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Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: Friday, 17 March 2023

Dear Sir or Madam,

Your attendance is requested at a meeting of the **TYNEDALE LOCAL AREA COUNCIL** to be held in **CEREMONY ROOM - HEXHAM HOUSE** on **TUESDAY, 28 MARCH 2023** at **4.00 PM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Tynedale Local Area Council members as follows:-

T Cessford (Chair), D Kennedy (Vice-Chair), A Scott (Vice-Chair (Planning)), A Dale, S Fairless-Aitken, C Horncastle, JI Hutchinson, N Morphet, N Oliver, J Riddle, A Sharp, G Stewart and H Waddell



Dr Helen Paterson, 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 TO BE FOLLOWED AT PLANNING MEETINGS**
2. **APOLOGIES FOR ABSENCE**
3. **DISCLOSURE OF MEMBERS' INTERESTS**

(Pages 1
- 2)

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.

DEVELOPMENT CONTROL

4. DETERMINATION OF PLANNING APPLICATIONS

(Pages 3
- 6)

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>

5. 20/00230/FUL

(Pages 7
- 50)

Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended)
Land south of Broomhouse Lane, Station Road, Prudhoe, Northumberland

6. 22/00937/FUL

(Pages
51 - 62)

Change of use and conversion of an existing agricultural storage building to provide ancillary accommodation for the main dwellinghouse and change of use of land to form residential curtilage (as amended)
Stelling South Cottage, B6309 Mowden Hall Cross Roads to Welton, Stocksfield, Northumberland, NE43 7UU

7. PLANNING APPEALS UPDATE

(Pages
63 - 74)

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.

8. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 11 April 2023.

9. URGENT BUSINESS

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

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)



Northumberland County Council

Appendix 1

PROCEDURE AT PLANNING COMMITTEE

A Welcome from the Chair

Welcome to also include reference to

- (i) All Mobile phones should be switched to silent and should not be used during the meeting.
- (ii) Members are asked to keep microphones on mute unless speaking (if being used).

B Record remote 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)

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

TYNEDALE LOCAL AREA COUNCIL

28 MARCH 2023

DETERMINATION OF PLANNING APPLICATIONS

**Report of the Interim Executive Director of Planning and Local Services,
Regeneration, Commercial and Economy**

Cabinet Member: Councillor CW Horncastle

Purpose of report

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

Recommendations

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

Key issues

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

DETERMINATION OF PLANNING APPLICATIONS

Introduction

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

The Determination of Planning and Other Applications

2. In considering the planning and other applications, members are advised to take into account the following general principles:

- Decision makers are to have regard to the development plan, so far as it is material to the application
 - Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise
 - Applications should always be determined on their planning merits in the light of all material considerations
 - Members are reminded that recommendations in favour of giving permission must be accompanied by suitable conditions and a justification for giving permission, and that refusals of permission must be supported by clear planning reasons both of which are defensible on appeal
 - Where the Local Area Council is minded to determine an application other than in accordance with the Officer's recommendation, clear reasons should be given that can be minuted, and appropriate conditions or refusal reasons put forward
3. Planning conditions must meet 6 tests that are set down in paragraph 206 of the NPPF and reflected in National Planning Practice Guidance (NPPG, March 2014 as amended). They must be:
- Necessary
 - Relevant to planning
 - Relevant to the development permitted
 - Enforceable
 - Precise
 - Reasonable in all other respects
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 constitutes material planning considerations, and as to what might be appropriate conditions or reasons for refusal.
5. Attached as Appendix 1 is the procedure to be followed at all Local Area Councils.

Important Copyright Notice

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BACKGROUND PAPERS

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

IMPLICATIONS ARISING OUT OF THE REPORT

Policy:	Procedures and individual recommendations are in line with policy unless otherwise stated
Finance and value for	None unless stated

Money:

Human Resources: None

Property: None

Equalities: None

Risk Assessment: None

Sustainability: Each application will have an impact on the local environment and it has been assessed accordingly

Crime and Disorder: As set out in the individual reports

Customer Considerations: None

Consultations: As set out in the individual reports

Wards: All

Report author Rob Murfin
Report of the Interim Executive Director of Planning and Local
Services, Regeneration, Commercial and Economy
01670 622542
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APPENDIX 1: PROCEDURE AT PLANNING COMMITTEES

Chair

Introduce s application

Planning Officer

Updates – Changes to Recommendations – present report

Public Speaking

Objector(s) (5mins)

Local Councillor/Parish Councillor (5 mins)

Applicant / Supporter (5 mins)

NO QUESTIONS ALLOWED TO/ BY PUBLIC SPEAKERS

Member's Questions to Planning Officers

Rules of Debate

Proposal

Seconded

DEBATE

- No speeches until motion is seconded
- Speech may not exceed 6 minutes
- Amendments to Motions
- Approve/ refuse/ defer

Vote (by majority or Chair casting vote)

Chair should read out resolution before voting

Voting should be a clear show of hands.

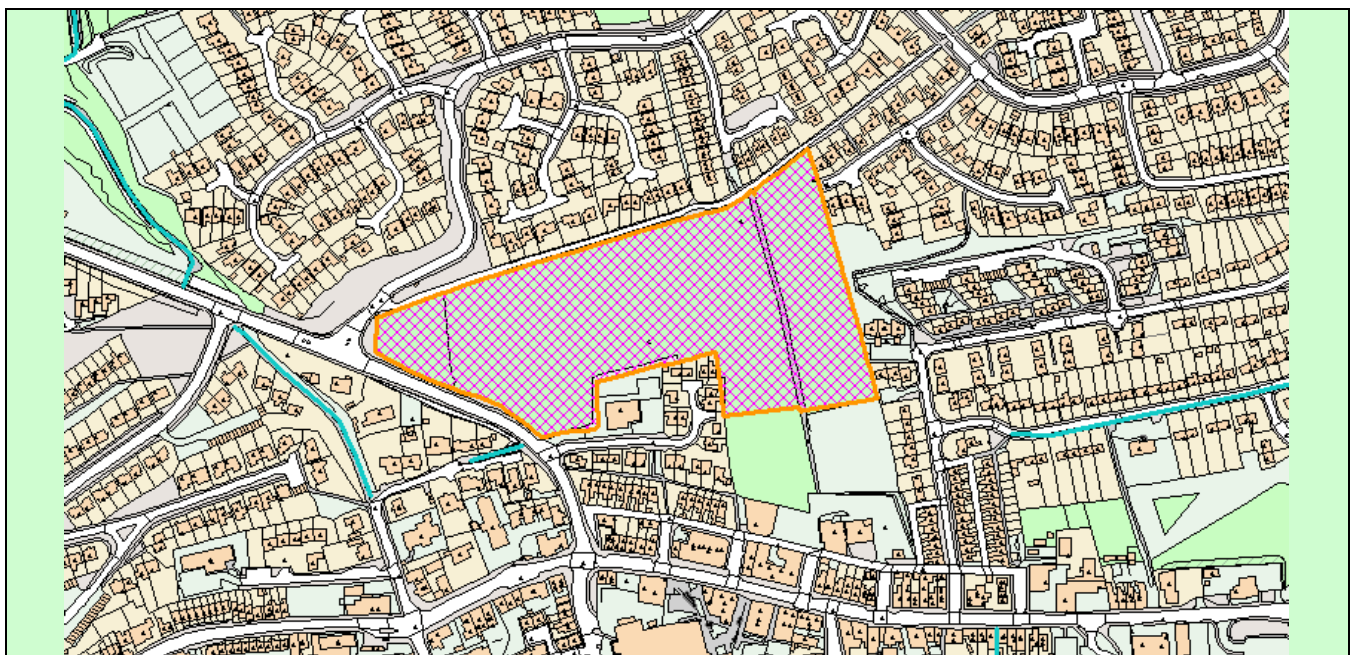


Northumberland County Council

Tynedale Local Area Council Planning Committee Tuesday 28 March 2023

Application No:	20/00230/FUL		
Proposal:	Full planning permission for 63 no. dwellings with associated infrastructure and landscaping (as amended)		
Site Address	Land south of Broomhouse Lane, Station Road, Prudhoe, Northumberland		
Applicant:	Northumberland Estates	Agent:	Mr Alastair Willis, Lichfields, The St Nicholas Building, St Nicholas Street, Newcastle Upon Tyne, NE1 1RF
Ward	Prudhoe South	Parish	Prudhoe
Valid Date:	7 February 2020	Expiry Date:	31 March 2023
Case Officer Details:	Name: Mr Neil Armstrong Job Title: Principal Planning Officer Tel No: 07966330648 Email: neil.armstrong@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to a Section 106 Agreement to secure necessary planning obligations and conditions



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1. Introduction

1.1 This application is brought to the Committee for determination given the nature and scale of the proposals as well as objections from Prudhoe Town Council and the significant local interest and objections that have been received.

1.2 The application was considered by the Committee at its last meeting on 14 February. At that time Members resolved to refuse the application. However, due to the discovery of a procedural irregularity at that meeting, it is necessary to bring the matter back to Members for to determine.

2. Description of the Proposals

2.1 Full planning permission is sought for the development of the site for 63 new dwellings with associated infrastructure, including new vehicular accesses, SuDS drainage and landscaping.

2.2 The site comprises a 3.5-hectare area of greenfield land that was formerly used for allotment gardens located immediately to the north of Prudhoe town centre. The site slopes steeply down from the south down to the north towards Broomhouse Lane, which forms its northern boundary. To the north of Broomhouse Lane are properties on the wider Castlefields housing estate, including those on Appletree Drive, The Waggonway, Grey Lady Walk, Spetchells and Carnaby Close. To the east are dwellings at Tilley Crescent, Umfraville Dene and Neale Street. To the south of the site is an area of vacant land that lies north of the Prudhoe and District United Service Club and other commercial uses, with residential properties on Cranleigh Grove further west along the southern boundary. The western boundary is formed by Station Road with some further dwellings at a higher level beyond this.

2.3 The applicant originally sought full planning permission for the development of 74 dwellings and 15 apartments within a separate apartment block located to the north-western corner of the site adjacent to Station Road and Broomhouse Lane. That application proposed the creation of a new vehicular access to the west from Station Road, as well as vehicular access extending from the existing cul-de-sac at Tilley Crescent to the north-eastern corner. The access from Tilley Crescent proposed to serve 46 units (31 dwellings / 15 apartments), with the southern part of the development being accessed from Station Road.

2.4 Following concerns raised by officers and objections received in respect of matters such as the amount of development, layout, scale, design and access the applicant submitted amended plans. These sought to reduce the scale of development with the number of dwellings down to 61 and 10 apartments being proposed and revisions to the scale, massing and design of the development. The revised plans also reduced the number of units being accessed from Tilley Crescent with 31 (21 dwellings / 10 apartments) to be served from that route.

2.5 The most recent plans have been submitted following further discussions with the applicant in relation to ongoing concerns over layout, scale, design and access. The revised plans have removed the apartment block from the proposals completely

and the scheme now relates to the development of 63 dwellings comprising the following mix:

- 6 x 2-bedroom dwellings (including 4 affordable units)
- 31 x 3-bedroom dwellings (including 4 affordable units)
- 26 x 4-bedroom dwellings

2.6 The revised plans have also sought to improve the design of the new dwellings with supporting information provided seeking to justify the design approach and additional areas of open space throughout the site. This also seeks to justify the proposed access from Tilley Crescent, which would now serve a reduced number of 24 dwellings to the northern part of the site with the remainder being served by the access from Station Road. The supporting statement looks to demonstrate that alternative access proposals have been considered and why these have been discounted.

