

HOU 9 – Residential development management

QOP 1 – Design principles (Strategic Policy)

QOP 2 – Good design and amenity

QOP 3 – Public realm design principles

QOP 4 – Landscaping and trees

QOP 5 – Sustainable design and construction

QOP 6 – Delivering well-designed places

TRA 1 – Promoting sustainable connections

TRA 2 – The effects of development on the transport network

TRA 4 – Parking provision in new development

ICT 2 – New developments

ENV 1 – Approaches to assessing impact of development on the environment

ENV 2 – Biodiversity and geodiversity

ENV 3 – Landscape

ENV 7 – Historic environment and heritage assets

WAT 1 – Water quality

WAT 2 – Water supply and sewerage

WAT 3 – Flooding

WAT 4 – Sustainable Drainage Systems

POL 1 – Unstable and contaminated land

POL 2 – Pollution and air, soil, and water quality

INF 1 – Delivering development related infrastructure (Strategic Policy)

INF 5 – Open space and facilities for sport and recreation

INF 6 – Planning obligations

Morpeth Neighbourhood Plan 'Made' 2016

Plan Objective 1 – Historic Market Town Character (PO1)

Plan Objective 2 – Rural Service Centre (PO2)

Plan Objective 3 – Accommodating Growth (PO3)

Plan Objective 8 – Natural and Heritage Assets (PO8)

Policy Sus1 - Sustainable Development Principles

Policy Des1 – Design Principles

Policy Env1- Landscape and Wildlife Corridors

Policy Hou3 – Housing Mix

Policy Hou4 – Delivering Affordable Housing

Policy Hou5 – Infrastructure to serve new Housing Development

Policy Tra3 – Transport Requirements for New Developments

Policy Tra4 – Development of Footpath and Cycleway Networks

Policy Inf1 – Flooding and Sustainable Drainage

6.2 National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide

National Model Design Code

6.3 Other Documents/Strategies

Northumberland Landscape Character Assessment

7. Appraisal

7.1 It is considered that the main planning issues raised relate to:

- Principle of development
- Impact on the character and appearance of the area
- Residential amenity impact
- Highway safety/transportation matters
- Flooding and drainage
- Ground contamination/stability
- Ecology matters
- Archaeology
- Housing mix and affordable housing
- Open space and play provision

Principle of Development

Policy weight

7.2 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 the Morpeth Neighbourhood Plan and the Northumberland Local Plan. The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are material considerations in determining this application.

Principle of development approved by outline permission

- 7.5 The principle of development on this site was approved in November 2016 through the granting of outline planning permission 16/00078/OUT, with this current application being a reserved matters application pursuant to that outline permission which seeks approval only for detailed matters of layout, appearance, scale, and landscaping in respect of part of the northern area of the outline permission site.
- 7.6 As such it is not considered that weight can be given in consideration of this reserved matters application to objections related to development outside of the defined settlement boundaries for Morpeth in the Morpeth Neighbourhood Plan and Northumberland Local Plan, loss of agricultural land, concerns regarding the over provision of housing within Morpeth and querying of the viability assessment submitted at outline stage and the contention of the applicant related to this that the housing element of the scheme covered by this reserved matters application was necessary to deliver the commercial elements covered by application 18/03394/REM for the adjacent land to the immediate north.
- 7.7 Concern has also been expressed by objectors that the reserved matters details submitted do not conform with a Masterplan drawing that was submitted with the outline application. However, that Masterplan drawing was for illustrative purposes only and no conditions on the outline permission require compliance with that drawing, with the outline permission clearly stating in condition 3 that matters concerning layout, scale, appearance, and landscaping were reserved for later approval.
- 7.8 The details submitted under this application which relate to 150 dwellings are considered to fall within the terms of the outline permission which permitted up to 150 dwellings as part of a mixed-use development of the wider site.

Green Belt Policy

- 7.9 At the time of the original outline application the predominant interpretation of the former Joint Structure Plan Policy S5 by County Council Officers at the time that the outline planning permission for this site was considered back in 2016, which was not challenged by the Planning Inspectorate or Secretary of State in respect of contemporary housing development appeals concerning the Loansdean and Stobhill sites in South Morpeth, was that on sites such as this close to defined settlement boundaries, it was not possible to determine with certainty whether or not sites fell within the Policy S5 Green Belt extension area due to the inner boundaries of that extension area not having been defined and therefore that such sites should not be considered as being in the Green Belt for the purposes of Policy S5.
- 7.10 However, appeal decisions alongside Upper Tier Lands Tribunal and Court of Appeal decisions/judgements in 2020 and 2021 relating to a Certificate of Appropriate Alternative Development application in respect of land Compulsorily Purchased from Leech Homes for the nearby Morpeth Northern Bypass have taken the view that sites such as this which fulfil one or more the Green Belt purposes identified in NPPF paragraph 138 should be categorised as lying within the Policy S5 Green Belt extension area and are therefore in the Green Belt. However, the Court of Appeal ruling states that in such

circumstances a Local Planning Authority may determine that a particular site is not in the Green Belt if there are 'sufficient reasons' for coming to such a view. For the avoidance of doubt, the outline permission remains lawful and valid despite the Court of Appeal's judgment explaining a different policy approach to the one taken earlier.

- 7.11 The officer report to Strategic Planning Committee in respect of outline planning application 16/00078/OUT gave significant weight to the Green belt boundaries proposed at that time in the County Council's emerging Core Strategy. The illustrative site masterplan drawing submitted with that application showed only a small southern part of this housing element of the proposed development (now proposed as a location for 21 of the 150 dwellings proposed) in addition to the countryside park area within the Green Belt as proposed by the emerging Core Strategy. The officer report expressed the view that whilst the minor incursion of the housing scheme element into the proposed Green Belt resulted in the proposals being inappropriate development in the Green Belt it was considered that there were very special circumstances that justified a grant of planning permission with reference in this regard being made to the provision of a managed country park, 30% affordable housing provision, significant employment provision and the need in viability terms for the housing element to bring forward that employment provision.
- 7.12 The above-mentioned emerging Core Strategy was never progressed to adoption, although the proposed Green Belt boundaries outlined in that document regarding this site have been carried forward unchanged into the County Council's recently adopted Local Plan.
- 7.13 Given the change to spatial policy resulting from the adoption of the Northumberland Local Plan the principle Green Belt assessments falls under Policy STP 7 (Strategic approach to the Green Belt (Strategic Policy)).
- 7.14 In assessing this current Reserved Matters application against Green Belt policy regard needs to be had to the outline planning permission covering the site that has already been granted and which remains extant and to which this reserved matters application is pursuant. That outline permission gave approval for certain types of development and specified some parameters also regarding the quantum of such development. That permission applied to a specified site and the land to which this reserved matters application relates comprises part of that site. The outline permission and its associated conditions did not specify where within its application site the various types of development proposed should be accommodated nor were any limits placed on the height of the various development types approved. Nevertheless, it is noted that the housing covered by this reserved matters application occupies the area shown for such development types on the illustrative masterplan that accompanied the outline application.
- 7.15 It is evident that the land the subject of this reserved matters application contributes to the NPPF paragraph 138 Green Belt purposes of safeguarding the countryside from encroachment and assisting in urban regeneration by encouraging the recycling of derelict and other urban land. As such ordinarily it would be appropriate to take the view that the site lies within the Green Belt for the purposes of Policy STP 7. However, as stated above, the Court of Appeal in their recent judgement have stated that a Local Planning Authority may

legitimately take the view that a site within a General Extent Green Belt area such as this is not in the Green Belt because there are 'sufficient reasons' to exclude it from the Green Belt. In this instance the existence of extant Outline Planning Permission 16/00078/OUT for built development on the site and the opinion of officers, as outlined earlier, that the details proposed in respect of this pursuant Reserved Matters submission are within the terms of that outline permission are considered to amount to 'sufficient reasons' for excluding the land the subject of this Reserved Matters application from the Green Belt. Officers reach this conclusion as a matter of planning judgment, considering the above matters.

- 7.16 As such, it is not considered necessary to assess this Reserved Matters application further against Green Belt policy as outlined in the NPPF, adopted Local Plan, or 'Made' Neighbourhood Plan.
- 7.17 Bearing in mind all the above, the principle of the development proposed under this Reserved Matters application is considered acceptable.

Impact on the character and appearance of the area

- 7.18 With regard to character and appearance matters, the key development plan policies are QOP 1 and QOP 2. Policy QOP 1 states that all development proposals should "*Make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography*". Development should also respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials, and detailed design features. Development should also safeguard, respect, and enhance the natural environment as well as biodiversity, landscape, wildlife corridors and the countryside, incorporating where appropriate biodiversity, landscaping and public and private open spaces which meet the County Council's open space standards and supports the creation of wildlife corridors. Proposals will need to consider heritage assets where appropriate.
- 7.19 Policy QOP 2 refers to good design and amenity matters. The Policy aims to ensure that "*Development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area.*" Furthermore, applicants will need to consider the impacts on neighbouring uses and ensure they are compatible.
- 7.21 NPPF paragraph 130 in respect of character and appearance matters states that planning decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change and establish 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.
- 7.22 Paragraph 131 states that trees make an important contribution to the character and quality of urban environments. Planning decisions should ensure that new

streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible.

- 7.23 NPPF paragraph 134 advises that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes.
- 7.24 For the purposes of paragraph 134 local design policy for the proposals the subject of this application with regard to character and appearance matters is as set out in NLP (Northumberland Local Plan) Policies HOU9 and QOP 1,2,3 and 6 with these latter Policies reflecting the NPPF in seeking to ensure that proposed developments are of a high-quality design which reflects local character. The government guidance on design referred to is the National Design Guide and National Model Design Code.
- 7.25 The National Design Guide identifies 10 characteristics of good design – context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources, and lifespan. The National Design Code provides detailed guidance on the production of design codes, guides, and policies to promote successful design. In this regard it expands upon the 10 characteristics of good design identified in the National Design Guide.
- 7.26 For the purposes of the Northumberland Landscape Character Assessment the site lies at the boundaries of Landscape Character Areas 35b – Font & Wansbeck Valley within Landscape Character Type Broad Lowland Valleys and 38b – Longhorsley within Landscape Character Type Lowland Rolling Farmland both of which extend westwards and northwards respectively from the site into the rural hinterland of Morpeth. Most of the site except for a small triangular area in its northwest corner lies within an Area of High Landscape Value.
- 7.27 The landscape character of the site is heavily influenced by its edge of Morpeth location with built development and roads impacting on such character. These influences include the A1 to the west, the Morpeth Northern bypass to the north, built development along the A192 corridor including recently constructed housing at Northgate Hospital, Fairmoor, Fulbeck and Pottery Bank and the Lancaster Park housing estate to the east. As such the locality within which the site lies is considered to have a semi-rural character but with significant built development influences. The nearby housing areas referenced above have varied characters and when taken together with other more established built development at Fairmoor the surrounding locality is not considered to possess overall a distinctive built vernacular. Significant area of tree and hedge planting do exist in the locality with the application site being bordered by such existing planting, with the trees and adjacent buffer land in the east of the site subject ecology designations in the Local Plan being retained.
- 7.28 The layout has been heavily influenced by the decision made at the outline stage that set an expectation for a certain design level. The proposed site layout and dwellings are considered acceptable in design terms and in respect of their impact on the character and appearance of the area. However, the layout is

acknowledged not to meet the design standards now expected within Northumberland. The layout offers no sense of place other than through materials and house design. However, the proposed dwellings provide attractive frontage to the roads within the site, whilst being well spaced across the site with generous landscaping to road frontages and site boundaries to reflect the semi-rural location of the site. Existing trees/hedges to field boundaries in the northern and southern parts of the site are retained and incorporated into the site layout along with existing trees to the east and west boundaries including the trees and adjacent buffer to the eastern side of the site the subject of ecology designations in the NLP. The main spine road through the site which includes a central village green area provides a visual core to the layout. Pockets of cul-de-sac development are provided off this spine road and the more rural character of the site edges is respected using shared private drives which will give a softer, less engineered transition between the areas of built development and the site's soft landscaped edges. Overall, in terms of landscape impact there will clearly be some detrimental impact on landscape character arising from the loss of open agricultural land to built development. However, the principle of the quantum of development currently proposed has already been agreed at outline stage and as stated above key landscape features of greatest significance are retained.

- 7.29 In terms of building design, a mix of detached, semi-detached, and terraced dwellings are proposed with these ranging from bungalows to 2.5 storeys in height. The mix proposed, dwelling heights and elevational detail to dwellings is considered acceptable. Dwellings would utilise a range of red and buff brick and render facing materials with a mix of red and dark grey roof tiles. Overall, the proposals would ensure that the development provides for visual interest and engenders a sense of place and identity. A condition would be required to ensure that the precise specification of these materials is agreed.
- 7.30 In accordance with NPPF paragraph 131, the proposed landscaping scheme provides for tree-lined streets, with new tree planting also proposed in other key locations such as the new village green and site edges. New planting also includes native tree, hedge, and shrub planting. As stated above existing trees/hedges are also retained within and to the site boundaries.
- 7.31 No elevation details have been supplied regarding the small pumping and sub-stations proposed and therefore a condition is suggested regarding this matter.
- 7.32 Overall, the proposals are considered acceptable in terms of their impact on the character and appearance of the area.

Residential amenity impact

- 7.33 In assessing residential amenity matters consideration needs to be given to the following areas – privacy, outlook and daylight/sunlight impacts arising from the proposed development to existing and future residential occupiers, community safety issues related to crime and environmental protection matters related to noise, air pollution, light pollution, and ground contamination/stability.
- 7.34 Turning firstly to the matter of privacy, outlook and daylight/sunlight impacts arising from the proposed development to existing and future residential occupiers, NLP policies HOU 9 and QOP 2 state that proposals should not

cause unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties.

- 7.36 In these respects, the proposals are considered acceptable. The nearest existing dwellings on Pinewood Drive within the Lancaster Park housing estate lie at least 57 metres from the nearest proposed dwellings. In terms of the commercial development proposed to the north of the site as part of application 18/03394/REM considered elsewhere on this agenda, proposed dwellings would have a separation distance from the innovation units building (the nearest proposed building) of at least 47 metres. Furthermore, all these existing and proposed dwellings would be screened to a degree from the above-mentioned neighbouring dwellings/buildings by existing retained tree planting. Within the site itself the relationship between proposed dwellings is likewise considered acceptable with separation distances of at least 19 metres between elevations with habitable room windows with most such relationships being more than 20 metres and satisfactory habitable room window elevation to gable elevation distances of at least 11 metres which is also considered satisfactory.
- 7.37 Given the above it is not considered that significant harm would arise to residential amenity in terms of loss of privacy, outlook, or daylight/sunlight impacts.
- 7.38 Moving onto the matter of community safety issues related to crime, Policies QOP 1 and QOP 3 states that proposed site layout and development design should create safe and secure environments. Developers must be able to demonstrate that proposals have taken the concept of 'designing out crime' into consideration. Assessment of those measures will take account of advice in Circular 5/94 - Planning Out Crime [now expired]. Conditions may be imposed to ensure measures are implemented.
- 7.39 Northumbria Police have advised that they have no objection in principle to the proposed development, although they raise some detailed matters related to lockable gates and fencing in shared rear alleyways. This has been adjusted in recently updated plans. The play area is unfortunately located to the west of the housing area within the country park area. Ideally this should be within the residential area and benefiting from passive surveillance. This is a hangover from the requirements of the outline consent. Furthermore, the proposed new footpath through the Scotch Gill linking the residential development with Lancaster Park will need to be a 3m wide hard engineered solution with appropriate levels of lighting for safety, culvert and DDA compliance.
- 7.41 Objectors have raised concerns that crime and anti-social behaviour would increase within the adjacent Lancaster Park housing estate given the presence of the proposed development and the connections proposed between the scheme and that estate. However, the Police have raised no objections in this regard and there is already a public footpath connection between the St. Leonard's junction and the Lancaster Park estate that runs through the site to the north, which it is proposed retain as part of the proposed neighbouring scheme, albeit on a diverted route within that application site. Under this application the further pedestrian/cyclist route is proposed through Scotch Gill connecting the proposed housing area with Pinewood Drive but again there is no evidence that this would give rise to increased crime and anti-social

behaviour and a condition is suggested regarding the details of lighting to this link further improve its safety.

- 7.42 Overall, as stated above, the Police raise no objections in principle and it is considered that the proposals are acceptable in community safety.
- 7.43 Finally, as regards environmental protection matters related to noise, air pollution, light pollution, and ground contamination/stability. The Council's Public Protection team raise no objections
- 7.44 In terms of noise matters, condition 36 of the outline planning permission states that prior to the construction of the proposed commercial area, a noise impact assessment shall be undertaken in accordance with BS4142:2014, Method for rating and assessing industrial and commercial sound, to demonstrate that the cumulative noise rating level from all sources of an industrial or commercial nature, does not exceed the representative background noise levels at the closest existing and proposed dwellings by more than 5dB(A) during the daytime (0700hrs - 2300hrs) and night time (2300hrs - 0700hrs) periods. The rating limit at the closest receptors will be determined following background noise monitoring prior to the construction of the proposed commercial area, in order to obtain representative noise levels upon completion of the Morpeth Bypass.
- 7.45 Condition 37 in respect of the housing element covered by this application states that no dwelling shall be constructed until an acoustic design scheme has been submitted and approved in writing by the Local Planning Authority. This scheme shall demonstrate that internal noise levels of 35dB Laeq during the daytime (0700hrs - 2300hrs) in living rooms and bedrooms and 30dB Laeq and 45dB(A) L_Amax during the night-time period (2300hrs - 0700hrs) in bedrooms, can be achieved. The scheme shall include internal room layouts to show that main habitable bedrooms have access to a window which can be opened without causing an exceedance of the L_Amax level during the night-time period.
- 7.46 A Noise Assessment has been submitted with this Reserved Matters application which demonstrates that the requirements of condition 37 can be met subject to appropriate mitigation including suitably specified glazing and the provision of acoustic fencing to some rear garden boundaries closest to the A1. Details have also been submitted under related application 19/01471/DISCON elsewhere on this agenda for discharge of this condition. The Council's Public Protection team have advised that they have no objections to the proposals. A condition is suggested to secure implementation of the noise mitigation outlined in the applicant's submitted noise assessment.
- 7.47 In respect of the proposed commercial development area to the north the subject of application 18/03394/REM elsewhere on this agenda, a Noise Assessment has also been submitted with that Reserved Matters application which demonstrates that the requirements of outline permission condition 36 are satisfied subject to a 2.5-metre-high acoustic fence being provided to the south site boundary and a 3-metre-high acoustic fence being provided to the west site boundary. A condition is suggested in respect of that application to secure provision of these.

- 7.48 The Council's Public Protection team also suggest a condition on that application requiring a re-assessment of noise matters prior to first occupation to ensure that detailed matters not yet specified such as plant associated with the various uses proposed under that application is taken account of in respect of mitigation requirements and therefore a further condition is suggested in this regard on that application.
- 7.49 Further conditions suggested by the Public Protection team on application 18/03394/REM regarding construction working/delivery hours are also proposed to be added were this application to be approved.
- 7.50 With regard to external lighting some details have been submitted in relation to road and car parking areas but these, although considered acceptable in ecology terms, do not cover the entirety of the site. As suggested above in respect of crime prevention matters, a condition is suggested regarding the details of lighting to the footpath/cycleway link into the Lancaster Park estate.
- 7.51 In terms of ground contamination/stability matters, the Council's Public Protection team raise no objections. In respect of application 18/03394/REM a condition is suggested regarding ground gas protection, and it is proposed that this be attached also to this proposal if approved.

Highway safety/transportation matters

- 7.52 In assessing highway safety/transportation matters consideration needs to be given to matters of highway capacity, highway design, car parking, provision for pedestrians and cyclists, public transport provision and emergency access arrangements.

Highway capacity

- 7.53 Turning firstly to the matter of highway capacity MNP Policy Tra2 regarding traffic congestion states that subject to compliance with other policies in the Neighbourhood Plan and elsewhere in the Development Plan, proposals will be supported where it can be demonstrated that: they will not severely adversely impact on traffic congestion in Morpeth town centre or at key junctions within the town or wider plan area, achieved through appropriate mitigation as necessary; and additional opportunities to alleviate traffic congestion on the highway network and through improvements to pedestrian and cycling routes have been identified, considered, assessed and will be implemented subject to viability testing in accordance with paragraph 173 of the Framework.
- 7.54 MNP Policy Tra3 concerning transport requirements for new developments further states that proposals will be supported, inter alia, where it can be demonstrated that the cumulative impact on traffic flows on the highway network, including the roads within and leading to the town centre, will not be severe, unless appropriate mitigation measures are undertaken.
- 7.55 The latest version of the NPPF at paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.56 The above requirements are reflected also in NLP Policy TRA2.
- 7.57 Highway capacity matters were considered in detail at outline stage through submission and consideration of a Transport Assessment and the proposals were acceptable in terms of their impact on the capacity of the nearby strategic and local highway network. This continues to remain the case with the Council's highways team and National Highways raising no objections on highway capacity grounds, albeit that some further detailed modelling work has been requested by the Council's highways team in relation to the on-site roundabout on the adjacent 18/03394/REM application site which the applicant is currently undertaking and which it is envisaged will be agreed with the Council's highways team prior to committee. The housing scheme the subject of this application would be accessed via that adjacent site.

Highway design

- 7.58 Moving onto the matter of highway design, MNP Policy Des1 states that the layout and design of proposals should take account of the potential users of the development to provide safe, convenient, and attractive links within the development and to existing networks for people with disabilities and restricted mobility, pedestrians, cyclists, and public transport users and provide vehicular access suitable for the development's use and location. Policy Tra3 refers to the need for adequate parking and manoeuvring space within developments in accordance with Highway Authority standards. NLP Policies TRA1 and 2 reflect the above policies.
- 7.59 The Council's highway team have examined the applicant's latest site layout drawing and swept path analysis work. They express that they are content with the provision of visitor parking and note that some of this is out with the highways and in areas to be maintained by a management company. Overall adequate visitor parking has been provided evenly throughout the site. HDM (Highways Development Management) are also satisfied with the swept path analysis and satisfied that the tracking of the refuse lorry will not overrun footways.
- 7.60 National Highways raise no objection to the application.

Car parking

- 7.61 With regard to car parking MNP Policy Tra3, inter alia, states that proposals should incorporate adequate parking and manoeuvring space within the development in accordance with the Highway Authority's standards. NLP Policy TRA 4 requires adequate space to be provided around dwellings for appropriate off-street car parking.
- 7.62 NPPF paragraph 107 states that if setting local parking standards for residential and non-residential development, policies should consider: the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Paragraph 108 states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the

local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework).

- 7.63 NLP Policy TRA4 states that an appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe, accessible, and convenient locations prior to the development, as a whole or in part, being brought into use. Vehicle parking should normally be provided in accordance with the parking standards set out in Appendix D of the Local Plan, or other such local standards set out in made neighbourhood plans which will be given priority in determining the appropriate amount of parking required. Where provision is not made in accordance with the relevant standards, it must be demonstrated how the amount of parking proposed to serve the development takes into account: the scale, type, mix and use of the development; the proximity and accessibility of the development to services and facilities reasonably required by users or occupiers of the development; the availability of and opportunities for access to and from the development by public transport, walking and cycling; the potential for road safety and environmental problems as a result of increased parking demand in the area; and the extent and nature of any parking restrictions in force on highways in the area.
- 7.64 Appendix D of the NLP sets out detailed car parking provision standards. For dwellings these are specified as 2 spaces per property for 2-3 bed dwellings and 3 spaces per property for 4-5 bed dwellings. All the proposed dwellings on the layout meet these standards. There is also a requirement of 1 space per 4 units for visitors which is exceeded by this proposal which shows 50 visitor parking bays for the 150 dwellings proposed.
- 7.65 The parking provision for the scheme also includes provision for electric vehicle charging facilities. In this regard the applicant has advised that all units with garage provision (i.e., 120 out of the 150 units) will be provided with charging facilities which is considered acceptable. A condition is suggested regarding the details of such provision.

Provision for pedestrians and cyclists

- 7.66 As outlined earlier MNP Policy Des1 states that the layout and design of proposals should take account of the potential users of the development to provide safe, convenient, and attractive links within the development and to existing networks for people with disabilities and restricted mobility, pedestrians, cyclists, and public transport users and provide vehicular access suitable for the development's use and location. Policy Tra2 requires improvements to pedestrian and cycling routes to be identified, considered, assessed, and implemented in alleviating traffic congestion. Policy Tra3 states that proposals should incorporate improvements to pedestrian and cycle routes to serve the development, where appropriate, to provide safe, convenient, and attractive routes to shops, employment, schools, and community facilities and which are integrated into wider networks. Proposals should also retain existing rights of way or provide acceptable modifications to these. Finally, in terms of the MNP, Policy Tra4 states that measures to join up footpaths and cycleways into comprehensive networks will be supported with priority being given to, inter alia, creating or improving routes between the main residential areas and the

town centre and essential facilities and developing traffic-segregated pedestrian and cycle routes between schools and residential areas.

- 7.67 NLP Policy TRA 1 state that the council will support a range of transport modes with a preference for sustainable forms and ensure connection and promotion of walking and cycling routes.
- 7.68 Condition 8 of the outline permission requires the Reserved Matters details for each phase to include provision for pedestrian and cyclist connections between that phase and the Lancaster Park estate and associated improvements to footpaths within that estate.
- 7.69 A public footpath currently runs through the north and east edges of the adjacent site the subject of application 18/03394/REM connecting the St. Leonard's junction of the A1/Morpeth Northern Bypass with Pinewood Drive. This footpath is not of high quality in terms of surfacing and parts of it can be prone to surface water flooding at certain times. The proposals for that reserved matters application include for diversion of this footpath within the site utilising the 3-metre-wide footpath/cycleway which forms part of the main access route and then narrower sections of 2-metre-wide footpath for pedestrians only that would connect this to the existing public right of way north of Pinewood Drive through an open space area between the proposed hotel/bar/restaurant and Pinewood Drive. The route would be tarmacked throughout and would cover a similar distance than the existing public right of way route within the site. The applicant has also agreed to tarmac a 95-metre-long section of the existing public right of way between the application site boundary and Pinewood Drive. This enhanced footpath would be accessible to the residents of the proposed housing covered by this reserved matters application via that adjacent site.
- 7.70 The above public footpath route is not suitable for use by cyclists also as its width is only around 2 metres where it runs adjacent to Pinewood Drive and the width cannot be increased due to land ownership constraints. However, a 3-metre-wide pedestrian/cycle route is proposed as part of this application between the proposed dwellings and Pinewood Drive with this route running through the northeast corner of the site adjacent to the 18/03394/REM site. A 3-metre-wide footpath/cycleway is provided alongside the main spine road through the site with 2-metre-wide footways provided elsewhere including east-west segregated footway routes to provide for good permeability across the layout for pedestrians and cyclists.
- 7.71 Cycle parking is provided for each of the proposed dwellings either within garages serving those properties or within a rear garden shed to be provided for dwellings without garages.
- 7.72 Overall, the proposed links for pedestrians and cyclists are considered acceptable subject to conditions regarding the detailed specification in terms of surfacing, marking and signage for those sections of these routes segregated from the vehicle highway and the cycle parking facilities. The matter of lighting would be picked up through the separate condition suggested earlier in this report. However, the Council's Highway team do have concerns related to the safety of pedestrians within the site arising from the footpath. Therefore, a balance will need to be struck to ensure ecology and user safety arrangements can both be met.

Public transport provision

- 7.73 MNP Policy Tra3 states that proposals should make provision for accessible and efficient public transport routes within the development site or the improvement of public transport facilities to serve the development. NLP Policy TRA1 refers to similar matters.
- 7.74 In this regard the proposed layout for the adjacent 18/03394/REM site includes a bus layby on the north-eastern side of the main site access road with space also provided alongside that layby for a bus shelter. Such provision is required only on one side of the access road as a bus could then utilise the roundabout to the immediate south to exit the site. The Council's Highways team consider this provision to be acceptable and anticipate that the details in respect of any bus shelter would be agreed at highways technical approval stage in consultation with Mitford Parish Council.
- 7.75 It is anticipated that the above bus infrastructure will serve the X14 (Newcastle to Thropton) and X15 (Newcastle to Berwick) services which enter/exit Morpeth to the north via the A1/Morpeth Northern Bypass St. Leonard's junction with only a short diversion into the site being required. In this regard there is provision in the Section 106 Agreement that runs alongside the Section 106 Agreement for up to £4,560 per annum to be paid to the County Council for a period of 5 years to subsidise diversion of the X14 into the site and provision for a subsidy of up to £20,000 per annum to be paid to the County Council for 5 years to subsidise the cost of providing a 2 hourly Sunday bus service for the development. There would also be access via the improved footpath routes referenced earlier to Pinewood Drive which is served by the local T1A circular bus service which provides a link between the Lancaster Park estate and Morpeth Town Centre.

Emergency access arrangements.

- 7.76 The outline permission included provision for an emergency access route to the site from the B6343 to the south via the Countryside Park in the event that the main access from the St. Leonard's junction became unavailable. In this regard condition 10 of the permission states that no part of the development shall be occupied until this access route has been constructed in accordance with details submitted to and approved in writing by the Local Planning Authority.
- 7.77 An application has not yet been received to discharge that condition, although the applicant acknowledges that the emergency access route will need to be provided prior to occupation and in this regard application 18/03339/DISCON elsewhere on this agenda relating to condition 11 (phasing) of the outline permission proposes that the emergency access route is provided in the 1st phase of development.
- 7.78 Objectors have raised concern that the indicative details are not capable of being approved by the emergency services and consultee comments would support this stance. The proposed layout allows for pumping appliances to be located within 45m of all points inside the dwelling house.

- 7.79 Access routes on the adopted highways will be constructed to the Council's adoptable specification. Fire services vehicles will be able to access private drives where necessary which will be constructed to accommodate a minimum of 12.5 tonne. The proposed site layout has been amended to include appropriate turning facilities throughout the site to accommodate fire service vehicles.
- 7.80 In terms of the emergency access road within the Country Park, this is currently detailed on submission drawing ref. 19056-05-P3 in terms of the width and specification. The route provides an appropriate emergency vehicular access point from the south of the Country Park to the residential development. This link will address the concerns raised and will be delivered on land within our control. The final details of the emergency access link will be submitted to discharge condition 10 of the outline planning consent and through the Building Warrant submission.

Flooding and drainage

- 7.81 MNP Policy Inf1 and NLP Policies WAT3 and WAT4 all seek to ensure that proposed developments are acceptable with regard to flood risk and that sustainable drainage infrastructure is provided for.
- 7.82 The application site lies within Environment Agency Flood Zone 1 and is therefore considered to be at low risk of fluvial flooding. Nevertheless, the applicant has provided a flood risk & surface water drainage strategy with their application and the proposed site layout incorporates sustainable drainage including attenuation basins to the east, west and southern edges of the site. Surface water would eventually drain into the Scotch Gill watercourse that runs to the east of the site with a headwall feature being constructed at the interface of the sustainable drainage system and watercourse.
- 7.83 The LLFA raise no objections to the proposals on flood risk or surface water drainage grounds subject to various conditions regarding implementation in accordance with certain submitted drawings, verification regarding the installation of sustainable drainage features and retention at all times to the drainage infrastructure within this site for the adjacent 18/03394/REM site to the north. Northumbrian Water likewise raise no objections in respect of surface or foul water drainage subject to a condition requiring implementation in accordance with the latest drainage drawings and the Environment Agency also advise that they have no objections.
- 7.84 Concerns have been raised by objectors regarding pollution of the Scotch Gill watercourse and the River Wansbeck which it feeds into from hydrocarbons and other chemicals associated with vehicles using the car parking areas and the proposed fuel filling station facilities on the adjacent 18/03394/REM site and car parking/roads on this site. In terms of the water quality issue, which is covered by NLP Policy WAT1, the LLFA have advised that they are satisfied that the separators proposed for the filling station forecourt areas alongside the attenuation basins proposed will be sufficient to ensure that surface water is appropriately treated/filtered to remove harmful pollutants before it enters the Scotch Gill. This has been assessed in collaboration with NCC (Northumberland County Council) Ecology.

Ecology matters

- 7.85 In terms of the NLP the strip of woodland and associated landscaped buffer area in the east of the site forms part of a larger area to the south which is designated as a Local Nature Reserve. These designations in respect of the strip of woodland and associated buffer within the application site are not carried through into the MNP, although land to the south of the application site is designated as a Local Wildlife and Geological Site (LWGS). The River Wansbeck corridor which lies to the south of the site is designated as a wildlife corridor in the MNP. The entire site forms part of a Nature Improvement Area as per NLP Policy ENV 2.
- 7.86 MNP Policy Des1 states that proposals should ensure development safeguards, respects, and enhances the natural environment, the biodiversity, landscape and wildlife corridors and the countryside and incorporates, where appropriate, biodiversity, landscaping and public and private open spaces which meet the County Council's open space standards and supports the creation of wildlife corridors.
- 7.87 Policy Env1 concerning landscape and wildlife corridors states that Landscape and Wildlife Corridors defined on the Proposals Map will be protected from development, other than that required to maintain, enhance, or interpret their landscape or wildlife purposes. Development proposals should demonstrate they take the opportunity to enhance and extend the network of Landscape and Wildlife Corridors as a means of mitigating development impact with a focus on increasing biodiversity, wildlife value and general amenity value of these corridors.
- 7.88 Policy Env5 concerning designated sites states that those areas identified on the Proposals Map shall be protected as designated Local Wildlife Sites. There is a presumption against development of or near these sites, which will harm or put at risk their effectiveness as a wildlife habitat or refuge, as described in their designation. Any development impacting on any of these sites must include mitigation measures that ensure that the sites maintain their function effectively.
- 7.89 NLP Policy ENV2 reflects guidance in the NPPF which seeks to not only safeguard designated sites and protected species but also secure biodiversity enhancement.
- 7.90 Detailed survey work has been undertaken and submitted with the application regarding ecology and tree matters. Regarding tree matters it is proposed to remove 5 trees in the woodland area between the site and the Lancaster Park estate to accommodate the proposed 3-metre-wide footpath/cycleway link and 1 further tree adjacent to the northern site boundary. However, most existing trees within and to the site edges would be retained and around 180 new trees would be planted. Detailed plans have also been provided concerning landscaping, external lighting, and drainage. It should be noted that the SuDS infrastructure maintains a 15m buffer from the woodland, as confirmed by the applicant in their submission and reflected in the approved plans. All these documents have been examined by the County Council's Ecologist who raises no objection to the proposals subject to conditions. Natural England likewise raise no objections.

- 7.91 As stated above a further condition is required concerning external lighting to ensure that the pedestrian and cyclist links between the site and the Lancaster Park estate are suitably lit and further consultation would take place with our Ecologist before any such condition was discharged to ensure that an acceptable balance is achieved between the needs of ecology and the need for safety for those using these links.
- 7.92 Northumberland Wildlife Trust objected to the proposals as originally submitted on the grounds of impact to the Local Nature Reserve to the south of the site but when re-consulted on amended plans/documentation they have not provided further comments.
- 7.93 Considering the above, it is considered that the proposals are acceptable in ecology terms subject to the conditions referenced.

Archaeology

- 7.94 MNP Policy Des1 states that proposals should ensure that development of and in proximity to designated and local heritage assets and their settings conserves, preserves, reflects, and enhances the historic asset and the historic environment in accordance with their significance. NLP Policy ENV7 outlines similar objectives.
- 7.95 Some archaeological assessment has already been undertaken in respect of the application site and a written scheme of investigation (WSI) re further archaeological evaluation has been agreed with the Council's Archaeologist. They raise no objections to the proposals subject to conditions 20-22 attached to the outline permission being added to this application also if approved. However, this is not considered necessary as this current application is pursuant to the outline permission and the matters in question can be addressed through discharge of those existing conditions.

Housing mix and affordable housing

- 7.96 MNP Policy Hou3 states that housing development shall be designed to include a range of property sizes, types and tenures including affordable housing and housing for younger and older people, so as to promote a balanced housing market.
- 7.97 Policy Hou4 further states that proposals for developments resulting in a net gain of ten dwellings or more will be expected to provide affordable housing on the site, in accordance with the Development Plan or an up-to-date housing needs assessment. In exceptional circumstances, where it can be justified, affordable housing will be accepted off-site; this must be on a site that is agreed as being in a suitable location relative to the housing need to be met, ideally within the same town or village, or if this is not feasible, then within another village in the Neighbourhood Area.
- 7.98 NLP Policies HOU5 (Housing types and mix) and HOU6 (Affordable housing provision) 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.

- 7.99 The NLP notes at paragraph 7.35 that the latest SHMA Update from June 2018 identifies a countywide net affordable housing need shortfall of 151 dwellings per annum over the period 2017-2022, which equates to a residual 17% affordable housing need in terms of the draft Plan's overall average annual housing requirement for the plan period 2016-2036. However, it should be noted that, due to the ongoing independent examination, the draft Policy HOU6 approach to breaking down this affordable housing needs requirement according to viability value areas only has little weight at this stage and is therefore not currently being applied for decision-making purposes. So pending receipt of the Inspector's report and adoption of the new Local Plan, the minimum affordable housing requirement being applied countywide is currently 17%.
- 7.100 A Section 106 Agreement runs alongside the outline planning permission to which this reserved matters application is pursuant. This requires the provision of 30% affordable housing comprising a mix of affordable rented and discount market value (DMV) sale units.
- 7.101 The submitted reserved matters details accord with the Section 106 Agreement in that 45 affordable units (30% of the 150 units proposed) are shown on the proposed layout. The tenure mix of units proposed (20 affordable rented units and 25 DMV units) and the proposed size mix (6 x 2 bed bungalows, 12 x 2 bed houses, 25 x 3 bed houses and 2 x 4 bed houses) has been agreed by the Council's affordable housing team as acceptable in terms of addressing local affordable housing need and they raise no objections to the proposals.
- 7.102 Throughout the determination process, discussions have been ongoing with your affordable housing officer to agree upon the mix, tenure, and location of affordable properties throughout the scheme. The location of affordable units has been a key point of discussions and the affordable housing officer considers the locations as proposed appropriate. The affordable housing units are spread within the first phase of the scheme meaning that they will be delivered relatively early. They are located within the layout which provides a mix of 3 – 5 bed properties within the vicinity of plots.
- 7.103 The applicant has been in discussion with registered providers and has commented that:
- "Bungalows are sought after house types and this product is not often provided for on new build developments. Given the context and shape of this north west corner, we designed a Mews courtyard character area where plots are primary served off private parking courts and surrounded by open space. It is considered that bungalows are a house type suited to the context of this character area and this is also reflected on our scheme under construction on Pottery Bank to the east of Lancaster Park. Whilst there are smaller product and affordable plots in this location, we have integrated open space and larger 4/5 bed properties."*
- 7.104 Officers are satisfied that the location and type of units offered for the affordable provision are acceptable and consistent with the relevant conditions of the NLP.

- 7.105 Further detail regarding this provision including delivery timescales would be secured through the Affordable Housing Scheme that the Section 106 Agreement requires is submitted to and approved by the County Council prior to the commencement of development.
- 7.106 The overall mix of dwellings, both affordable and market, is considered acceptable as a total of 18 house types are proposed comprising a range of 2 bed bungalows and 2 to 5 bed houses in a mix of terraced, semi-detached, and detached units.

Open space and play provision

- 7.107 MNP Policy Hou5 and NLP Policy INF5 sets out the requirements for open space provision in respect of new housing developments with Appendix H1 of the NLP setting out detailed provision standards and contribution levels with again on-site provision being sought in respect of the scale proposed, although allowance is made for an off-site contribution if on-site provision cannot be made.
- 7.108 The proposed site layout provides a village green open space area within the site, along with east-west landscape corridors across the site and north-south landscape corridors either side of the site which incorporate areas of existing tree and hedge planting.
- 7.109 The play provision would be sited within the proposed Countryside Park to the south which was approved as part of the outline planning permission mixed-use development of which these housing proposals form a part. The Section 106 Agreement that runs alongside the outline permission specifically references play and open space provision in its definition of the Countryside Park and the Agreement further states that no part of the development shall commence until all details of the design, siting, layout, timing of installation and operation and future management of the Countryside Park (including a woodland management plan) have been submitted to and approved by the Council with the development then having to be implemented in accordance with those approved details.
- 7.110 As such it is not considered necessary for play provision to be sited within this reserved matters application site and provision of play facilities and further open space within the Countryside Park is considered acceptable bearing in mind also that the Countryside Park site lies immediately adjacent to the housing proposed under this application.

Climate change

- 7.111 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 7.112 Local Plan Policy QOP1 sets out a number of design principles. Proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.
- 7.113 Local Plan Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation, and lighting amongst other matters.
- 7.114 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to the permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

Broadband connectivity

- 7.115 Policy ICT2 of the Northumberland Local Plan requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The Policy states that where no broadband provision is included, developers will be required to demonstrate, including through consultation with broadband providers, that connections are not deliverable, and/or viable.
- 7.116 The current application does not state whether full-fibre broadband connections are proposed. It is recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Other Matters

- 7.117 Concern has been raised by objectors regarding delivery of the Countryside Park which forms part of the mixed-use scheme for the wider site that was granted outline permission under application 16/0078/OUT. As a result, the applicant has amended this application to include the countryside park.
- 7.118 Objectors have also expressed concern about the impact of the commercial uses referenced in application 18/03394/REM on existing businesses elsewhere in Fairmoor and Morpeth. In this regard the principle of the commercial uses and their scale was agreed at outline permission stage and as stated earlier these Reserved Matters details are within the terms of the outline permission.
- 7.119 Reference has also been made by objectors to the impact of the proposals on local services. However, this matter was considered at outline stage and an

education contribution is secured through the Section 106 Agreement that runs alongside the outline planning permission and the matter of open space and play provision is addressed in part through open space provision on site and further provision within the Countryside Park area as detailed above.

Equality Duty

- 7.120 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

- 7.121 The implications of the proposals in relation to crime and disorder have been considered earlier in this report.

Human Rights Act Implications

- 7.122 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.
- 7.123 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.
- 7.124 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 Overall, in terms of the principle of development, impact on the character and appearance of the area, residential amenity impact, flooding and drainage, ecology matters, archaeology, housing mix/affordable housing and open space/play provision these Reserved Matters details are acceptable subject to conditions.

9. Recommendation

That this application be GRANTED Reserved Matters Approval subject to the following conditions:

Conditions/Reason

01. The development hereby permitted shall not be carried out other than in complete accordance with the details contained within the following approved plans/documents:

Site Layout

MIT125150/A/GA/001 Rev.W Architectural Site Layout;

House Types

ChP_MA_DET_R21_901 Chopwell House Type Floorplan
ChP_MA_DET_R21_904 Chopwell House Type Elevation
CuL_MA_DET_R21_901 Cullen House Type Floorplan
CuL_MA_DET_R21_904 Cullen House Type Elevation
HaS_MA_DET_R21_901 Hasting House Type Floorplan
HaS_MA_DET_R21_904 Cullen House Type Elevation
BaM_MA_DET_R21_901 Bamburgh House Type Floorplan
BaM_MA_DET_R21_904 Bamburgh House Type Elevation
LaN_MA_DET_R21_901 Lancombe House Type Floorplan
LaN_MA_DET_R21_904 Lancombe House Type Elevation
HoC_MA_DET_R21_901 Hollicombe House Type Floorplan
HoC_MA_DET_R21_904 Hollicombe House Type Elevation
SeA_MA_DET_R21_901 Seacombe House Type Floorplan
SeA_MA_DET_R21_904 Seacombe House Type Elevation
HeY_MA_DET_R21_901 Heysham House Type Floorplan
HeY_MA_DET_R21_904 Heysham House Type Elevation
BrH_MA_DET_R21_901 Broadhaven House Type Floorplan
BrH_MA_DET_R21_904 Broadhaven House Type Elevation
We_MA_End_R21_901 Wentworth House Type Floorplan
We_MA_End_R21_904 Wentworth House Type Elevation
Hd_MA_End_Trad_R21_901 Haldon House Type Floorplan
HD_MA_End_Trad_R21_904 Haldon House Type Elevation
Da_MA_End_R21_901 Danbury House Type Floorplan
Da_MA_End_R21_904 Danbury House Type Elevation
Gl_MA_Det_R21_901 Glenmore House Type Floorplan
Gl_MA_Det_R21_904 Glenmore House Type Elevation
Sh_MA_Det_R21_901 Sherwood House Type Floorplan
Sh_MA_Det_R21_904 Sherwood House Type Elevation
Br_MA_End_R21_901 Braunton House Type Floorplan
Br_MA_END_R21_904 Braunton House Type Elevation

R20-GD-03 Double Garage;
R20-GD-02 Single Garage;

Countryside Park

130568/8002 rev A Landscape Softworks Sheet 1
130568/8003 rev A Landscape Softworks Sheet 2
130568/8004 rev B Landscape Softworks Sheet 3
130568/8005 rev B Landscape Softworks Sheet 4
130568/8006 rev B Landscape Softworks Sheet 5
130568/8007 rev A Woodland Management Plan
130568/8008 rev A Country Park Site Location Plan
130568/8009 rev A Country Park Site Layout Plan (Block Plan)
130568/8010 rev A Landscape Strategy Country Park Reserved Matters
130568/8011 rev A Proposed Car Park and Refuse Storage
130568/8012 Landscape Construction Details
130568/8013 Proposed Play Area
Ecological Appraisal and Biodiversity Strategy – Country Park Element Phase 3 June 2021 3464 Version R01
19056-02-P3 Proposed Drainage Layout
19056-05-P3 Proposed EVA Road Design
19056-07-P1 Car Parking Proposals (Car Parking Construction Details)
19056-11-P1 Detention Basin Details

Finished Levels

1878/11 Rev.P10 Proposed Finished Levels – Sheet 1 of 4 (levels details only approved);
1878/12 Rev.P9 Proposed Finished Levels – Sheet 2 of 4 (levels details only approved);
1878/13 Rev.P8 Proposed Finished Levels – Sheet 3 of 4 (levels details only approved);
1878/14 Rev.P10 Proposed Finished Levels – Sheet 4 of 4 (levels details only approved);

Surface Water Drainage

Microdrainage calculations, 1 year, 30-year, 100 year + 45% CC “File Mitford 15-04-21.MDX” provided to the Council 30/08/2022
SUDs Source Control Drainage Strategy Ref 1878 51 issue P6
Proposed Drainage Layout - Sheet 1 of 4 Ref 1878 issue P11
Proposed Drainage Layout - Sheet 2 of 4 Ref 1878 issue P10
Proposed Drainage Layout - Sheet 3 of 4 Ref 1878 issue P9
Proposed Drainage Layout - Sheet 4 of 4 Ref 1878 issue P11
Proposed Drainage Layout Ref 19056 02 Issue P4
SuDS details Ref 1878 25 P7

Highways

1878/71 Rev.P7 Proposed Surface Finishes & Kerb Layout;
1878/91 Rev.P5 Section 38 Layout;
Cycle & Refuse Storage Report dated 18/11/21;
Street Management Report dated 18/11/21.

Ecology

Ecological Appraisal dated February 2021 21026 Version V1 (DRAFT);

Woodland Management Plan, Land West of Lancaster Park, November 2021 (OS Ecology);
Trees Bat Box Plan, Trees Bird Box Plan and Buildings Bat and Bird Box Plan (OS Ecology November 2021);
Arboricultural Impact Assessment ARB/AE/810 dated September 2020;
Arboricultural Method Statement & Tree Protection Plan ARB/AE/810 dated September 2020;
Ecological Appraisal Update, Lancaster Park, Mitford (OS Ecology, October 2022)
Extended Phase 1 Habitat Survey - Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
· 'Bat Survey - Land at Mitford', E3 Ecology Ltd., Version R03, Jan 16
· 'A Breeding Bird Survey of Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
· 'Freshwater Invertebrate Assessment - Land at Mitford', E3 Ecology Ltd., Version R03, Sept 15

Noise

NJD17-009 Acoustic Fencing Plan;
Noise Assessment NJD17-0009-001R/R3 August 2022

Sewerage

Foul Drainage Strategy January 2016;

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

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening shall be made in the following elevations of the dwellings specified unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority – 2 South, 6 East, 9 North, 18 North, 23 South, 29 North, 52a East, 69 South, 88 South, 92 South, 97 South, 113 South, 116 South, 118 West, 121 East, 125 South, 126 East, 133 West, 141 East, 143 East or West, 145 North, 146 North.

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

03. All dwellings within the application site shall be constructed using external facing and roofing materials the details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To retain control over the external appearance of the development in the interests of amenity in accordance with the Local Plan and the NPPF.

04. The substation and pumping station structures shown on approved drawing no. MIT125150/A/GA/001 Rev.N Architectural Site Layout shall be constructed in full accordance with elevation and materials details that have been submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interests of visual amenity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, the Local Plan and the NPPF.

05. No dwelling within the application site shall be occupied unless and until a lockable gate has been provided to the rear garden of that dwelling and to any shared alleyway used to access the rear garden of that dwelling in full accordance with location and specification details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter those lockable gates shall remain in place at all times.

Reason: In the interests of community safety in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Local Plan and the NPPF.

06. No dwelling within the application site shall be occupied unless and until the shared pedestrian and cyclist link shown on approved drawing no. MIT125150/A/GA/001 Rev.N Architectural Site Layout between the application site and the Lancaster Park estate to the east has been constructed together with dropped kerbs within the Lancaster Park estate to provide access from that link to the primary school on that estate in full accordance with details additional to those provided with this reserved matters application that have been submitted to and approved in writing by the Local Planning Authority. Those additional details shall include full engineering details in respect of the link including full structural details of the bridge/culvert crossing for the link over the woodland watercourse, details of lighting and details regarding the location and specification of dropped kerbs on the Lancaster Park estate.

Reason: In the interests of the promotion of sustainable transport choices in accordance with Policies Sus1, Tra3 and Tra4 of the Morpeth Neighbourhood Plan, Policy TRA 1 Local Plan and the NPPF.

07. No dwelling requiring noise mitigation measures as detailed in approved Noise Assessment NJD17-0009-001R/R4 October 2022 shall be occupied unless and until the noise mitigation measures for that dwelling as specified in this Noise Assessment, including where specified acoustic glazing and acoustic fencing, have been provided in full. Thereafter such mitigation measures shall remain in place at all times.

In the interests of residential amenity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, the Local Plan and the NPPF.

08. During the construction period, there shall be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800. Saturday 0800 to 1600.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

09. Deliveries and collections to and from the site associated with the construction phase of the development hereby permitted shall only take place between the hours: Monday to Friday - 08:00 to 18:00 Saturday - 08:00 to 16:00 With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

10. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015+A1:2019 (Code of Practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

11. No building shall be occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 10 in respect of that building, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

12. No dwelling within the application site with an integral or detached garage shall be occupied unless and until details of electric vehicle charging for that dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging for each dwelling shall be implemented prior to occupation of that dwelling. Thereafter those facilities shall remain in place at all times.

Reason: To promote the use of zero or low emission vehicles in the interests of counteracting the harmful effects of climate change in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

13. No dwelling within the application site shall be occupied unless and until vehicle, pedestrian and cyclist access to that dwelling has been provided from the St. Leonard's junction of the A1 with the Morpeth Northern Bypass in accordance with the details approved by the Local Planning Authority under this Reserved Matters approval and any Reserved Matters approval for that part of the Outline Planning Permission 16/00078/OUT site between the land the subject of this Reserved Matters approval and the above mentioned junction. Thereafter such vehicle, pedestrian and cyclist access shall remain in place at all times.

Reason: In the interests of highway safety and residential amenity in accordance with Policies Des1, Tra3 and Tra4 of the Morpeth Neighbourhood Plan, Northumberland Local Plan and the NPPF.

14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-

enacting that Order with or without modification), the garages hereby approved shall not be converted into habitable accommodation, including utility room, domestic workshop, study, or similar uses, without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of adequate off-road parking space in accordance with Policy Tra3 of the Morpeth Neighbourhood Plan, Local Plan and the NPPF.

15. Prior to the first occupation of each phase of the development, a verification report carried out by a qualified drainage engineer, or a suitably qualified professional 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; and * Details of ownership organisation/adoption details.

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

16. The drainage infrastructure within the application site the subject of this Reserved Matters application necessary to connect any development constructed on that part of the outline planning permission 16/00078/OUT site between the site the subject of this Reserved Matters approval and the St. Leonard's junction of the A1 with the Morpeth Northern Bypass with the watercourse as shown on approved drawing 1878/01 Rev.P11 Proposed Drainage Layout – Sheet 1 of 4 shall be available for use by that phase of the development on the wider outline planning permission site at all times following its first occupation.

REASON To ensure that surface water from that phase of development on the wider outline planning permission site is suitably managed to minimise flood risk in accordance with Policy Inf1 of the Morpeth Neighbourhood Plan, Local Plan and the NPPF.

17. The landscaping details approved under this application in respect of any phase of the development as approved through discharge of condition 11 attached to outline planning permission 16/00078/OUT, shall be implemented in full no later than the first planting season following the substantial completion of the final dwelling in that phase and shall be undertaken in accordance with a phased planting schedule submitted to and approved in writing by the Local Planning Authority prior the first occupation of any dwelling in that phase. Any such landscaping removed, dying, or becoming seriously damaged, defective, or diseased within 5 years from its planting shall be replaced in the same location within the next planting season with landscaping of a similar size and species to that which it is replacing.

Reason: In the interests of visual amenity and biodiversity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, Local Plan and the NPPF.

18. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall provide the means by which the mitigation detailed in the reports

- Ecological Appraisal Update, Lancaster Park, Mitford (OS Ecology, October 2022)
- 'Extended Phase 1 Habitat Survey - Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
- 'Bat Survey - Land at Mitford', E3 Ecology Ltd., Version R03, Jan 16
- 'A Breeding Bird Survey of Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
- 'Freshwater Invertebrate Assessment - Land at Mitford', E3 Ecology Ltd., Version R03, Sept 15

AND

- protective measures for retained hedge lines and trees to be implemented during construction, including measures to protect ancient woodland (including buffer zones)
- pollution control measures for any works affecting watercourses

The CEMP (Biodiversity) shall include the following

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To maintain the biodiversity value of the site to protected species and habitats in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

19. 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. The content of the LEMP shall include the following and demonstrate the means of delivery of the landscaping for both the residential and country park elements of the scheme.

- a) Description and evaluation of features to be managed (referring to mitigation detailed in the reports Ecological Appraisal Update, Lancaster Park, Mitford (OS Ecology, October 2022), 'Extended Phase 1 Habitat Survey - Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16, 'Bat Survey - Land at Mitford', E3 Ecology Ltd., Version R03, Jan 16, 'A Breeding Bird Survey of Land at Mitford', E3 Ecology Ltd.,

- 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 maintain the biodiversity value of the site to protected species and habitats in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

20. Prior to the commencement of development a biodiversity mitigation and enhancement scheme shall be submitted for the written approval of the LPA. The scheme shall include the following measures:

- The provision of bird nesting and bat roosting opportunities, integrated into the fabric of the permitted dwellings. The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. The ratio will be 1:1 of features to dwellings.
- Gaps shall be created and retained in all boundary fences between dwellings to allow the passage of small mammals such as hedgehog. Gaps shall measure no less than 13cm by 13cm.

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

Reason: to protect the biodiversity of the site and the local area in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

21. Prior to the commencement of the development a scheme for the installation of any permanent and temporary lighting on the site shall be submitted to and agreed in writing with the LPA. The lighting scheme should be designed so that lighting levels are minimised in accordance with the document Bats and Artificial Lighting in the UK Guidance Note 08/18, Institute of Lighting Professionals and BCT, 2018. The scheme shall include motion sensor street lighting which secures dark conditions for bats. The approved scheme shall be implemented in full prior to the dwellings being occupied.

Reason: to prevent the risk of harm to a protected species to maintain and enhance the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

22. A detailed plan of all works to create new pedestrian links will be provided to the LPA for approval in writing. This will be supported by fully detailed drawings and appropriate ecological survey, assessment and mitigation or compensation for impacts on protected species and habitats. Once approved in writing the development shall be implemented in strict accordance with the approved scheme.

Reason: to prevent the risk of harm to a protected species to maintain and enhance the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

23. Notwithstanding the details submitted with the application, prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how the development will where feasible, minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

24. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

25. Prior to commencement of development, a scheme for a robust, continuous acoustic barrier constructed at the locations and heights as shown in the submitted Noise Assessment (NJD Environmental Associates, Report Reference: NJD17-0009-001R/R3 dated August 2022 - Revised) with a minimum surface density of 10 Kg/m² together with a scheme of maintenance, shall be submitted to, and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed before first residential occupation. The barrier shall be maintained in accordance with the approved scheme and retained throughout the life of the development.

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

26. Details/ Samples of materials

Notwithstanding the details provided, prior to commencement of development samples of the materials to be used in the construction of the external surfaces of the adoptable highway elements shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

27. Street Trees

No part of the development shall be occupied until details of street trees have been submitted to and approved in writing by the Local Planning Authority. The approved street trees shall be implemented prior to first occupation. Thereafter, the street trees shall be incorporated into the management strategy.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan

28. Implementation of car parking area (amended)

No dwelling shall be occupied until the car parking area associated with it, as indicated on the approved plans, has been hard surfaced, sealed and marked out and implemented in accordance with the approved plans. Thereafter, the car parking area for each dwelling 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 and Policy TRA4 of the Northumberland Local Plan.

29. Completion of highway works before occupation – amended

Development shall not be occupied until details of all proposed highway works, including signage, road markings and street lighting have been submitted to and approved in writing by the Local Planning Authority. The building(s) 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 and Policy TRA2 of the Northumberland Local Plan.

30. Submission of details of adoptable streets

No works to the streets proposed for adoption shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

31. Implementation of cycle parking - Amended

Each dwelling shall not be occupied until the 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 and Policy TRA1 of the Northumberland Local Plan.

32. Surface water drainage (Private Land) - Amended

Prior to occupation, details of surface water drainage to manage run off from private land and private runoff onto the adoptable estate road area, have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details. Reason: In order to prevent surface water runoff in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

33. Construction Method Statement (including Plan) - Amended

Notwithstanding what has been approved as part of 16/00078/OUT, the development shall not commence until a Construction Method Statement for this application, 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;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. routing of heavy construction vehicles and deliveries;
- vii. site access and any turning facilities required for construction vehicles;
- viii. the approximate phasing of construction works;
- ix. vehicle movements and numbers;
- x. measures to be put in place to safeguard during construction works any existing trees and hedgerows
- xi. details of any temporary lighting, which shall be designed so that lighting levels are minimised

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

Informative

Section 38 Agreement and adoption of highways

You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

INFO 28 Section 278 Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

INFO29 Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk

INFO31 Contact Traffic Management

You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period. INFO33 Reminder to not store building material or equipment on the highway Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the StreetWorks team on 0345 600 6400 for Skips and Containers licences.

INFO34 Technical Approval of Highway Structures

You should note that Technical Approval of Highways Structures is required. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk

INFO35 Contact Lighting Section

You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

Contact Local Highway Authority - Submission of details of adoptable streets

The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge condition [insert] of this permission. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk

INFO40 - Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

INFO41 - Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979

INFO NEW Street Naming

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority. Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19).

Acoustic Barriers

The proposed acoustic barriers shall be manufactured acoustic fencing specifically made and marketed for this purpose of noise reduction, rather than a "closed-boarded fence." It is recommended that a product similar to those manufactured by Jacksons Fencing is sourced and used on the site:

<https://www.jacksons-security.co.uk/acoustic-security-barriers>

Any acoustic fencing should be similar to the type used on the Barratt Homes development at Wideopen and visible from the A1 just north of the Gosforth junction, permitted by Newcastle City Council LPA (Local Planning Authority): 2015/1640/01/DET - Erection of 167 residential units including associated infrastructure, means of access from Coach Lane, open space at North Brunton

Or

the fence used to product emissions of from noise from the service/delivery yard at the rear of ASDA, Ashington permitted by Northumberland County Council LPA: 07/00391/FUL - Development of new Asda store with car park, service area, associated works at Land To South West Of Lintonville Roundabout Lintonville Terrace Ashington

Date of Report: 20th October 2022

Authorised by:

Date:

Background Papers: Planning application file(s) 19/01362/REM

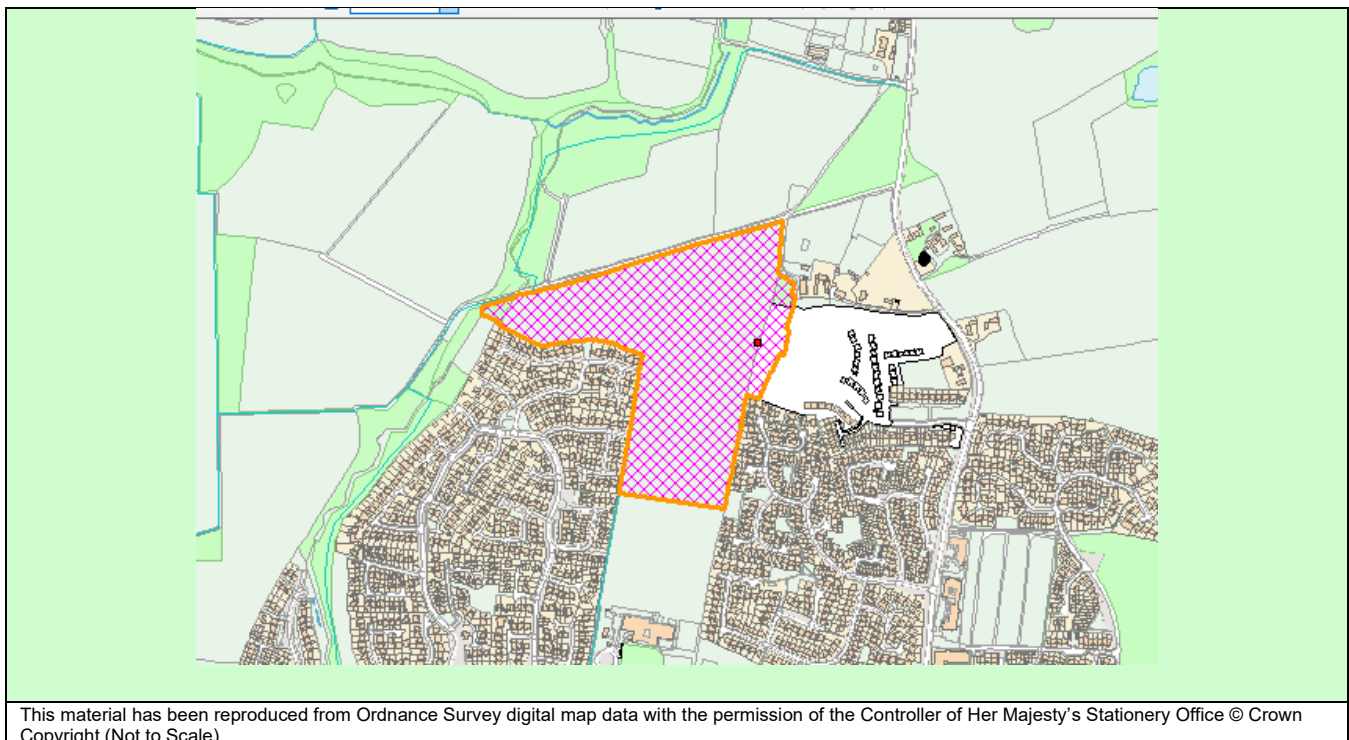


Northumberland County Council

November 1st, Strategic Planning Committee

Application No:	21/04298/REM		
Proposal:	Reserved Matters application for appearance, landscaping, layout and scale for final phases of development comprising of 315 dwellings on approved application 16/04731/OUT		
Site Address	Land South West Of Glebe Farm, Choppington Road, Bedlington, Northumberland		
Applicant:	Mr Edward Burton C/O Agent, , ,	Agent:	Mr Edward Burton C/O Agent, , ,
Ward	Bedlington West	Parish	West Bedlington
Valid Date:	9 November 2021	Expiry Date:	2 November 2022
Case Officer Details:	Name: Mrs Tamsin Wood Job Title: Principal Planning Officer Tel No: 07966331977 Email: tamsin.wood@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

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

2. Description of the Proposals

2.1 Outline planning permission was granted on 14th February 2019 for the principle of 500 dwelling with associated infrastructure and landscaping on land South West Of Glebe Farm and the details of the site access to Choppington Road. All other details (layout, scale, appearance and landscaping) were reserved for later approval. Planning permission was then granted for the reserved matters for the first phase of the development on land comprising the easternmost part of a larger site on the 6th November 2019. This permission approved 149 dwellings.