2.7 The site has previously had the benefit of planning permission housing and retail development. Application 20070183 granted permission for a hybrid application with full permission for retail and housing to the southern part of the site and outline permission for approximately 118 dwellings to the northern part. That proposed vehicular access from Station Road for the majority of the development and an indicative layout showed eight units served from Tilley Crescent. Application 13/03076/OUT sought outline planning permission for approximately 70-80 dwellings with all matters reserved other than access. Access was proposed for the majority of the development from Station Road, whilst an indicative layout showed five dwellings to be served from Tilley Crescent. Although not considered in detail due to being an outline application, indicative plans suggested there would be significant raising and profiling of ground levels to create plots running east to west across the site. Neither of those permissions were implemented and therefore they have lapsed.

3. Planning History

Reference Number: T/20070183

Description: (Revised Description) FULL PLANNING APPLICATION to develop 4,366 sqm of food retail, 3,807 sqm of non food retail units including a civic office suite, first floor office space, public amenity space including a town square and 34 residential apartments located above the retail units; decked car parking, associated infrastructure, access and improvements to Front Street

OUTLINE PLANNING APPLICATION for approximately 118 dwellings at the northern end of the site and relocation of the United Services Club (approximately 650 sqm) (Environmental Impact Assessment submitted) (Revised Description)

Status: Permitted

Reference Number: 13/03076/OUT

Description: Outline application for approximately 70-80 residential dwellings with associated access on land to the South of Broomhouse Lane Prudhoe

Status: Permitted

Reference Number: 16/02081/OUT

Description: Outline application for development of up to 30no. residential dwellings, including all ancillary works, with all matters reserved apart from access

Status: Permitted

4. Consultee Responses

March 2020 (original proposals)

Object on the following grounds:

- parking, highway safety and traffic, including access from Tilley Crescent, access during construction and alternative pedestrian route from Castlefields to Front Street
- flood risk and drainage
- land stability
- design, appearance and materials
- layout and density of buildings
- housing mix and homes for disabled and older population
- impacts on hedgerows and ecology

April 2021 (first re-consultation)

Strongly object for the following reasons:

- parking, highways safety and traffic: in particular construction traffic and additional vehicles using Tilley Crescent.
- lack of information on affordable housing
- design: use of the existing Tilley Crescent cul-de-sac for access and impacts on the character of the area and residents
- amenity: effects on residents due to additional vehicles using Tilley Crescent
- sustainable drainage systems: effective migration of ground water; not increasing flood risk elsewhere; springs on site; and arrangements for management and maintenance of SuDS
- flooding

The Town Council also highlighted comments as follows:

- comments required from NCC Highways
- lack of information on affordable housing, ancient hedgerow, stability reports and groundwater springs
- requirement for all relevant technical reports
- applicant comments around viability may be a concern for them but concerns remain regarding impacts on residents of Tilley Crescent
- support the concerns of residents and queries that have been raised in representations.

October 2022 (second re-consultation)

Object for the following reasons:

Parking, Highway Safety and Traffic Issues (Access from Tilley Crescent to the proposed development.) This new planning application has access from Tilley Crescent for 64 dwellings which could result in an additional vehicles using Castlefields Drive and through a narrow road to Tilley Crescent. This is an

	unacceptable increase in traffic through this cul-de-sac, resulting in parking, highway safety and traffic issues.
Highways	No objection subject to conditions.
Northumbrian Water Ltd	No objection subject to condition.
Lead Local Flood Authority (LLFA)	No objection subject to conditions and securing commuted sum of £15,000 towards drainage works.
Public Protection	No objection subject to conditions.
West Tree and Woodland Officer	No response received.
Built Heritage and Design	No objection - the proposals would preserve the setting of the Grade I listed Prudhoe Castle and accord with Policies ENV 1 and ENV 7 that seeks to conserve and enhance the significance of heritage assets.
County Archaeologist	No objection subject to condition.
County Ecologist	No objection subject to conditions.
Waste Management - West	No response received.
NHS North-East & Cumbria ICB	Request a contribution of £48,600 towards healthcare.
Architectural Liaison Officer - Police	No objection – provide comments on footpaths/pedestrian connectivity and security measures in accordance with Secured by Design. Also note objections regarding use of Tilley Crescent for access but note lack of alternative access and query need for additional safety measures outside of the site.
Fire & Rescue Service	The revised submission would be considered acceptable subject to the access route conforming to relevant Building Regulations.
Northumbria Ambulance Service	No response received.
Forestry Commission	No response received.
Historic England	No comments - advice to seek the views of NCC's specialist conservation and archaeological advisers.
NCC Education - Schools	Request a total of £243,000 to mitigate impact on local educational infrastructure (£144,000 to Highfield Middle School and £99,000 for SEND provision).
Open Spaces - West Area	No response received.
The Coal Authority	No objection and no specific comments on revised plans.
Climate Change Team	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	106
Number of Objections	198
Number of Support	1
Number of General Comments	1

Notices

Site Notice - Affecting Listed Building: 13 February 2020 and 9 November 2022

Press Notice - Hexham Courant: 20 February 2020

Summary of Responses:

During the course of the application, and three rounds of consultation on the original and amended plans, objections and comments have been received from 200 contributors.

Following the most recent re-consultation on the amended plans 81 objections have been received. The objections previously submitted for the application and in the more recent consultation raise concerns primarily in respect of the following main issues:

- adverse effects on the character of the area, the living conditions of residents, pedestrian, highway and children's safety due to new vehicular access through existing Tilley Crescent cul-de-sac
- adverse effects on visual amenity, residential amenity and the character and appearance of the site and wider area
- scale of development and house types with loss of residential amenity to surrounding properties due to ground levels
- further increase in traffic on local roads and effects on parking, pedestrian and road safety, access for emergency vehicles, as well as local bus services
- increased noise, disturbance and air pollution
- alternative access should be provided
- no requirement for additional housing in Prudhoe
- impacts during the construction phase
- increased flood risk and proposed drainage, as well as effects on underground streams
- contaminated land, ground gas and ground conditions
- effects on health and wellbeing
- loss of green space and adverse effects on environment, wildlife and habitats
- lack of infrastructure and services to support additional housing development (including schools and healthcare)
- impact on existing footpath to town centre
- revised proposals do not address any of the original objections to the proposals

Following the committee meeting on the 14 February, two further representations in objection have been received. These raise similar issues as above in respect of:

- layout of development and loss of privacy to existing residents
- adverse effects on character, amenity and quiet enjoyment of properties through use of Tilley Crescent access

- flood risk and surface water drainage
- insufficient contributions to education and healthcare
- increased traffic and impacts on Station Road during construction phase and post-construction

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=Q4MCRVQSM2Y00>

6. Planning Policy

6.1 Development Plan Policy

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 4 - Climate change mitigation and adaptation (Strategic Policy)
 STP 5 - Health and wellbeing (Strategic Policy)
 STP 6 - Green infrastructure (Strategic Policy)
 HOU 2 - Provision of new residential development (Strategic Policy)
 HOU 5 - Housing types and mix
 HOU 6 - Affordable housing provision (Strategic Policy)
 HOU 9 - Residential development management
 HOU 11 - Homes for older and vulnerable people (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 (Strategic Policy)
 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 the impact of development on the natural, historic and built environment (Strategic Policy)
 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

6.2 National Planning Policy

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

6.3 Neighbourhood Planning Policy

N/A

6.4 Other Documents/Strategies

- National Design Guide (2019, as updated)
- National Model Design Code (2021, as updated)
- Building for a Healthy Life (2020)
- Northumberland Strategic Housing Market Assessment (SHMA - 2015)
- Partial SHMA Update (2018)
- Strategic Housing Land Availability Assessment (SHLAA 2021-2036) including Five-Year Housing Land Supply of Deliverable Sites (2021-2026) (April 2022)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises policies in the Northumberland Local Plan (NLP) (March 2022). The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Having regard to the assessment of the site, its constraints and the application proposals, as well as the responses and representations received during the consultation period, the main issues for consideration for the application include:

- principle of development
- housing mix and affordable housing
- design, landscape and visual impact and heritage assets
- residential amenity
- sustainable transport and highway safety
- flood risk and drainage
- ecology
- archaeology
- ground conditions
- planning obligations

Principle of Development

7.3 The site is greenfield land located within the settlement of Prudhoe, which is identified as a Main Town within Policy STP 1 of the NLP. The policy states that the Main Towns will be the main focus for employment, housing, retail and services.

7.4 Policy STP 3 states that in applying the presumption in favour of sustainable development, and to deliver against economic, social and environmental objectives, proposals will be expected to adhere to identified principles. These include providing a type and mix of homes to meet local housing need and increase choice in the local housing market; making efficient use of land including achieving higher densities in

more accessible locations where appropriate and through the re-use of brownfield sites; demonstrating high quality sustainable design; and being accessible by, or be able to be made accessible by public transport, walking or cycling where feasible.

7.5 Policy HOU 2 of the NLP relates to the provision of new residential development. The delivery of new open market and affordable dwellings in a range of tenures, types and sizes will be supported where it is consistent with the spatial strategy for Northumberland, meeting objectively assessed housing needs and housing priorities; and making the best and most efficient use of land and the redevelopment of suitable previously-developed 'brownfield' sites.

7.6 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. The five-year housing land supply position, as well as the Housing Delivery Test, is pertinent to proposals for housing in that paragraph 11(d) and corresponding footnote 8 of the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where recent housing delivery is below a 75% threshold. This situation is the principal means (albeit not the only way) by which existing policies relevant to housing can be deemed out-of-date.

7.7 As identified in the Northumberland Strategic Housing Land Availability Assessment (SHLAA), the Council can demonstrate a plentiful five-year housing land supply from 'deliverable' sites. The forecast 'deliverable' five-year supply for 2021-2026 equated to a 12.5 years housing land supply against the April 2021 minimum Local Housing Need figure, and 11.6 years against the Local Plan's residual annual average requirement. The latest Housing Delivery Test result records that Northumberland achieved 280% delivery against its minimum housing need for the three-year monitoring period 2018-21.

7.8 Therefore, in the context of paragraph 11(d) and Footnote 8 of the NPPF and NLP Policy STP2, the presumption in favour of sustainable development and 'tilted balance' does not apply, such that existing policies that influence the location, supply and delivery of housing development are not regarded as being out-of-date. Northumberland has also therefore more than satisfied the NPPF paragraph 60 objective of significantly boosting the supply of housing.

7.9 Having regard to the above policy context, the principle of new residential development on the site is supported by the policies in the NLP and would deliver a mix of new housing in a sustainable location within a Main Town, thereby satisfying the spatial strategy of Policy STP 1. However, the suitability of the site for new homes as proposed is subject to the consideration of other matters that will need to be assessed, which are set out in the remainder of this report.

Housing Mix and Affordable Housing

7.10 Policy HOU 5 of the NLP looks to provide a range of good quality, energy-efficient homes, including affordable homes, to deliver a more balanced mix of tenures and housing types and sizes, alongside specialist housing for older and vulnerable people. Development proposals need to be assessed according to how well they contribute to meeting the needs and aspirations of those living in and seeking to move

to Northumberland, as identified in the Strategic Housing Market Assessment (SHMA), local housing needs assessment and/or other evidence of local housing needs.