2.2 This current application seeks approval of the reserved matters (layout, scale, appearance and landscaping) for the final phase of the development comprising 314 dwellings. This area of land lies at the western and southern most edges of the outline planning permission site.

2.3 The site which comprises agricultural land is bound to the north by agricultural land and a small grouping of dwellings within the Glebe Farm complex. To the east, south and west are residential properties.

2.4 Reserved matters is therefore sought for 314 houses comprising; 165 dwellings to be constructed by one developer, consisting of 15 house types and; 149 to be constructed by another developer, consisting of 15 house types. The mix of dwellings proposed comprises 16 x 2 bed units, 96 x 3 bed units, 40 x 4 bed units and 13x 5 bed units on the site comprising 165 dwellings. On that part of the site comprising 149 dwellings 29- 2 bed units, 73 – 3 bed units, and 47 4 bed units are proposed. The properties are mainly 2 storey in height with some bungalows and 2.5 storey properties, comprising terraced, semi-detached and detached dwellings.

2.5 In accordance with the Section 106 Agreement which runs alongside the outline planning permission, it is proposed that 15% of the dwellings in this phase (i.e. 48 units) would be affordable dwellings. 31 of these would be affordable rented dwellings and the other 16 would be Discount Market Value sale unit. In terms of dwelling types the affordable units comprise a mix of 6 x 2 bed bungalows, 24 x 2 bed houses and 18 x 3 bed houses. These would be affordable rented and discount market dwellings.

2.6 The layout shows that this part of the overall site would be accessed from 2 roads from the east which is from phase 1 site and from these other estate roads would lead further into the site. The layout also shows the suds ponds and 2 areas of open space to the north of the site and area of open space to the west of the site. Three play areas are proposed on the open space.

2.7 The site now lies within the town's settlement boundary in the Northumberland Local Plan.

3. Planning History

Reference Number: 16/04267/SCREEN
Description: EIA screening for a maximum of 500 homes
Status: EIANR

Reference Number: 16/04731/OUT
Description: Construction of approximately 500 new dwellings with associated infrastructure and landscaping, all matters reserved except access.
Status: PER

Reference Number: 19/01457/REM
Description: Reserved matters application for appearance, landscaping, layout and scale for phase 1 comprising 149 dwellings.
Status: PER

Reference Number: 19/01509/REM
Description: Reserved Matters application in relation to 16/04731/OUT
Status: APPRET

Reference Number: 19/01585/NONMAT
Description: Non-Material Amendment (of condition 4 to ensure that phasing agreed now can be amended in future) on approved planning application 16/04731/OUT.
Status: PER

Reference Number: 20/00101/DISCON
Description: Discharge of Condition 14 relating to approved planning application 16/04731/OUT.
Status: WDN

Reference Number: 20/00102/DISCON
Description: Discharge of conditions 15 (construction method statement) and 36 (construction drainage) on approved planning application 16/04731/OUT in respect of phase 1 only.
Status: PER

Reference Number: 20/00103/DISCON
Description: Discharge of Conditions : 17(foul sewer), 32(surface water), 33(Flood risk/Drainage strategy), 34(SUDs) and 35(surface water mitigation) relating to approved planning application 16/04731/OUT (Phase 1)
Status: CONREF

Reference Number: 20/00410/DISCON
Description: Discharge of Conditions 4 (phasing - infrastructure) in part and 12 (phasing - estate) in part relating to planning application 16/04731/OUT
Status: PER

Reference Number: 20/00615/DISCON
Description: Discharge of condition 38 relating to approved planning application 16/04731/OUT.
Status: PER

Reference Number: 20/00784/DISCON
Description: Discharge of condition 27 (acoustic design) relating to planning application 16/04731/OUT

Status: PER

Reference Number: 20/03709/DISCON

Description: Discharge of Conditions 7 (Open Space Management & Maintenance Scheme), 13 (Maintenance Scheme), 14 (Drainage/Street Lighting) and 29 (Refuse Storage Facilities) pursuant to approved planning application 16/04731/OUT (Phase 1)

Status: CONREF

Reference Number: 20/03881/S106A

Description: Variation of S106 Agreement pursuant to planning application 16/04731/OUT dated 13th February 2019 to allow for later payment of first instalments re education and primary healthcare contributions.

Status: WDN

Reference Number: 20/03921/DISCON

Description: Discharge of conditions 18 partly (ground stability), 19 (gas protection), 20 partly (ground works verification) and 25 (contamination) pursuant to outline application 16/04731/OUT

Status: PER

Reference Number: 20/04078/DISCON

Description: Discharge of conditions : 24 (external lighting) and 30 (travel plan) related to planning approval 16/04731/OUT (Phase 1)

Status: CONREF

Reference Number: 22/02015/DISCON

Description: Part Discharge of condition 15(Construction Method Statement - hours of working) on approved application 16/04731/OUT.

Status: REF

Reference Number: 22/02722/DISCON

Description: Discharge of conditions : 4 (phasing), 7 (open space), 12 (street phasing), 14 (street lighting/drainage/construction) 15 (construction method statement) 17 (foul sewerage management), 18 (land stability/contamination), 25a & 25b (site investigation/verification) 29 (refuse storage/strategy), 32 (surface water), 33 (flood risk assessment) and 35 (surface water) pursuant to planning approval 16/04731/OUT (Phase 2)

Status: PCO

Reference Number: 22/02723/DISCON

Description: Discharge of conditions : 2 and 10 pursuant to planning approval 21/04298/REM

Status: APPRET

Reference Number: 22/03161/DISCON

Description: Discharge of condition 31(Full Travel Plan) on approved application 16/04731/OUT.

Status: PCO

4. Consultee Responses

West Bedlington Parish Council	<p>Too many properties on such a small site. Emergency access could also be compromised at a number of properties. The Town Council request section 106 contributions directly to the town council to secure future replacement provision for the three play areas planned within the development. The Town Council believes more than 6 Bungalows should be provided within this development and the existing S106 should be enforced as stated in the planning statement "the S106 agreement says two thirds should be affordable rent units while a third of them should be discounted market value". The existing well used footpath route between the Hazelmere estate and The Chesters be secured and maintained open until suitable replacement provision is provided. Additionally after reviewing the plans in more detail, a number of Plots (6, 7, 36, 37, 38, 39, 40, 41, 42, 95, 96, 105, 106, 112, 113, 114, 115, 126, 135, 136, 137, 138) only have one parking space on the maps which will result in issues with parking when the development is complete. The Town Council also believes the development will add to the already problematic traffic management - specifically at The Lion Roundabout. The Town Council also has concerns in relation to the site been unstable with potential toxic issues from previous landfill Finally and of major concern to the Town Council is the retention of the existing hedgerows which must be protected, retained and enforcement of the strongest action undertaken in the event of any removal.</p>
County Archaeologist	No objections to the present application on archaeological grounds. No archaeological work is recommended.
Active Northumberland	No response received.
Public Protection	<p>7/1- Do not object to this reserved matter application. The Environmental Protection Team recommend that the LPA ensure that any conditions previously agreed for the outline application and that have yet to be discharged by the applicant are placed on any decision notice for this application should it be granted.</p> <p>In response there is no need to repeat conditions as the outline permission forms part of the permission.</p>
Planning Strategy	No response received.
Highways	<p>7/12- : Concerns could be overcome by submission and approval of amended plans or additional information before any permission is granted</p> <p>27/9- Require further information</p> <p>18/10 - No objection subject to conditions.</p>
Countryside/ Rights Of Way	<p>Wansbeck Public Bridleway No 72 passes to the north west of the applications red line site boundary. I have no objection to the proposed development on the condition that Public Bridleway No72 is 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</p>

Building Conservation	No objection- The development proposals do not result in harm to the setting and significance of the identified listed building. While not enhancing or better revealing the listed building's significance, it is concluded that the development proposals preserve the heritage asset's setting.
County Ecologist	8/12 No objection on ecological grounds to this application given the high-level nature of the plans submitted, and the previous consent. 13/6- No further comments to those dated 08/12/2021
Open Spaces South East Area	No response received.
Affordable Housing	No response received.
Waste Management - South East	No response received.
Education - Schools	This application relates to a request to approve Reserved matters pertaining the original application 16/004731/OUT, on which there is a S106 agreement setting out a contribution towards educational infrastructure of £1.331m. Subject to there being no deviation from the S106 agreement with regard to Education contribution, Education and Skills Group has no comment or objection in relation to this application.
Lead Local Flood Authority (LLFA)	6/12- Object and require further information 26/5- Object and require further information 20/9- No objection. No conditions.
Natural England	No comments to make.
Highways England	No objection.
The Coal Authority	6/12- It does not appear that any relevant coal mining information has been submitted to support the application. 17/10-No objection.
Northumbrian Water Ltd	No response received.
Health Care CG	Require contribution (they were consulted by mistake as contributions were sought under the original application. We are unable to ask for this).
Climate Change Team	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	476
Number of Objections	20
Number of Support	0
Number of General Comments	1

Notices

General site notice, 20th December 2021

News Post Leader 26th November 2021

Summary of Responses:

20 objections have been received and 1 general comment.
These are summarised below-

- Insufficient infrastructure for another 315 houses - will impact on road network- more congestion, pollution and insufficient education, doctors, dentist, leisure facilities
- Environmental impacts, habitat destruction, loss of open space
- Previous plans showed hedge to be kept. Told no hedgerows will be cut.
- Too many houses built in small space
- Red line doesn't mimic the outline red line- (note- this has been changed)
- Drawings do not follow the principles of the outline decision notice which illustrate 'retaining existing vegetation' to the boundary of the site backing on to Edinburgh Drive.
- Ornithological survey for the site identified several breeding birds within the existing hedgerow this included the House Sparrow in the hedgeline to the rear of Edinburgh Drive.
- Impact on wildlife and local environment.
- . The existing drainage catchment plan submitted as part of the outline application relates to an 'offsite surface water route' to the northern boundary of Edinburgh Drive however based on the limited information submitted as part of this application it is not clear how this will be retained based on the current proposed site layout now abutting the existing residential estate of Edinburgh Drive despite the Wardell Armstrong Drainage Strategy showing this being utilised for surface water run-off from catchment C.
- .Out of character with the existing estates property's.
- Unaffordable housing, no extra leisure facilities, roads will be more congested, more strain on medical groups, dentists etc.
- Overlooking of Featherstone Grove,
- Regular readings are being taken of what looks like underground gasses from pipes erected recently. Concern about dangers for local residents.
- Importance of existing hedgerows which must be protected and retained.
- These houses back directly onto the back of my fence and are designed far too close (Featherstone)
- The boundary of my land is within the existing hedgerow.
- o The path at the side of the houses going into Featherstone Grove is currently drawn to go straight into my garden. The existing path between the Chesters and Hazelmere should be maintained and this path should exit onto that, not create a new one through my garden.
- Told there would be no 3 story houses being built.
- the Construction Management Plan for this phase of the build is made available to the residents of Bedlington for consultation comment and information as soon as is possible.
- The placement of the current building site compound and car parks has caused psychological and physical impacts and other issues on our health and wellbeing) noise and lighting working times on site and deliveries dust vibration potential damage to property health and safety of the local population traffic issues
- If this phase does get approval that existing residents, schools and care homes nearby are supported in ensuring that any mitigation action set out by the builders, or those governed by law and local guidance is acted upon where necessary.
- Plan is to build a pair of semis 2.5 storey which in effect is 3 storey behind our Bungalow.

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=R1Y53ZQS0MD00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan - 2016 - 2036 (Adopted March 2022)

STP 1 – Spatial strategy (Strategic Policy)
STP 2 – Presumption in favour of sustainable development (Strategic Policy)
STP 3 – Principles of sustainable development (Strategic Policy)
STP 6 – Green Infrastructure (Strategic Policy)
HOU 2 – Provision of new residential development (Strategic Policy)
HOU 5 – Housing types and mix
HOU 9 – Residential development management
QOP 1 – Design principles (Strategic Policy)
QOP 2 – Good design and amenity
QOP 4 – Landscaping and trees
QOP 5 – Sustainable design and construction
QOP 6 – Delivering well-designed places
TRA -1 Promoting sustainable connections (Strategic Policy)
TRA 2 The effects of development on the transport network
TRA 3 Improving Northumberland's core road network
TRA 4 – Parking provision in new development
ENV 2 – Biodiversity and geodiversity
ENV 7 -Historic environment and heritage assets
WAT 3 – Flooding
WAT 2 Water supply and sewerage
WAT 4 – Sustainable Drainage Systems
POL 1 – Unstable and contaminated land
POL 2 – Pollution and air, soil and water quality
INF 6 – Planning obligations

6.2 National Planning Policy

NPPF (2021)
NPPG (2019)

6.3 Neighbourhood Planning Policy

7. Appraisal

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

- Principle of development
- Housing mix and affordable housing
- Design and layout
- Residential amenity impact
- Landscaping and trees
- Highways
- Flooding and drainage
- Ecology
- Heritage Impacts

Principle of Development

7.2 The principle of the development of 500 dwellings on the site and adjacent Phase 1 site was considered to be acceptable in the determination of the outline planning permission, 16/04731/OUT, to which this current application relates. The matters for consideration in respect of this Reserved Matters submission relate to only layout, scale, appearance and landscaping, for the final phase of the development comprising 314 dwellings.

7.3 Since the outline application was approved the site is also now shown to be included within the town's settlement boundary in the Northumberland Local Plan.

7.4 Therefore, whilst objectors have raised concerns regarding the increased number of dwellings in Bedlington and increased pressure on infrastructure this will bring, permission has already been granted for the number of dwellings through the outline permission where increase in numbers was considered then. Increased pressure on local services and infrastructure matter had already been addressed too through the Section 106 Agreement that runs alongside the outline planning permission with contributions secured for education (£1,331,000), primary healthcare (£346,500), off-site sport/recreation (£229,000) and the strategic highway network (up to £155,000).

Housing Mix and Affordable Housing

7.5 The NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need. Policy HOU 5 Housing types and mix also states a range of good quality, energy-efficient homes, including affordable homes, will be provided to deliver a more balanced mix of tenures and housing types and sizes.

7.6 The proposed housing mix of the 314 dwellings proposed comprises a total of 30 different house types across the whole site. The mix of dwellings proposed comprises 45 x 2 bed units, 169 x 3 bed units, 87 x 4 bed units and 13 x 5 bed units. The properties are mainly 2 storey in height with some bungalows and 2.5 storey properties, comprising terraced, semi-detached and detached dwellings.

7.7 The level of affordable housing provision for this site has already been agreed as 15% under the terms of the Section 106 Agreement which runs alongside the outline planning permission. It is proposed that 15% of the dwellings in this phase

(i.e. 48 units) would be affordable dwellings. 32 of these would be affordable rented dwellings and the other 16 would be Discount Market Value sale units. In terms of dwelling types the affordable units comprise a mix of:

Affordable rented- 32:

6 x 2 bed bungalows,

15 x 2 bed houses

11 x 3 bed houses.

Discount market dwellings-16:

9 x2 bed semis

7x 3 bed semis

7.8 Across the whole site (314 plus 149 from Phase 1) 463 dwellings will be provided. 15% of this equates to a requirement of (70) affordable homes in total. As 22 affordable homes are to be provided on Phase 1, in total 70 affordable homes will therefore be provided. The Section 106 Agreement also requires that at least 67% of the units be affordable rented which in total across the whole site would be 47 plus 23 dm. In this regard 67% of the affordable units on this site (32) would be affordable rented. When taken alongside the Phase 1 development where 15 affordable rented are provided, a total of 47 affordable rented units would be provided, which also meets the 67% requirement.

7.9 Notwithstanding the above the applicant will need to submit an affordable housing statement scheme, as per required by the Section 106 agreement where final numbers, type, size and location shall be agreed.

7.10 With regard to phasing, the Section 106 Agreement requires that no more than 85 market units be occupied until at least 15 affordable units have been practically completed. 30 affordable units must be practically completed prior to occupation of 170 market units.

7.11 The proposals therefore do provide for a mix of dwelling sizes, although 3 bed dwellings are particularly prominent. In Phase 1 however it was the same for 4 bedroomed properties. The change is due to a review of the local market, and the demand. This will then lead into advice on, broadly, what mix would be most appropriate as part of a proposed development. As the outline planning permission does not include any prescriptive requirements on the house type mix on the site, and including Phase 1 there is a good mix of larger and smaller 3 bedroom houses, it is considered the proposed mix is appropriate to the proposed development and its location.

7.12 Overall therefore in terms of housing mix and affordable housing the proposal is considered to be in accordance with the NPPF and Local Plan Policies.

Design and layout

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

quality of an area and the way it functions. The NPPF states the National Design Guide and the National Model Design Code should be used to guide decisions on applications in the absence of locally produced design guides or design codes. In particular the National Design Guide sets out the 10 key characteristics that help to form a well-designed development. Taking the above into account the design needs to add to the quality of the area and have its own identity, but it should also have regard to the existing dwellings next to the site. Design should also have regard to climate change and reducing emissions and development should promote, support and enhance the health and wellbeing of communities. It is important any layout and design can be seen to adhere to the three tier energy hierarchy too. Local Plan Policies STP4, QOP1, 2, 4 and 6 and HOU9 reflect the above design objectives.

7.14 NPPF para 131 also states trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are treelined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. The National Design Code also refers to the importance of trees/green spaces/ planting.

7.15 In terms of the design of the actual dwellings, a number of different designs are proposed consisting of terraced, semis, bungalows, and detached properties with different design features. 30 house types are proposed in total across the site. It is considered that the design of these are all acceptable and the variety in design will also help to create diverse interesting streetscapes that add more interest and character to the street scenes. The scale of these is also similar to those approved on the Phase 1 part of the site. Overall the house types are considered to be generally acceptable in terms of their design and detailing including proposed materials. In addition and in accordance with Condition 22 of the outline permission the applicant has also submitted an energy statement which shows the proposed specifications will achieve a minimum of 10% reduction in Fabric Energy Efficiency across the site using the proposed specification in L1a2013 SAP calculations.

7.16 In terms of layout the dwellings positively address road frontages with amenity space to the front and rear of plots. There are also areas of open space to the north and west of the site where three play areas are proposed. Suds areas are also provided to the north of the site. The plans show tree planting along the main streets into the sites too, as recommended by the NPPF. Although further tree planting would help further enhance the appearance of other areas in the site. This can be conditioned. Boundary treatment plans have also been submitted.

7.17 As part of the outline consent, a parameters plan was agreed. The proposed layout does not however completely tally up with this, as three areas of open space to the North, South and West of the site with play areas provided on each, were shown on the parameters plan. No open space area is now proposed on the southern part of the site, albeit two areas of open space will now be provided to the north. Dense housing is provided across the southern part of the site instead. This is not considered to be ideal and it would be preferable if an area of green space was provided on this part of the site. The applicant has confirmed however that site constraints on the north of the site, that have come to light since the outline permission was granted, which accounts for this variation. They have submitted a statement which sets out that 'Since the Outline consent was granted in in 2019,

significant additional ground investigation has been undertaken that has determined how certain parts of the site can be developed to respect the ground conditions. This has resulted in a more dense housing mix in the southern parcel with only a small pocket of open space. This density then relaxes in the northern parcel where areas of the site with more constraints in respect of ground conditions allow the three distinct parcels of open space, Sustainable urban Drainage and Play areas to deliver the quantum of open space provision proposed in the Outline consent all in the northern parcel. Based upon the ground conditions and the level of engineering necessary to deliver hosing in some locations, the relocation of open space into these areas is the most sustainable way to deliver the site.' As such whilst the loss is not in full accordance with the parameters plan, given the complications from past coal mining activities land stability issues, that this loss is now offset by providing more open space to the north which actually allows the various area of open space and landscape features to be more closely located and have qualitative benefits and three play areas will still be provided in accordance with the parameters plan, it is considered that on balance the layout in this respect is still acceptable.

7.18 Overall, whilst concern has been raised regarding design, on balance in terms of appearance and layout the proposal would be in accordance Local Plan Policies STP4, QOP1, 2, 4 and 6 and HOU9 and the NPPF.

Landscaping and trees

7.19 In terms of landscaping and trees Local Plan Policy STP6 states 'Development proposals should where relevant, and in a proportionate way, seek to protect, improve and extend Northumberland's green infrastructure, and integrate with the network.' Policy QOP 2 states that trees, other green and blue infrastructure and soft landscaping of amenity value are retained where appropriate and are introduced or replaced where they would enhance amenity of the development. Policy QOP 4 Landscaping and trees also states that new development will be expected to incorporate well-designed landscaping and respond appropriately to any existing landscape features, that it is of a high quality and existing features which contribute towards the character of the area, or amenity, are retained wherever possible and sympathetically incorporated into the overall design of the scheme including trees, and other spaces and features that provide green and blue infrastructure and there is no loss of existing trees which are valuable in terms of amenity, biodiversity or the landscape, except where this would be unavoidable and the loss can be adequately mitigated through measures such as replacement planting where possible.

7.20 With regard to existing natural features on the site, and the above policies the development should therefore retain existing hedges, trees and other natural features and mitigate against any loss. In assessing the plans as originally submitted comments were made to the applicant that the plans were not clear in terms of their impact and then when further plans were submitted it was noted to them that they didn't tally up with the landscape and parameters plan submitted with the outline, as they showed more trees and hedgerows to be removed. Residents have also raised similar concerns and that their removal would have impacts on both the visual amenity and biodiversity. Since these concerns have been raised the applicant has however now provided an up to date Arboricultural Impact Assessment which now shows maximum retention across the site. The AIA shows the hedges along the north, eastern, southern and western boundaries will be retained with possibly some trimming back in places. This is all in accordance with the parameters plan. It does

show Hedgerow 2 to be removed which is in the middle of the site but this was not shown to be retained at outline stage either.

7.21 The AIA does however show that Group 14 (G14) will be removed. The applicant has confirmed that these trees are however poorly formed and in their location, likely to outgrow the hedgerow and become a maintenance issue. So the proposal is to have these removed but, retain the hedgerow (H3) and reinforce where there are gaps as will be done the length of Hedgerow 3. Group 5 (G5) is also shown to be removed as the applicant has confirmed this group of trees are Ash and have been 'lopped and topped', and have been cut down to 2m high which creates weaknesses and very poor quality. In addition, these will very likely be impacted by the 'Ash Dieback' infection. Group 6 (G6) is also shown to be removed. The applicant has confirmed that similar to G5, they have been pruned from the other side and weakened hence the low cat. C designation. Furthermore, these are made up of Ash trees which are infected with 'Ash Dieback'. To mitigate against this loss though the applicant proposes to replace these two Groups with the extension of the Hawthorne hedge to create a strong continuous boundary.

7.22 So whilst there will be some loss of groups of trees these are all low category and their loss will be mitigated against by further hawthorn hedge planting. Trees will also be planted around the site and the developer has revised their plans to show hedgerow planting within the boundaries of dwellings. While it is also not clear from the AIA what will happen to the trees/ hedge shrubbery behind plots 107 to 133 on the northern part of the site, as these are shown to be retained on the parameters plan it would be reasonable to attach a condition to ensure this is kept.

7.23 Detailed drawings have been provided showing landscaping around the site which the Council's Ecologist also has no objection to. Overall, as the applicant will retain the majority of the trees/ hedges across the site and any loss will be mitigated against and as the landscaping on site is considered to be acceptable, in this respect the proposal is in accordance with Local Plan Policies STP6 and QOP 2 and 4.

Impact on residential amenity

7.24 Policy QOP 2 Good design and amenity seeks to ensure development will provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area. in terms of ensuring the development does not have a obtrusive or overbearing impact on neighbouring uses; the best outcomes for outlook are achieved; appropriate levels of privacy, are incorporated into the design; Air, temperature, sound and light conditions of habitable areas within the development, or resulting from the development, are of an appropriate standard; and that there are no unacceptable adverse impacts from noise, disturbances, odour, gases, other emissions and any other harmful effects, resulting from either the development or from neighbouring uses on the development.

7.25 There are existing residential properties sited immediately adjacent to the east, west and south of the application site, including properties along Augustus Drive, Edinburgh Drive and Featherstone Grove. As such the development has potential to impact on the amenity of the residents in this area.

7.26 Whilst a couple of the objections have been received regarding impact from loss of privacy, the privacy distances have been measured for every house within and to the edge of the site and at least 20 metres are provided for between facing two storey elevations from proposed dwellings on the application site and existing adjacent dwellings. Less is required for gable to rear elevations. One concern has been raised from a resident of a bungalow too who is concerned there is a 2.5 storey house directly opposite, however on closer examination of the plans the facing room in the roof of the 2.5 storey high house is to a bathroom and as such it would be reasonable to ensure this window is obscurely glazed which will help to reduce impact further.

7.27 Overall it is considered that a suitable form of development is achieved on the site that would not have unacceptable effects upon the privacy or amenity of adjacent residents. This would accord with the Local Plan Policy QOP2 and the NPPF. In addition impact from contamination, noise and dust was considered by Public Protection at outline stage. They do state 'that the main comments for the outline application which might relate to this reserved matters application were noise impacts from the A1068 road and the building on or near to any identified mine entries. The applicant has previously applied for a reserved matter decision for the eastern part of the site (19/01457/REM) which is that part of the site where any dwellings might be impacted by road traffic noise. This western part of the site is not impacted by any identified sources of noise and it would be expected that any consideration of mine entry impacts is still at the forefront of any layout changes presented here.' They have therefore raised no objections to the proposal subject to the existing conditions on the outline being repeated. These do not need to be repeated on this permission but will still need to be adhered to by the developers.

7.28 One concern that has been raised too is in regard to the impact the site compound, that has been used through the Construction of the first phase of development, has had on residents in terms of noise and disturbance. The applicant has been made aware of these concerns and confirmed that this was approved with the Council, and whilst there are a lot of factors such as the infrastructure and sales route that determine this, in order to avoid future issues with existing residents, they will remove the existing compound and relocate this to the centre of Phase 2 away from the boundaries. As such to ensure this does happen a further condition will be attached which requires details of this to be submitted. Should the developer contravene what is approved, they would be contacted and the issues resolved. In terms of community engagement too the applicant also confirms that during Phase 1, the Miller Homes site manager has liaised with local residents on multiple occasions to assist where possible and minimise disruption and prior to the construction of either developer, they will deliver letters to nearby residents which gives details such as; commencement dates, any unusual work of note such as piling and the anticipated dates, contact details for the site managers of both developers in case of issues.

Highways

7.29 The Council as Local Highway Authority have assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. Whilst concern has been raised regarding impact on the highway network, the acceptability in principle of development on the site in terms highway capacity and the location/detailed design of the site access to Choppington Road were agreed at outline stage. Following

assessment of the current application documents as originally submitted the Local Highway Authority did raise some detailed queries regarding various detailed site layout matters, driveway/garage dimensions and visitor car parking. The applicant has submitted an amended site layout plan to address these concerns and the Local Highway Authority have now advised that they have no objections to the proposals subject to various conditions. Although concern has been raised regarding parking Highways have confirmed that 'Amended plans have been submitted and assessed and are considered acceptable, with revisions made to the overall layout and parking in order to meet NCC parking standards.' With regard to access for emergency vehicles too the Highway Authority have confirmed the layout can accommodate 11.6m refuse vehicles so the principle of the internal site layout can operate for the larger vehicles such as fire emergency vehicles. Overall the proposals are considered acceptable on transportation grounds and in accordance with the Local Plan Policies Tra 1,2,3 and 4 and the NPPF.

Drainage

7.30 The application site lies wholly within Flood Zone 1 and therefore risk of flooding on the site is not considered to be high. After reviewing the applicant's submitted information relating to flood risk and surface water drainage which included the provision is SUDs, as originally submitted, the Council's LLFA team objected due to insufficient details having been provided. In response the applicant has submitted amended plans and further information and the LLFA team have now confirmed that they have no objections. Overall, it is considered that the proposals are acceptable in relation to surface water drainage, flood risk and foul drainage and would be in accordance with the Local Plan Policy Wat 3 and 4 and the NPPF.

Ecology

7.31 Although concern has been raised from residents about impact on wildlife and biodiversity, this was considered by the Council's Ecologist at outline stage. Under this application matters relating to landscaping and layout are being assessed by the Council's Ecologist. In this regard they have raised no objection to the applicant's submitted landscape proposals. They do comment that the consent 16/04731/OUT included a commitment to retain hedgerows where possible and it is not clear from the high level landscaping plans which hedges are to be retained or removed, and there is no justification for removal. This matter has since been resolved, as set out above, as a further AIA submitted clearly shows which hedgerows will be kept and this is considered to be acceptable. The hedgerows have been identified as being 'species poor' and they are not likely to be hedgerows of importance, but the retention of these they will have benefits for commuting species and in screening existing housing from the development. In addition with regard to the concern about the Ornithological survey identifying several breeding birds within the existing hedgerow the outline permission has a condition requiring a Biodiversity Enhancement Plan and a Construction Environmental Management Plan, to be submitted which also sets out that Vvgetation clearance and tree felling will be carried out outside of the breeding bird season (March to August inclusive), unless a checking survey carried out by an appropriately qualified ecologist confirms active nests to be absent.

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

7.33 Given the above the proposals are considered to be in accordance with the Local Plan Policies QOP 4 and ENV2 and the NPPF.

Heritage impacts

7.34 The original application on this site (16/04731/OUT) was informed by a phased programme archaeological assessment comprising a desk-based assessment, geophysical survey and targeted archaeological field evaluation. Archaeological features were identified in six trenches. The County Archaeologist at the time commented on that application (memo of 05/06/17) advising that the identified archaeological remains were considered to be of no more than local importance and not of sufficient importance to justify any further archaeological work. As such under this application they have no objections to the present application on archaeological grounds and do not recommend any further archaeological work.

7.35 The County Conservation Officer has also confirmed that the proposed development site lies due south of and is situated in proximity to the Grade II listed building: Windmill Farm. They do confirm that the development proposals do not result in harm to the setting and significance of the identified listed building and while not enhancing or better revealing the listed building's significance, conclude that the development proposals preserve the heritage asset's setting.

7.36 It is therefore considered that the proposal is acceptable in terms of heritage impact and in this respect accords with Local Plan Policy ENV7 and the NPPF.

Land Stability

7.37 After further consultation, the Coal Authority now raise no objection to the application, given the applicant has now adequately addressed the requirements of Condition 18 of the outline permission. They have confirmed that 'remedial works are required for the shallow mine workings and can also see that a plan has been provided which identifies the layout of the development and how it relates to the mine entries and their zones of influence. The report authors also state that during construction works a watching brief will be carried out for any anomalous features. The remedial works will need to be subject to a Coal Authority permit.' Given this the proposal would accord with Local Plan Policy Wat 3.

Other Matters

7.33 In response to other objections received; the red line has been changed so it conforms with that on the outline permission; the LLFA have agreed the drainage strategy; the readings which an objector saw taken on site were monitoring stations for testing for ground gases, which is a normal planning requirement and the installations do not present a risk to the site or the wider area. They are used to understand whether measures are required to prevent ground gas entering the proposed dwellings. In this case the applicant has confirmed gas membranes will be installed to the ground floor. With regard to the query about ownership to the rear of Featherstone Grove, the applicant has submitted a Land registry plan which shows there is a strip between the applicants site and the property owned along Featherstone Close which is owned by Persimmon. This clarifies that the land is owned by another party, not by the objector. In addition the applicant is bringing the residents boundary further East to retain the hedgerow and no works will be carried

out to the West of the hedgerow. With regard to the footpath next to Featherstone Grove, this is shown going into land owned by Persimmon. However, the applicant can see a garden boundary which curves around and so to avoid any confusion and conflicts with residents on site, they will be curving the footpath around to the South so it meets the existing route. In addition 2.5 storey dwellings are proposed rather than 3 storey dwellings and with a low ridge line.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

1. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number

Proposed brick and tile layout CRB/BAT/001 Rev C
BYRNEHAM, PLANNING PLANS, EMG31/2021/PL2 A
EMG41/2020/PL2 A Chalham – Planning Plans
EMG43/2020/PL2 A Hubham – Planning Plans
EMG44/2020/PL2 A Kitham – Planning Plans
Materials Layout 1N CHO/MA-01 Rev A

Planting Plan- NT15574/001 Rev E
Planting Plan – Sheet 1 of 2- NT15574/002 Rev E
Planting Plan – Sheet 2 of 2 -NT15574/003 Rev E
Overall Site Layout- 1328-MIL-100 Rev L

Site Layout Plan (North) 328-MIL-101 Rev L
Site Layout Plan (South) 1328-MIL-102 Rev L
Boundary Treatment Plan (North) 1328-MIL-103 Rev L
Boundary Treatment Plan (South) 1328-MIL-104 Rev L
Adoption Plan 1328-MIL 105 L

500N - 5B / 9P / 1464 – BAYFORD 500N801V
502N - 5B / 10P / 1671 – THETFORD 502N801V
Indicative Grout Treatment Plan

Email from Millers on 10/4/2022 3:29 PM- containing information on trees/ hedges
Arboricultural Impact Assessment Ref: ARB/CP/1399 Date: September 2022
Energy Statement: 10% FEE Reduction Study

Engineering Layout (Phase 2) QD1837-03-01 Rev F
Impermeable Areas Drawing (Phase 2); QD1837-03-02
Flow Control Manhole S40 QD1531-08-02 Rev D
Engineering Layout (Phase 2) QD1797-03-01 Rev B
Impermeable Areas Drawing (Phase 3) QD-1797-03-02

Play Area Layout Plan Sheet 1 of 3 NT15574-003
Play Area Layout Plan Sheet 3 of 3- NT15574-003
Play Area Layout Plan Sheet 2 of 3 NT15574-003

Phase 2 Ground Investigation Report Planning & Affordable Housing statement
House Type Plans & Elevations:
BUN/6/PL1 Bungalow 2 Bed House
BUN/6/PL2 Bungalow 2 Bed House
DET(13)01 GA01 Detached Garages
DOUBLE GARAGE Double (2019)
EMA22/2020/PL2 Beaford – Floor Plans

EMA22/2020/PL3 Beaford – Elevations
 EMA31/2020/PL2 Amblesford – Floor Plans
 EMA31/2020/PL3 Amblesford - Elevations
 EMA32/2020/PL2 Bramblesford – Floor Plans
 EMA32/2020/PL3 Bramblesford – Elevations
 EMA33/2020/PL2 Eynsford – Floor Plans
 EMA33/2020/PL3 Eynsford - Elevations
 EMA35/2020PL2 Tetford – Floor Plans
 EMA35/2020/PL3 Tetford – Elevations
 EMA42/2020/PL2 Bittesford – Floor Plans
 EMA42/2020/PL3 Bittesford – Elevations
 EMA42/2020/PL4 Bittesford – Elevations (Alternative)
 EMG41/2020/PL3 Chalham – Elevations
 EMG31/2020/PL3 Byrnhem – Elevations
 EMG44/2020/PL2 Kitham – Floor Plans
 EMG44/-/PL3 Kitham – Elevations
 EMG43/2020/PL2 Hubham – Floor Plans
 EMG43/2020/PL3 Hubham - Elevations
 EMT31/2020/PL2 Aynesdale – Floor Plans
 EMT31/2020/PL3 Aynesdale – Floor Plans
 EMT31/2020/PL4 Aynesdale – Elevations (Alternative)
 EMT32/2020/PL2 Carrdale – Floor plans
 EMT32/2020/PL3 Carrdale – Elevations
 EMT42/2020/PL2 Tewksdale – Floor Plans
 EMT42/2020/PL3 Tewksdale – Elevations

807131/HT1/01 HT1 - Floor Plans & Elevations
 597-MIL HT2 – Floor Plans & Elevations
 2038013 – HT1 Bungalow – Corbridge
 Planning drawing HT2
 Planning Drawing 203 – HT3
 SINGLE GARAGE(2019)
 807131/HT1/01 A HT1
 203C Marchmont WDM 203C801V
 M202 Rosamond WDM M202801V
 301C Dayton WDM 301C801V
 M300 Harrison WDM 300801V
 302C Overton WDM 302C801V
 304N Masterton WDM 304N801V
 307M Tiverton WDM 307M801V
 309T Eaton WDM 309T801V
 407 Hazelwood WDM 407N801V
 411N Maplewood WDM 411N801V
 416N Sherwood WDM 416N801V
 417T Baywood WDM 417T801V
 500N Bayford WDM 500N801V
 502N Thetford WDM 502N801V

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

2. Notwithstanding the details contained within the approved Arboricultural Impact Assessment, September 2022, no existing trees/ hedge/ shrubbery shall be removed to the rear of plots 109 to 133.

Reason: In the interest of protecting the visual amenity of the site and biodiversity, in accordance with Northumberland Local Plan Policy ENV2.

3. Prior to the occupation of any dwelling, details showing the extent of new hawthorn hedging or other planting to be located on the site where Groups 6,5,14 and 4 are identified to be removed, shall be submitted to and approved in writing by the Local Planning Authority. The new hedging shall then be planted in accordance with these approved details prior to the occupation of any dwellings with boundaries next to any of these groups, unless any other timing is agreed in writing, and it shall be maintained until established,

Reason: In the interest of protecting the visual amenity of the site and biodiversity, in accordance with Northumberland Local Plan Policy ENV2.

4. Notwithstanding the details contained on the approved planting plans prior to the occupation of any dwelling, details showing further tree planting along the streets, shall be submitted to and approved in writing by the Local Planning Authority. These trees shall then be planted in accordance with these approved details prior to the occupation of any dwellings, unless any other timing is agreed in writing, and the trees shall be maintained until established,

Reason: In the interest of protecting the visual amenity of the site and biodiversity, in accordance with Northumberland Local Plan Policy ENV2.

5. Prior to any site works commencing an Arboricultural Method Statement which includes tree protection details for all remaining trees and hedges on site and directly next to the site boundaries, shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented in complete accordance with the approved scheme and shall remain in place throughout the course of the construction of the development, unless otherwise approved in writing with the Local Planning Authority.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with the provisions of Northumberland Local Plan Policies ENV2 and QOP 4.

6. All trees and hedges within, and to the boundaries of the site identified on the approved application plans/ documents as being retained, shall be retained.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with the provisions of Northumberland Local Plan Policies ENV2 and QOP 4.

7. All landscaping outside the boundaries of the houses shall be carried out in accordance with the approved drawings within 6 months of the substantial completion of plot development in that phase, or within such other time as may be approved with the Local Planning Authority. The landscaping within and to the boundaries of the houses shall be carried out before that particular dwelling is occupied, unless any other time is agreed in writing. The landscaped areas shall be

subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any plants, or areas of seeding or turfing comprised in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, and in accordance with the provisions of Northumberland Local Plan Policies QOP1, 2 and 4.

8. Those dwellings that have rooms in their roof shall have obscure glazing in the windows of the rear roof lights.

Reason: In the interests of protecting residential amenity and in accordance with the provisions of Northumberland Local Plan Policy QOP 2.

9. Notwithstanding any details approved under Condition 15 of application 16/04731/OUT, no development shall take place in connection with the phase of development approved under this permission until a further Construction Method Statement together with a supporting plan, has been submitted to and approved in writing by the local authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. routing of heavy construction vehicles and deliveries;
- vii. site access and any turning facilities required for construction vehicles;
- viii. the approximate phasing of construction works;
- ix. vehicle movements and numbers;
- x. measures to be put in place to safeguard during construction works any existing trees and hedgerows
- xi. details of any temporary lighting, which shall be designed so that lighting levels are minimised
- xii) hoardings, decorative displays and areas of public access (sales area);
- xiii) measures to control emissions and dust during construction;

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

The approved statement shall be implemented and complied with for the full duration of the construction works associated with that phase.

Reason: In order to achieve a satisfactory form of development and protect general amenity in accordance with the NPPF and Northumberland Local Plan Policy QOP2.

10. The play areas shall be provided before more than half of the dwellings are occupied, in that phase, or within any other time agreed in writing, with the Local Planning Authority. They shall be maintained so they do not fall within a state of disrepair.

Reason: In order to achieve a satisfactory form of development and protect general amenity in accordance with the NPPF and Appendix H of the Northumberland Local Plan.

11. Notwithstanding the details provided, prior to commencement of development samples of the materials to be used in the construction of the external surfaces of the adoptable highway elements shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

12. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

Reason: In the interests of amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

13. Each dwelling shall not be occupied until the car parking area associated with each respective dwelling, as indicated on the approved plans, has been hard surfaced, sealed and marked out and implemented in accordance with the approved plans. Thereafter, the car parking area for each dwelling 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 and Policy TRA4 of the Northumberland Local Plan.

14. Development shall not be occupied until details of all proposed highway works, including signage, street markings and street lighting have been submitted to and approved in writing by the Local Planning Authority. The building(s) 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 and Policy TRA2 of the Northumberland Local Plan.

15. No part of the development shall be occupied until an Emergency Access route from the A1068 has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

16. No works to the streets proposed for adoption shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local

Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

17. Each dwelling shall not be occupied until the 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 and Policy TRA1 of the Northumberland Local Plan.

18. Prior to occupation, details of surface water drainage to manage run off from private land and private runoff onto the adoptable estate road area, have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

19. Prior to occupation details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

20 No external refuse or refuse containers shall be stored outside of the approved refuse storage area (within the curtilage of each property) 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.

Informatives

- 1) Public Bridleway No72 shall be protected throughout. No action should be taken to disturb the path surface, without prior consent from the 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) This permission does not grant approval for the removal of any trees outside the application site boundary.
- 3) Highways

INFO 25 Section 38 Agreement and adoption of highways

You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

INFO 28 Section 278 Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

INFO29 Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

INFO31 Contact Traffic Management

You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period.

INFO33 Reminder to not store building material or equipment on the highway
Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

INFO34 Technical Approval of Highway Structures

You should note that Technical Approval of Highways Structures is required. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

INFO35 Contact Lighting Section

You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

INFO38 Contact Local Highway Authority - Submission of details of adoptable streets

The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such

approved details to the Local Planning Authority to discharge condition [insert] of this permission. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk

INFO40 - Reminder to not deposit mud/ debris/rubbish on the highway
In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

INFO41 - Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979

INFONEW Street Naming

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority. Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19).

Date of Report:

Authorised by:

Date:

Background Papers: Planning application file(s) 21/04298/REM

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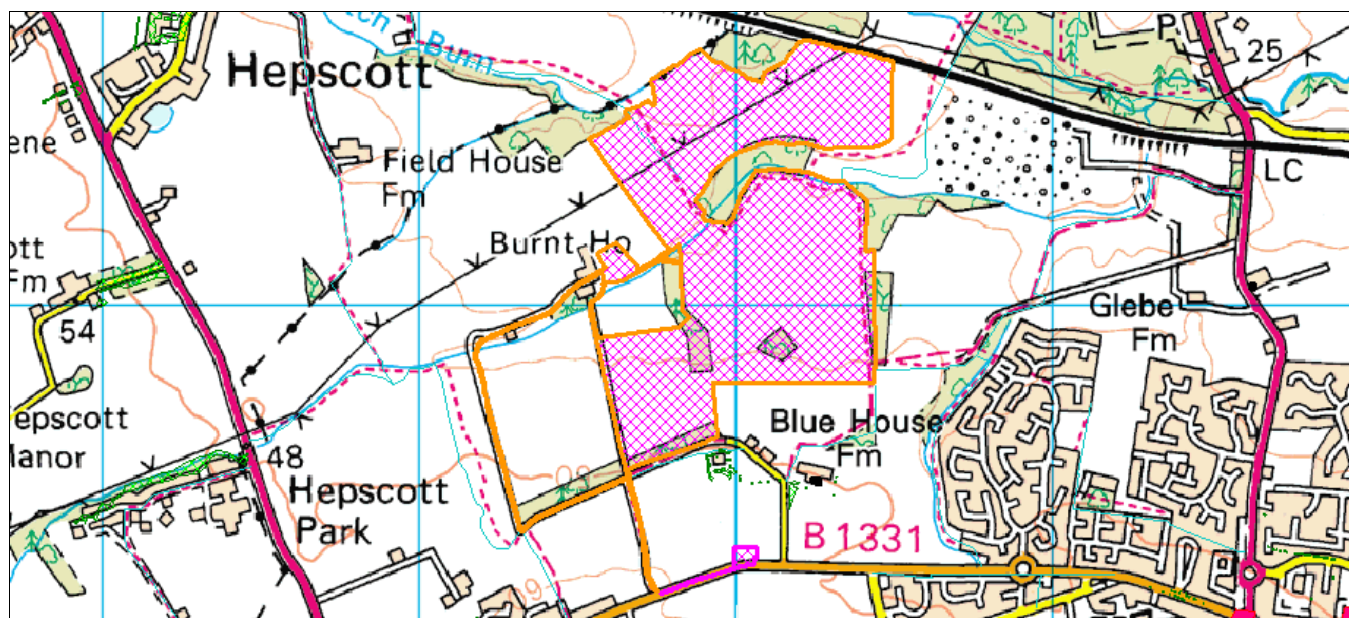


Northumberland County Council

Strategic Planning Committee, 1 November 2022

Application No:	22/01082/RENE		
Proposal:	Construction of a solar farm together with all associated works, equipment and necessary infrastructure		
Site Address:	Land East of Burnt House Farm, Netherton Road, Bedlington		
Applicant:	Mr Alan Connolly Bluefield Renewable Developments Limited	Agent:	Mr Mark Herbert Pegasus Group Querns Business Centre Whitworth Road Cirencester GL7 1RT
Ward:	Bedlington West	Parish:	West Bedlington
Valid Date:	22 April 2022	Expiry Date:	2 nd November 2022
Case Officer Details:	Name: Mr Kevin Tipple Job Title: Senior Planning Officer Tel No: 01670 623631 Email: Kevin.Tipple@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

- 1.1 This planning application represents a major development and therefore is to be considered by the Strategic Planning Committee.
- 1.2 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out that Environmental Impact Assessments (EIAs) are required for certain developments where the proposal is to have a likely significant effect on the environment. The development proposal was screened by the Local Planning Authority prior to submission with a Screening Request issued in October 2021 (reference 21/03768/SCREEN) which deemed that the proposed development is not likely to have significant effects on the environment and as such is not considered to be EIA development.

2. Description of the Proposals

- 2.1 Planning permission is sought for the construction, operation, management and decommissioning of a grid connected solar farm with associated infrastructure. The proposed development would generate electricity to be exported via the electricity distribution network and would have an export capacity of 49.99MW.
- 2.2 Planning permission is sought for a temporary period of 40 years from the date of first exportation of electricity from the site. At the end of this period, the solar panels and associated equipment would be removed, with the exception of the proposed distribution network operator (DNO) substation, which would remain as part of the local electricity distribution network.

Application Site

- 2.3 The proposed solar farm would cover an area of 75.8 hectares in the open countryside west of Bedlington, north east of Nedderton, and south west of Hepscott. The land is currently in agricultural use.
- 2.4 The proposals would occupy a series of fields which are currently used for arable farming. They comprise a northern parcel of land situated to the north of Netherton Letch, a central parcel situated to the south of Netherton Letch, and a western parcel situated to the west of this central parcel. The proposed Northern Powergrid substation would be located adjacent to the B1331 that runs between Bedlington and Nedderton. Construction and maintenance vehicles would use the existing access and track to Burnt House Farm off the B1331.

Solar Arrays and Supporting Equipment

- 2.5 The proposed development would comprise arrays of solar photovoltaic (PV) panels which would have a maximum height of 2.8 metres above ground level and be set out in rows on an east-west orientation to face the south. The panels would be mounted on a simple metal framework, which would comprise upright, galvanised steel posts that are driven into the ground and an aluminium support frame. The panels would be tilted at 15 to 25 degrees from the horizontal to optimise efficiency. There would be gaps of between 3.5

metres and 9.0 metres to avoid shadowing effects between the panels with localised topography dictating exact row spacing.

2.6 The associated infrastructure to support the development would comprise:

- Thirteen inverter stations located throughout the site. The inverters convert direct current (DC) electricity generated by the PV panels into alternating current (AC) for supply to the electricity network. The inverters would be housed in prefabricated metal containers that would have a length of approximately 12.2 metres, a height of 2.9 metres and a width of 2.4 metres. The metal containers would be positioned on a concrete block plinth approximately 0.5 metres in height, with the overall elevation of the containers measuring 3.4 metres above ground level as a result of being placed on the plinth.
- A customer substation building would be located in the south western corner of the western parcel of land. The building would consist of a prefabricated metal unit that would be 12.5 metres long, 4.0 metres wide and 3.3 metres high.
- A distribution network operator (DNO) substation would be located immediately to the north of the B1331 between the proposed site access and the road leading to Blue House Farm. The substation would cover 50 metres by 33 metres. Within the substation there would be a control building (17.9 metres long, 5.1 metres wide and 6.12 metres high), a transformer (6.6 metres long, 4.8 metres wide and 5.6 metres high) and grid connection equipment.
- Insulated cables from the solar modules would be routed in channels fixed on the underside of the framework supporting the solar panels and then within shallow trenches to link to the inverter stations, the site (customer) substation and the proposed distribution network operator substation.
- A 2.5 metre high deer stock fence with wooden posts and open steel mesh, with small mammal/badger access points, and gates to enclose the areas of solar panels. This would be for security purposes and would potentially allow sheep to graze within these areas.
- For the purposes of site security and monitoring, closed circuit television (CCTV) cameras would be mounted on 2.5 metre high poles positioned at regular intervals along the inside edge of the fencing.
- Internal tracks that would be constructed with crushed aggregate between 4 and 5 metres in width to allow vehicular access for maintenance purposes.
- Landscape planting, biodiversity enhancements and surface water attenuation measures to assist with landscape mitigation, biodiversity net gain and flood control. A biodiversity enhancement area containing species-rich grassland would be created in the northern portion of the enclosure to the north of Blue House Farm Cottages.

2.7 In addition, a temporary construction compound would be sited adjacent to the existing Burnt House Farm complex. This compound would be removed and the land restored following the completion of the construction phase.

2.8 Access for all construction and maintenance vehicles to the site would be provided from an existing access point off the B1331 between Nedderton and Bedlington and the existing surfaced track to Burnt House Farm.

- 2.9 The connection to the national grid would be via the distribution network operator substation forming part of this application. Underground cabling would then connect the substation to the local distribution network via a point of connection located in the existing Bedlington substation.

3. Relevant Planning History

Reference Number: 12/00808/SCREEN

Description: Screening opinion - Erection of 77m to tip wind turbine.

Status: EIA not required

Reference Number: 13/01899/RENE

Description: Installation of wind turbine height to tip of 77m including a hardstanding area, a small substation enclosure, on-site access track, a temporary guyed meteorological mast and associated infrastructure

Status: Withdrawn

Reference Number: 21/03768/SCREEN

Description: Screening opinion for proposed solar farm

Status: EIA not required

4. Consultee Responses

West Bedlington Parish Council	The Council has raised concerns in respect of the location of the proposed sub-station. An alternative location away from the B1331 is sought.
County Archaeologist	No objections, subject to the development being undertaken in accordance with the submitted construction method statement for archaeological mitigation.
Building Conservation	No objection to the application on heritage grounds. The development proposals preserve the setting and significance of Nedderton Village, Netherton Hall, Netherton School and Netherton Blue House Farm.
National Grid	The above proposal is in close proximity to a high voltage transmission overhead line. National Grid has no objections.
Forestry Commission	No response received.
Countryside/ Rights of Way	No objection on the condition that Public Rights of Way network is protected throughout. No action should be taken to disturb the path surface, without prior consent from the 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.
Natural England	Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.
County Ecologist	No objection, subject to a condition requiring the development to be carried out in accordance with the Biodiversity Management Plan and landscape plan. The Biodiversity

	Management Plan encapsulates the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring.
Environment Agency	No objections.
Highways	No objections, subject to the imposition of conditions to require the development to be carried out in accordance with the approved plans, submission and approval of a construction method statement and details of the vehicular access.
Climate Change Team	No response received.
Lead Local Flood Authority (LLFA)	No objection, subject to conditions relating to the development being carried out in accordance with the flood risk assessment, maintaining vegetation cover, grass filter strips and interception swales around the development, and locating any control equipment minimum of 300mm above ground level within 'low' and 'medium' areas of surface flood risk.
Public Protection	No objection, subject to conditions relating to working hours, construction delivery hours, noise, floodlighting and glint and glare.
Newcastle International Airport	No objections. The proposed solar farm development is close to the western edge of the departure sway for a northern departure from the Airport from Runway 07. However, the aircraft will be in a nose up altitude and in the climb. A Glint and Glare Study was submitted in support of the proposal. This study identified that there would be no issues or significant impacts to the Air Traffic Control Tower or arriving aircraft to the airport. As a result of this, the Airport raises no objections to the proposals.
Northumbrian Water Limited	No comments to make. No connections to the public sewerage network are proposed in the application documents and the application documents indicate that surface water will discharge to soakaways.
Northumberland Fire and Rescue Service	No objection.
Northumbria Police - Architectural Liaison Officer	No response received.
North East Ambulance Service	No response received.
Historic England	No comments. Under the relevant statutory provisions, the Local Planning Authority does not need to notify or consult Historic England on this planning application.
The Coal Authority	No objection, subject to the imposition of planning conditions to require the undertaking of intrusive site investigations to establish the risks posed to the development by past coal mining activity prior to the commencement of development, and the submission for approval in writing of a statement

	prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	157
Number of Objections	2
Number of Support	1
Number of General Comments	0

Notices

- 5.1 Site notices (affecting LBC and PROW) were posted at the site on 5 May 2022. A press notice was placed in the News Post Leader on 6 May 2022.

Summary of Responses

- 5.2 Two letters of objection have been received as a result of publicity on this application. They raise the following points:
- Solar projects should avoid taking up farmland. Brownfield, contaminated, industrial land or poor quality agricultural land that can only be used for grazing is more suitable.
 - The proposal would have a negative impact of the footpath network that crosses the site. The footpaths currently offer unobstructed views over the farmland.
 - Loss of habitat and impact on wildlife. The proposal would have devastating effect on the local bird population, creating confusion, and a lack of adequate areas to nest and forage for food. Otter, red squirrel and great crested newt have been seen in the area.
 - Close proximity to housing.
 - Concerns regarding the noise generated by the inverters.
 - The local community should be compensated through an offer of cheaper electricity.
- 5.3 One letter of support has been received. It makes the following points:
- Proposal would generate clean, green energy that would support the diversification of the sources of energy generation in the UK and increase energy independence.
 - The proposals would maintain the most biodiverse areas of woodland, and primarily affects the monoculture farmland areas.
- 5.4 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=R96WNXQS FMZ00>

6. Planning Policy

- 6.1 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 is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.
- 6.2 The site of the proposed development is located within the Civil Parish of West Bedlington. This is a designated Neighbourhood Area and a Neighbourhood Development Plan is currently being prepared by West Bedlington Town Council. The plan has reached the pre-submission stage with a consultation on the 'West Bedlington Neighbourhood Plan: Pre-Submission Draft (February 2021)' taking place between 10 February 2021 and 7 April 2021. As the plan is at the pre-submission stage it should be afforded little weight in decision-making at this time.

Development Plan Policy

- 6.3 The policies in the Northumberland Local Plan (March 2022) that are relevant to the consideration of the application are:
- Policy REN 1: Renewable and low carbon energy and associated energy storage
 - Policy STP 1: Spatial strategy
 - Policy STP 2: Presumption in favour of sustainable development
 - Policy STP 3: Principles of sustainable development
 - Policy STP 4: Climate change mitigation and adaptation
 - Policy STP 6: Green infrastructure
 - Policy ECN 14: Farm/rural diversification
 - Policy QOP 1: Design principles
 - Policy QOP 2: Good design and amenity
 - Policy QOP 4: Landscaping and trees
 - Policy TRA 2: The effects of development on the transport network
 - Policy TRA 7: Aerodrome safeguarding areas
 - Policy ENV 1: Approaches to assessing the impact of development on the natural, historic and built environment
 - Policy ENV 2: Biodiversity and geodiversity
 - Policy ENV 3: Landscape
 - Policy ENV 4: Tranquillity, dark skies and a sense of rurality
 - Policy ENV 7: Historic environment and heritage assets
 - Policy ENV 9: Conservation Areas
 - Policy WAT 3: Flooding
 - Policy WAT 4: Sustainable Drainage Systems
 - Policy POL 2: Pollution and air, soil and water quality
 - Policy POL 3: Agricultural land quality
 - Policy MIN 4: Safeguarding mineral resources

Emerging Development Plan Policy

- 6.4 The emerging West Bedlington Neighbourhood plan has reached the pre-submission stage with a consultation on the 'West Bedlington Neighbourhood Plan: Pre-Submission Draft (February 2021)' taking place between 10 February 2021 and 7 April 2021. As the plan is at the pre-submission stage it should be afforded little weight in decision-making at this time.
- 6.5 The policies from the West Bedlington Neighbourhood Plan that are relevant to this application are:
- Policy WB1: Sustainable development
 - Policy WB2: Design Policy
 - Policy WB3: General location of new development
 - Policy WB4: Green infrastructure
 - Policy WB8: Heritage assets
 - Policy WB18: Transport and new development

National Planning Policy and Guidance

- National Planning Policy Framework (July 2021)
- Planning Practice Guidance (2014, as updated)

7. Appraisal

7.1 Having regard to the requirements of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning consideration, including representations received, it is considered that the main planning issues raised relate to:

- Principle of solar development
- Climate change
- Use of agricultural land and a greenfield site
- Green Belt
- Landscape and visual impact
- Ecology
- Trees and hedgerows
- Land stability and coal mining legacy
- Noise
- Flooding and drainage
- Public rights of way
- Highways and vehicular access
- Impacts on the Historic Environment – Archaeology
- Impacts on the Historic Environment – Building conservation
- Glint and glare
- Decommissioning
- Mineral safeguarding

7.2 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 Northumberland Local Plan (March 2022). The emerging West Bedlington Neighbourhood Development Plan, the National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

Principle of solar development

7.3 Policy REN 1 of the Northumberland Local Plan is generally supportive of renewable energy such as solar photovoltaic developments, provided that the effects from the development are acceptable or can be made acceptable when considered against the criteria in this policy and the other policies in the development plan. The Local Plan does not allocate sites for solar photovoltaic developments with Policy REN 1 requiring an assessment of the likely effects of a proposal as described above.

7.4 The NPPF is also supportive of new renewable energy development. Paragraph 152 states the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 158 (b) goes on to state when determining planning applications for renewable and low carbon development, local planning authorities should approve the application if its impacts are (or

can be made) acceptable...". The NPPF also does not provide specific locational requirements for solar photovoltaic developments.

- 7.5 It is therefore considered that solar photovoltaic development is supported in principle by Policy REN 1 of the Northumberland Local Plan and Paragraph 152 of the NPPF. This support in principle is subject to the proposal being considered acceptable when assessed against the relevant policies in the development plan.

Climate Change

- 7.6 Both national legislation and international agreements set targets for the reduction of carbon emissions and the increase in renewable energy generation. In 2019 the Government amended the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is known as the commitment to 'net zero'. Paragraph 2 of the NPPF states planning decisions must reflect relevant international obligations, and the UK's legally binding commitments to energy targets is also an important material consideration.
- 7.7 The Energy White Paper (Energy White Paper: Powering our net zero future, December 2020) was issued by the Department for Business, Energy and Industrial Strategy (BEIS) in December 2020 to address the transformation of the UK's energy system towards the 2050 target for net-zero emissions. The Energy White Paper sees the expansion of renewable technologies as a key contributor to achieving an affordable clean electricity system by 2050. It sets out that solar is one of the key building blocks of the future energy mix. In October 2021, the Government published the Net Zero Strategy: Build Back Greener. Under 'Key Policies' for power it explains that subject to security of supply, the UK will be powered entirely by clean electricity through, amongst other things, the accelerated deployment of low-cost renewable generation such as solar.
- 7.8 The proposed development has a capacity of 49.9MW and would generate a significant amount of electricity from a clean, renewable source. This would provide for a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually and meet the energy needs of approximately 15,000 homes each year. The scheme could therefore make an important contribution to the objective of achieving the statutory Net Zero target set for 2050 and the commitment to reducing emissions by 78% compared with 1990 levels by 2035. This benefit of the scheme will be given significant weight in the planning balance.
- 7.9 It is also considered that the proposed development accords with Part 1 of Policy STP 4 of the Northumberland Local Plan with regard to contributing to meeting binding targets to reduce greenhouse gas emissions and contributing to mitigating climate change. The proposed development is also supported by Paragraph 158 (a) of the NPPF which states when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

Use of agricultural land and a greenfield site

- 7.10 Paragraph 174 of the NPPF indicates that decisions should recognise the economic and other benefits of best and most versatile agricultural land, which it classes as land in Grades 1, 2 and 3a of the Agricultural Land Classification. Policy POL 3 of the Northumberland Local Plan states that regard will be had, to the wider economic and other benefits of the best and most versatile agricultural land when considering any irreversible loss in accordance with national policy. Where significant development of such land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. Part 2 of Policy POL 3 goes on to state temporary or reversible development on best and most versatile agricultural land will be supported where the land would be reinstated to its pre-development quality.
- 7.11 The proposed development would occupy 75.8 hectares of agricultural land. The planning application is accompanied by an Agricultural Land Classification Report prepared by Patrick Stephenson Limited. This demonstrates that 95% of the site would be classed as Grade 3b and 5% of the site area would be classed as Grade 3a best and most versatile land.
- 7.12 Planning Practice Guidance (PPG) includes specific advice on large scale ground-mounted solar photovoltaic farms (see Paragraph 013, Reference ID 5-013-20150327). In relation to the location of these developments, the PPG encourages the effective use of land by focussing large-scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, consideration should be given to whether:
- the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
 - the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 7.13 The proposed site is located within open agricultural land, and the planning application is accompanied by an Agricultural Land Classification Report (ALC) prepared by Patrick Stephenson Limited. This demonstrates that approximately only 5% of the site area would be classed as being of 'best and most versatile' soils.
- 7.14 The proposed solar farm (excluding the substation) will be a temporary installation to operate of a 40 year lifespan. A suitably worded planning condition is recommended to be imposed to control this and to require the solar arrays and associated equipment to be removed, and the site restored following the cessation of this 40 year period. There would be no permanent or irreversible loss of agricultural land with a conversion from arable cropping to pasture grazing in between the solar panels. It can be anticipated that the soil quality would improve over this long fallow period, and the restored land whether used for arable or livestock farming will be more productive than at present. Conditions have also been recommended to ensure that the soil resource is protected during construction and restoration. This would be encapsulated within the Construction Management Plan and post-development restoration conditions.