7.11 Policy HOU 6 of the NLP relates to the delivery of affordable housing provision and the level of provision that will be sought on major development proposals. The policy sets out housing viability areas that will determine the expected amount of affordable housing provision to be delivered on site. This part of Prudhoe is identified as a low value area where 10% affordable provision would be required on sites. Policy HOU 6 states that in such areas the tenure should provide for 100% affordable home ownership, although there is provision for tenures and dwelling types to be negotiable within reason on a site-by-site basis taking into account affordability and housing need.

7.12 Paragraph 60 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. Paragraph 62 goes on to highlight that the size, type and tenure of housing needed for different groups in the community should be addressed and reflected in planning policies.

7.13 In terms of housing mix there is no local housing needs assessment for the Prudhoe area, therefore consideration has been given to the general countywide SHMA. Its broad key findings are summarised in the NLP and indicates that, the majority of need is expected to be for two-bedroom and three-bedroom properties, together with some one-bedroom homes. There is a small need for larger dwellings of four-or-more bedrooms. In terms of dwelling types, need is split equally between houses for families upsizing and first-time buyers/movers, and bungalows or level-access accommodation for older people downsizing, together with flats. Analysis of aspirations and expectations in the SHMA however suggests a greater need for one and two-bedroom bungalows and level-access flats/apartments, further emphasising the need to meet the needs of an ageing population.

7.14 With regard to affordable housing, the NLP notes that the SHMA also identifies that, when taking into account aspirations and expectations, the majority of Northumberland's future need is for smaller one and two-bedroom affordable properties, although there is still a need for some three and four-bedroom family homes. The types and tenures of affordable housing to be provided on any specific development proposal will ultimately be determined on a case-by-case basis, informed by an understanding of the level of need and viability.

7.15 The latest plans show a mix of two and mainly three and four-bedroom dwellings. The removal of the apartment block from the plans reduces the number of smaller-two-bedroom units across the site, although it is noted that this removed in order to try and address issues around the overall layout, scale and design of development on the site. The applicant considers that the proposed mix provides a variety of house types and sizes that will enhance local housing options and provide a range of different homes to support Prudhoe's function as a Main Town with a commuter function.

7.16 The applicant also comments that they have aimed to provide new homes for families who wish to live and work in or around Prudhoe and provide a suitable range of options including for those families seeking to up-size and those as first-time buyers. It is noted that the NLP identifies the majority of housing need to be two and three-bed dwellings, which comprise around 59% of the properties on this site. The applicant

notes the countywide need for level-access bungalows, but states that given the unique and challenging topography of the site this is not practically deliverable on this occasion.

7.17 With regard to affordable housing provision, the latest plans propose that eight of the total 63 dwellings would be affordable, which exceeds the target provision of 10%. Following consultation with the Council's Housing Enablers it is considered that the site is suitable for any type of affordable housing tenure given its location. The applicant is proposing 4 x two-bedroom and 4 x three-bedroom houses, which the Housing Enablers advise would be suitable for shared ownership. This type of intermediate housing is limited in Prudhoe, therefore it would allow more people to access home ownership at a more affordable price than the traditional discount market value units. The applicant has confirmed they would be agreeable to all eight of the affordable units being provided for shared ownership if there is evidence of such need, and this would need to be secured through a Section 106 Agreement should permission be granted.

7.18 Policy HOU 11 of the NLP refers to homes for older and more vulnerable people. To ensure that new homes are accessible and adaptable to meet the needs of residents now and in the future, 20% of new open market dwellings and 50% of affordable dwellings are required to meet or exceed the enhanced accessibility and adaptability housing standards in compliance with Requirement M4(2) Building Regulations.

7.19 The applicant notes that they are proposing 18 x house type G, which have been designed to meet Requirement M4(2). 14 are for market sale, which exceeds the requirement for 20% of open market houses to be to this standard. Four are affordable units and this meets the requirement for 50% of affordable units to be this standard. This provision is noted and welcomed, and details can be secured by condition should permission be granted.

7.20 Whilst it is felt that there could arguably be an improved housing mix on the site to better reflect the SHMA, it is acknowledged that the site would deliver a mix of housing in a sustainable location, including new affordable units. It is also noted that there are topographical constraints that can impact on the proposed housing mix. In light of the above considerations, and having regard to the relevant policy context, the proposed housing mix is considered, on balance, to be acceptable in this location having regard to Policies HOU 4, HOU 5, HOU 6 and HOU 11 of the NLP and the NPPF.

Design, Landscape and Visual Impact and Heritage Assets

7.21 Policies QOP 1, QOP 2, QOP 3, QOP 4, QOP 5 and QOP 6 of the NLP are relevant in relation to achieving high quality, sustainable design and well-designed places in accordance with the NPPF. Policies ENV 1, ENV 3 and ENV 7 are also relevant in respect of development affecting the built environment, landscape character, as well as heritage assets. In terms of green infrastructure and open space requirements, Policies STP 5, STP 6 and INF 5 look to ensure there is appropriate provision as part of new developments, which will also contribute to achieving the aim of well-designed places.

7.22 Policy QOP 1 sets out general design principles against which development will be assessed. These include that proposals should make a positive contribution to local

character and distinctiveness; create or contribute to a strong sense of place and integrate the built form with the site and wider local area; be visually attractive and incorporate high quality materials and detailing; respect and enhance the natural, developed and historic environment; ensure buildings and spaces are functional and adaptable for future uses; facilitate an inclusive, comfortable, user-friendly and legible environment; support health and wellbeing and enhance quality of life; support positive social interaction and a safe and secure environment; not cause unacceptable harm to the amenity of existing and future occupiers of the site and surroundings; incorporate green infrastructure and opportunities to support wildlife; make provision for efficient use of resources; respond to the climatic conditions of the location; mitigate climate change and be adaptable; ensure the longevity of buildings and spaces.

7.23 Policy QOP 2 seeks to achieve good design and a high standard of amenity for existing and future users, which will also be considered in more detail in the following section on residential amenity. Policy QOP 5 looks to secure sustainable design and construction, including incorporating passive design measures; prioritise use of locally sourced, recycled and energy efficient materials; and incorporate or connect to small-scale renewable and low carbon energy systems amongst other criteria.

7.24 Policy HOU 9 of the NLP relates specifically to residential development. The policy sets out criteria where new development will be supported, including where they contribute to a sense of place, which supports community identity and pride; provide multi-functional spaces that support different recreational and social activities; provide functional space and facilities for refuse and storage; are constructed to a high quality of design; and perform positively against 'Building for a Healthy Life' principles.

7.25 The NPPF at paragraph 126 states that *"the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve"* and recognises that *"good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

7.26 Paragraph 130 of the NPPF states that decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate landscaping; are sympathetic to local character and history, including the surrounding built environment; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Furthermore, paragraph 131 goes on to highlight that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change, and this looks to ensure that new streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate.

7.27 Paragraph 134 of the NPPF states that *"development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design"* and references the National Design Guide and National Model Design Code in this respect. Conversely, significant weight should be given to design that reflects local design policies and government guidance on design and/or outstanding or innovative designs that promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

7.28 The 10 characteristics in the National Design Guide (NDG) that have been referred to in the application submission and that have been considered as part of the assessment of the proposals are:

1. *Context – enhances the surroundings.*
2. *Identity – attractive and distinctive.*
3. *Built form – a coherent pattern of development.*
4. *Movement – accessible and easy to move around.*
5. *Nature – enhanced and optimised.*
6. *Public spaces – safe, social and inclusive.*
7. *Uses – mixed and integrated.*
8. *Homes and buildings – functional, healthy and sustainable.*
9. *Resources – efficient and resilient.*
10. *Lifespan – made to last.*

7.29 The application has been submitted with a Design and Access Statement, which has been updated during the course of the application. In addition, given the prominent location and sloping nature of the site with the potential for impacts on the wider landscape, a Landscape and Visual Appraisal (LVA) has also been submitted.

7.30 The development of the site is challenging given its topography, which slopes steeply from the south down towards the northern boundary with Broomhouse Lane and sees higher levels towards the western part. The proposed layout features two main estate roads with linear development fronting the access road to the north that is taken from Tilley Crescent, as well as development facing onto the access from Station Road, which then leads to a smaller group of houses to the south-eastern corner. There are a mix of house types that are split level due to the topography of the site, including larger dwellings with three-storey elevations to the north facing parts of the site.

7.31 During the course of the application officers have highlighted concerns with regard to the overall amount of development across the site, the scale and massing of the buildings, as well as the proposed design and use of materials. Particular concerns were raised over the layout and density of development, including the extent of three-storey properties in a linear form across the site that could appear visually intrusive and dominate the surrounding area, as well as the scale, massing and design of the apartment block in a prominent location. The applicant has subsequently amended the plans following further discussions with officers, and the latest plans remove the apartment block, reduce the number of units across the site and look to improve the overall layout, scale and design of the new dwellings. Proposed materials include a mix of brick, stone and grey tiled roofs with new elements of detailing to the elevations and roofs.

7.32 The revised plans increase the amount of open space across the site and the overall density of development has reduced from 25 to 18 dwellings per hectare. The development would result in an obvious change to the overall character of the site and surrounding area, although the site is located within a more urban and built-up area of the town and close to its centre and other higher density residential development. The proposals would result in the loss of green space, although the site does not feature any specific designation and is not identified as protected open space within the NLP that would restrict development in that respect. However, consideration has been given to broader effects on the character of the area and green infrastructure with regard to relevant policies highlighted earlier.

7.33 The reduction in the overall scale and density of development, along with landscape enhancements, would help to mitigate visual impacts in the longer-term within the immediate and wider area to some degree. The LVA acknowledges that views of the development would mainly be experienced by the residents of the properties and users of the roads and footpaths immediately adjacent to the site within Prudhoe, as well as residents and users of roads and rights of way beyond 1.5km - 3km north of the site over the Tyne Valley.

7.34 The LVA as submitted for the original larger-scale proposals concludes that the magnitude of the impacts on the receptors within Prudhoe adjacent to the site would be high during construction and the effects would be substantial adverse. On completion, the magnitude of the impacts would remain high and the effects substantial adverse in the short term, reducing to medium and moderate adverse as proposed planting within the site establishes helping to integrate the development into the surrounding landscape and townscape. Receptors within Prudhoe beyond the site boundaries would not be affected.

7.35 The LVA goes on to state that the magnitude of the impacts on visual receptors on the opposite valley side in the vicinity of Horsley would not exceed low and the overall effects slight to moderate adverse due to the distance from the site and the small scale of the development in the context of the long distance, panoramic views. In the long term the effects would reduce to imperceptible as the proposed planting within the site establishes helping to integrate the development into the surrounding landscape and townscape.

7.36 The LVA concludes that the landscape strategy for the development has incorporated the mitigation measures required to reduce the landscape and visual impacts of the development by retaining all boundary vegetation where possible and enhancing this with proposed planting, meaning there would be no long term substantially adverse landscape or visual effects. Long term effects are stated to become beneficial as planting establishes and as the development would introduce a use and management to the site.

7.37 On the basis of the latest revised layout plans and amendments to the proposed house types, although the scale of development is still relatively large due to the sloping nature of the site and the proposed house types, it is officer opinion that the scheme now represents a more appropriate and acceptable design for the site and in the context of its surroundings. The layout is constrained by the sloping topography and therefore the proposals incorporate split level house types and some cutting into the slope as well as raising of ground levels, particularly within the central part of the site. The design also includes stepped access to garden areas at the side of the dwellings. Whilst there would be increased visual impacts with the introduction of new housing, and in particular where there are larger three-storey elevations in places, it is not felt that there would be significant harmful impacts on the character and appearance of the site, surrounding area and wider landscape in this instance that would sustain a refusal of the application. The reduction in density and increased areas of landscaping and open space also assist in improving the layout and design and mitigating its overall visual impact to a degree.