- 7.15 Although the development would temporarily remove a significant portion of land from arable use it would still be available for low intensity grazing. The development would also be fully reversible if the land were to be required for food production during the operational period. It is therefore considered that the proposed development would not conflict with Policy POL 3 of the Northumberland Local Plan or Paragraph 174 of the NPPF.

Green Belt

- 7.16 Part of the proposed site access route is located within Green Belt. All other elements of the proposed development, which includes the site construction compound, the solar arrays, the inverter buildings and the substation buildings, are not located within Green Belt.
- 7.17 The element of the proposed site access route located within Green Belt is an existing track that is used by light vehicles, agricultural vehicles and heavy goods vehicles to access the construction training facility at Burnt House Farm as well as the surrounding agricultural land. No material changes are proposed to this access track in this planning application. It is therefore considered that there is no conflict with Policies STP 7 and STP 8 of the Northumberland Local Plan or Paragraphs 147 to 151 of the NPPF.

Landscape and visual impact

- 7.18 Part 3 (a) of Policy REN 1 states appropriate weight will be given to landscape character and sensitivity of landscape and visual receptors including landscapes and views demonstrated to be of value at the local community level in assessing whether applications for renewable energy development are acceptable or can be made acceptable. Part 1 (a) of Policy ENV 3 states proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.
- 7.19 The site is located within National Character Area 13: South East Northumberland Coastal Plain, which contains four Landscape Character Types (LCTs) and seven Landscape Character Areas (LCAs). The site is located predominantly within LCT 39: Coalfield Farmland and LCA 39c Stannington, with the far eastern extent falling within LCT 42 Urban and Urban Fringe and LCA 42a Ashington, Blyth and Cramlington. The site does not lie within an area covered by any national or local landscape designations.
- 7.20 LCA 39c Stannington has areas of pleasing rolling arable character with mature landscape features which is evident around the application site and its setting in spite of its mining history. Other parts of the wider LCA/ LCT in the Northumberland coalfields can exhibit a lack of valued landscape features such as mature trees which contributes to a sense of openness and large scale, especially in former surface mining areas which can lack richness, time depth and topographic character. However, this is not the case with the application site, which lies on the gently sloping valley sides north and south of Netherton Letch with the site environs including blocks of deciduous and pine woodlands, along with some historic landscape features such as remnant old hedges and oak trees with veteran characteristics. The site has a tranquil and rural feel in spite of its location close to housing and infrastructure.

- 7.21 The arable rolling land with incised burn and mature woodlands is among the better-quality areas of landscape in this LCT. The site and the immediate local landscape it forms part of are of medium value and sensitivity. Being positioned on the valley sides of a stream and being particularly elevated in the south west corner it forms part of views from the surrounding area especially from the public rights of way.
- 7.22 The southern part of the site occupies an elevated area that slopes northwards towards the incised burn that splits the site into north and south parcels. The most elevated area of solar panels would be on the south west parcel on a raised crown of land.
- 7.23 Due to the substantial belts of existing mature woodland planting at the western edge of Bedlington, the proposed development would not be generally visible from most residential areas other than in limited views from some residential properties along the southern and south eastern edge. Residential properties are generally considered to be of high sensitivity to visual effects and there would be some loss of visual amenity for individual properties currently enjoying open farmland views particularly from upper windows, but these are partly filtered by existing hedgerows and woodland. From the west of the site, the solar panels would be visible on the elevated south west field. Receptor views appear relatively limited from this aspect, albeit there could be views from around 1 kilometre from overlooking upper windows at Hepscoth Park.
- 7.24 The most significant effects on visual amenity would be the effects on views from the well-used public rights of way on the eastern and northern side of the site (principally Footpaths 600/033 and 600/035). The value of the views range from medium to high with some lower value elements such as pylons and extensive arable cropping, alongside higher value elements such as the rolling topography, panoramic views flanked by deciduous mature woodland with some lone oaks of high quality. The receptors using these paths are susceptible to visual change because the views are experienced over a considerable period of walking through the full north-south extent of the site. The proposed development would be seen by the user alongside or in the forward view at close proximity. Viewpoint 2 of the Landscape and Visual Impact Assessment shows the view south from this point would be particularly affected as views of the solar panels over four fields are gained from this path. Some mitigation is proposed by providing hedgerow planting alongside these routes with the aim of softening the fencing and the panels. There would be a considerable visual and character change to the current experience of open views over rolling countryside as a result of the proposed development.
- 7.25 The effects on the footpaths to the west of the site (from Hepscoth Park) would be lower as the proposed development would be seen at a greater distance, however with the siting of some of the solar panels on a high point of land the proposed development would be viewed across wider area. This would potentially be viewed in varying extents by users of Footpath 409/007 and 600/036 when walking south from Hepscoth to Nedderton and Hepscoth Park.
- 7.26 View from roads are mostly limited to the B1331 to south of the site, which are of medium sensitivity to visual effects and have a semi-rural and open

character. The proposed substation on the southern boundary is located at the highest point of the site alongside this road and would result in adverse visual effects. Approximately 25 metres of hedgerow alongside the B1331 would be removed to allow for the construction of the substation, but a new native hedgerow and trees are proposed to be planted around the perimeter of the substation once it has been constructed. The construction of the proposed substation will bring about a deterioration in the views and character, which would be mitigated to a degree by the proposed new hedgerow and tree planting.

- 7.27 In conclusion, the proposed development would have adverse effects on landscape character and visual impact. However, the topography of the site, existing screening and the introduction of new tree and hedgerow planting would limit the adverse effects, which would be localised. The most significant adverse effects would be on the users of the public rights of way that cross the site and from the substation at the southern boundary of the site. It is considered that the adverse effects would be suitably mitigated in the proposals. Notwithstanding this, it is considered that the proposal would be in conflict with Policy ENV 3 of the Northumberland and Part 15 of the NPPF by virtue of the landscape and visual harm identified.

Ecology

- 7.28 The applicant has submitted an Ecological Assessment Report, Breeding Bird Survey and Biodiversity Management Plan. The application site primarily comprises arable land of low ecological value, bounded by species poor hedgerows and ditches, and small mixed plantation woodland. Intact native species hedgerows are a Habitat of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The hedgerows will be retained, aside from a small amount to be removed for access to the substation and enhanced with new planting. The existing woodland will also be retained.
- 7.29 The submitted assessments demonstrate that there are no significant harms to biodiversity as the result of the proposed development. Breeding bird surveys show that the site is used by Skylarks. Skylarks are a red list Bird of Conservation Concern and are ground-nesting, using open fields. The Council's ecologist has advised that from the current literature on biodiversity and solar farms, it is thought that Skylarks utilise the grassland between solar panels and therefore with the correct management habitat this species will be retained on site. The Biodiversity Management Plan has been updated to include specific ongoing management action to benefit skylarks, which have also been included in the monitoring schedule. It is recommended that a condition is imposed on the grant of planning permission requiring the proposed development to be carried out in accordance with the approved Biodiversity Management Plan.
- 7.30 The wintering bird surveys did not record any species that are associated with the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and the Northumberland Shore Site of Special Scientific Interest (SSSI). Although close to the north of the site, Willowburn Pastures SSSI is separated from the site by a railway line. The Council's Ecologist considers that this separation and the use of standard best practice for pollution control during construction,

and drainage management during operation, will avoid impacts on the designated site.

- 7.31 The proposals seek to achieve a net gain for biodiversity, and this has been quantified through the use of the Defra Metric 3.0. From the low baseline (arable fields) it has been possible to demonstrate a significant net gain by the creation of permanent grassland, however, the proposed seed mix on the Detailed Landscape Proposals plan (Emorsgate EG26) contains very few forbs (flowering species). The Council's ecologist has advised that it is a missed opportunity in terms of biodiversity enhancement to not increase the proportion of wildflowers either through including additional areas seeded with the wildflower grassland mix or the creation of pollen and nectar strips, although it would not be expected that the whole area would be a wildflower meadow. However, there are no grounds to refuse planning permission on this basis as the proposed development provides Biodiversity Net Gain in accordance with the NPPF and Policy ENV 2 of the Northumberland Local Plan.
- 7.32 The Biodiversity Management Plan sets out management practices that are proposed in order to enhance the site for the benefit of local wildlife. The Biodiversity Management Plan is a comprehensive document encapsulating the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring.
- 7.33 Subject to the proposed development being carried out in accordance with the submitted Biodiversity Management Plan, which encapsulates the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring, the Council's ecologist does not object to the proposed development. It is considered that the proposal does not conflict with Policy ENV 2 and Part 3 (c) of Policy REN 1 of the Northumberland Local Plan and Section 15 of the NPPF. It is recommended a condition is imposed to require the proposed development to be carried out in accordance with Biodiversity Management Plan.

Trees and hedgerows

- 7.34 An Arboricultural Impact Assessment (AIA) report has been provided with the planning application. This reports that the proposed development would not require the removal of any significant trees, groups of trees or hedgerows. A short length of hedgerow would need to be removed adjacent to the B1331 to accommodate the proposed DNO substation but mitigation planting is proposed around the proposed substation. The planting of additional trees and hedgerows within the site is also proposed as part of the proposed landscape mitigation.
- 7.35 The proposals are considered to be acceptable and would accord with Policy STP 6, Part 2 (d) of Policy QOP 2 and Policy QOP 4 of the Northumberland Local Plan. It is recommended that a planning condition is imposed to require the submission and approval of an arboriculture method statement prior to the commencement of development.

Land stability and coal mining legacy

- 7.36 The site is located within a 'Coalfield Development High Risk Area', which means there are coal mining features and hazards that need to be considered in determining this planning application. A coal mining risk assessment has been submitted in support of the planning application.
- 7.37 The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is also likely to have been subject to historic unrecorded underground coal mining at shallow depth. The Coal Authority records also indicate the presence of seven mine entries (shafts and adits) within, or within 20 metres of the site and that the site has been subject to past surface mining operations. Thick coal seams also outcropped across the site.
- 7.38 The Coal Authority initially raised some concerns about the layout of the proposed development. These concerns have been addressed by the applicant through some minor amendments to the site layout to avoid the zone of influence of a mine entry and the highwall of the former surface extraction.
- 7.39 The Coal Authority have confirmed they have no objections to the proposed development subject to the imposition of planning conditions or conditions to require the undertaking of intrusive site investigations to establish the risks posed to the development by past coal mining activity prior to the commencement of development, and the submission for approval in writing of a statement prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development. The Coal Authority considers the undertaking of intrusive site investigations, prior to the commencement of development, is necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Paragraphs 183 and 184 of the National Planning Policy Framework and POL 1 of the Northumberland Local Plan.

Noise

- 7.40 Policy POL 2 of the Northumberland Local Plan is relevant to the consideration of proposals for new development that could give rise to unacceptable adverse effects as a result of any noise generated. Paragraph 185 (a) of the NPPF seeks to ensure planning decisions mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development as well as avoiding noise giving rise to significant adverse impacts on health and the quality of life.
- 7.41 The solar photovoltaic panels do not emit noise during the process of converting solar radiation to electricity but noise would be generated by the 13 inverters and the two substations that form part of the proposed development. The main noise source from the inverters is from the cooling fans. These would be operational during daylight hours when the solar panels are generating electricity and the inverters need to be actively cooled. The operation of the two substations would generate low frequency noise, typically

with peak frequencies of 100Hz and 200Hz. At close proximity to the substations, a hum would be generally noticeable.

- 7.42 During the construction phase, the proposed development has the potential to give rise to short term adverse effects upon noise sensitive receptors surrounding the application site. Appropriate mitigation and control measures would be adopted whilst plant was operating close to nearby residential properties to ensure that any potential adverse impacts are minimised.
- 7.43 The closest noise sensitive receptors are located to the south, which include Howard House School and a small number of residential properties. These properties are located at least 350 metres from the closest inverters. Existing noise levels within the surrounding area are principally influenced by road traffic noise associated with vehicles travelling along the B1331 and the A192 to the west.
- 7.44 The noise assessment provided with the planning application concludes that the operation of the solar farm would generate very low noise levels at surrounding properties throughout the day. Assessing the noise levels against relevant standards and guidance concluded that the operation of the solar farm would result in a low impact. The impact is classified as 'No Observed Effects Level' in PPG and is this is the level of noise exposure below which no effect at all on health or quality of life can be detected. The assessment therefore considered that the development would not result in unacceptable levels of noise in accordance with Policy POL 2 and the NPPF.
- 7.45 Public Protection has been consulted on this application and raised no objections in respect to noise. Public Protection considers that the noise assessment has demonstrated that the inverters and the substations are positioned in a manner to avoid detriment to existing residential amenity. It is recommended that planning conditions are imposed to ensure that the solar farm generates noise no greater than the existing prevailing background levels and control noise during the construction phase to prevent a loss of residential amenity during sensitive hours of the day.

Flooding and drainage

- 7.46 Policy WAT 2 of the Northumberland Local Plan requires development proposals to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. In line with Paragraph 159 of the NPPF, Policy WAT 2 states inappropriate development in areas at risk of flooding should be avoided and directs development away from areas at highest risk of flooding. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Policy REN 1 also requires consideration of flood risk when considering planning applications for renewable energy development.
- 7.47 The application is accompanied by a site specific flood risk assessment to assess flood risk to and from the proposed development. The majority of the site application falls within Flood Zone 1 (Low Probability risk of flooding). A small area along the northern boundary of the site, adjacent to Hepscott Burn watercourse, is classified as Flood Zone 2 (Medium Probability risk of flooding) and Flood Zone 3 (High Probability risk of flooding).

- 7.48 All of the buildings and control equipment associated with this proposed development would be situated in areas of Flood Zone 1. It would only be part of the security fencing and a small number of solar panels that would extend into Flood Zones 2 and 3 near the northern boundary of the site. The Flood Risk Assessment indicates that the depth of flooding in this area is shallow (less than 0.5 metres) and would not pose a risk to the development. The alignment of the security fence is parallel to the direction of flow of the Hepscott Burn and due to its nature is permeable to flood flows and would therefore not significantly impede the functioning of the floodplain at this location. The solar panels are raised at least 0.8 metres above ground level and would not be vulnerable to shallow flood flows. The structures would remain operational and safe for users in times of flood; result in no material loss of floodplain storage; and not impede water flows and not increase flood risk elsewhere.
- 7.49 To manage surface water run-off from the site it is proposed to provide a series of swales to intercept surface water run-off. It is considered that these swales would adequately mitigate any increase in run-off as a result of the small increase in the impermeable areas across the site as a result of the development. The extent of new impermeable areas within the proposed development site would be limited. The area beneath the solar panels would remain grassed, although the presence of the panels will change how the rainwater is shed onto the ground. It is only the panel supports that would be impermeable. The other impermeable elements of the proposed development include the 13 inverter buildings, the customer substation and the distribution network operator substation. The LLFA have been consulted on the applications and have recommended that planning conditions are imposed to requiring the maintenance of vegetation cover, grass filter strips and interception swales around the proposed development.
- 7.50 As set out in Paragraph 162 of the NPPF, the Sequential Test aims to new development to areas with the lowest risk of flooding. The flood risk assessment provided with the planning application states that the proposals seek to maximise the extent of development in low flood risk areas, with all sensitive control equipment located in areas of Flood Zone 1.
- 7.51 The site layout has applied a sequential approach and maximised development within Flood Zone 1. By marginally extending the development into areas of Flood Zones 2 and 3 the scheme maximises the renewable energy generation potential of the site whilst taking account of other design considerations. As a result it is considered that the Sequential Test is satisfied and a solar farm is compatible at this location, subject to satisfying the requirements of the Exception Test detailed in Paragraph 164 of the NPPF.
- 7.52 Paragraph 164 of the NPPF states to pass the exception test it should be demonstrated that:
- a. The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b. The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 7.53 Paragraph 165 of the NPPF goes on to state that both elements of the exception test should be satisfied for development to be permitted.
- 7.54 In relation to part (a) of Paragraph 164 it is considered that the energy has wider sustainability benefits by reducing reliance on carbon based fuels, and supporting carbon emission and net zero targets. The proposed development is therefore considered to satisfy part (a) of the Exception Test.
- 7.55 With respect to part b of the Exception Test, the site is not 'occupied' and occasional maintenance visits can be scheduled for times outside of elevated flood risk. The solar panels are raised at least 0.8 metres above ground level and therefore would not be vulnerable to shallow flood flows. The security fencing is permeable to flood flows. It is therefore considered that the proposed development and its users will be safe' and due to the nature and design of the equipment would not increase flood risk elsewhere.
- 7.56 The Environment Agency and the Lead Local Flood Authority have been consulted on this application and have no objections subject to the imposition of appropriate planning conditions. These conditions relate to the development being carried out in accordance with the flood risk assessment, the maintenance of vegetation cover, grass filter strips and interception swales around the proposed development, and locating any sensitive control equipment at least 300mm above ground level. They also recommend a condition be imposed requiring the proposed development to be carried out in accordance with the flood risk assessment and the mitigation measures detailed within it.
- 7.57 In relation to flooding and drainage, it is therefore considered that the proposal would accord with Policy WAT 3 (Flooding) and Policy WAT 4 (Sustainable Drainage Systems) of the Northumberland Local Plan Policy WAT 2 of the Northumberland Local Plan and the NPPF.

Public Rights of Way

- 7.58 Footpath 600/035 is located at the north of the site. It runs through the northern parcel of land, before routing along the northern boundary of the southern parcel of land. The footpath continues as 600/033 along the eastern boundary before joining Bridleway 600/072 which connects to Netherton Lane. Footpath 600/073 routes between the B1331 to the southern boundary of the southern parcel of land, along an access track. Bridleway 600/063 routes west from Howard House, running parallel to the southern boundary of the southern parcel of land along an access track.
- 7.59 The layout of the proposed development retains these existing Public Rights of Way along their current defined routes and would not prevent the future public use of these. They would remain open for use during the construction, operation and decommissioning phases of development. The Council's Public Rights of Way team has been consulted on this application and have raised no objection.
- 7.60 The Rights of Way users would be 'visual receptors' and this is discussed separately in the landscape and visual impact sections of this report.

Highways and vehicular access

- 7.61 Policies TRA 2 and REN 1 (Part 3g) are relevant to the effects of new development on the transport network. Policy TRA 2 requires all developments affecting the transport network to:
- Provide effective and safe access and egress to the existing transport network;
 - Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;
 - Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;
 - Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;
 - Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and
 - Minimise any adverse impact on communities and the environment, including noise and air quality.
- 7.62 Vehicular access to the site would be via the existing access on the B1331 to the east of Nedderton and a track northwards that serves both agricultural vehicles, traffic to Burnt House Farm and the construction training centre. The proposed new distribution network operator Substation would be served from a new access on the B1331, located west of the existing access for Burnt House Farm.
- 7.63 The construction period of the solar farm is anticipated to take up to 9 months. Construction hours would be between 08:00 and 18:00 Mondays to Fridays, and between 08:00 and 14:00 on Saturdays. During this period there will be trips associated with the arrival and departure of construction staff, and the delivery of parts and construction materials. Staff trips will mainly be made by cars, vans or minibuses, whilst deliveries of construction materials and equipment will mainly be made by HGVs.
- 7.64 The deliveries will be spaced across the construction period, with typically up to 8 deliveries daily over the construction period. During the first weeks of the construction period there would be initial deliveries to the site of machinery, temporary site welfare and office facilities, site security measures and aggregate to construct some internal access tracks. During the main construction of the solar farm, items such as the transformers/inverters, cabling, solar panels, solar panel support frames, and aggregate to construct the remaining internal access tracks would be delivered to the site. In total the construction of the solar farm will result in approximately 1,150 deliveries to the site, spread over the construction period with typically up to 8 deliveries per day. It is estimated that there will be no more than 10 deliveries (20 HGV movements) per day.
- 7.65 The number of construction staff on site will vary over the construction period depending on the activity that is taking place. The majority of staff will travel in minibuses or vans, which will park on site during the day. At the peak of

activity, there could be in the order of 25 construction staff vehicles on the site. Parking for staff would be provided in the construction compound area.

- 7.66 During the construction phase of the development, a construction compound and HGV turning area would be provided and would remain for the duration of the construction period. The compound would be of a sufficient size to store materials for the construction of the solar farm, and for vehicles to park and safely manoeuvre.
- 7.67 The construction of the distribution network operator substation will take up to 4 months within the overall construction period. The number of associated HGV deliveries will be in the order of 65 (typically 2 deliveries per day), including a single abnormal load required to deliver a component for the substation.
- 7.68 Vehicle movements during the operational period of the solar farm would mainly associated with the monitoring, upkeep and cleaning of the site. These trips would typically be made by small vans with between 10 and 20 trips each year. Due to the low number of vehicular movements being made to and from the site during its operational period, the site is unlikely to have any significant impact to the local highway network once constructed and operational.
- 7.69 The Highways Authority has been consulted on the planning application and raised no objections, subject to the imposition of relevant planning conditions. It is concluded that the proposed development accords with Policy TRA 2 of the Northumberland Local Plan. It is therefore acceptable in highways terms subject to the imposition of appropriate planning conditions.

Impacts on the Historic Environment – Archaeology

- 7.70 The site is located in an area of Northumberland that retains evidence of human activity from the prehistoric to modern periods. Archaeological evidence of human activity during the early prehistoric period is relatively sparse and tends to relate to lithic finds (such as flint tools) recovered during fieldwalking exercises and typically reflecting casual loss or funerary monuments, surviving examples of which display a locational bias towards coastal areas.
- 7.71 Evidence of settlement and landscape is more widespread from by the Late Iron Age / Romano-British periods, where a dispersed pattern of enclosed settlements or farmsteads are recorded across south-east Northumberland. Where examples of these sites have been excavated, they have often been shown to span multiple generations, typically beginning as small-scale unenclosed groups of 'roundhouse' dwellings which sometimes evolve into larger enclosed settlements comprising multiple roundhouse dwellings within a rectangular earthwork enclosure. Excavated examples can sometimes be associated with large-scale landscape management in the form of field boundaries and ditch systems. The site of a sub-rectangular cropmark feature recorded on aerial photographs of the site and subsequently detected via geophysical survey is provisionally interpreted as an enclosed settlement or farmstead of Late Iron Age or Romano-British date.

- 7.72 The proposed development site close to the medieval settlement of Bedlington and is likely to have been in agricultural use since at least the medieval period. Evidence of ridge and furrow cultivation (levelled above the ground surface via modern ploughing) was detected in parts of the site via the geophysical survey.
- 7.73 Changes in landscape boundaries are recorded on early mapping, with the most significant and destructive (in terms of the impact to archaeological remains within the site) being associated with the development of the coal mining industry in the region. Initially, this was manifest within the site by sinking of the Netherton Colliery in 1818 and subsequently the establishment of the Netherton Wagonway (opened in c.1828 and recorded on the Netherton Tithe Map of 1838) to transport coal to Blyth for onward shipping. The wagonway initially ran from Netherton to Morpeth, later linking Howard Pit, Frances Pit and Netherton Hall Collieries to Bedlington. Netherton Colliery expanded to include a small village with rows of terraced houses and a chapel, such that by 1940 some 638 people were recorded as working at Netherton Colliery. The Colliery closed in 1974 but large areas of the site were subsequently subject to surface mining. This phase of mineral extraction and subsequent restoration destroyed any archaeological remains within its footprint.
- 7.74 The proposed development site has been subject to archaeological evaluation by the applicant. Some significant archaeological remains have been identified within the application site. These archaeological remains comprise infill pits, 'ring gullies' and linear boundary features. These features and associated finds were interpreted as the remains of a Romano-British / Iron Age settlement or farmstead and constitute non-designated heritage assets in the context of the NPPF. The evaluation exercise also confirmed that large areas of the site had been truncated by historic surface mining and restoration.
- 7.75 The archaeological remains associated with Iron Age/ Romano-British farming are of at least local importance, such that a programme of archaeological mitigation would be required. Further archaeological features comprising the remains of mediaeval or post mediaeval ploughing activity were recorded in most of all other areas of the site not damaged by surface mining. These remains are of local interest but are not uncommon in the wide area and therefore will not require further recording or investigation.
- 7.76 The applicant has submitted a construction method statement which provides details of the proposed construction methodology to be used. An 'area of archaeological sensitivity' and 'archaeological mitigation zone' has been identified in the construction method statement. Within the identified area of archaeological sensitivity, the solar arrays would be mounted on concrete slabs resting on the ground surface rather than via the conventional pile mounting approach. No soil stripping would be undertaken within this area and connecting electricity cables would be placed in cable troughs at a depth not exceeding 0.15 metres below the present ground surface. An archaeological watching brief will be undertaken in association with the limited groundworks proposed within these areas. Temporary protective matting would be laid on the ground surface to reduce the risk of damage by any heavy plant. The Council's archaeologist considers that the methodology and

details set out in the construction method statement would reduce or eliminate the risk that the identified archaeological remains would be damaged or disturbed by the erection of the solar arrays. It also makes provision for the targeted recording of any localised disturbance of archaeological remains.

- 7.77 Within the remainder of the site the solar rays would be mounted using a pile and technique. Since the impacts associated with the piled mountain technique would be localised and the risk of significant unrecorded archaeological remains being present is low. The Council's archaeologist considers this to be an acceptable approach.
- 7.78 In summary, the Council's archaeologist has no objections to the proposed development subject to it being undertaken in accordance with the submitted construction method statement for archaeological mitigation. It is therefore considered that the proposed development is in accordance with Policy ENV 1 and Policy ENV 7 of the Northumberland Local Plan and the NPPF.

Impacts on the Historic Environment – Building Conservation

- 7.79 The nature, scale and location of the proposed development has the potential to impact the setting and significance of the following heritage assets:
- Nedderton Village – non-designated heritage asset;
 - Netherton Hall and its garden wall and gate piers – all Grade II Listed Buildings;
 - Netherton School – Grade II Listed Building; and
 - Netherton Blue House Farm – Grade II listed building.

Summary of significance

- 7.80 The history and character of Nedderton village (formerly Netherton) is intrinsically linked to Netherton Hall, farming and coal mining. The village boasts one of the earliest collieries in the Bedlington area opening in around 1818 with continued coal mining activity until 1974. Surrounded by undulating agricultural land with tree belts to the north, the village affords an elevated position, and follows a tight linear layout with buildings orientated to face the main thoroughfare. This serves to create an enclosed experience of the non-designated heritage asset as views and prospects to the surrounding landscape are limited and take the form of glimpse views between building groups. On approach from the east, Netherton Hall is one of the first buildings to be encountered, denoting the village's early origins and historic interest. While from both the east and west, the village's elevated position and surrounding agricultural land creates a soft rural frame which reinforces its agricultural history and contributes to its heritage significance.
- 7.81 Whilst there is 20th century infill and modern housing to the south and north, the historic village core remains discernible with a mix of predominately 18th and 19th century traditional stone cottages and farmsteads set back from the road enclosed by robust sandstone walls. This historic character is also reinforced by the majestic Grade II listed Netherton Hall (Historic England Listing Reference No: 1371368) situated within its own grounds having generous enclosed gardens, adjoining stables and carriage house, and the mid-19th century Netherton School (also Grade II listed), pertaining to the

Tudor-Gothic style and built by the Earl of Carlisle (Historic England Listing Reference No: 1371367).

- 7.82 In contrast to this settlement pattern and situated to the northeast of the village is the Grade II listed Netherton Blue House Farm (Historic England Listing Reference No: 1041420 Netherton Blue House Farm). Accessed from a road between agricultural land and then a driveway which dissects paddocks, the listed building dates from the early 18th century and is constructed in sandstone under slate roof. Its principal elevation is orientated southwards and is set out in a symmetrical arrangement to face a formal garden with long views of the agricultural hinterland beyond. The listed building retains pleasing architectural features, including recessed bays, bands and a pediment. The rear elevation of the building is restrained and plainer in form having the appearance of a later addition, with a modern porch. Situated to its east is a two-storey linear range, now converted for residential use, reinforcing the listed building's original use as a gentrified farmhouse forming part of a larger traditional planned farmstead.
- 7.83 To the north of the listed building is an expansive area of agricultural land. The available cartographic evidence in the form of the First and Second Edition Ordnance Survey Maps, illustrates that during the 19th century the land to the north of Netherton Blue House Farm was formerly occupied by Netherton Colliery. This included terraced rows of mine workers housing, Chapels, a School, Mechanics Institute, Social Club and allotment gardens with the Colliery site traversed by a mineral railway. Mapping and the historic record demonstrate that by the 1980s the site was levelled, and all colliery buildings were removed and following a period of restoration the current arrangement of undulating farmland was formed.

Assessment of proposed development

- 7.84 The planning application is accompanied by a Design and Access Statement and a desk-based Heritage Assessment. The Heritage Assessment provides an archaeological assessment of the known and potential archaeological resource within the development site. This includes map chronology, consultation of the available historic environment records and a site walkover. It also includes a setting assessment. The submissions also include a Heritage Addendum (dated 18 August 2022), which provides design mitigation measures as a means of reducing development impact on heritage assets.
- 7.85 The application has been evaluated by the Council's architectural heritage and design officer having regard to the legislative framework, the form and impact of the proposals on the setting and significance of the identified heritage assets, and Historic England's advice on the approach to taking decisions on setting (Historic England, The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 - Second Edition). The assessment by the Council's architectural heritage and design officer was also informed by site inspections, taking in views and prospects to and from the development site and the identified heritage assets.

Nedderton Village, Netherton Hall and Netherton School:

- 7.86 The development proposals would not result in a direct physical impact to the identified heritage assets. However, given the substantial scale, form and nature of the proposed development it is considered that it would result in a change to the agricultural land which surrounds them to the north, thereby altering their setting. Given the enclosed nature and linear form of the historic village core, the orientation, siting and how the Grade II listed buildings are encountered, it is concluded that while the proposed development would result in a change to the function and appearance of the landscape, it would not result in a harmful impact to the setting and significance of the aforementioned non-designated and designated heritage assets.

Netherton Blue House Farm:

- 7.87 Views of the listed building's roofline and robust symmetrical form are encountered from the south along the B1331 and Netherton Lane. From these views the farmhouse can be identified as a building of antiquity. However, it is not until within closer proximity (along the access Netherton Lane and encountering the decorative entrance piers) that the grandeur of the listed building's principal elevation and its architectural and historic interest as a gentrified farmhouse is fully revealed. From this southern approach towards the listed building there is no intervisibility with most of the development site. The exception to this is the proposed substation located off the B1331 with a new access. However, it is considered that the ability to appreciate and understand the significance of Netherton Blue House Farm would not be harmfully impacted. This is collectively due to the building's orientation, the arrangement of field boundaries, the undulating topography, and the manner in which the listed building is encountered.
- 7.88 The listed building is set within its own grounds having garden frontage and paddocks to its north and northwest. The paddocks slightly decline away from the heritage asset and are bounded by trees, hedging and post and wire fencing. Beyond the listed building's northern boundary lies undulating farmland and a public right of way that meanders east and then northwards. Accessed by a stile, the public right of way is immediately bounded to the south by a mature hedgerow with breaks providing glimpse views of the listed building's plainer rear elevation and its paddocks. To the north of the public right of way is farmland (currently in arable rotation). This is bounded in a west to east axis, by a tall mature hedgerow and pockets of established trees. This openness, along with the surrounding topography and juxtaposition of hedgerows and trees collectively provide a fortuitous pastoral hinterland to the listed building. Notwithstanding the history and former land use as the Netherton Colliery, this current arrangement positively contributes to its significance and setting – as defined within the National Planning Policy Framework (NPPF) as the surroundings in which a heritage asset is experienced.
- 7.89 Historic England's Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 'The Setting of Heritage Assets' (2017, Page 4) states: "*Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance but settings which have changed may also themselves enhance significance*".