7.38 A fundamental area of concern raised in the significant number of objections to the scheme is the location of the access that would open up the existing cul-de-sac at Tilley Crescent and its associated impacts. This will also result in effects on living

conditions and residential amenity, as well as matters of highway safety, which will be considered further in the following sections of the report. Whilst previous applications for the site have had access approved from this route, this proposed to serve a much smaller number of dwellings as referred to earlier.

7.39 It is noted that there are 21 existing properties that front onto or lie adjacent to the road that would serve the northern part only of the new site. In total there are 41 existing properties on Tilley Crescent and Cross Street that currently use the roads and access onto Castlefields Drive. There are also pedestrian routes from other adjacent areas that lead onto Cross Street and Tilley Crescent.

7.40 It is acknowledged that the number of units proposed to be served from Castlefields Drive and Tilley Crescent has been reduced from 46 as originally submitted to 24 in the revised scheme. Whilst this would reduce the level of use of the access, there would still be a change and some adverse effects on the overall character of Tilley Crescent through the opening up of the cul-de-sac, and this has understandably attracted concern and objection from residents.

7.41 As well as reducing the number of units using the access, the applicant has provided some further information in their supporting design document that looks to demonstrate how alternative options have been considered by a Structural Engineer to explore the potential for connecting the north and south of the site. This is stated to be infeasible owing to the extent of retaining structures and grading in order to achieve satisfactory gradients to the road.

7.42 One option is shown to result in a 3 metre high highway retaining wall and embankment at 1:3 resulting in the loss of a large number of trees on the northern boundary and additional retaining required where the embankment would continue beyond the site boundary. A second option suggests a 4 metre high retaining wall with embankments and additional retaining structures would be required at the site boundary. A third indicates a 7.5 metre high highway retaining wall and embankment is required, which would be the most visible from the north looking south. It is stated that the site levels result in significant retaining structures and battering of the road that makes large areas of the site undevelopable with extensive areas of hard landscaping to the detriment of the urban design of the site. Access from Castlefields to the north-west of the site had also been considered but has been discounted by the applicant owing to the extensive loss of trees and requirement for additional embankments as well as the impact on Broomhouse Lane.

7.43 Officers have therefore considered the plans as submitted, including the additional information and assessment on site. There will clearly be greater effects on the character and appearance of Tilley Crescent in terms of visual impacts and effects on character through an associated increase in use as a result of the cul-de-sac being opened up for new access.

7.44 The change would see a removal of a section of fence and some vegetation and a new road through this area that opens up the existing cul-de-sac in visual terms, rather than the more enclosed character as existing. In terms of appearance the proposals would largely result in an extension of an existing modern housing development. There is some separation between the properties at the western end of Tilley Crescent and the new development due to the location of the SuDS attenuation basin and landscaping to the eastern boundary of the application site. The house types would also be two-storey in height facing the new estate road at the eastern entrance

to the site, and then increase to include three-storey house types more centrally with the northern row. This layout is considered to assist in mitigating the visual impact of the new development on Tilley Crescent to a more acceptable level.

7.45 In terms of other potential effects on the character of Tilley Crescent, it is fully acknowledged that there would be a greater impact with the associated activity and use associated with 24 new dwellings being accessed from the estate. There are also matters of highway safety that will be considered later in this report. The reduction in the number of dwellings being served from this access would help to reduce any potential effects, although there would still be some adverse effects as a result. In assessing this aspect officers have considered the nature of the change, and given the reduction in the amount of development, on balance, it is not felt that there would be significant adverse effects on the character of the area that would be harmful and justify a refusal of the application.

7.46 With regard to Policy QOP 5 and sustainable design and construction, the applicant notes that the houses are designed with a fabric first approach ensuring that the dwellings meet the current building regulation requirements, utilising highly efficient insulation and reduced air leakage to instil building efficiency. High efficiency gas boilers are also proposed, and buildings have been future-proofed in design to enable the future installation of other low carbon technologies such as air sourced heat pumps; albeit these are not proposed as part of the development proposal. Roof orientation also allows for solar PV panels to be installed on south facing roofs and battery storage will seek to minimise resident's fuel bills. Again, it is noted that whilst buildings have been designed to enable future installation of PV, such does not form part of the development proposals). Wastewater heat recovery will be installed on all showers.

7.47 The applicant also highlights that measures to reduce water consumption will be installed throughout the properties including dual/low flush WC's and reduced flow taps. Sustainable drainage is integral to the design of the development to control run off from the site – this has been designed in consultation with the Lead Local Flood Authority and Northumbrian Water. The drainage solution overall has been designed to reduce the risk of flooding elsewhere by use of a positive drainage network and attenuation flows. In addition, materials will be responsibly sourced, and consideration will be given to whole carbon life cycle assessment to avoid using materials that embody high energy use or carbon emissions. The developer will use local stone quarries for sandstone and hard rock/roadstone.

7.48 Consideration has also been given to layout and design having regard to Policy STP 5 of the NLP and health and wellbeing. Following adoption of the NLP the applicant has provided a healthy planning checklist with the latest information. The revised proposals are considered to be in general accordance with Policy STP 5 in terms of promoting, supporting and enhancing the wellbeing of communities and residents. This includes providing an attractive environment through its design and providing access to facilities given its sustainable location, as well green spaces through the improved layout and landscaping. Other relevant aspects can also be considered in the amenity section of this report.

7.49 Having regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy ENV 7 of the NLP, the application has been considered in relation to the potential effects on the setting of the Grade I listed Prudhoe Castle and Scheduled Monument, which lies around 350 metres to the south-west of the site.

7.50 In response to the recent re-consultation Built Heritage & Design advise that the proposals result in no impact on the significance of the setting of Prudhoe Castle. They comment that the landscaping proposed in the north-western corner is welcomed as this will soften views north along Station Road, which take in views of the site and Castle. The proposals would therefore be acceptable in the context of Policy ENV 7 of the NLP and the NPPF.

7.51 Having regard to all of the above considerations, there would be clear changes and effects on the character and appearance of the site, surrounding area and wider landscape that would result in some adverse effects. However, on the basis of the reduction in the amount of development and the overall scale and massing, as well as the improved layout and design of house types, it is considered that the proposals would be acceptable in respect of matters of design and visual impact having regard to the NLP and the NPPF.

Residential Amenity

7.52 In addition to achieving good design, Policy QOP 2 of the NLP requires development to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in the local area. Policy STP 5 referred to earlier also relates to wider principles of health and wellbeing that can be considered in terms of residential amenity and living conditions for existing and future residents. Policy POL 2 of the NLP also requires consideration to be given to potential pollution arising from new developments, including emissions of fumes, particles, light and noise etc.

7.53 The above policies are consistent with the aims of the NPPF, which seeks at Paragraph 130 that planning policies and decisions ensure a high standard of amenity for existing and future users, as well as paragraphs 174 and 185 that refer to the effects of new development in terms of potential pollution.

7.54 Impacts upon amenity as a result of the development in this instance include effects on the living conditions of occupiers of the existing dwellings that are adjacent to the site in terms of a more intensive use of the currently undeveloped site and associated activity/disturbance, particularly in this case in relation to creating a new vehicular access from Tilley Crescent to serve 24 of the dwellings. In addition, consideration needs to be given to effects on surrounding properties in respect of visual amenity, outlook, privacy and light etc. An acceptable level of amenity will also be expected for occupants of the new development to ensure that this is a well-designed new development.

7.55 On the basis of the layout, scale and design of the new dwellings in the amended plans it is officer opinion that, for most of the site, there would not be any significant or unacceptable adverse impacts upon the amenity of existing residents. As a result of the layout and separation distances between existing and proposed dwellings, and having regard to the topography of the site, there are not considered to be any significant or unacceptable impacts in terms of scale, visual amenity, loss of light, outlook or privacy in relation to those properties to the east on Tilley Crescent, Umfraville Dene and Neale Street, or to those to the south and west on Cranleigh Grove and Station Road.

7.56 Plots 1 - 24 form the northern part of the site and front onto the new access road extending from Tilley Crescent, beyond which lies existing landscaping and trees to the northern boundary of the site with Broomhouse Lane. There are varying ground levels in this area and the proposed finished floor levels of the new dwellings fronting the new road would be up to around 3 – 4 metres above Broomhouse Lane in places. Properties immediately to the north of Broomhouse Lane on Carnaby Close, Spetchells and Grey Lady Walk are located at a lower level to Broomhouse Lane to varying degrees.

7.57 Due to the layout and proposed two-storey house types at the eastern part of this northern row, including the existing landscaping to the boundaries and separation distances of around 35 – 44 metres with properties on Spetchells and Carnaby Close, there are not considered to be significant or unacceptable harmful impacts in terms of loss of residential amenity.

7.58 Plots 9 – 20 propose a house type that would be split level with a three-storey elevation facing towards the estate Road and Broomhouse Lane and two-storey to the rear given the levels on the site. The original plans for the site proposed three-storey house types along the full extent of this row and so it is acknowledged there has been a reduction in the number of dwellings and overall scale at this point. As referred to earlier these properties would be located at a higher level than Broomhouse Lane and would be sited around 19 – 20 metres from this boundary, which features landscaping and groups of tree planting to both sides of the lane. The new properties would be sited between around 31 – 36 metres from the rear elevations of properties on Spetchells and Grey Lady Walk, which are at a lower level than Broomhouse Lane and the application site.

7.59 Whilst the proposed separation distances would usually be appropriate to ensure there would be no unacceptable impacts on amenity, given the scale of the proposed properties at this part of the site it is felt that there is more potential for adverse effects on the amenity of the existing properties to the north due to the difference in levels that could exacerbate the impact at this point. However, it is acknowledged that the impact would be mitigated to a degree due to the proposed separation and the existing and proposed planting to the boundary with Broomhouse Lane. The plans show that existing landscaping would be retained in this area, although some would need to be removed, with new landscaping and tree planting also proposed. Additional tree planting could be sought and secured in this area in order to further reduce and mitigate any harmful impacts. On this basis it is felt that whilst there would be some greater impacts on amenity, on balance, the proposed relationship between the existing and proposed dwellings would be acceptable.

7.60 A further area where there is more potential for harm to the amenity of residents is through the proposed access route from Tilley Crescent and the opening up of this existing cul-de-sac area. This has been referred to earlier in the report in terms of considering the effects on the character and appearance of the area, and is the subject of a large amount of the objections that have been received. Consideration of this aspect in terms of highway and pedestrian safety will be covered later in the report.

7.61 This aspect of the proposals will clearly result in greater impacts upon the residents in this area due to the increased activity and disturbance associated with extending vehicular access to serve 24 new dwellings. It is acknowledged that the revised proposals reduce the amount of development that would be served from this

route, which would thereby reduce impacts on amenity in the area of Tilley Crescent, Cross Street and Castlefields Drive to a degree.

7.62 Officers still have some concerns over this element of the scheme and feel that this is an important material consideration in the determination of the application that is very finely balanced. It is noted that no objections or issues have been raised by the Council's Public Protection team with regard to potential effects of noise and air quality. Conditions have been recommended for days and hours of works and deliveries during the construction period, although further consideration will also be given to this aspect and relevant restrictions in terms of highway safety later in the report.

7.63 Having regard to the reduction in the amount of development using this access point, the proposed scale of development, and as this would be seen as an extension of an existing modern housing development, it is felt that, on balance, the proposals would be acceptable in this respect.

7.64 There are some areas where the internal layout and relationship between the new dwellings could be improved in terms of the separation distances and the choice of proposed house types could be better with regard to scale. However, it is felt that an acceptable level of amenity could be provided for future occupiers of the development based on the revised layout.

7.65 As highlighted in this section, the proposed development could result in some adverse effects upon the amenity of existing residents in the immediate locality, particularly with regard to the proposed access from Tilley Crescent and the scale of some of the house types to the northern boundary of the site. The level of impact has been reduced to a degree following revisions to the plans during the course of the application. In addition, there could be some further mitigation by securing additional landscaping to the northern boundary. On balance, the proposal is considered to result in an acceptable layout and design in terms of amenity having regard to Policies STP 5 and Policy QOP 2 of the NLP and the NPPF.

Sustainable Transport and Highway Safety

7.66 Policies STP 3 and STP 4 of the NLP cover matters in relation to the accessibility of schemes and reducing the need to travel by car. Policies TRA 1, TRA 2 and TRA 4 of the NLP are relevant to the development in terms of promoting sustainable connections, considering effects on the transport network and parking provision. Appendix E of the NLP sets out relevant parking standards for new development.

7.67 Paragraph 110 of the NPPF looks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; that safe and suitable access to a site can be achieved by all users; and that any significant impacts from development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.68 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. Paragraph 112 also sets out that developments should give priority first to pedestrian and cycle

movements, both within the scheme and with neighbouring areas, and second – so far as possible – facilitate access to high quality public transport. It also requires development to address the needs of people with disabilities and reduced mobility; create places that are safe and attractive; allow for efficient delivery of goods, and access by service and emergency vehicles; and enable charging of plug-in and other ultra-low emission vehicles.

7.69 Following consultation with Highways Development Management (HDM) on the plans as originally submitted, HDM advised that further information was required in order to fully assess the proposals. This included details of the access from Station Road; comments on the steps/footway within the centre of the site; a layout plan to assess gradients and highway drainage; vehicle swept path analysis for refuse vehicles; details of internal traffic calming measures due to linear roads that could lead to excessive speeds; and matters to address with regard to the submitted Travel Plan.

7.70 The comments also highlighted matters to address in terms of the internal layout; the applicant will be required to fund the investigation and implementation of the findings of a consultation for a scheme for double yellow lines and associated Traffic Regulation Order (TRO); and further details of construction traffic routes were sought, with HDM looking to ensure that construction traffic is not proceeding along the B6395 (Front Street), or through the Castlefields Estate or Tilley Crescent without suitable mitigation and consideration for existing residents.

7.71 Re-consultation has taken place on the amended plans with HDM. The applicant has also provided further information in respect of access details to Station Road; a framework construction management plan; and an interim travel plan. HDM highlight that when assessing the application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.

7.72 HDM advise that the information submitted has been checked against the context outlined above, and it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle to the proposals. Revisions to the scheme have been presented, which include the reduction in the number of dwellings which are to be accessed from the U8280, Tilley Crescent, and the removal of the apartment buildings. Amendments to the internal layout of the development site have been made, in accordance with comments and points of reference raised in the previous consultee response provided by HDM, including parking provision, refuse storage and collections, boundary treatments and access arrangements.

7.73 Further information has been provided in respect of access arrangements, vehicle movements and capacity assessments and proposed preliminary construction method details. Noting that the southern portion of the development is limited to 39 dwellings, the access arrangements to the C255, Station Road, have been reviewed. HDM advise that the provision of a priority junction in this location, with the required geometry and visibility splays is considered safe, acceptable and appropriate for a development of this scale and type in this location. It is noted that additional parking restrictions are proposed for the C255, Station Road, which are welcomed, and details of such schemes are recommended to be secured by condition. All highway works related to the scheme would be subject to the Road Safety Audit process, carried out with the Highway Authority separate to the Planning process.

7.74 HDM comment that a Framework Construction Method Statement has been provided establishing the construction routing, working hours and expected traffic movements, together with details identifying that all vehicular access to the site will be from the C255, Station Road, with no construction traffic accessing from Tilley Crescent. HDM advise that these preliminary details are acceptable, and a full Construction Method Statement is recommended to be secured by condition. HDM have advised officers that in order for this aspect of the scheme to be acceptable, no construction traffic can access any phase of the construction of the site via Tilley Crescent, unless agreed and approved in writing by the Local Planning Authority. It is noted though that logistically access will be required to tie in the roads/footways at some point nearer the end of construction should permission be granted. There are no further recommended amendments to the scheme to set out; reasonable and necessary conditions and informatives to secure the details of the development are therefore recommended by HDM.

7.75 More recent objections refer to separate survey work that has been undertaken in the area of Castlefields in respect of traffic and speed data undertaken by NCC Highways. HDM have been made aware of this and have taken it into account before preparing their most recent comments on the application. HDM have advised that they did review and take into consideration the evidence-based study and noted the vehicle movements, although the speeds recorded 450 metres to the north-east of the site could not be directly related to this development.

7.76 The amount and nature of the strong concerns raised in objections on highways matters are acknowledged by officers. The application has been reviewed and fully considered by HDM, who raise no objections to the application on highway grounds, subject to conditions. In light of the above and the comments of HDM, the proposals are considered to be acceptable in relation to highway safety matters and subject to conditions to mitigate potential impacts, would be in accordance with the NLP and the NPPF in this respect. Officers also recommend that a condition is attached to any approval that would secure a pedestrian connection from the south-eastern part of the site towards Front Street and the town centre, which would cross land in the ownership of the applicant and allow for connectivity and permeability north – south across the application site.

Flood Risk and Drainage

7.77 Policies WAT 1 – 4 of the NLP are relevant in respect of matters of drainage, flood risk and the use of SuDS in new development. Paragraph 167 of the NPPF states that when determining planning applications LPAs should ensure that flood risk is not increased elsewhere and paragraph 169 states that major developments should incorporate sustainable drainage systems.

7.78 The application site falls within Flood Zone 1. As major development on a site that exceeds 1 hectare, a flood risk assessment and drainage strategy (FRA) has been submitted and consultation has taken place with Northumbrian Water (NWL) and the Lead Local Flood Authority (LLFA) on the proposals in relation to matters of foul and surface water drainage and flood risk.

7.79 The drainage scheme includes a proposed SuDS attenuation basin to the north-eastern corner of the site, immediately to the west of 11 Tilley Crescent and adjacent to the new vehicular access in that area.

7.80 Following consultation on the current plans NWL advise there are no issues to raise with the application, provided it is approved and carried out within strict accordance with the submitted FRA, which identifies locations for the discharge of foul flows and a restricted surface water discharge rate.

7.81 The LLFA had initially objected to the proposals in relation to drainage and flood risk. This required further information in relation to surface water runoff and levels; attenuation basin design; overland flow; ground water (including underlying groundwater springs); the existing filter drain in Broomhouse Lane; and plot drainage. The LLFA has liaised with the Environment Agency on the issue of groundwater springs, and the Agency has confirmed that it does not require a consultation on the application.

7.82 The applicant has provided further information that has resulted in the LLFA removing its objection, subject to conditions in relation to ensuring development is undertaken in accordance with submitted plans and documents; a scheme to mitigate groundwater and springs; a detailed surface water drainage scheme; adoption and maintenance of all SuDS features; disposal of surface water during the construction phase; and verification of sustainable drainage systems. It is also recommended that permitted development rights are withdrawn for development within three plots in order to prevent spring diversion from being removed or damaged and to minimise the risk to their gardens from flooding.

7.83 The LLFA also comment that due to pre-development issues concerning groundwater and overland flows, namely how these enter a land drain in Broomhouse Lane and due to the formalisation of this feature and to help prevent flooding further downhill, a financial contribution of £15,000 is sought, which will go towards improvement works to this feature. This can be secured within a Section 106 should permission be granted and will help to alleviate flooding in the wider vicinity of the development.

7.84 Whilst the objections in respect of matters of drainage and floor risk are fully acknowledged, having regard to the above and the comments from NWL and the LLFA, the proposal would be acceptable in relation to matters of drainage and flood risk subject to conditions and contribution to be secured through a Section 106 Agreement. The proposals would therefore be in accordance with Policies WAT 1 – 4 of the NLP and the NPPF.

Ecology

7.85 Policy ENV 2 of the NLP is relevant in respect of matters of biodiversity and geodiversity and looks to ensure proposals minimise any adverse effects on habitats and species and maximise opportunities to incorporate biodiversity and ecological enhancements.

7.86 Section 15 of the NPPF relates specifically to the conservation and enhancement of the natural environment, including impacts on habitats and biodiversity. The NPPF makes it clear that aside from purely mitigating against the harm that a development may cause to biodiversity, the definition of sustainable development includes biodiversity enhancement. Paragraph 174 d) states “[*Planning*] decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity...” and paragraph 180 d) states “...opportunities to improve biodiversity in and around developments should

be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”.

7.87 Following earlier assessment of the proposals by the Council’s Ecologists, the application is now supported by an updated ecology assessment, a completed Defra Biodiversity Net Gain Metric and a Landscape Strategy. The Ecologists note that the site is dominated by bramble and mixed scrub which has established on the site of former allotments, with hedgerows along the north and southwest boundaries. The scrub on site is not a priority habitat but it does provide nesting habitat for a range of birds and cover for mammals such as hedgehog, a Species of Principal Importance under s41 of the Natural Environment and Rural Communities (NERC) Act.

7.88 Most of the scrub will be removed from the site and appropriate measures to avoid impacts during works have been recommended. The scheme has been designed to retain areas of mixed scrub at the western side of the site, as shown on the Landscape Strategy plan, which will be enhanced through sensitive management. To mitigate for the loss of scrub habitat a new native species-rich hedgerow will be planted on the south-east side of the site. Once mature, this will provide some replacement habitat for nesting bird species. As referred to above it is recommended that this plan is updated to incorporate additional tree planting to the northern boundary to further mitigate effects on the amenity of existing properties to the north. In addition, the development can incorporate in-built bird nest boxes to the new dwellings to provide mitigation and enhancement.

7.89 The Council’s Ecologists highlight that intact native species hedgerows are a Habitat of Principal Importance under s41 of the Natural Environment and Rural Communities (NERC) Act and the hedgerows on site meet this definition. The hedgerow along the northern site boundary (Broomhouse Lane) is of particular ecological value, being species-rich with hedge trees. This hedgerow is outside of the red line boundary and will be retained and protected apart from where the new footpath links are created, as will the hedgerow on the western boundary aside for where the new road access is created.

7.90 Trees on site have been assessed for potential roost features and found to have negligible-low potential, however, as a precaution it has been recommended that a ‘soft fell’ technique is used, where tree limbs are cut and left grounded over night to allow any bats to make their way out. Two bat boxes will be placed in suitable locations in the northern hedgerow prior to any tree felling to provide alternative safe roosting. As an enhancement the development can incorporate in-built bat boxes to the new dwellings.

7.91 The Ecologists note that the applicant has used the Defra Biodiversity Net Gain Metric to quantify losses and gains on site as a result of the development. When measured in this way it shows a percentage loss for habitats and a percentage gain for hedgerows. Following the enactment of the Environment Act 2021, but during the two-year transition period prior to measured 10% Biodiversity Net Gain becoming mandatory in November 2023, the Council remains with the NPPF position of requiring net gain through development but not of a specified percentage. As set out in Planning Practice Guidance net gain can also be achieved through a range of measures such as bird and bat boxes as well areas of new and enhanced habitat.