- 7.90 The development proposals are extensive in form and layout resulting in a significant change to the existing landscape. This includes the installation of ground mounted panels in linear rows which would not be redolent of the area. However, the buffer of undulating farmland to the north of the public right of way is retained thereby ensuring that the rural frame to the listed building's north is not severed.
- 7.91 It is therefore concluded, having regard to the agreed definition of 'setting' in the NPPF as the surroundings in which an asset is experienced, that the development proposals do not result in a harmful impact to the setting and significance of the Grade II listed Netherton Blue House Farm.

Conclusion

- 7.92 In summary, the proposed development has been evaluated having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and Policies ENV 1 and ENV 7 of the Northumberland Plan whose purpose is to protect the setting and character of the County's heritage assets. It is considered that the development proposals would preserve the setting and significance of Nedderton Village, Netherton Hall, Netherton School and Netherton Blue House Farm.

Glint and Glare

- 7.93 Planning Practice Guidance (Paragraph 013, Reference ID: 5-013-20150327) advises the potential for the effects of glint and glare on the landscape, neighbouring uses and aircraft safety should be given consideration for large-scale solar farms.
- 7.94 The definition of glint and glare is as follows:
- Glint – a momentary flash of bright light typically received by moving receptors or from moving reflectors;
 - Glare – a continuous source of bright light typically received by static receptors or from large reflective surfaces
- 7.95 To consider the impacts of glint and glare, the planning application is accompanied by a Glint and Glare Study to assess the possible effects of the proposed development on surrounding road users, dwellings, and aviation activity associated with Newcastle International Airport. This study indicates that whilst reflections are possible, the existing vegetation would mitigate the impacts to block views of reflective area and the distance between the observer and the closest reflecting panel area is such that the proportion of an observer's field of vision that is taken up by the reflecting area is significantly reduced. Furthermore the study indicates that the proposal would not adversely impact as the modelling indicates that no solar reflections are geometrically possible towards the air traffic control tower at Newcastle Airport and towards either of the 2-mile approach paths to the airport. It is therefore considered that the proposed development is therefore considered to be acceptable in terms of glint and glare.
- 7.96 Newcastle International Airport has been consulted on the application and no objections have been raised. Highways also raise no highway safety concerns

with regard to glint and glare. Public Protection considers that the risk of glare to residential amenity is low due to the changing directionality of the sun and vegetative screening. The residual risk of glare is however present which could cause detriment to residential amenity and recommend a condition to control glare should it be identified post-construction. Subject to the imposition of a condition, it is considered that the proposal does not conflict with Policy POL 2, Policy TRA 7 and Policy REN 1 of the Northumberland Local Plan in relation to the effects from glint and glare.

Decommissioning

- 7.97 Part 5 of Policy REN 1 in the Northumberland Local Plan requires, where relevant, applications to make appropriate provision for the decommissioning and removal of temporary operations once they have ceased.
- 7.98 The application proposed that, with the exception of the DNO sub-station, all equipment and below ground connections would be removed at the end of the 40-year operational lifespan of the solar farm. The landscape enhancement measures would remain.
- 7.99 In order to meet the requirements of Policy REN 1, it is recommended that a planning condition is imposed to require the submission of a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site to be submitted for approval by the Local Planning Authority no later than 39 years and six months from the date electricity is first exported from the site. It is also recommended a planning condition be imposed to require the submission of such a scheme for approval by the Local Planning Authority in the event that the development ceases to operate for a continuous period of 12 months. A further condition would be imposed to require the solar farm and its ancillary equipment to be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.
- 7.100 Subject to the imposition of conditions covering the matters outlined above, it is considered that the proposal accords with Part 5 of Policy REN 1 of the Northumberland Local Plan.

Mineral safeguarding

- 7.101 The Northumberland Local Plan identifies Mineral Safeguarding Areas to protect mineral resources from unnecessary sterilisation by non-mineral development. The proposed development is located within a Mineral Safeguarding Area for coal. Policy MIN 4 sets out policy criteria to assess proposals for new non-mineral development within these areas.
- 7.102 In accordance with Part 2 (a) of Policy MIN 4, the applicant has submitted an assessment of the effect of the proposed development on the mineral resource beneath and adjacent to the site of the proposed development. This assessment identifies that the majority of the site has been subject to past surface coal mining, which has removed the potential resource from these areas. The assessment does however identify that coal resource is likely to be present in the northern third of the application site but concludes that it is not

practical or feasible to extract the resource prior to the proposed development taking place. This is principally due to the small area of the resource, the extent of overburden material present, and the constraints to extraction that are present in proximity to the resource which includes an adjacent railway line and overhead high voltage power lines. The assessment concludes that the resources are not of strategic importance or demonstrable economic value.

- 7.103 It is therefore considered that the proposed development can be supported within a MSA because the applicant can demonstrate that the mineral concerned is not of economic value in accordance with Part 3 (a) of Policy MIN 4. While the proposed development has a proposed operational lifespan of 40 years, it is both temporary and reversible in nature and as shown in the assessment the mineral is unlikely to be needed within a timescale in which the mineral is likely to be needed. The proposed development can therefore be supported in line with Part 3 (c) of Policy MIN 4. The requirements of Policy MIN 5 have also been considered and it is considered that there is no conflict.

Other matters

Time limit within which the development must begin

- 7.104 If planning permission is granted for this proposed development, it would subject to a condition that sets the time limit within which the development must begin. It is normal for the time limit to be not later than the expiration of three years beginning with the date on which the permission is granted, but the local planning authority may consider a longer or shorter time period where this would assist the delivery of the development. The applicant has requested a period of not later than the expiration of five years beginning with the date on which the permission is granted be conditioned in order to provide an appropriate period of time to allow works associated with grid connection to be agreed and programmed with the network operator.
- 7.105 It is considered that a period of five years is justified in these circumstances. As such it is recommended a condition is imposed to require that the development is commenced no later than the expiration of three years beginning with the date on which the permission is granted.

Equality Duty

- 7.106 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

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

Human Rights Act Implications

- 7.108 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.
- 7.109 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.
- 7.110 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 proposed development has a capacity of 49.9MW and would generate a significant amount of electricity from a clean, renewable source. The applicant states that this would provide for a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually and meet the energy needs of approximately 15,000 homes each year. The scheme could therefore make an important contribution to the objective of achieving the statutory net zero target set for 2050 and the commitment to reducing greenhouse gas emissions by 78% compared with 1990 levels by 2035. This benefit of the scheme will be given significant weight in the planning balance.
- 8.2 Policy REN 1 of the Northumberland Local Plan is supportive of solar energy development, provided the effects are acceptable or can be made acceptable. The assessment of the application has identified that the proposals would result in some landscape and visual harm. The adverse effects are localised due to a combination of existing topography, existing screening and the proposed landscape mitigation. Some of the most significant adverse effects would be on the users of the public rights of way on the eastern and northern side of the site. The proposals would result in considerable visual and

character change to the current experience of open views over rolling countryside. With regard to the other main planning matters assessed, it is considered that the effects are acceptable or can be made acceptable through appropriate mitigation and the imposition of planning conditions in accordance with the relevant policies in the Northumberland Local Plan and the NPPF.

- 8.3 Overall, whilst it is accepted that the proposed solar farm would have an impact on the landscape, it is considered that the benefits of the proposed development in terms of the supply of renewable energy and biodiversity enhancement creation would outweigh the identified harm. It is therefore recommended that planning permission be granted for this proposed development, subject to the imposition of planning conditions.

9. Recommendation

- 9.1 That this application be GRANTED permission subject to the following:

Conditions:

Time limit

1. The development hereby permitted shall be begun before the expiration of five years from the date of this planning permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

Expiry of planning permission

2. The development hereby permitted shall be for a temporary period only to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the local planning authority within one month after the event.

Reason: The development is not considered suitable for permanent retention and to enable the impacts to be assessed as to the impacts on the landscape character and visual amenity in accordance with Policy ENV 3 and Policy REN 1 of the Northumberland Local Plan.

Decommissioning and site restoration

3. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment together with the restoration of the site shall be submitted within 6 months of the end of the cessation period to the Local Planning Authority for written approval. The scheme shall make provision for:
 - a. the removal of the solar panels and associated above ground works approved under this permission;
 - b. the management and timing of any works;

- c. a traffic management plan to address likely traffic impact issues during the decommissioning period;
- d. an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats;
- e. details of site restoration; and
- f. an implementation timetable.

The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

4. Within a period of 39 years and 6 months following the first export date, a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site, shall be submitted to written approval by the local Planning Authority (except in the event that Condition 4 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 4 as a minimum. The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

5. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

Reason: In the interests of natural, built and historic environment in accordance with the National Planning Policy Framework and Policy REN 1 of the Northumberland Local Plan.

Approved plans

6. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, Drawing Number P21-0063_01 (Rev C), Date 06/04/2022
 - Engineering Layout Plan, Drawing Number BF33E_F005_01, Date September 2022

- Master Site Layout Plan, Drawing Number P21-0063_12 (Rev C), Date 07/09/2022
- Detailed Landscape Proposals, Drawing Number P21-0063_04 (Rev H), Date 07/09/2022
- Access and Movement, Drawing Number P21-0063_10 (Rev C) , Date 07/09/2022
- Mounting System Details, Drawing Number BRH-DWG004, Date 15/02/2022
- Fencing Details, Drawing Number BRH-DWG005, Date 15/02/2022
- CCTV Layout, Drawing Number BRH-DWG006.1, Date 15/02/2022
- CCTV Details, Drawing Number BRH-DWG006.2, Date 15/02/2022
- Substation Compound, Drawing Number 10031-E-SP-03 (Revision B)
- Transformer elevations, Drawing Number 10031-E-ELV-03 (Revision A)
- Control Room Layout and Elevation, Drawing Number 10031-E-ELV-02 (Revision C)
- Elevations - 33kV Intake Switch Room, Drawing Number XXXXX-E-ELE-01 (Revision A)
- Inverter substation (floor and elevation plan), Drawing Number RH-DWG007.3, Date 15/09/2022
- 66kV Compound (floor and elevation plan), Drawing Number 10031-E-ELV-01 (Revision C)
- 2.4m High Palisade Fencing (with electric fence), Drawing Number 10031-E-ELV-04 (Revision B)
- Ecological Assessment Report: Burnt House Farm Solar Farm, Avian Ecology Limited, Issue F1 dated 16/03/2022.
- Ecological Assessment Report: Burnt House Farm Solar Farm – Appendix 1: Bird Survey Report, Avian Ecology Limited, Issue F1 dated 16/03/2022.
- Ecological Assessment Report: Burnt House Farm Solar Farm – Appendix 5: Biodiversity Management Plan, Avian Ecology Limited, Issue F2 dated 07/07/2022.
- Framework Construction Traffic Management Plan, PFA Consulting, July 2022
- Flood Risk Assessment: Burnt House Solar Farm, PFA Consulting, March 2022 (Document reference B765-DOC01, Issue 2, dated 17/03/2022)
- Arboricultural Impact Assessment : Burnt House Solar Farm, Barton Hyett Associates Limited, March 2022
- Burnt House Solar Farm, Construction Method Statement for Archaeological Mitigation, October 2022 (Document reference BF33E_F008_01)

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

7. Notwithstanding the approved plans, prior to the commencement of development, details of the proposed materials, colours and finishes of all solar panels, frames, buildings and equipment shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and be maintained as such for the lifetime of the development.

Reason: Details are required in the absence of accompanying the application and in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies REN 1, QOP 2 and ENV 3 of the Northumberland Local Plan.

Trees and Landscaping

8. Prior to the commencement of development, an arboriculture method statement and tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved arboriculture method statement and tree protection plan.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site amenity, in accordance with the National Planning Policy Framework and Policies REN 1, QOP 4 and ENV 3 of the Northumberland Local Plan.

9. The tree and hedgerow landscape planting proposals set out in the Detailed Landscape Proposals Plan (Drawing number P21-0063_04, Revision H, Date 08/09/2022) shall be fully implemented during the first full planting season (November to March inclusive) following the completion of the commencement of development. Any trees or plants which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with the National Planning Policy Framework and Policies REN 1, QOP 4 and ENV 3 of the Northumberland Local Plan.

Artificial lighting

10. No external lighting (other than low level lighting required on ancillary buildings during occasional maintenance and inspection visits) or Floodlighting is permitted to be installed, used or modified as part of the hereby approved development without the prior written consent of the Local Planning Authority. To apply for consent the operator must provide a detailed report of the proposed lighting which details:
 - a. The specific location of all external lighting units;
 - b. Design of all lighting units;
 - c. Details of beam orientation and lux levels; and

- d. Any proposed measures such as motion sensors and timers that will be used on lighting units

Reason: To protect residential amenity and provide a commensurate level of protection against artificial light, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

Flooding and Surface Water Drainage

11. The development shall be carried out in accordance with the submitted flood risk assessment (Flood Risk Assessment: Burnt House Solar Farm, PFA Consulting, March 2022). The mitigation measures detailed with the flood risk assessment shall be fully implemented prior to the solar becoming operational.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development in accordance with Policy WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework

12. Prior to the first electrical export from the site, details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
 - a. Maintenance schedules for each drainage feature type and ownership.
 - b. Details of protection measures.

The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: To ensure that the development is adequately managed in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

13. Vegetation cover under the solar panels shall be present and maintained throughout the lifetime of development. Any erosion shall be rectified and made right.

Reason: To minimise the risk of soil erosion and reduce runoff rates in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

14. Maintenance of grass filter strips and interception swales shall be undertaken throughout the lifetime of development.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

15. Any control equipment located within 'low' and 'medium' areas of surface flood risk shall be raised a minimum of 300mm above ground level.

Reason: To provide suitable protection from pluvial flooding in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

Highways

16. Development shall not commence until a Construction Method Statement and Construction Traffic Management Plan, together with supporting plans have 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, include details of but not exclusive to:

- a. site contact details - name, telephone number etc.;
- b. details of temporary traffic management measures, temporary access, routes and vehicles;
- c. vehicle cleaning facilities;
- d. the parking of vehicles of site operatives and visitors;
- e. the loading and unloading of plant and materials;
- f. storage of plant and materials used in constructing the development;
- g. measures to control the emission of dust during construction; and
- h. details of methods and means of noise reduction, or controlling noise impacts during construction;

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

17. 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 National Planning Policy Framework and Policy TRA2 of the Northumberland Local Plan.

Noise

18. 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, and Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan

19. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a rating level of 35 dB LAeq,15 minute at the nearest sound-sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

Construction hours

20. Deliveries to and collections from the construction and/or decommissioning phase of the development shall only be permitted between the hours:

- a. Monday to Friday - 08:00 to 18:00
- b. Saturday - 08:00 to 13:00

No deliveries or collections shall take place on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

Informatives:-

Date of Report:

Authorised by:

Date:

Background Papers: Planning application file(s) 22/01082/RENE

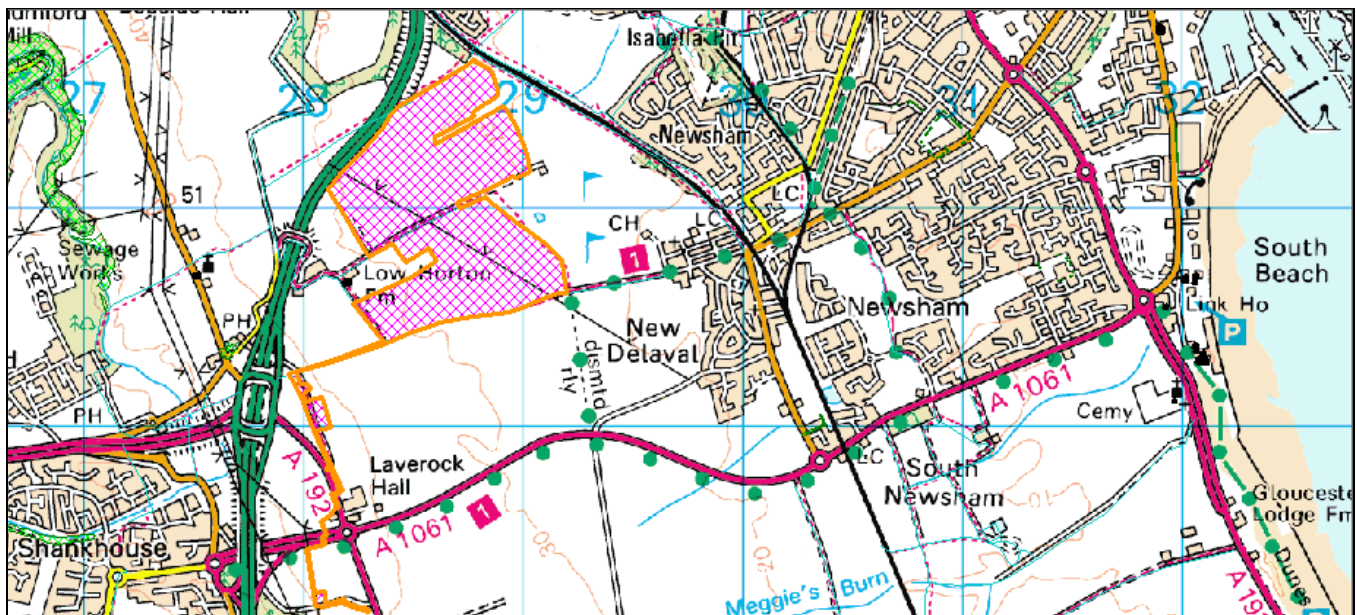


Northumberland County Council

Strategic Planning Committee, 1 November 2022

Application No:	22/01153/RENE		
Proposal:	Construction of solar farm together with all associated works, equipment and necessary infrastructure		
Site Address:	Land to the North East of Low Horton Farm, Blyth, Northumberland		
Applicant:	Mr Alan Connolly Bluefield Renewable Energy Developments Ltd.	Agent:	Mr Mark Herbert Pegasus Group Querns Business Centre, Whitworth Road Cirencester GL7 1RT
Ward:	Newsham	Parish:	Blyth
Valid Date:	22 April 2022	Expiry Date:	2 November 2022
Case Officer Details:	Name: Mr Kevin Tipple Job Title: Planning Officer Tel No: 01670 623631 Email: Kevin.Tipple@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

- 1.1. This planning application represents a major development and therefore is to be considered by the Strategic Planning Committee.
- 1.2. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out that Environmental Impact Assessments (EIAs) are required for certain developments where the proposal is to have a likely significant effect on the environment. The development proposal was screened by the Local Planning Authority prior to submission with a Screening Request issued in October 2021 (reference 21/03767/SCREEN) which deemed that the proposed development is not likely to have significant effects on the environment and as such is not considered to be EIA development.

2. Description of the Proposals

- 2.1. Planning permission is sought for the construction, operation, management and decommissioning of a grid connected solar farm with associated infrastructure. The proposed development would generate electricity to be exported via the electricity distribution network and would have an export capacity of 49.99MW.
- 2.2. Planning permission is sought for a temporary period of 40 years from the date of first exportation of electricity from the site. At the end of this period, the solar panels and associated equipment would be removed, with the exception of the proposed distribution network operator (DNO) substation, which would remain as part of the local electricity distribution network.

Application Site

- 2.3. The proposed solar farm would cover an area of 77 hectares in the open countryside to the west of Blyth and to the east of Low Horton. The land is currently in agricultural use.
- 2.4. The proposals would occupy a series of fields which are currently used for arable farming. They comprise a northern parcel of land situated to the north of Footpath 300/040, a central parcel situated to the south of Footpath 300/400 and north of Bridleway 300/044 (Plessey Old Wagonway), and a western parcel which comprises a single field situated to the west of this central parcel and to the south of Low Horton Farm. The proposed distribution network operator substation would be located on an area of agricultural land to the south of the A1061, which is within the Green Belt. Construction and maintenance vehicles would use the existing access and track off the A192. The construction compound would be sited adjacent to the track, with the completed site accessible by a network of internal tracks.

Solar Arrays and Supporting Equipment

- 2.5. The proposed development would comprise arrays of solar photovoltaic (PV) panels which would have a maximum height of 2.8 metres above ground level and be set out in rows on an east-west orientation to face the south. The panels would be mounted on a simple metal framework, which would comprise upright, galvanised steel posts that are driven into the ground and

an aluminium support frame. The panels would be tilted at 15 to 25 degrees from the horizontal to optimise efficiency. There would be gaps of between 3.5 metres and 9.0 metres to avoid shadowing effects between the panels with localised topography dictating exact row spacing.

2.6. The associated infrastructure to support the development would comprise:

- Ten inverter stations located throughout the site. The inverters convert direct current (DC) electricity generated by the PV panels into alternating current (AC) for supply to the electricity network. The inverters would be housed in prefabricated metal containers that would have a length of approximately 12.2 metres, a height of 2.9 metres and a width of 2.4 metres. The metal containers would be positioned on a concrete block plinth approximately 5.0 metres in height, with the overall elevation of the containers measuring 3.4 metres above ground level as a result of being placed on the plinth.
- A customer substation building would be located in the south western corner of the western parcel of land to the south of Low Horton Farm. The building would consist of a prefabricated metal unit that would be 12.5 metres long, 4.0 metres wide and 3.3 metres high.
- A distribution network operator (DNO) substation would be located to the south of the A1061, between the A189 to the west and the A192 to the east and approximately 1.25 kilometres south of the main solar farm. The compound would cover an area measuring 56 metres by 38 metres. Within the substation there would be a control building (17.9 metres long, 5.1 metres wide and 6.12 metres high), a 25 metre high communications tower, a transformer (6.6 metres long, 4.8 metres wide and 5.6 metres high), grid connection equipment and a 25 metre point of connection mast to connect into the existing 66kV pylon and overhead cables adjacent.
- Insulated cables from the solar modules would be routed in channels fixed on the underside of the framework supporting the solar panels and then within shallow trenches to link to the inverter stations, the site (customer) substation and the proposed DNO substation.
- A 2.5 metre high deer stock fence with wooden posts and open steel mesh, with small mammal/badger access points, and gates to enclose the areas of solar panels. This would be for security purposes and would potentially allow sheep to graze within these areas.
- For the purposes of site security and monitoring, closed circuit television (CCTV) cameras would be mounted on 2.5 metre high poles positioned at regular intervals along the inside edge of the fencing.
- Internal tracks that would be constructed with crushed aggregate and would be between 4 and 5 metres in width to allow vehicular access for maintenance purposes.
- Landscape planting, biodiversity enhancements and surface water attenuation measures to assist with landscape mitigation, biodiversity net gain and flood control. A biodiversity enhancement area containing species-rich grassland would be created in the northern portion of the enclosure to the north of Blue House Farm Cottages.

2.9 In addition, a temporary construction compound would be sited adjacent to the track that leads from the A192 between the Three Horse Shoes Roundabout and the Laverock Hall roundabout. This compound would be

removed and the land restored following the completion of the construction phase.

- 2.10 Access for all construction and maintenance vehicles to the site would be provided from an existing access point off the A192 between the Three Horse Shoes Roundabout and the Laverock Hall Roundabout and the existing surfaced track used to access the agricultural land.
- 2.11 The point of connection for the export of the electricity that would be generated by the proposed development is via the existing 66kV pylon and overhead cables directly adjacent to the proposed distribution network operator substation.

3. Relevant Planning History

Reference Number: 21/03767/SCREEN

Description: Screening Opinion for proposed solar farm

Status: Environmental Impact Assessment not required

4. Consultee Responses

Blyth Town Council	No response received.
Highways	No objections, subject to the imposition of conditions to require the development to be carried out in accordance with the approved plans and the submission and approval of a construction method statement.
Countryside/ Rights of Way	No objection on the condition that Public Rights of Way network is protected throughout. No action should be taken to disturb the path surface, without prior consent from the 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.
County Archaeologist	No objections, subject to the development being undertaken in accordance with the submitted construction method statement for archaeological mitigation.
Building Conservation	Objection. The application fails to preserve the setting and significance of the Grade II listed Low Horton Farmhouse. The degree of harm identified is 'less than substantial' requiring the harm to be weighed against public benefits which may arise from the proposals.
County Ecologist	No objection, subject to a condition requiring the development to be carried out in accordance with the Biodiversity Management Plan.
Natural England	Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.
Environment Agency	No response received.

Lead Local Flood Authority (LLFA)	No objection, subject to conditions relating to the development being carried out in accordance with the flood risk assessment, maintaining vegetation cover, grass filter strips and interception swales around the development, and locating any control equipment minimum of 300mm above ground level within 'low' and 'medium' areas of surface flood risk.
Public Protection	No objection, subject to conditions relating to working hours, construction delivery hours, noise, floodlighting and glint and glare
Newcastle International Airport	No objections. The proposed solar farm development is close to the western edge of the departure sway for a northern departure from the Airport from Runway 07. However, the aircraft will be in a nose up altitude and in the climb. A Glint and Glare Study was submitted in support of the proposal. This study identified that there would be no issues or significant impacts to the Air Traffic Control Tower or arriving aircraft to the airport. As a result of this, the Airport raises no objections to the proposals.
The Coal Authority	No objection, subject to the imposition of planning conditions to require the undertaking of intrusive site investigations to establish the risks posed to the development by past coal mining activity prior to the commencement of development, and the submission for approval in writing of a statement prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	193
Number of Objections	4
Number of Support	2
Number of General Comments	1

Notices

- 5.1 Site notices (affecting LBC and PROW) were posted at the site on 6 May 2022. A press notice was placed in the News Post Leader on 6 May 2022.

Summary of Responses

- 5.2 Four letters of objection have been received as a result of publicity on this application. They raise the following points:
- This is not the right place for a solar farm. The green fields and open spaces should be left as they are in this location. The proposal would

be better located on a brownfield site or beside the proposed battery factory in Cambois.

- Proposal would unnecessarily destroy valuable farmland and open spaces, when there are more suitable sites in Cambois.
- The area is well used for cyclists and walkers accessing greenspaces along the perimeter of our urban built-up town.
- The proposals will destroy wildlife, farmland, walks and views.

5.3 Two letters of support have been received. They make the following points:

- Proposal would increase the generation of green energy, improving the renewable energy credentials of Blyth.
- The proposals would maintain the most biodiverse areas of woodland, and primarily affects the monoculture farmland areas.
- Proposal will not impact on the usage of any of the footpaths.
- Land will return to pasture that can be used for sheep grazing and improving biodiversity, including green corridors around the site.

5.4 One letter providing general comments on behalf of the British Horse Society has also been received. This makes the following points:

- In relation to the bridleway diversion proposed during the construction phase, the suggestion of a banksman to control where the vehicles and riders would have to cross paths is supported.
- The replacement bridleway should be constructed in line with the requirements of Northumberland County Council, gates should have catches at a suitable height for a mounted rider to easily use and the use of self-closing gates is not supported.
- The applicant should allow access for the riders to the fenced tracks around the fields of solar panels as recompense for the disruption during construction.

5.5 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=R9IDXHQS0M800>

6. Planning Policy

6.1 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 is the Northumberland Local Plan (NLP) adopted by Northumberland County Council on 31 March 2022. The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

Development Plan Policy

6.2 The policies in the Northumberland Local Plan (March 2022) that are relevant to the consideration of the application include the following policies.

- Policy REN 1: Renewable and low carbon energy and associated energy storage
- Policy STP 1: Spatial strategy
- Policy STP 2: Presumption in favour of sustainable development
- Policy STP 3: Principles of sustainable development
- Policy STP 4: Climate change mitigation and adaptation
- Policy STP 6: Green infrastructure
- Policy ECN 14: Farm/rural diversification
- Policy QOP 1: Design principles
- Policy QOP 2: Good design and amenity
- Policy QOP 4: Landscaping and trees
- Policy TRA 2: The effects of development on the transport network
- Policy TRA 7: Aerodrome safeguarding areas
- Policy ENV 1: Approaches to assessing the impact of development on the natural, historic and built environment
- Policy ENV 2: Biodiversity and geodiversity
- Policy ENV 3: Landscape
- Policy ENV 4: Tranquillity, dark skies and a sense of rurality
- Policy ENV 7: Historic environment and heritage assets
- Policy ENV 9: Conservation Areas
- Policy WAT 3: Flooding
- Policy WAT 4: Sustainable Drainage Systems
- Policy POL 2: Pollution and air, soil and water quality
- Policy POL 3: Agricultural land quality
- Policy MIN 4: Safeguarding mineral resources

National Planning Policy and Guidance

- National Planning Policy Framework (July 2021)
- Planning Practice Guidance (2014, as updated)

7. Appraisal

7.1 Having regard to the requirements of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning consideration, including representations received, it is considered that the main planning issues raised relate to:

- Principle of solar development
- Climate change
- Use of agricultural land and a greenfield site
- Green Belt
- Landscape and visual impact
- Ecology
- Trees and hedgerows
- Land stability and coal mining legacy
- Noise
- Flooding and drainage
- Public rights of way

- Highways and vehicular access
- Impacts on the Historic Environment – Archaeology
- Impacts on the Historic Environment – Building conservation
- Glint and glare
- Decommissioning
- Mineral safeguarding
- Proposed Blyth Relief Road

- 7.2 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 Northumberland Local Plan (March 2022). The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

Principle of solar development

- 7.3 Policy REN 1 of the Northumberland Local Plan is generally supportive of renewable energy such as solar photovoltaic developments, provided that the effects from the development are acceptable or can be made acceptable when considered against the criteria in this policy and the other policies in the development plan. The Local Plan does not allocate sites for solar photovoltaic developments with Policy REN 1 requiring an assessment of the likely effects of a proposal as described above.
- 7.4 The NPPF is also supportive of new renewable energy development. Paragraph 152 states the planning system should support the transition to a low carbon future and support renewable and low carbon energy and associated infrastructure. Paragraph 158 (b) goes on to state when determining planning applications for renewable and low carbon development, local planning authorities should approve the application if its impacts are (or can be made) acceptable...”. The NPPF also does not provide specific locational requirements for solar photovoltaic developments.
- 7.5 It is therefore considered that solar photovoltaic development is supported in principle by Policy REN 1 of the Northumberland Local Plan and Paragraph 152 of the NPPF. This support in principle is subject to the proposal being considered acceptable when assessed against the relevant policies in the development plan.

Climate Change

- 7.6 Both national legislation and international agreements set targets for the reduction of carbon emissions and the increase in renewable energy generation. In 2019 the Government amended the Climate Change Act 2008 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. This is known as the commitment to ‘net zero’. Paragraph 2 of the NPPF states planning decisions must reflect relevant international obligations, and the UK’s legally binding commitments to energy targets is also an important material consideration.

- 7.7 The Energy White Paper (Energy White Paper: Powering our net zero future, December 2020) was issued by the Department for Business, Energy and Industrial Strategy (BEIS) in December 2020 to address the transformation of the UK's energy system towards the 2050 target for net-zero emissions. The Energy White Paper sees the expansion of renewable technologies as a key contributor to achieving an affordable clean electricity system by 2050. It sets out that solar is one of the key building blocks of the future energy mix. In October 2021, the Government published the Net Zero Strategy: Build Back Greener. Under 'Key Policies' for power it explains that subject to security of supply, the UK will be powered entirely by clean electricity through, amongst other things, the accelerated deployment of low-cost renewable generation such as solar.
- 7.8 The proposed development has a capacity of 49.9MW and would generate a significant amount of electricity from a clean, renewable source. This would provide for a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually and meet the energy needs of approximately 15,000 homes each year. The scheme could therefore make an important contribution to the objective of achieving the statutory Net Zero target set for 2050 and the commitment to reducing emissions by 78% compared with 1990 levels by 2035. This benefit of the scheme will be given significant weight in the planning balance.
- 7.9 It is also considered that the proposed development accords with Part 1 of Policy STP 4 of the Northumberland Local Plan with regard to contributing to meeting binding targets to reduce greenhouse gas emissions and contributing to mitigating climate change. The proposed development is also supported by Paragraph 158 (a) of the NPPF which states when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions.