7.92 In addition to retained areas of existing scrub and hedgerow on site the landscaping scheme has maximised habitat creation within the site layout as shown

in the submitted Landscape Strategy, which will include new native species trees, shrubs and hedgerow, species-rich grassland to the SuDS basin and swales, areas of species-rich meadow grassland and wild daffodil bulb planting. The Ecologists advise that a Landscape Environmental Management Plan would need to be secured by planning condition, which will ensure the correct management of these habitats. To provide an enhancement for biodiversity within the design of the built development integrated bird and bat boxes at a ratio of 1 per dwelling should be built into the new houses.

7.93 On this basis, it is considered that planning conditions can be used to secure the above enhancements for biodiversity within the design of the development that would be compliant with Policy ENV 2 of the NLP and the NPPF.

Archaeology

7.94 Paragraphs 194 of the NPPF and Policy ENV 7 of the NLP require that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

7.95 The Assistant County Archaeologist (ACA) advises that the application site is located approximately 500 metres south-east of Prudhoe Castle, beyond the presumed main area of the medieval settlement. Archaeological features of other periods identified in the locality include Mesolithic flints, Bronze Age burials and at least one prehistoric adze.

7.96 All or part of the current application area has been subject to a series of previous planning applications (planning ref: 20070183, 13/03076/OUT, 16/02081/OUT). Based on the results of the evaluation undertaken as part of the 2007 application and taking into consideration the areas which could not be evaluated at the time, it was concluded that while it is unlikely that a high density of significant archaeological features would be impacted by the development proposal, there is some potential for localised archaeological features and deposits to survive within the application area. As a result, an archaeological watching brief condition was attached to planning permissions from 2007 onwards.

7.97 It was noted in the 2013 application that the northern boundary of the site comprises a substantial section of historic stone wall, adjacent to Broomhouse Lane. Although the date of the wall is unclear, as it formed the division between the townships of Prudhoe Castle and Prudhoe Village until they became a single civil parish in 1880, it was concluded that the wall may be of some age and therefore required photographic recording as part of the planning condition for the 2013 application. The historic boundary wall is included in the current application area.

7.98 As the area of the proposed development has not changed significantly and taking into consideration the scale of groundworks required for this development, the ACA has reiterated the previous archaeological requirement for an archaeological condition, including photographic recording of the northern boundary wall prior to any impact on the wall and an archaeological watching brief during defined groundworks required for the development, in line with paragraph 199 of the NPPF. Subject to such a condition, the proposal would secure necessary mitigation and would be in accordance with Policy ENV 7 of the NLP and the NPPF in this respect.

Ground Conditions

7.99 A very small part of the site towards the north-western boundary falls within the higher risk Coal Authority referral area with the remainder falling within the lower risk Coal Authority standing advice area. A coal mining risk assessment has been submitted along with land contamination assessments and consultation has taken place with the Coal Authority and the Council's Public Protection team.

7.100 Policy POL 1 of the NLP states that development will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented through its location and measures can be taken to mitigate any impacts, with suitable assessments to be submitted with any application. Policy STP 5 also makes reference to these potential impacts in the context of health and wellbeing.

7.101 Paragraph 183 of the NLPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.102 The Coal Authority has raised no objection to the application on the basis of the submitted information and recommends an informative is attached to any grant of permission. It comments that it is for the Local Planning Authority to determine whether it considers that the undertaking of the investigatory works outlined in the submitted Desk Study Report within the site are required in this instance in terms of addressing identified risks. Further details of site investigation works can be conditioned as required to secure these details prior to the commencement of development.

7.103 Following the submission of further information relating to potential risks from land contamination and mine gas, Public Protection have raised no objection and recommend that conditions are attached to any approval. These relate to remediation requirements for land contamination and verification as well as ground gas protection and verification.

7.104 On this basis the proposal would be acceptable in relation to matters of land stability and contamination, in accordance with Policies STP 5 and POL 1 of the NLP and the NPPF.

Planning Obligations

7.105 Policies INF 1, INF 5 and INF 6 of the NLP set out the requirements for providing supporting infrastructure and contributions (i.e. affordable housing, open space, education, healthcare etc.) including through the use of planning obligations. I would draw your attention to Appendix H of the NLP that provides further detail on these.

7.106 Paragraph 34 of the NPPF states that plans should set out the contributions excepted from development, including setting out the levels and types of affordable housing provision along with other infrastructure such as that needed for education, health, transport, flood and water management, green and digital infrastructure. Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*

c) fairly and reasonably related in scale and kind to the development.

7.107 Paragraph 58 of the NPPF states that *“where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force”*. The NPPG also provides relevant guidance in relation to the assessment of viability.

7.108 In this case it is considered that should planning permission be granted then planning obligations would need to be secured through a Section 106 agreement in respect of affordable housing, as well as financial contributions to open space, education, healthcare and flood risk.

7.109 The Education team have advised that a financial contribution of £243,000 will be required to mitigate the impact on local educational infrastructure. This would comprise £144,000 to Highfield Middle School and £99,000 for SEND provision. The applicant has confirmed that they are willing to accept this in principle.

7.110 Northumbria Healthcare Clinical Commissioning Group have been consulted on the application and have advised that a single payment of £48,600 is required from the developer to allow a smooth implementation of the required surgery capacity expansion. This has taken into account the basis for calculating healthcare contributions as set out at Appendix H3 of the NLP. The applicant has confirmed that they are willing to accept this in principle.

7.111 Having regard to Policy INF 5 of the NLP, consideration has been given to the requirement for a contribution towards open space. This has been calculated in line with Appendix H1 of the NLP, which takes into account provision for amenity green space and natural and semi-natural green space; parks and gardens; and provision for children and young people as referred to in earlier sections of this report.

7.112 Based on the submitted layout it is noted that areas in excess of the calculated amenity green space requirements and most of the children and young people provision can be provided on site. A financial contribution of £49,816.98 should be sought in this instance in relation to parks and gardens and £8,048 to provision for children and young people (total open space contribution of £57,864.98). Again, the applicant is willing to accept these requirements, although it is recommended that there is also provision within the Section 106 Agreement for removing the contribution for children and young people if this can be provided in other areas within the proposed layout.

7.113 Should Members resolve to grant permission for the development on the site then the obligations as identified above would need to be secured through a Section 106 Agreement in order to ensure compliance with Policies INF 1, INF 5 and INF 6 of the NLP and the NPPF.

Other Matters

7.114 Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Policy ICT 2 of the NLP requires development to be served by high quality communications infrastructure. This should be via full fibre broadband connections. The Policy goes on to state that where alternative solutions are proposed or where no broadband provision is included, developers will be required to justify this, including through consultation with broadband providers, that connections are not deliverable, and/or viable. The applicant has confirmed that provisions will be made to ensure the development can benefit from broadband connections, which can also be secured by condition.

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 principle of development on the site in an accessible and sustainable location within Prudhoe is considered to be acceptable having regard to the NLP and the NPPF. The proposed housing mix and level of affordable housing are also considered to be acceptable in this instance.

8.2 As a result of the topography of the site and the scale and design of the development, as well as associated increases in use and traffic accessing the site, it is acknowledged that there will be some greater and adverse effects on the character and appearance of the site and wider area, as well as effects on the amenity of existing residents in the vicinity of the site that are finely balanced. On the basis of the revised proposals that reduce the amount of development on the site and improve the layout and design of the new dwellings, on balance, the proposals are considered to be acceptable in respect of matters of design and visual impact and effects on residential amenity.

8.3 Following consultation with relevant consultees, and subject to relevant conditions and planning obligations to mitigate the effects of development and secure enhancements where necessary, the application is also considered to be acceptable in relation to other matters such as highway safety; flood risk and drainage; ecology and biodiversity; and ground conditions.

8.4 In assessing the proposals officers fully acknowledge the level of objection to the proposals. For the reasons set out within this appraisal, and subject to necessary conditions and planning obligations, it is felt that the proposals would result in a sustainable form of development that would be in broad accordance with the NLP and the NPPF.

9. Recommendation

That this application be GRANTED permission subject to a Section 106 Agreement securing the provision of affordable housing on the site and financial contributions to open space, flood risk mitigation, education and healthcare provision, and the following conditions:

Conditions/Reason

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

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

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

NEP-PHS-XX-XX-DR-A-008 Rev P14 – Proposed Site Plan - Alternative Option C

NEP-PHS-HA-ZZ-DR-A-1010 Rev P3 – Floor Plans and Elevations – House Type A

NEP-PHS-HA-ZZ-DR-A-1110 Rev P1 – Floor Plans and Elevations – House Type A (Variant)

NEP-PHS-HC-ZZ-DR-A-1013 Rev P3 – Floor Plans – House Type C
NEP-PHS-HC-ZZ-DR-A-1014 Rev P3 – Elevations – House Type C
NEP-PHS-HC-ZZ-DR-A-1114 Rev P1 – Elevations – House Type C (Variant)
NEP-PHS-HF-ZZ-DR-A-1019 Rev P4 – Floor Plans – House Type F
NEP-PHS-HF-ZZ-DR-A-1020 Rev P5 – Elevations – House Type F
NEP-PHS-HG-ZZ-DR-A-1025 Rev P4 – Floor Plans and Elevations – House Type G
– ADM Category 2 House
NEP-PHS-HI-ZZ-DR-A-1028 Rev P3 – Floor Plans – House Type I
NEP-PHS-HI-ZZ-DR-A-1129 Rev P01 – Elevations – House Type I (Variant)
NEP-PHS-HI-ZZ-DR-A-1029 Rev P4 – Elevations – House Type I

QD1600-00-01 Rev K - Engineering Layout
QD1600-00-02 Rev I - External Levels - Sheet 1
QD1600-00-03 Rev K - External Levels - Sheet 2
QD1600-00-05 Rev K - SuDS Location Plan
QD1600-00-06 Rev C - SuDS Basin Plan

Flood Risk Assessment & Drainage Strategy (Queensberry Design – QD1600-FRA
Rev F – 24/11/22)

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

03. Notwithstanding any description of the materials in the application, no construction of the dwellings above damp proof course level shall be undertaken until precise details of the materials to be used in the construction of the external walls and roofs of the dwellings, as well as areas of steps and hard landscaped areas within the curtilages of the dwellings, have been submitted to and approved in writing by the Local Planning Authority. All materials used in the construction of the development shall conform to the materials thereby approved.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment, in accordance with the provisions of Policies HOU 9, QOP 1 and QOP 2 of the Northumberland Local Plan and the National Planning Policy Framework.

04. Notwithstanding the details submitted with the application, prior to their installation, details of the proposed windows and external doors to be used in the dwellings, including colour, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment, in accordance with the provisions of Policies HOU 9, QOP 1 and QOP 2 of the Northumberland Local Plan and the National Planning Policy Framework.

05. Notwithstanding the details provided with the submitted Landscape Strategy, no construction of the dwellings above damp proof course level shall be undertaken until a revised landscaping scheme showing both hard and soft landscaping proposals has been submitted to and approved in writing by the Local Planning Authority. This shall include details of additional planting and trees to the northern boundary of the site with Broomhouse Lane, street trees, the species, size and number of trees,

hedgerows, shrubs throughout the development and use only Northumberland native species; the creation of areas of hardstanding, pathways, etc., areas to be seeded with grass, and other works or proposals for improving the appearance of the development.