Use of agricultural land and a greenfield site

- 7.10 Paragraph 174 of the NPPF indicates that decisions should recognise the economic and other benefits of best and most versatile agricultural land, which it classes as land in Grades 1, 2 and 3a of the Agricultural Land Classification. Policy POL 3 of the Northumberland Local Plan states that regard will be had, to the wider economic and other benefits of the best and most versatile agricultural land when considering any irreversible loss in accordance with national policy. Where significant development of such land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. Part 2 of Policy POL 3 goes on to state temporary or reversible development on best and most versatile agricultural land will be supported where the land would be reinstated to its pre-development quality.
- 7.11 The proposed development would occupy 75.8 hectares of agricultural land. The planning application is accompanied by an Agricultural Land Classification Report prepared by Patrick Stephenson Limited. This

demonstrates that 95% of the site would be classed as Grade 3b and 5% of the site area would be classed as Grade 3a best and most versatile land.

- 7.12 Planning Practice Guidance (PPG) includes specific advice on large scale ground-mounted solar photovoltaic farms (see Paragraph 013, Reference ID 5-013-20150327). In relation to the location of these developments, the PPG encourages the effective use of land by focussing large-scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value. Where a proposal involves greenfield land, consideration should be given to whether:
- the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
 - the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.
- 7.13 The proposed site is located within open agricultural land, and the planning application is accompanied by an Agricultural Land Classification Report (ALC) prepared by Patrick Stephenson Limited. This demonstrates that approximately only 1.4% of the site area would be classed as being of 'best and most versatile' soils.
- 7.14 The proposed solar farm (excluding the substation) will be a temporary installation to operate of a 40 year lifespan. A suitably worded planning condition is recommended to be imposed to control this and to require the solar arrays and associated equipment to be removed, and the site restored following the cessation of this 40 year period. There would be no permanent or irreversible loss of agricultural land with a conversion from arable cropping to pasture grazing in between the solar panels. It can be anticipated that the soil quality would improve over this long fallow period, and the restored land whether used for arable or livestock farming will be more productive than at present. Conditions have also been recommended to ensure that the soil resource is protected during construction and restoration. This would be encapsulated within the Construction Management Plan and post-development restoration conditions.
- 7.15 Although the development would temporarily remove a significant portion of land from arable use it would still be available for low intensity grazing. The development would also fully reversible if the land were to be required for food production during the operational period. It is therefore considered that the proposed development would not conflict with Policy POL 3 of the Northumberland Local Plan or Paragraph 174 of the NPPF.

Green Belt

- 7.16 The proposed distribution network operator sub-station and part of the proposed cabling route to the south of the A1061 is located within Green Belt as identified under Policy STP 7 of the Northumberland Local Plan. The A1061 provides the northern boundary of the Green Belt in this area. All other elements of the proposed development, which includes the site construction compound, the solar arrays, the inverter buildings and the substation buildings, are not located within Green Belt.

- 7.17 Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 goes on to state that Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.18 In relation to proposals affecting Green Belt, Paragraph 147 of the NPPF identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.19 Paragraph 151 states when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
- 7.20 The proposal would be harmful to the Green Belt by virtue of it being inappropriate development and it would result in some loss of openness. There would be views towards the sub-station from the A1061 southwards over a field and eastwards from the A192 resulting in some visual change and loss of openness. The proposed sub-station would also be viewed by users of an informal path that passes directly to the south of the proposed sub-station. The location is, however, of relatively low landscape sensitivity due to the presence of pylons and roads on two sides. Harm to openness and visual effects would be mitigated to some degree by the proposed hedgerow and tree planting around the perimeter of the substation.
- 7.21 In the application submission, the developer has explained it has been necessary to locate the proposed substation within the Green Belt for operational purposes as it is directly adjacent to the existing 66kV pylon and overhead cables, which are the point of connection for the export of the electricity that would be generated at the solar farm. The applicant also explains that a solar farm of this size, with an export capacity of 49.99 MW represents a significant renewable energy asset. The electricity generated is estimated to be enough to meet the electricity needs of around 15,000 homes each year and would mean a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually, making a tangible contribution to the legally binding national targets and international obligations relating to climate change.

- 7.22 In assessing whether there are very special circumstances in accordance with Paragraphs 147 and 151 of the NPPF, it will be necessary to assess whether the harm to the Green Belt, and any other harm resulting from the proposed development, is clearly outweighed by other considerations, including the wider environmental benefits associated with increased production of energy from renewable sources. This balancing exercise will be carried out later in the report conclusions.

Landscape and visual impact

- 7.23 Part 3 (a) of Policy REN 1 states appropriate weight will be given to landscape character and sensitivity of landscape and visual receptors including landscapes and views demonstrated to be of value at the local community level in assessing whether applications for renewable energy development are acceptable or can be made acceptable. Part 1 (a) of Policy ENV 3 states proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.
- 7.24 The application site is located within National Character Area 13: South East Northumberland Coastal Plain, which contains four Landscape Character Types (LCTs) and seven Landscape Character Areas (LCAs). The site is located predominantly within LCT 39: Coalfield Farmland and LCA 39b Seaton Delaval (the host LCA), with the far north-eastern extent falling within LCA 42a Ashington, Blyth and Cramlington. LCA 39b is typical of coalfield farmland with 'large arable and pastoral fields with outgrown hedges....The surrounding settlement edges and main roads are key influences'. The solar farm site does not lie within an area covered by any national or local landscape designations, however the substation to the south of the A1061 is located in the Green Belt.
- 7.25 The site is gently sloping to the north east but appears visually flat, other than the elevated slope round Laverock Hall to the south west of the site. The key landscape features are the field hedgerows and trees. These are well established in places but are also gappy. The historic stone and brick buildings of Low Horton Farm provide features of historic architectural interest. There are isolated areas of pleasing rural character, within a wider urban fringe character, dominated by the road and rail infrastructure and pylons. Moving traffic on the busy A189 dual carriageway lessens tranquillity. The localised landscape value and sensitivity is variable between low to medium.
- 7.26 There are few direct effects on landscape features as no trees are proposed for removal, however some short lengths of hedge are proposed for removal for the sub-station and access points.
- 7.27 The effects of the proposed development on the character of the site itself would be locally transformative due to the scale of the proposed development, the introduction of a new form of development not currently present in this area, and the urbanising effects created from solar panels and the associated elements of the proposed development. This would bring about an adverse effect of high magnitude on a receptor of low to medium value, and therefore of broadly 'moderate to substantial' significance, albeit relatively contained in terms of intervisibility, and for a period of 40 years. Due to the

relatively flat topography, the proposed hedge and tree planting would provide good mitigation filtering from some aspects if carried out well and of sufficient quantity.

- 7.28 The effects on the character of the immediate local landscape in the round would be medium-high in the short-term, lessening to medium in the longer-term. The change in character will be evident in views from areas of elevation in the surroundings and particularly from the public rights of way network. The severity of effect on character would diminish over time with the development of the proposed hedge and tree planting. The effects on the character of the wider landscape would be adverse but of a low to negligible magnitude due to the relatively large size of those character areas, lack of intervisibility at a distance and because the development is of a temporary nature.
- 7.29 In terms of visual effects, the effects on users of the public rights of way are a key consideration. The routes within and around the application site are well used, providing immediate access to the countryside from the west side of Blyth, and the users would be high sensitivity receptors. Where paths run through fields with open views to the solar farm, unmitigated, the effects of the proposals would be transformative and would result in a more urbanised character and changes to wider views. The effects would be of high magnitude (and of substantial significance) but of relatively short duration in length of path affected in this way.
- 7.30 From the Plessey Old Wagonway (Bridleway 300/044), which runs east-west route along the southern boundary of the solar farm itself, views of the proposed development would be filtered by mature hedgerows. Bridleway 300/041, which runs north from the Plessey Old Wagonway to Low Horton Farm, would be exposed to views of the development, so are likely to experience the most severe visual effects at close proximity, albeit for a relatively short stretch of bridleway. Where Footpath 300/040 runs north from the Plessey Old Wagonway alongside the golf course users would also have views of the development, although these would be setback by one of the proposed biodiversity enhancement areas. These localised effects will be major/substantial and adverse for the life of the development.
- 7.31 The proposed sub-station will be seen by users of an informal path network linked to East Cramlington Nature Reserve. The landscape around the sub-station has an urban edge quality with manmade elements including roads, built form, pylons and turbines. Effects will be adverse due to the 3.4m e fence to the boundary, but the development would be limited in scale and effects would reduce over time due to proposed hedge and tree planting to the perimeter.
- 7.32 For residential receptors, the visual effects are reasonably limited due to the golf course and existing mature woodland planting at the western edge of Blyth. This existing vegetation would largely filter views of the proposed development, although views would be possible from some second and third floor windows of dwellings to the north east of the application site in places where vegetation and tree cover is thinner. There would be some loss of visual amenity for individual properties currently with farmland views, particularly from upper windows in the three storey properties. A biodiversity enhancement area included in the proposals would be located in this area of

the site and includes tree planting. This would provide mitigation for these identified visual effects. There are also some individual properties that would be affected, the closest being Low Horton Farm, which would have views south over the development from upper windows. The mitigation would be provided by a new hedgerow with hedgerow trees along the northern boundary of the solar arrays to the south, so visual effects would reduce over time as this feature matures. Laverock Hall is set in an elevated position and there would be overlooking views from the curtilage, but the house itself would not experience these views from windows. From Stickley Farm existing hedgerows and vegetation filter views northwards to the proposed sub-station, but there may be upper window views.

- 7.33 Road users on the A189 would have views from the slightly elevated trunk road overlooking the full northern extent of the proposed solar farm which forms a considerable proportion of the view over open countryside so the magnitude of change would be high. Forward views southwards from the A189 north of the site are restricted by a belt of existing trees, so the views would generally be seen obliquely from the west of the site, experienced over a distance of less than 1 kilometre both northbound and southbound. The baseline landscape does however include urban elements such as pylons, overhead power lines and a wind turbine. The proposed tree planting along the road edge would provide some mitigation. The receptors on the A189 are of low to medium sensitivity as the views are experienced while travelling at speed along a dual carriageway. However, the effects would be moderate to major and adverse due to the extent of development in views, reducing slightly over time as the proposed mitigation planting matures.
- 7.34 The proposed substation is located in Green Belt and lies south of the A1061. There will be views towards it southwards over a field and eastwards from the A192 resulting in some visual change. The location of the proposed sub-station is of relatively low landscape sensitivity due to the presence of pylons and roads on two sides. The proposed sub-station would bring about some minor deterioration in the views from the A1061 and A192, albeit these would be brief views seen at 90 degrees to the direction of travel. The visibility of the sub-station would lessen over time as the proposed mitigation planting mature.
- 7.35 In conclusion, it is considered that the proposed development would have some adverse landscape and visual impact effects. However, the topography of the site, existing screening and the proposed introduction of new tree and hedgerow planting would limit the adverse effects. The most significant adverse effects would be on the users of the public rights of way that cross the site who would view the site infrastructure in close proximity. It is considered that the adverse effects have been suitably mitigated in the proposals. Notwithstanding this, it is considered that the proposal would be in some conflict with Policy ENV 3 of the Northumberland and Part 15 of the NPPF due to the harm identified. In the planning balance consideration will be given as to whether the benefits of the proposed development outweigh the harm.

Ecology

- 7.36 The applicant has submitted an Ecological Assessment Report, Breeding Bird Survey and Biodiversity Management Plan. The application site primarily comprises arable land of low ecological value, bounded by species poor hedgerows and ditches, and small mixed plantation woodland at the north eastern boundary.
- 7.37 The application site does not form part of any statutory designated site for nature conservation. Northumbria Coast Special Protection Area (SPA) and Ramsar site is located around 3.1km to east of the application site. The Northumberland Shore SSSI is located approximately 1.6km north at its nearest point, New Hartley Ponds SSSI is located approximately 2.7km south east, Arcot Hall Grasslands and Ponds SSSI located approximately 3.8km south west and Holywell Pond SSSI located approximately 4.5km south east of the application site. The submitted assessments demonstrate that the proposed development would not result in any direct or indirect effects on habitats or qualifying interest species of any statutory designated sites, due to the separation distances involved and the nature of the proposed development. Natural England were consulted on the application because of its location within the Impact Risk Zone for the Northumbria Coast SPA and Ramsar site, and the Northumberland Shore SSSI. Natural England raised no objections in their response.
- 7.38 The submitted assessments demonstrate that are no significant harms to biodiversity as the result of the proposed development and the Council's ecologist has raised no concerns.
- 7.39 The proposals seek to achieve a net gain for biodiversity, and this has been quantified through the use of the Defra Metric 3.0. The proposed habitat enhancement measures proposed for the site include a more botanically diverse grassland sward mix would be sown and established beneath and surrounding the solar arrays and within the perimeter fencing, two specific 'Biodiversity Enhancement Areas' that will comprise a mix of diverse grassland with scrub and trees; and native tree and hedgerow planting, including infilling of existing hedge gaps. From the low baseline it has been possible to demonstrate a significant net gain (65.62% in Habitat Units, and 76.13% in Hedgerow Units) by the creation of permanent grassland. However, the area of wildflower meadow (Emorsgate EM2 mix) would be confined to a narrow strip outside of the areas beneath and around the solar panels. The Council's ecologist has advised that it is a missed opportunity in terms of biodiversity enhancement to not increase the diversification of grassland swards in this part of the site. However, there are no grounds to refuse planning permission on this basis as the proposed development provides Biodiversity Net Gain in accordance with the NPPF and Policy ENV 2 of the Northumberland Local Plan. The proposed enhancement measures would improve opportunities for wildlife over and above the current situation at the site.
- 7.40 The Biodiversity Management Plan sets out management practices that are proposed in order to enhance the site for the benefit of local wildlife. The Biodiversity Management Plan is a comprehensive document encapsulating the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring. The Council's ecologist has recommended that a condition is imposed on the grant of

planning permission requiring the proposed development to be carried out in accordance with the approved Biodiversity Management Plan.

- 7.41 Subject to the proposed development being carried out in accordance with the submitted Biodiversity Management Plan, which encapsulates the measures for avoidance of harm to wildlife during construction and the methods for habitat creation, management and monitoring, the Council's ecologist does not object to the proposed development. It is considered that the proposal does not conflict with Policy ENV 2 and Part 3 (c) of Policy REN 1 of the Northumberland Local Plan and Section 15 of the NPPF. It is recommended a condition is imposed to require the proposed development to be carried out in accordance with Biodiversity Management Plan.

Trees and hedgerows

- 7.42 An Arboricultural Impact Assessment (AIA) report has been provided with the planning application. This reports that the proposed development would not require the removal of any significant trees, groups of trees or hedgerows. A short length of hedgerow would need to be removed adjacent to accommodate the access but mitigation planting is proposed around the proposed substation. The planting of additional trees and hedgerows within the site is also proposed as part of the proposed landscape mitigation.
- 7.43 The proposals are considered to be acceptable and would accord with Policy STP 6, Part 2 (d) of Policy QOP 2 and Policy QOP 4 of the Northumberland Local Plan. It is recommended that a planning condition is imposed to require the submission and approval of an arboriculture method statement prior to the commencement of development.

Land stability and coal mining legacy

- 7.44 The site is located within a 'Coalfield Development High Risk Area', which means there are coal mining features and hazards that need to be considered in determining this planning application. A coal mining risk assessment has been submitted in support of the planning application.
- 7.45 The Coal Authority advise that their records indicate that the application site is in an area of recorded and likely unrecorded coal mine workings at shallow depth. There is also a recorded mine entry and its zone of influence adjacent to the site and a recorded mine gas site within 50 metres of the site boundary. These features pose a potential risk to surface stability and public safety.
- 7.46 The Coal Authority has no objection to the proposed development subject to the imposition of planning conditions or conditions to require the undertaking of intrusive site investigations to establish the risks posed to the development by past coal mining activity prior to the commencement of development, and the submission for approval in writing of a statement prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the development. The Coal Authority considers the undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before

works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Paragraphs 183 and 184 of the National Planning Policy Framework and POL 1 of the Northumberland Local Plan.

Noise

- 7.47 Policy POL 2 of the Northumberland Local Plan is relevant to the consideration of proposals for new development that could give rise to unacceptable adverse effects as a result of any noise generated. Paragraph 185 (a) of the NPPF seeks to ensure planning decisions mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development as well as avoiding noise giving rise to significant adverse impacts on health and the quality of life.
- 7.48 The solar photovoltaic panels do not emit noise during the process of converting solar radiation to electricity but noise would be generated by the 13 inverters and the two substations that form part of the proposed development. The main noise source from the inverters is from the cooling fans. These would be operational during daylight hours when the solar panels are generating electricity and the inverters need to be actively cooled. The operation of the two substations would generate low frequency noise, typically with peak frequencies of 100Hz and 200Hz. At close proximity to the substations, a hum would be generally noticeable.
- 7.49 During the construction phase, the proposed development has the potential to give rise to short term adverse effects upon noise sensitive receptors surrounding the application site. Appropriate mitigation and control measures would be adopted whilst plant was operating close to nearby residential properties to ensure that any potential adverse impacts are minimised.
- 7.50 The closest noise sensitive receptors are Low Horton Farm located to the west of the solar farm (100 metres from the site boundary and 200 metres from the closest inverter), the dwellings in Blyth located to north east of the site and on the eastern side of the railway line (75 metres from the site boundary and 330 metres from the closest inverter), Laverock Hall and Laverock Hall Cottages to the south (500 metres from the substation) and a primary school and residential dwellings at New Delaval to the south east (400 metres from the site boundary and 500 metres from the closest inverter). Existing noise levels within the surrounding area are principally influenced by road traffic noise associated with vehicles travelling along the A189 to the west of the application site and the A1061 to the south.
- 7.51 The noise assessment provided with the planning application concludes that the operation of the solar farm would generate very low noise levels at surrounding properties throughout the day. Assessing the noise levels against relevant standards and guidance concluded that the operation of the solar farm would result in a low impact. The impact is classified as 'No Observed Effects Level' in PPG and this is the level of noise exposure below which no effect at all on health or quality of life can be detected. The assessment therefore considered that the development would not result in unacceptable levels of noise in accordance with Policy POL 2 and the NPPF.

- 7.52 Public Protection has been consulted on this application and raised no objections in respect to noise. It is recommended that planning conditions are imposed to ensure that the solar farm generates noise no greater than the existing prevailing background levels and control noise during the construction phase to prevent a loss of residential amenity during sensitive hours of the day.

Flooding and drainage

- 7.53 Policy WAT 2 of the Northumberland Local Plan requires development proposals to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. In line with Paragraph 159 of the NPPF, Policy WAT 2 states inappropriate development in areas at risk of flooding should be avoided and directs development away from areas at highest risk of flooding. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Policy REN 1 also requires consideration of flood risk when considering planning applications for renewable energy development.
- 7.54 The application is accompanied by a site-specific flood risk assessment to assess flood risk to and from the proposed development.
- 7.55 The application is accompanied by a site-specific flood risk assessment to assess flood risk to and from the proposed development. The majority of the site application falls within Flood Zone 1 (low probability risk of flooding). The flood risk assessment considers the potential flood risk to the proposed development from all sources of flooding is low for the majority of the application site with areas of elevated risk associated with surface water runoff within the solar farm which could affect isolated low points and areas adjacent to ordinary watercourses which cross the site.
- 7.56 All sensitive equipment would be raised above ground level and the modelled surface water flood depth to avoid vulnerability to shallow surface water accumulations. The proposal would be able to continue to operate safely during flood conditions and would not impede flood flows.
- 7.57 To manage surface water run-off from the site it is proposed to provide a series of swales to intercept surface water run-off. It is considered that these swales would adequately mitigate any increase in run-off as a result of the small increase in the impermeable areas across the site as a result of the development. The extent of new impermeable areas within the proposed development site would be limited. The area beneath the solar panels would remain grassed, although the presence of the panels will change how the rainwater is shed onto the ground. It is only the panel supports that would be impermeable. The other impermeable elements of the proposed development include the inverter buildings, the customer substation and the distribution network operator substation. The Lead Local Flood Authority have been consulted on the application and have recommended that planning conditions are imposed to requiring the maintenance of vegetation cover, grass filter strips and interception swales around the proposed development. They also recommend a condition be imposed requiring the proposed development to be carried out in accordance with the flood risk assessment and the mitigation measures detailed within it.

- 7.58 In relation to flooding and drainage, it is considered that the proposal would accord with Policy WAT 2 and Policy WAT 4 of the Northumberland Local Plan and the NPPF.

Public Rights of Way

- 7.59 A number of Public Rights of Way are present within and around the application site:
- Footpath 300/040 runs in an east/north easterly direction from Low Horton Farm through the application site, before turning in a south easterly direction along the western boundary of the golf course and connects to Bridleway 300/044 (Plessey Old Wagonway).
 - Bridleway 300/044 (Plessey Old Wagonway) runs west to east along the southern boundary of the site, then past the site of the proposed construction compound to the A192.
 - Bridleway 300/041 runs along the western boundary of the western parcel from Bridleway 300/044 (Plessey Old Wagonway) to Low Horton Farm to the north
 - Footpath 300/013 runs along the northern boundary of the northern parcel of land within the application site, before it crosses the A189 to the north west.
 - To the northeast of the site, Footpath 300/022 which runs alongside the railway.
- 7.60 A temporary diversion of Bridleway 300/044 would be required during the construction phase of the solar farm between point 75 metre north from the A192 to the south west corner of the proposed solar farm at the junction with Bridleway 300/041. This is required to protect users of this bridleway during the construction phase and avoid safety issues from site construction vehicles. The proposed route of the diversion is shown on the submitted plans and would largely run adjacent to the existing bridleway. The diverted bridleway would have the same surface treatment as the existing bridleway. The bridleway would then be reinstated on its current defined route and condition following the completion of the construction.
- 7.61 The other Public Rights of Way referred to above would remain open for use during the construction, operation and decommissioning phases of development. During the construction phase, there would be managed on Bridleway 300/044 and Footpath 300/040 where construction traffic would be required to cross these routes to access the different parts of the site.
- 7.62 The application additionally proposes a new permissive footpath between the point where Footpath 300/013 reaches the A189 and Footpath 300/040 at a point to the east of Low Horton Farm. An existing informal permissive footpath that runs between Footpath 300/040 and Footpath 300/013 along the western edge of the golf course would remain accessible.
- 7.63 The Council's Public Rights of Way team has been consulted on this application and have raised no objection.

- 7.64 The Rights of Way users would be 'visual receptors' and this is discussed separately in the landscape and visual impact sections of this report.

Highways and vehicular access

- 7.65 Policies TRA 2 and REN 1 (Part 3g) are relevant to the effects of new development on the transport network. Policy TRA 2 requires all developments affecting the transport network to:
- a. Provide effective and safe access and egress to the existing transport network;
 - b. Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;
 - c. Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;
 - d. Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;
 - e. Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and
 - f. Minimise any adverse impact on communities and the environment, including noise and air quality.
- 7.66 Vehicular access to the site would be via the existing access and track from the A192 between the Three Horse Shoes Roundabout and the Laverock Hall Road Roundabout. The construction compound would be sited adjacent to the track and the completed solar farm site would be accessible via a network of internal tracks. There is a secondary access point off Hathery Lane, which provides access to Low Horton Farm. This would be used as a back-up maintenance access only, and would not be used for construction traffic. The proposed new distribution network operator substation, which would be located to the south of the A1061, would be served from an existing access with the A192 south of the Laverock Hall Roundabout.
- 7.67 The construction period of the solar farm is anticipated to take up to 9 months. Construction hours would be between 08:00 and 18:00 Mondays to Fridays, and between 08:00 and 14:00 on Saturdays. During this period there will be trips associated with the arrival and departure of construction staff, and the delivery of parts and construction materials. Staff trips will mainly be made by cars, vans or minibuses, whilst deliveries of construction materials and equipment will mainly be made by HGVs.
- 7.68 The deliveries will be spaced across the construction period, with typically up to 8 deliveries daily over the construction period. During the first weeks of the construction period there would be initial deliveries to the site of machinery, temporary site welfare and office facilities, site security measures and aggregate to construct some internal access tracks. During the main construction of the solar farm, items such as the transformers/inverters, cabling, solar panels, solar panel support frames, and aggregate to construct the remaining internal access tracks would be delivered to the site. In total the

construction of the solar farm will result in approximately 1,380 deliveries to the site, spread over the construction period with typically 10 deliveries per day.

- 7.69 The number of construction staff on site will vary over the construction period depending on the activity that is taking place. The majority of staff will travel in minibuses or vans, which will park on site during the day. At the peak of activity, there could be in the order of 25 construction staff vehicles on the site. Parking for staff would be provided in the construction compound area.
- 7.70 During the construction phase of the development, a construction compound and HGV turning area would be provided and would remain for the duration of the construction period. The compound would be of a sufficient size to store materials for the construction of the solar farm, and for vehicles to park and safely manoeuvre.
- 7.71 The construction of the distribution network operator substation will take up to 4 months within the overall construction period. The number of associated HGV deliveries will be in the order of 65 (typically 2 deliveries per day), including a single abnormal load required to deliver a component for the substation.
- 7.72 Vehicle movements during the operational period of the solar farm would mainly associated with the monitoring, upkeep and cleaning of the site. These trips would typically be made by small vans with between 10 and 20 trips each year. Due to the low number of vehicular movements being made to and from the site during its operational period, the site is unlikely to have any significant impact to the local highway network once constructed and operational.
- 7.73 It is recommended a planning condition is imposed to require the submission and approval of a construction traffic management plan prior to development commencing to manage all vehicle movements associated with the construction of the solar farm.
- 7.74 The Highways Authority has been consulted on the planning application and raised no objections, subject to the imposition of relevant planning conditions. This included a review of a framework construction traffic management plan provided in support of this planning application, which has been considered to be acceptable by the Highways Authority.
- 7.75 It is concluded that the proposed development accords with Policy TRA 2 of the Northumberland Local Plan. It is therefore acceptable in highways terms subject to the imposition of appropriate planning conditions.

Impacts on the Historic Environment – Archaeology

- 7.76 The proposed development site is located within a landscape which retains known archaeological remains spanning the prehistoric to modern periods. Archaeological remains in the locality include, for example, early prehistoric flint scatters left by (Mesolithic) hunter-gathers and early (Neolithic) farmers, settlements, landscape boundaries and farmsteads of Iron Age / Romano-

British date, evidence of medieval settlement and agriculture, post-medieval industrial activity and modern mineral extraction.

- 7.77 The site has been subject to archaeological evaluation by the applicant and archaeological remains have been identified within the site. The features, associated finds and environmental samples have been interpreted as being remains of a Romano-British / Iron Age settlement or farmstead. The identified remains are of at least local significance such that a programme of archaeological mitigation will be required if planning permission were to be granted. The identified archaeological remains all constitute 'non-designated heritage assets' with archaeological interest in the context of the NPPF. Further archaeological features comprising the remains of medieval or post-medieval ploughing activity were recorded in a number of other evaluation trenches. These remain areas of local interest but are not uncommon in the wider area and the Council's archaeologist has advised that they will not require further recording or investigation.
- 7.78 The most significant archaeological remains were those of prehistoric date and these coincide with the area of the proposed temporary site construction compound. The applicant proposes that the potential for the proposed development to damage or destroy identified archaeological remains would be mitigated through a bespoke construction methodology based on raising the existing ground surface to protect the archaeological remains during the development. No archaeological mitigation is proposed for the remainder of the site.
- 7.79 The applicant has submitted a construction method statement which provides details of the proposed construction methodology to be used. The construction methodology set out in this document would reduce or eliminate the risk that the identified archaeological remains would be damaged or disturbed by the development works. Within the remainder of the site the solar arrays would be mounted on frames that are secured to the ground using a piling technique. Since the impacts associated with the piled mounting technique would be localised and the risk of significant unrecorded archaeological remains being present beyond the compound is low, the Council's archaeologist considers this to be an acceptable approach.
- 7.80 In summary, the Council's archaeologist has no objections to the proposed development subject to it being undertaken in accordance with the submitted construction method statement for archaeological mitigation. It is therefore considered that the proposed development is in accordance with Policy ENV 1 and Policy ENV 7 of the Northumberland Local Plan and the NPPF.

Impacts on the Historic Environment – Building Conservation

- 7.81 The proposed development is situated to the north east and south of the Grade II listed Low Horton Farmhouse and its associated farm buildings (Historic England listing reference 1041377) and lies to the south east of the Grade II listed Church of Saint Mary (Historic England Listing Reference No: 1303743). Given the nature, scale and location of the proposed development it is considered that it has the potential to impact the setting and significance of these heritage assets.

Summary of significance

Low Horton Farmhouse

- 7.82 Low Horton Farm is a traditional farmstead comprising mid-1700s Farmhouse and farm buildings arranged to form an internal yard. The Farmhouse is Grade II listed for its special architectural and historic interest.¹ Accessed from the north and west by Hathery Lane and the A189 overpass, and from the south by the Plessey Old Wagonway, the listed farmhouse is situated within agricultural land. This serves to reinforce its early agricultural beginnings and creating a soft rural frame which in part contributes to its setting.
- 7.83 Dating from the mid-18th century having c.1800 rear brick extension and later 19th and 20th century alterations, the two-storey 3 bay + kitchen bay Farmhouse is constructed in squared stone (and brick in garden wall bond) under double pitched Welsh slate roof with brick stacks. Orientated to face southeast, its principal elevation is symmetrical, with the addition of a 19th century canted bay. It is set within its own garden having extended views of the agricultural hinterland beyond. The listed building retains an assemblage of architectural features which illustrate its long architectural history. Its use of robust masonry and solid to void ratio, its surviving early brick and bonding pattern, and the form and sizing of its fenestration collectively contribute to its special architectural character and distinguishes it as a gentrified Farmhouse. This significance is not only formed by its evidential value but also historical value as the Farmhouse succeeded Horton Castle, the remains of which are situated to its west.

Church of Saint Mary

- 7.84 The Church of Saint Mary (also known as Saint Mary the Virgin) is located off Horton Road and enjoys an elevated position within the rural landscape. Situated within its own grounds it is surrounded by a large graveyard which drops away from the Church, declining to the eastern boundary. The Church and graveyard are bounded by coursed rubble and capped stone walls which on approach from the west through the entrance gates, provide a sense of enclosure.
- 7.85 Built on and occupying a medieval site, the Church was rebuilt c.1827 retaining a late 18th /early 19th century transept and remodelled 1903 by W.S. Hicks embracing a Gothic style and liturgical east and west. Constructed in squared stone with ashlar dressings under Welsh slate roof, it comprises west crenulated tower and north transept, a north-east vestry/organ chamber and 1903 porch south of the tower. The listed building is a majestic example of a Parish Church having an array of features which illustrate its history and architectural quality. These include, lancet windows, trefoiled and mullioned windows, a large basket arch window – facing east towards the rising sun, sundial, 16th century inscribed slab, hood mouldings and decorative tower finials. Within the graveyard are gravestones and markers which illustrate the site's history contributing to the listed building's setting and significance.
- 7.86 The special significance of the listed building is characterised by its architectural, historical, communal and aesthetic values. It remains in the use

it was originally built to perform, serving the community as a place of worship, internment and commemoration. Further the building's chronology and the passage of time has fortuitously contributed to the heritage asset's illustrative and sensory values of which its setting significantly contributes.