The approved landscaping scheme shall be implemented prior to first occupation of the development, or in accordance with other timescales to be agreed as part of the landscaping scheme.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, to maintain and protect the landscape value of the area and to enhance the biodiversity value of the site, in accordance with Policies HOU 9, QOP 1, QOP 2, QOP 4 and ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

06. A landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Detailed design(s) and/or working method(s) for habitat creation with timetable for implementation.
- c) Description and evaluation of features to be retained and managed.
- d) Aims and objectives of management.
- e) Review of constraints on site that might influence management.
- f) Appropriate management options for achieving aims and objectives.
- g) Prescriptions for management actions.
- h) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- i) Details of the body or organization responsible for implementation of the plan.
- j) 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 plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan shall be fully implemented in accordance with the approved details.

Reason: To conserve and enhance local biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

07. During construction, all works on site shall be undertaken in accordance with the avoidance and mitigation measures identified in the ecological report 'Updated Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation Land Adjacent to Broomhouse Lane Prudhoe Lf-21-04 May 2022 (Rev 4 29/11/22), Naturally Wild Consultants Limited', including:

- a) Prior to vegetation removal across the site an updating survey for mammals shall be undertaken by a suitably qualified and experienced ecologist.

- b) A pre-commencement check for nesting birds will be undertaken by a suitably experienced ornithologist if vegetation removal is undertaken between March and August inclusive.
- c) Prior to the commencement of vegetation removal at the western end of Broomhouse Lane/Castlefields Drive, two bat boxes must first be erected in suitable trees within the hedgerow and then the removal work must be undertaken using 'soft-fell' techniques and with the supervision of an ecologist to avoid potential impacts on bats.
- d) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Reason: To avoid and mitigate impacts on biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

08. Prior to construction of the dwellings above damp-proof course level, a scheme for the provision of:

- a) integrated bird box or bat box/roosting features at a ratio of at least one per dwelling and
- b) a gap at the base of all garden boundaries measuring 13cm x 13cm

shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the location, height, orientation, numbers and specification of the provision. This should include swift bricks in groups of four to six on suitable gable ends. The scheme shall be fully implemented as approved prior to occupation of the dwellings.

Reason: To conserve and enhance local biodiversity, in accordance with Policy ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

09. Prior to the commencement of development, an updated Tree Protection Plan and Arboricultural Method Statement prepared in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details prior to the commencement of development and thereafter retained during the construction period.

Reason: To avoid adverse impacts on biodiversity, landscape (trees and hedgerows) and residential amenity, in accordance with Policies QOP 1, QOP 2, QOP 4 and ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

10. The existing trees and hedgerow along the northern boundary of the site with Broomhouse Lane as shown on drawing 'NEP-PHS-XX-XX-DR-A-008 Rev P14 – Proposed Site Plan - Alternative Option C' shall not be cut down, uprooted or destroyed, nor shall the trees and hedgerow be topped or lopped other than in accordance with the approved plans and particulars as approved through condition 9 of this permission. Thereafter, the trees and hedgerow shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid adverse impacts on biodiversity, landscape (trees and hedgerows) and residential amenity, in accordance with Policies QOP 1, QOP 2, QOP 4 and ENV 2 of the Northumberland Local Plan and the National Planning Policy Framework.

11. Prior to first occupation, a sensitive lighting scheme for all areas of the site (e.g., car parking, footpath, buildings) shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall:

- a) be designed in consultation with the project ecologist and follow guidance set out the Institution of Lighting Professionals Guidance Note 8: Bats and artificial lighting (08/18) (<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>)
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that light spill onto retained habitats shall not exceed 2 lux and it can be clearly demonstrated that areas to be lit will not disturb or prevent bats and other nocturnal wildlife using their territory (e.g., for foraging and commuting).

All external lighting shall be installed in accordance with the specifications agreed. Under no circumstances should any other external lighting be installed without the prior consent from the local planning authority.

Reason: To conserve and enhance biodiversity in line with the Policies ENV 2 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

12. Notwithstanding the submitted details, prior to the construction of the dwellings above damp proof course level, a detailed scheme for open space provision on-site for children and young people in accordance with the requirements of Appendix H1 of the Northumberland Local Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for its provision and subsequent management and maintenance. Thereafter the play area shall be implemented and maintained in full accordance with the approved details.

Reason: To achieve a satisfactory form of development and to secure appropriate provision for on-site provision for children and young people, in accordance Policies STP 3, STP 5, INF 1 and INF 5 of the Northumberland Local Plan and the National Planning Policy Framework.

13. Prior to first occupation of the development, full details of all new or altered boundary treatments, including any proposals for the boundary with Broomhouse Lane, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and residential amenity, in accordance with the provisions of Policies HOU 9, QOP 1 and QOP 2 of the Northumberland Local Plan and the National Planning Policy Framework.

14. Prior to their construction, full details of the location, scale and appearance of any new retaining walls/structures, including details of materials, shall be submitted to the Local Planning Authority for approval. The development shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and residential amenity, in accordance with the provisions of Policies HOU 9, QOP 1 and QOP 2 of the Northumberland Local Plan and the National Planning Policy Framework.

15. Notwithstanding the submitted details, no development shall commence until a Construction Method Statement, together with a supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- 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. details of the size and number of HGV's associated with the construction phase of the development.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Policies STP 5, QOP 2, TRA 2 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

16. No dwelling shall be occupied until the car parking area indicated on the approved plans for that dwelling has been implemented in accordance with the approved plans. Thereafter, the car parking areas shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with Policy TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.

17. No dwelling shall be occupied until a Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Car Parking Management Strategy shall be adhered to in perpetuity. This Car Parking Management Strategy must include:

- i details of management and mitigation measures to ensure no overspill car parking associated with the development occurs within the neighbouring residential streets on the C255, Station Road;
- ii a plan for monitoring and reviewing the effectiveness of the Car Parking Management Strategy; and
- iii a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policy TRA 4 of the Northumberland Local Plan and the National Planning Policy Framework.

18. The development shall not be occupied until details of the proposed highway works (vehicular and pedestrian access arrangements, together with associated works and traffic management/waiting restrictions) have been submitted to and approved in writing by the Local Planning Authority. The dwellings 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 Policy TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

19. No development shall commence until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases, completion sequence and construction standards that estate streets serving each phase of the development will be completed. The development shall then be carried out in accordance with the approved Estate Street Phasing and Completion Plan.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with Policies TRA 1 and TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

20. No development shall commence above damp-proof course level until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with Policies TRA 1 and TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

21. 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 Policies TRA 1 and TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

22. No dwelling shall be occupied until cycle parking (within garage spaces) 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 Policy TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.

23. Twelve months after first occupation of the development details of a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan shall be implemented in accordance with the approved details. This Full Travel Plan must include:

- i. details of and results from an initial resident's travel needs survey;
- ii. clearly specified ongoing targets for resident travel mode shares;
- iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan

Reason: In the interests of sustainable development, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

24. Prior to first 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 Policies STP 4 and TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.

25. No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development, including appropriate swept paths, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with Policies TRA 1 and TRA 2 of the Northumberland Local Plan and the National Planning Policy Framework.

26. 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 Policies QOP 1, QOP 4, HOU 9 and TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.

27. No dwelling shall be occupied until a pedestrian connection to the town centre and Front Street from the south-eastern boundary of the site has been constructed and implemented, in accordance with a scheme of details that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme

shall also include proposals for the management and maintenance of the proposed connection.

Reason: In the interests of sustainable development and to achieve a satisfactory form of development, in accordance with Policies STP 4, HOU 9 and TRA 1 of the Northumberland Local Plan and the National Planning Policy Framework.

28. Prior to the commencement of development, a scheme to mitigate groundwater and springs emanating within the development shall be submitted to and approved by the Local Planning Authority. This scheme shall be in general accordance with QD1600-00-05 Rev K "SuDS Location Plan" from Queensberry Design and provide further information / details on:

- A) - Be subject to further groundwater monitoring. Subject to this the aforementioned scheme shall be amended accordingly to suit any findings.
- B) - Land drainage interceptor drains within each plot;
- C) - Connection to the existing filter drain upon further site investigations; and
- D) - Dwelling foundations (in the golden hatched area as denoted in drawing QD1600-00-05 Rev K "SuDS Location Plan" from Queensberry Design) shall be submitted.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the effective mitigation of groundwater from the development, protecting on site dwelling and not increasing the risk of flooding elsewhere, in accordance with Policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.

29. Prior to the commencement of development, a scheme to dispose of surface water from the development shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be in accordance with drawing QD1600-00-01 Rev K "Engineering Layout" from Queensberry Design and shall provide additional drawings on plot drainage, swales/filter strips, road gulleys and other drainage features. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere, in accordance with Policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.

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

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime, in accordance with Policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.

31. Prior to the commencement of development, details of the disposal of surface water from the development through the construction phase shall be submitted to and

approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features, in accordance with Policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.

32. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer or a suitably qualified professional must be submitted to and approved 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, and in accordance with Policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.

33. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no extensions, buildings or hardstandings shall be added to or constructed within the rear part of the curtilage of the dwellinghouses identified on the approved plans as Plots 25, 26 and 27 without the prior grant of planning permission from the Local Planning Authority.

Reason: In order that the impact of any additions on the spring diversion in these areas within the identified plots can be properly assessed and to ensure that any features within these areas would not detrimentally impact flooding on and off site, in accordance with Policy WAT 3 of the Northumberland Local Plan and the National Planning Policy Framework.

34. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk Assessment & Drainage Strategy (Queensberry Design – QD1600-FRA Rev F – 24/11/22). The drainage scheme shall ensure that foul flows discharge to the combined sewer at manholes 7203 and 6201 and ensure that surface water discharges to the surface water sewer at manhole 7202. The surface water discharge rate shall not exceed the available capacity of 16.3l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources, in accordance with Policies WAT 3 and WAT 4 of the Northumberland Local Plan and the National Planning Policy Framework.

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

Monday - Friday - 0800 - 1800
Saturday - 0800-1300

Reason: To protect residential amenity and provide a commensurate level of protection against noise, in accordance with Policies STP 5, QOP 2 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

36. Deliveries to and collections from the excavation and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 0800 to 1800
Saturday - 0800 to 1300

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 Policies STP 5, QOP 2 and POL 2 of the Northumberland Local Plan and the National Planning Policy Framework.

37. The development hereby permitted shall not be commenced until a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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 Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

38. The development hereby permitted shall not be brought into use or continue in use until two full copies of a full closure (Verification Report) report have been submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

39. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by

the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

Should no contamination be found during development then the applicant/developer shall submit a signed statement indicating this to discharge this condition.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance with Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

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

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health and amenity of the occupants of the respective properties, in accordance with Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

41. No building shall be brought into use or occupied until the applicant/developer has submitted a validation and verification report to the approved methodology in Condition 40, 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 Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

42. No development shall commence until an intrusive site investigation has been undertaken regarding the matters of ground stability within the application site and the results of that investigation have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in full accordance with any required ground stabilisation and remedial works to address any identified ground stability issues highlighted by the intrusive site investigation prior to the commencement of plot construction works.

Reason: In order to safeguard the development and/or the occupants thereof from the potential adverse effects of unstable ground having regard to Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

43. No plot construction works shall be undertaken until a validation and verification report demonstrating that any required ground stabilisation and remedial works to address any identified ground stability issues highlighted by the intrusive site investigation in Condition 42 have been undertaken, and which has been approved in writing by the Local Planning Authority.

Reason: In order to safeguard the development and/or the occupants thereof from the potential adverse effects of unstable ground having regard to Policies STP 5 and POL 1 of the Northumberland Local Plan and the National Planning Policy Framework.