Assessment of proposed development

- 7.87 The planning application is accompanied by a Design and Access Statement and desk-based Heritage Assessment. The Heritage Assessment provides an archaeological assessment of the known and potential archaeological resource within the development site. This includes map chronology, consultation of the available historic environment records and a site walkover. It also includes a setting assessment. The submissions also include a Heritage Addendum (dated 18 August 2022) which provides design mitigation measures as a means of reducing development impact on heritage assets.
- 7.88 The planning application has been evaluated the Council's architectural heritage and design officer having regard to the legislative framework, and the form and impact of the proposals on the setting and significance of the identified heritage assets, and Historic England's advice on the approach to taking decisions on setting (Historic England, The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 - Second Edition). The assessment by the Council's architectural heritage and design officer was also informed by site inspections, taking in views and prospects to and from the development site and the identified heritage assets.

Church of Saint Mary

- 7.89 While the development proposals would not result in a direct physical impact to the Church of Saint Mary, it is considered given the substantial scale, form and nature that it would result in a change to the rural hinterland to the listed building's east, thereby altering its setting. The heritage asset has an enclosed nature on approach from the west, its orientation, and its prominence on approach from the north and east (along the A189 and Hathery Lane). The presence of the major road separates the Church from the wider rural landscape in both the physical and perceptive sense and in particular the proposed development site. While there would be some opportunity for intervisibility with the development proposals when encountering the listed building from the north east, it is considered that this does not harmfully impact the ability to appreciate and understand the heritage significance of the Church as the undulating agricultural land (soft frame) to its immediate east and west of the A189, remains unaltered.

Low Horton Farmhouse and ancillary farm buildings

- 7.90 On approach to Low Horton Farm from the west (accessed from the overbridge) and along Hathery Lane, the listed building's double pitched roof and robust gable is encountered. From this aspect, the Farmhouse and its single storey farm ranges are discernible as a traditional farm group. Within closer proximity the building's chronology and architectural detailing is experienced. However, when the listed building is encountered from the southeast and south along the Plessey Old Wagonway, its principal elevation, its architectural and historic interest as a gentrified farmhouse and relationship

with the surrounding agricultural land is fully revealed. This arrangement, overlooking the farmland originally associated with the Farmhouse, would have been an intended design consideration when constructing and siting the building. The surrounding land is characterised by undulating open fields which gently decline away from the listed building. This juxtaposition of topography and openness results in the Farmhouse affording a prominent position within the landscape. This positively contributes to its significance and setting as defined within the NPPF as the surroundings in which a heritage asset is experienced. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 'The Setting of Heritage Assets' (2017, Page 4) states: "Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance".

- 7.91 The development proposals are extensive in form and layout resulting in a significant change to the existing landscape. From the western approach towards the listed building there would be limited intervisibility with the development site. This is due to the building's orientation, the presence and arrangement of existing and established field boundaries, the undulating topography, and the manner in which the listed building is encountered. However, when approaching the listed building from the south and east along the Wagonway, the extensive form and layout of the proposed development would alter the visual dominance of the listed building which is reinforced by the 'soft frame' of agricultural land. This arrangement would be altered to such a degree that it would harm its setting.
- 7.92 The proposals seek to introduce screening in the form of a new hedgerow to the south of the listed building running in a west to east axis. This screening can only mitigate negative impacts, rather than removing impacts and cannot be regarded as a substitute for the harmful impact to the listed building's significance that has been identified.
- 7.93 It is therefore concluded that the proposed development would harm the setting and significance of the Grade II listed Low Horton Farmhouse.

Conclusion

- 7.94 In summary, the proposed development has been assessed having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF and the Northumberland Plan Policies ENV 1 and ENV 7. The purpose of these is to protect the setting and character of the County's heritage assets. It is concluded that, while the proposed development would preserve the setting and significance of the Grade II Church of Saint Mary, the proposals would fail to preserve the setting and significance of the Grade II listed Low Horton Farmhouse, thereby failing to accord with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy ENV 7 of the Northumberland Local Plan, the purpose of which is to protect heritage assets and their setting.
- 7.95 In finding that the development proposals fail to preserve the setting and significance of Low Horton Farmhouse it has been identified that the degree of harm is 'less than substantial' in terms of Policy ENV 7 of the

Northumberland Local Plan and the NPPF. Policy ENV 7 and Paragraph 202 of the NPPF require this degree of harm to be weighed against the public benefits of the proposal.

- 7.96 Planning Practice Guidance (Historic environment, Paragraph 020, Reference ID 18a-020-20190723) explains that public benefits could be anything that delivers economic, social or environmental objectives as described in the Paragraph 8 of the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.
- 7.97 It is considered that the proposed development would deliver public benefits. In particular the supply of renewable energy in line with Section 14 of the NPPF and the biodiversity net gains that would arise from the proposals. Taking this into account, it is considered that the public benefits of the proposal would outweigh the identified less than substantial harm to the designated heritage assets. The proposed development would therefore accord with Policies ENV 1 and ENV 7 of the Northumberland Local Plan and Section 16 of the NPPF. This conclusion has had regard to the duties imposed by section 66 of the Listed Buildings and Conservation Areas Act 1990. Great weight has also be given to the asset's conservation in accordance with Paragraph 199 of the NPPF.

Glint and Glare

- 7.98 Planning Practice Guidance (Paragraph 013, Reference ID: 5-013-20150327) advises the potential for the effects of glint and glare on the landscape, neighbouring uses and aircraft safety should be given consideration for large-scale solar farms.
- 7.99 The definition of glint and glare is as follows:
- Glint – a momentary flash of bright light typically received by moving receptors or from moving reflectors;
 - Glare – a continuous source of bright light typically received by static receptors or from large reflective surfaces
- 7.100 To consider the impacts of glint and glare, the planning application is accompanied by a Glint and Glare Study to assess the possible effects of the proposed development on surrounding road users, dwellings, and aviation activity associated with Newcastle International Airport. This study indicates that whilst reflections are possible, the existing vegetation would mitigate the impacts to block views of reflective area and the distance between the observer and the closest reflecting panel area is such that the proportion of an observer's field of vision that is taken up by the reflecting area is significantly reduced. Furthermore the study indicates that the proposal would not adversely impact as the modelling indicates that no solar reflections are geometrically possible towards the air traffic control tower at Newcastle Airport and towards either of the 2-mile approach paths to the airport. It is therefore considered that the proposed development is therefore considered to be acceptable in terms of glint and glare.
- 7.101 Newcastle International Airport has been consulted on the application and no objections have been raised. Highways also raise no highway safety concerns

with regard to glint and glare. Public Protection considers that the risk of glare to residential amenity is low due to the changing directionality of the sun and vegetative screening. The residual risk of glare is however present which could cause detriment to residential amenity and recommend a condition to control glare should it be identified post-construction. Subject to the imposition of a condition, it is considered that the proposal does not conflict with Policy POL 2, Policy TRA 7 and Policy REN 1 of the Northumberland Local Plan in relation to the effects from glint and glare.

Decommissioning

- 7.102 Part 5 of Policy REN 1 in the Northumberland Local Plan requires, where relevant, applications to make appropriate provision for the decommissioning and removal of temporary operations once they have ceased.
- 7.103 The application proposed that, with the exception of the DNO sub-station, all equipment and below ground connections would be removed at the end of the 40-year operational lifespan of the solar farm. The landscape enhancement measures would remain.
- 7.104 In order to meet the requirements of Policy REN 1, it is recommended that a planning condition is imposed to require the submission of a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site to be submitted for approval by the Local Planning Authority no later than 39 years and six months from the date electricity is first exported from the site. It is also recommended a planning condition be imposed to require the submission of such a scheme for approval by the Local Planning Authority in the event that the development ceases to operate for a continuous period of 12 months. A further condition would be imposed to require the solar farm and its ancillary equipment to be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.
- 7.105 Subject to the imposition of conditions covering the matters outlined above, it is considered that the proposal accords with Part 5 of Policy REN 1 of the Northumberland Local Plan.

Mineral safeguarding

- 7.106 The Northumberland Local Plan identifies Mineral Safeguarding Areas to protect mineral resources from unnecessary sterilisation by non-mineral development. The proposed development is located within a Mineral Safeguarding Area for coal. Policy MIN 4 sets out policy criteria to assess proposals for new non-mineral development within these areas.
- 7.107 In accordance with Part 2 (a) of Policy MIN 4, the applicant has submitted an assessment of the effect of the proposed development on the mineral resource beneath and adjacent to the site of the proposed development. This assessment identifies that there may be a mineral resource present within and adjacent to the application site. The detailed assessment indicates that, while coal does exist beneath the site, it is they are not of strategic importance or

demonstrable economic value and therefore, the need for them to be safeguarded or worked in advance of the proposed site development is not warranted.

- 7.108 It is therefore considered that the proposed development can be supported within a MSA because the applicant can demonstrate that the mineral concerned is not of economic value in accordance with Part 3 (a) of Policy MIN 4. While the proposed development has a proposed operational lifespan of 40 years, it is both temporary and reversible in nature and as shown in the assessment the mineral is unlikely to be needed within a timescale in which the mineral is likely to be needed. The proposed development can therefore be supported in line with Part 3 (c) of Policy MIN 4. The requirements of Policy MIN 5 have also been considered and it is considered that there is no conflict.

Proposed Blyth Relief Road

- 7.109 Part 3 of Policy TRA 3 in the Northumberland Local Plan identifies a number of local road network improvement schemes. One of these schemes is the 'Blyth Relief Road' (Part 3, c of Policy TRA 3). Part 3 of Policy TRA 3 sets out that development which would potentially prejudice the progression of the identified schemes will not be supported.
- 7.110 The site of the proposed solar farm crosses the line of one of the route options ('Route 3') that has been considered by Northumberland County Council for the proposed Blyth Relief Road. However, the construction of houses on the route alignment to the east of the railway line means that Route 3 is not considered to be deliverable. An alternative route alignment (Route 5), which involves the realignment and dualling of the existing A1061 Laverock Hall Road between the Three Horse Shoes Roundabout and the A193 at South Beach, has now been identified as the preferred option and is being put forward for central Government construction and funding.
- 7.111 The proposed temporary site construction compound would be affected by the proposed alignment of Route 5. This compound would be required for a period of nine months while the construction of the solar farm to the north east takes place. It is likely that the construction of the solar farm would be complete prior to the construction of the road, but there could be some overlap. The nature of the site compound and the area surrounding its immediate location means that it would be feasible for it to be relocated to the north if there was conflict with the construction of the relief road, although this change may require a separate planning application and its acceptability confirmed following assessment.
- 7.112 It is therefore considered that the proposed development can be supported in the context of Policy TRA 3. The solar farm itself would not prejudice the progression of the proposed Blyth Relief Road. The potential prejudice that could result from the siting of the temporary construction compound for the site could be overcome and would not warrant grounds to refuse planning permission for this scheme on its own.

Other matters

Time limit within which the development must begin

- 7.113 If planning permission is granted for this proposed development, it would subject to a condition that sets the time limit within which the development must begin. It is normal for the time limit to be not later than the expiration of three years beginning with the date on which the permission is granted, but the local planning authority may consider a longer or shorter time period where this would assist the delivery of the development. The applicant has requested a period of not later than the expiration of five years beginning with the date on which the permission is granted be conditioned in order to provide an appropriate period of time to allow works associated with grid connection to be agreed and programmed with the network operator.
- 7.114 It is considered that a period of five years is justified in these circumstances. As such it is recommended a condition is imposed to require that the development is commenced no later than the expiration of three years beginning with the date on which the permission is granted.

Equality Duty

- 7.115 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

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

Human Rights Act Implications

- 7.117 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.
- 7.118 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.

- 7.119 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 proposed development has a capacity of 49.9MW and would generate a significant amount of electricity from a clean, renewable source. The applicant states that this would provide for a reduction of approximately 12,000 tonnes of carbon dioxide emissions annually and meet the energy needs of approximately 15,000 homes each year. The scheme could therefore make an important contribution to the objective of achieving the statutory net zero target set for 2050 and the commitment to reducing greenhouse gas emissions by 78% compared with 1990 levels by 2035.
- 8.2 Policy REN 1 of the Northumberland Local Plan is supportive of solar energy development, provided the effects are acceptable or can be made acceptable. The assessment of the application has identified that the proposals would result in less than substantial harm to the significance of the Grade II listed Low Horton Farmhouse, the siting of the DNO substation in the Green Belt would be harmful due to it constituting inappropriate development, and would also result in some localised landscape and visual harm. With regard to the other main planning matters assessed, it is considered that the effects are acceptable or can be made acceptable through appropriate mitigation and the imposition of planning conditions in accordance with the relevant policies in the Northumberland Local Plan and the NPPF.
- 8.3 In relation to harm to the Grade II listed Low Horton Farmhouse, Paragraph 202 of the NPPF advises where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case the public benefits include those associated with renewable energy generation and the significant biodiversity net gain (65.62% in Habitat Units, and 76.13% in Hedgerow Units). It is considered that the public benefits outweigh the less than substantial harm to the significance of the heritage designated heritage asset.
- 8.4 In relation to the Green Belt, the proposed distribution network operator substation is located in the Green Belt and constitutes inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In considering this application, substantial weight is given to the identified harm to the Green Belt in line with Paragraph 148 of the NPPF. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal,

is clearly outweighed by other considerations. The harm in this case is limited and the impact on the openness of the Green Belt is localised around the substation site. On balance it is considered that the identified harm to the Green Belt (and other harm) is clearly outweighed by the considerable public and wider environmental benefits arising from the proposed solar farm, including those associated with increased production of electricity from renewable sources and the biodiversity net gain that would be provided by the proposal. As a result it is considered that very special circumstances exist to support this element of the proposed development in the Green Belt.

- 8.5 Overall, whilst it is accepted that the proposed solar farm would have an impact on the landscape, the openness of the Green Belt and result in less than substantial harm to the significance of the Grade II listed Low Horton Farmhouse it is considered that the benefits of the proposed development in terms of the supply of renewable energy and biodiversity enhancement and would outweigh the identified harm. It is therefore recommended that planning permission be granted for this proposed development, subject to the imposition of planning conditions.

9. Recommendation

- 9.1 That this application be GRANTED permission subject to the following:

Conditions/Reason

Time limit

1. The development hereby permitted shall be begun before the expiration of five years from the date of this planning permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

Expiry of planning permission

2. The development hereby permitted shall be for a temporary period only to expire 40 years and 6 months after the first export date of the development. Written confirmation of the first export date shall be provided to the local planning authority within one month after the event.

Reason: The development is not considered suitable for permanent retention and to enable the impacts to be assessed as to the impacts on the landscape character and visual amenity in accordance with Policy ENV 3 and Policy REN 1 of the Northumberland Local Plan.

Decommissioning and site restoration

3. If the solar farm hereby permitted ceases to operate for a continuous period of 12 months, then a scheme for the decommissioning and removal of the solar farm and ancillary equipment together with the restoration of the site shall be

submitted within 6 months of the end of the cessation period to the Local Planning Authority for written approval. The scheme shall make provision for:

- a. the removal of the solar panels and associated above ground works approved under this permission;
- b. the management and timing of any works;
- c. a traffic management plan to address likely traffic impact issues during the decommissioning period;
- d. an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats;
- e. details of site restoration; and
- f. an implementation timetable.

The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

4. Within a period of 39 years and 6 months following the first export date, a scheme for the decommissioning of the solar farm and its ancillary equipment and restoration of the site, shall be submitted to written approval by the local Planning Authority (except in the event that Condition 4 has been triggered and decommissioning has been completed). The scheme shall incorporate the criteria set out within Condition 4 as a minimum. The decommissioning of the site shall be carried out in accordance with the approved scheme.

Reason: To ensure that the decommissioning and restoration of the site is carried out in a managed approach that minimises the impacts on the natural, built and historic environment and upon highway safety in accordance with Policies REN 1, TRA 2 and ENV 1, ENV 2, ENV 3, ENV 4 and ENV 7 of the Northumberland Local Plan.

5. The solar farm and its ancillary equipment shall be dismantled and removed from the site and the land restored in accordance with the approved decommissioning and restoration scheme within a period of 40 years and 6 months following the first export date.

Reason: In the interests of natural, built and historic environment in accordance with the National Planning Policy Framework and Policy REN 1 of the Northumberland Local Plan.

Approved plans

6. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, Drawing Number P21-0062_01 (Rev C), Date 06/04/2022
 - Engineering Layout Plan, Drawing Number BF33C_F005_01, Date September 2022

- Master Site Layout Plan, Drawing Number P21-0062_12 (Rev D), Date 08/09/2022
- Detailed Landscape Proposals, Drawing Number P21-0062_04 (Rev H), Date 08/09/2022
- Access and Movement, Drawing Number P21-0062_10 (Rev D) , Date 08/09/2022
- Mounting System Details, Drawing Number LWH-DWG004, Date 14/02/2022
- Fencing Details, Drawing Number LWH-DWG005, Date 14/02/2022
- CCTV Layout, Drawing Number LWH-DWG006.1, Date 23/03/2022
- CCTV Details, Drawing Number LWH-DWG006.2, Date 14/02/2022
- Substation Layout, Drawing Number 10032-E-SP-01 (Revision E)
- Customer Compound Elevation, Drawing Number 10032/E-ELC-01 (Revision D)
- Substation Compound, Drawing Number 0031-E-SP-03 (Revision B)
- Transformer elevations, Drawing Number 10032-E-ELV-03 (Revision A)
- Control Room Layout and Elevation, Drawing Number 10032-E-ELV-02 (Revision C)
- NPG 25m Communications Tower, Drawing Number, 10032-E-ELV-04 (Revision B)
- NPG Approved 2.4m High Palisade Fencing (with electric fence), Drawing Number 10032-E-ELV-05 (Revision B)
- Elevations - 33kV Intake Switch Room, Drawing Number XXXXX-E-ELE-01 (Revision A)
- Inverter substation (floor and elevation plan), Drawing Number LWH-DWG007.3, Date 14/09/2022
- Ecological Assessment Report: Low Horton Farm Solar Farm, Avian Ecology Limited, Issue F1 dated 24/03/2022.
- Ecological Assessment Report: Low Horton Farm Solar Farm – Appendix 1: Bird Survey Report, Avian Ecology Limited, Issue F1 dated 24/03/2022.
- Ecological Assessment Report: Low Horton Farm Solar Farm – Appendix 5: Biodiversity Management Plan, Avian Ecology Limited, Issue F2 dated 07/07/2022.
- Low Horton Solar Farm Framework Construction Traffic Management Plan, PFA Consulting, July 2022
- Delivery Management Plan, Document Reference B764-FN01, July 2022
- Low Horton Farm Flood Risk Assessment, PFA Consulting, March 2022 (Document reference B764-DOC01, Issue 1, dated 24/03/2022)
- Arboricultural Impact Assessment : Low Horton Farm Solar Farm, Barton Hyett Associates Limited, March 2022
- Low Horton Solar Farm, Construction Method Statement for Archaeological Mitigation, Bluefield Development, October 2022 (Document reference BF33C_F008_01)

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

7. Notwithstanding the approved plans, prior to the commencement of development, details of the proposed materials, colours and finishes of all solar panels, frames, buildings and equipment shall be submitted to and

approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and be maintained as such for the lifetime of the development.

Reason: Details are required in the absence of accompanying the application and in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies REN 1, QOP 2 and ENV 3 of the Northumberland Local Plan.

Trees and Landscaping

8. Prior to the commencement of development, an arboriculture method statement and tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved arboriculture method statement and tree protection plan.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site amenity, in accordance with the National Planning Policy Framework and Policies REN 1, QOP 4 and ENV 3 of the Northumberland Local Plan.

9. The tree and hedgerow landscape planting proposals set out in the Detailed Landscape Proposals Plan (Drawing number P21-0062_04, Revision H, Date 08/09/2022) shall be fully implemented during the first full planting season (November to March inclusive) following the completion of the commencement of development. Any trees or plants which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with the National Planning Policy Framework and Policies REN 1, QOP 4 and ENV 3 of the Northumberland Local Plan.

Artificial lighting

10. No external lighting (other than low level lighting required on ancillary buildings during occasional maintenance and inspection visits) or Floodlighting is permitted to be installed, used or modified as part of the hereby approved development without the prior written consent of the Local Planning Authority. To apply for consent the operator must provide a detailed report of the proposed lighting which details:
 - a. The specific location of all external lighting units;
 - b. Design of all lighting units;
 - c. Details of beam orientation and lux levels; and
 - d. Any proposed measures such as motion sensors and timers that will be used on lighting units

Reason: To protect residential amenity and provide a commensurate level of protection against artificial light, in accordance with the National Planning

Flooding and Surface Water Drainage

11. The development shall be carried out in accordance with the submitted flood risk assessment (Low Horton Farm Flood Risk Assessment, PFA Consulting, March 2022). The mitigation measures detailed with the flood risk assessment shall be fully implemented prior to the solar becoming operational.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development in accordance with Policy WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework

12. Prior to the first electrical export from the site, details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a. Maintenance schedules for each drainage feature type and ownership.
 - b. Details of protection measures.

The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: To ensure that the development is adequately managed in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

13. Vegetation cover under the solar panels shall be present and maintained throughout the lifetime of development. Any erosion shall be rectified and made right.

Reason: To minimise the risk of soil erosion and reduce runoff rates in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

14. Maintenance of grass filter strips and interception swales shall be undertaken throughout the lifetime of development.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

15. Any control equipment located within 'low' and 'medium' areas of surface flood risk shall be raised a minimum of 300mm above ground level.

Reason: To provide suitable protection from pluvial flooding in accordance with the National Planning Policy Framework and Policy WAT 4 of the Northumberland Local Plan.

Highways

16. Development shall not commence until a Construction Method Statement and Construction Traffic Management Plan, together with supporting plans have 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, include details of but not exclusive to:
- a. site contact details - name, telephone number etc.;
 - b. details of temporary traffic management measures, temporary access, routes and vehicles;
 - c. vehicle cleaning facilities;
 - d. the parking of vehicles of site operatives and visitors;
 - e. the loading and unloading of plant and materials;
 - f. storage of plant and materials used in constructing the development;
 - g. measures to control the emission of dust during construction; and
 - h. details of methods and means of noise reduction, or controlling noise impacts during construction;

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

Noise

17. 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, and Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan

18. The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a rating level of 35 dB LAeq,15 minute at the nearest sound-sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound-sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

Construction hours

19. Deliveries to and collections from the construction and/or decommissioning phase of the development shall only be permitted between the hours:

- a. Monday to Friday - 08:00 to 18:00
- b. Saturday - 08:00 to 13:00

No deliveries or collections shall take place on a Sunday or Bank Holiday, unless agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with the National Planning Policy Framework and Policy POL 2 and Policy REN 1 of the Northumberland Local Plan.

Date of Report: 19 October 2022

Background Papers: Planning application file(s) 22/01153/RENE

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Northumberland County Council

Appeal Update Report

Date: November 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?
21/04587/FUL	<p>Proposed construction of a first floor dormer extension to the rear elevation and installation of rooflights to the front and rear elevations – 29 Leazes Street, Amble</p> <p>Main issues: incongruous and inappropriate form of development that would be out of scale and character with the existing property and would have a harmful impact upon the character and appearance of the site and surrounding Conservation Area.</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?
21/04652/FUL	<p>Single storey extension to kitchen; two storey extension to rear; provision of dormers to new extension - Size of existing garage footprint and roof increased and provision of dormers to garage to form storage area – Wooderfield, Grange Road, Widdrington</p> <p>Main issues: development would appear incongruous and out of character with the existing dwelling resulting in significant harm to visual amenity.</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
20/03389/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: development would appear as an incongruous and over dominant addition to the street scene resulting in significant harm to the visual amenity of the locality.</p>	<p>4 January 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
20/01457/CLEXIS	<p>As amended: Use of land to the west of School House Farm, Kiln Pit Hill (as outlined in red on amended location plan received 16/9/21) as a Motocross Track with associated visitor parking, catering van, portable toilet, security gates and sign in shed. Operating times throughout the year (excluding every Tuesday together with Christmas Day, Boxing Day and New Years Day when it is closed) are 8am-5pm (bikes allowed on tracks from 10am-4pm only) with additional opening hours of 4pm-7pm on Monday, Wednesday and Friday during the months of May, June, July, August and September (amended 29/9/21) - Motorcycle track west of School House Farm, Kiln Pit Hill</p> <p>Main issues: the submitted evidence fails to demonstrate that the lawful use is as described in the application.</p>	<p>9 February 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04426/CLEXIS	<p>Certificate of lawful development of existing vehicular access from the B6318 – land on Hadrian's Wall remains south of Black Pasture Cottage, Brunton Bank, Wall</p> <p>Main issues: lack of information and evidence as submitted to grant certificate.</p>	<p>28 April 2022</p> <p>Appeal against non-determination</p>

19/01687/FUL	<p>Change of use of land for the siting of up to 60 static caravans, along with associated infrastructure and hard and soft landscaping. Archaeological report received 09.2.2021 and amended site location plan received 26.02.21 - land north west of Springwood, Coast View, Swarland</p> <p>Main issues: obtrusive development in the rural landscape that would adversely affect the rural setting and visual relationship between Swarland and wider countryside setting.</p>	<p>1 June 2022</p> <p>Committee Decision - Officer Recommendation: Refuse</p>
21/04673/FUL	<p>Resubmission: Single-storey, flat-roofed, garage to rear of back garden (revised to now be 3 metres high) - 7 First Avenue, Blyth</p> <p>Main issues: incongruous addition to the rear garden of the property, represent an addition that is neither subordinate nor well related to the subject property and would have a negative impact on visual amenity.</p>	<p>7 July 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/03532/FUL	<p>Restore and re-build existing derelict dwellings to create single dwelling house with attached holiday-let and erection of ancillary workshop/agricultural storage building – land south west of Woodbine Cottage, Carrshield</p> <p>Main issues: significant works required to existing structure therefore conversion is unacceptable as a matter of principle; design would not respect historic character of the building and would affect the character of the North Pennines AONB; new outbuilding would be inappropriate in size and scale in the open countryside with impacts on the landscape and the AONB; insufficient information to assess ecological impacts of the proposals; and insufficient information to assess archaeological impacts.</p>	<p>16 August 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02904/FUL	<p>Remove green keepers compound and erection of 48 dwellings (including 10 affordable houses) plus upgrade of access road, electric substation, SUDs, domestic package treatment works and domestic gas storage.- Amended description – land north west of Burgham Park Golf Club, Felton</p> <p>Main issues: inappropriate development in the Green Belt; unnecessary and unjustified development in the open countryside and unsustainable location; and lack of completed S106 Agreement in respect of</p>	<p>17 August 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>

	affordable housing, education, health and a Habitat Maintenance and Management Plan	
21/02377/FUL	<p>Retrospective: Construction of carport in existing car park to provide cover for three car parking spaces and provide shelter for diners during COVID – Feathers Inn, Hedley, Stocksfield</p> <p>Main issues: inappropriate development in the Green Belt; and the design and materials adversely impact on the character of the site and its surroundings.</p>	<p>23 August 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01800/FUL	<p>Home officer first floor extension over existing detached garage – 3 Keston Drive, Cramlington</p> <p>Main issues: disproportionate addition to the original garage resulting in harm to the character and appearance of the property and the street scene.</p>	<p>31 August 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
20/02026/COU	<p>Change of use of 8no. Holiday cottages to residential dwellings – 1 - 4 Bamburgh Cottages and 5 - 8 Craster Cottages, Northumbrian Hills, Burgham Park, Felton</p> <p>Main issues: unnecessary and unjustified residential development in the open countryside</p>	<p>1 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00042/LBC	<p>Listed building consent to replace 6 windows with similar casement windows with wooden rather than plastic dividers – Broomhaugh Farm, Broomhaugh, Riding Mill</p> <p>Main issues: would result in loss of historic fabric and fail to preserve the special historic interest of the building, and would cause less than substantial harm to the listed building.</p>	<p>26 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01413/FUL	<p>Dormer window to roof slope on principal (south) elevation – 3 Dene Park, Darras Hall, Ponteland</p> <p>Main issues: design, scale and massing would not be subordinate to the dwelling and would be out of character in the street scene.</p>	<p>27 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
19/04687/OUT	<p>Outline permission for development for up to 43 residential dwellings (Use Class C3), demolition, infrastructure, access, open space and landscaping (All matters reserved except for access) - land north of Eilansgate, Hexham</p> <p>Main issues: inappropriate development in the Green Belt; lack of information in relation</p>	<p>27 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	to ecological impacts; loss of woodland and larger trees would impact the setting of the Conservation Area; lack of information in relation to drainage and flood risk; and the application does not secure necessary planning obligations in respect of affordable housing, healthcare and education.	
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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?
None		

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
20/01383/ENDEVT	Material change of use of the land from use for agriculture to a vehicle parking area – School House Farm, Kiln Pit Hill, Consett Appeal against Enforcement Notice and linked with appeal submitted against refusal of 20/01457/CLEXIS (see above).	9 February 2022
22/00022/NOTICE	Unauthorised dwelling – Horsley Banks Farm, Horsley	6 April 2022 Hearing date: 22 November 2022

22/00023/NOTICE	Unauthorised stable buildings – Horsley Banks Farm, Horsley	6 April 2022 Hearing date: 22 November 2022
18/01525/ENDEVT	Change of use of the land for the stationing of 2 caravans including a linking structure for residential purposes - School House Farm, Kiln Pit Hill, Consett	29 April 2022
18/01525/ENDEVT	Erection of a building used to house parrots and other animals; the erection of a corrugated steel barn; the erection of 2 timber structures to accommodate birds; and the construction of a hardstanding area - School House Farm, Kiln Pit Hill, Consett	29 April 2022
19/01230/ENDEVT	Material change of use of the land from agricultural use for the siting of a shepherd's hut for use as holiday let accommodation - land south east of Closehead, Otterburn	29 June 2022

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
21/04982/OUT	<p>Resubmission: Erection of 5no. custom self build homes, with associated garages, car parking and landscaping – land north of 30 Longhirst Village, Longhirst</p> <p>Main issues: development in the open countryside; inappropriate development in the Green Belt; detrimental impact on the rural character of the site and wider landscape; harm to the setting and significance of the Conservation Area; insufficient information to assess archaeological impacts; insufficient information to assess impacts on protected species; and fails to address disposal of surface water.</p>	<p>Hearing: 5 and 6 October 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</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

September 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 2021-2024.

Key issues

This month's report provides details on new S106 agreements and unilateral undertakings completed during the months of September 2022 and payments received for this month.



New Agreements

September	New Agreements completed and added to Database
21/03656/ful	Land at Brewery Cottage, Brewery Yard Newbiggin-By-The-Sea
21/04280/ful	Paintballing site Eshott Heugh
22/00272/AGTR ES	Land South West of West Burton, Bamburgh

Contributions Received

Development	Type of Contribution	Amounts Received
22/00430/ful Kens Autoparts 40 Park Road Blyth	Coastal Mitigation	£1230
20/04349/ful Guyance	Coastal Mitigation	£3690

Awards and Payments Made

Awards Paid Out	Project	Amount Paid
Guide Post Medical Group	Change office space to consultation rooms	£46881.89

Case Study - Healthcare S106 Contribution

S106 funding has recently been used to carry out some internal modelling works at Guidepost Medical Health Centre, North Parade, Guide Post Choppington NE62 5RA to expand patient capacity and services at the Health Centre.

Work has been done to change the existing admin and office space to create additional consulting room.



Photo 001



Photo 002



Photo 003

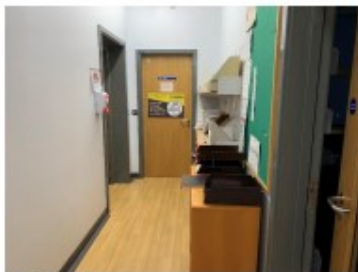


Photo 004



Photo 005

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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