44. A programme of archaeological work is required in accordance with NCC Environment and Design Team (NCEDT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 17/10/22). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCEDT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) The archaeological recording scheme required by NCEDT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCEDT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason The site is of archaeological interest, in accordance with Policy ENV 7 of the Northumberland Local Plan and the National Planning Policy Framework.

45. Prior to the construction of any building above damp-proof course level, a scheme to demonstrate how 20% of the open market dwellings and 50% of the affordable dwellings will meet or exceed the enhanced accessibility and adaptability housing standards in compliance with Requirement M4(2) of the Building Regulations (or any equivalent successor standards) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken fully in accordance with the approved scheme.

Reason: To ensure that the new homes are accessible and adaptable to meet the needs of residents now and in the future, in accordance with Policy HOU 11 of the Northumberland Local Plan and the National Planning Policy Framework.

46. Notwithstanding the details submitted with the application, prior to the construction of any building above damp-proof course level, a scheme to demonstrate how the development will 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 residential units 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.

47. Prior to first 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 first occupation of the development.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT 2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

Notes to Applicant

01. Your attention is drawn to the Agreement under Section 106 of the Town and Country Planning Act 1990 affecting this site.

02. 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.

03. You are advised that offsite highway works required in connection with this permission, including an amended and new site access arrangements (vehicular and pedestrian), provision of new Traffic Regulation Orders, and any associated streetlighting and street signage schemes, will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

04. 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.

05. You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period in respect of any required temporary traffic management measures to allow access to the site.

06. 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.

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

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

09. 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.

10. 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).

11. Invasive Non-Native Species: The applicant/developer is reminded that the plant *Cotoneaster spp.* which was noted to be present on site, 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 and existing or proposed landscape features. 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/>.

Hedgehog: Hedgehogs are a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act (2006) and therefore of priority conservation concern. Contractors working at the site should be made aware of their potential presence and caution is needed in case of nesting hedgehogs when clearing the ground prior to development, particularly piles of deadwood or leaves and areas of long grass or dense vegetation. Work likely to cause disturbance through the removal of hibernation habitats such as log piles and dense scrub should not take place during November to March. In addition to using permeable fencing, habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles in gardens. Further guidance for developers is available from the British Hedgehog Preservation Society, <https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

Protected Species: Protected species legislation operates independently of the planning system and planning consent does not override this. Any action which contravenes current legislation governing the protection of wild animals and plants are criminal offences and a police matter. Applicants and contractors working on site should have full regard to the recommendations and advice provided in the ecology report submitted with this application ‘Updated Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation Land Adjacent to Broomhouse Lane Prudhoe Lf-21-04 May 2022 (Rev 4 29/11/22), Naturally Wild Consultants Limited’. If protected species are encountered during development, then works should cease immediately and professional ecological advice should be sought straight away.

12. With regard to condition 46 you are advised that any scheme should look to demonstrate where feasible how it can incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting; prioritise the use of locally sourced, recycled and energy efficient building materials; incorporate or connect to small-scale renewable and low carbon energy systems which contribute towards the supply of energy to the development, unless this would not be viable; connect to an existing or

approved district energy scheme where viable; facilitate the efficient use of water; measures such as water recycling systems will be encouraged; incorporate measures to reduce waste generated during construction, including the recovery of materials on-site, and ensure there is appropriate provision for recyclable and non-recyclable waste; minimise vulnerability to flooding in areas at risk of flooding from all sources, or where the development may increase flood risk elsewhere, through use of materials, green and blue infrastructure and other design features as appropriate; and are flexible to allow for future modification, refurbishment and retrofitting.

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

14. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/coalauthority.

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Background Papers: Planning application file(s) 20/00230/FUL

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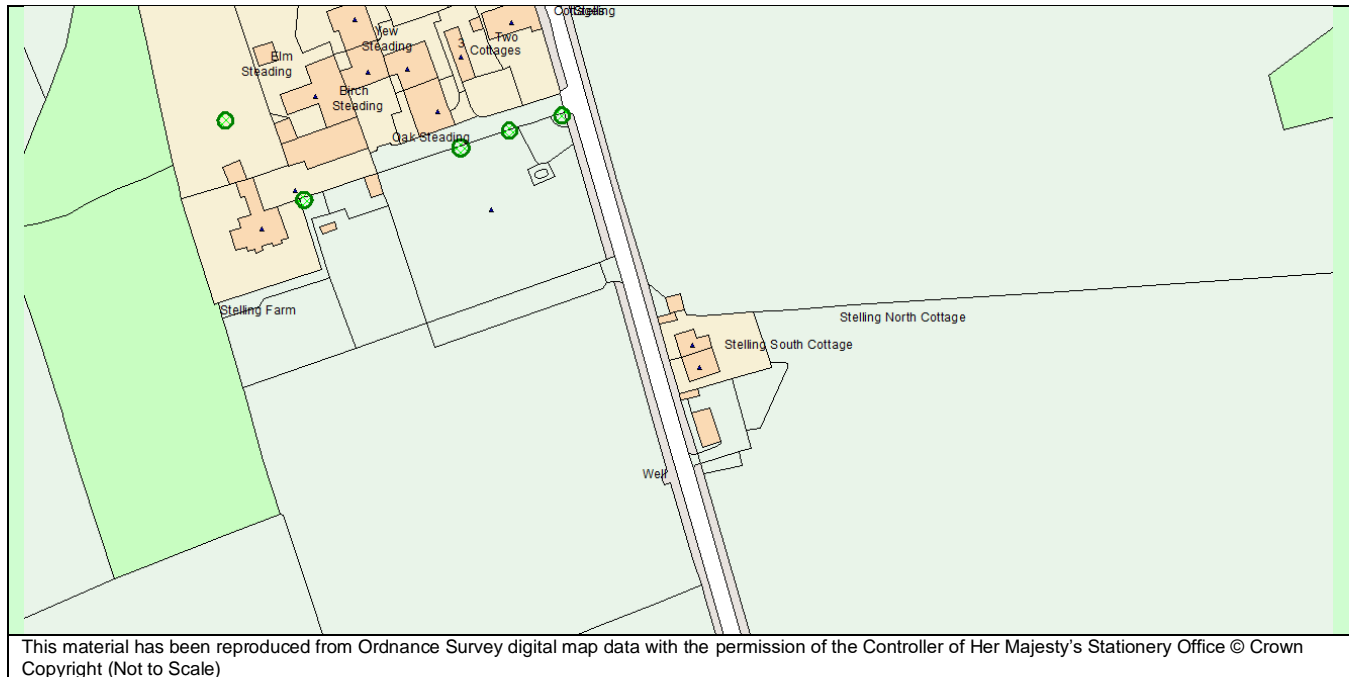


Northumberland County Council

Tynedale Local Area Council Planning Committee Tuesday 28th March 2023

Application No:	22/00937/FUL		
Proposal:	Change of use and conversion of an existing agricultural storage building to provide ancillary accommodation for the main dwellinghouse and change of use of land to form residential curtilage (as amended)		
Site Address	Stelling South Cottage , B6309 Mowden Hall Cross Roads To Welton, Stocksfield, Northumberland, NE43 7UU		
Applicant:	Mr & Mrs Taylor Stelling South Cottage, Northumberland, Stocksfield, NE43 7UU	Agent:	Miss Joanne Wood 1 Hood Street, Newcastle upon Tyne, NE1 6JQ, undefined
Ward	Bywell	Parish	Bywell
Valid Date:	29 March 2022	Expiry Date:	31 March 2023
Case Officer Details:	Name: Miss Amber Windle Job Title: Planning Officer Tel No: 07966324582 Email: Amber.Windle@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission.



1. Introduction

1.1 The application has been referred to the Director of Planning and Chair and Vice-Chair of the Tynedale Local Area Council Planning Committee under the Council's delegation scheme due to an objection from Bywell Parish Council. It was agreed that the application raises issues of wider community or significant County Council interest, and so should be considered by the Committee.

2. Description of the Proposals

2.1 Planning permission is sought for the change of use and conversion of an existing agricultural storage building to provide ancillary accommodation for the main dwellinghouse and for the change of use of land to form residential curtilage at Stelling South Cottage, Stocksfield.

2.2 The application site is located in the open countryside north of the A69 and the settlement of Stocksfield. The site is also situated within the designated Green Belt.

2.3 The proposal being assessed as part of this application is a revised version of the originally submitted proposal, which has been submitted in an attempt to address concerns that the local planning authority have raised during the course of the application in terms of the proposed extension of the agricultural building. The proposed extensions to the building have been removed and the ancillary accommodation would be facilitated within the existing footprint of the buildings, with the exception of a small porch. The description of the application has also been amended to include the change of use of the land on which the agricultural building is located, to allow this to be used as residential curtilage.

2.4 The subject agricultural building was previously granted planning permission under approved application T/20010550.

3. Planning History

Reference Number: T/20010550

Description: Construction of agricultural building.

Status: PERMITTED

4. Consultee Responses

Bywell Parish Council	Bywell Parish Council object to the above application on two main grounds: The development is in green belt and although the conversion of a farm building may be permitted, it appears from the application that the development will be significantly larger than the existing barn, including being taller than the main residence. Additionally, the style and materials to be used make the development highly visible from the road and surrounding area and it is not in keeping with all the other developments in the Stelling area.
Highways	HDM object to the development as the development will be located within an unsustainable location, however, if the Planning Authority are minded approving this application, planning conditions can be requested on receipt of this request.

Public Protection	The Environmental Protection Team have no objection to this application subject to recommend conditions, in order to protect public health and prevent loss of amenity.
County Ecologist	No objection.

5. Public Responses

Neighbour Notification

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

Notices

General site notice - 11th April 2022

No Press Notice Required.

Summary of Responses:

None received.

6. Planning Policy

6.1 Development Plan Policy

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

- STP 1 - Spatial strategy
- STP 2 - Presumption in favour of sustainable development
- STP 3 - Sustainable development
- STP 7 - Strategic approach to the Green Belt (Strategic Policy)
- STP 8 - Development in the Green Belt (Strategic Policy)
- HOU1 - Making the best use of existing buildings (Strategic Policy)
- HOU 9 - Residential development management
- QOP 1 - Design principles
- QOP 2 - Good design and amenity
- ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
- ENV 2 - Biodiversity and geodiversity
- ENV 3 - Landscape
- ENV 4 - Tranquillity, dark skies and a sense of rurality
- TRA 1 - Promoting sustainable Connections (Strategic Policy)
- TRA 2 - The effects of development on the transport network
- TRA 4 - Parking provision in new development
- POL 1 - Unstable and contaminated land
- POL 2 - Pollution and air, soil and water quality
- WAT 2 - Water supply and sewerage

6.2 National Planning Policy

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

National Planning Practice Guidance (NPPG) (2021, as updated)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, and following its recent adoption by the Council, the development plan comprises policies in the Northumberland Local Plan.

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

- Principle of the development and Green Belt
- Design and visual impact
- Impact upon amenity
- Highway safety
- Ecology
- Land Contamination
- Drainage and Sewerage

Principle of the Development and Green Belt

7.3 The application site is located within the open countryside north of the A69 and the settlement of Stocksfield. Policy STP 1 of the Northumberland Local Plan states that *“development in the open countryside should be sensitive to its surroundings, not have an unacceptable impact upon the local road network, and use previously developed land where opportunities exist”*.

7.4 The site is also located within the open countryside and within the Green Belt. The NPPF attaches great importance to Green Belts. Paragraph 138 of the NPPF sets out the five purposes of the Green Belt, these are:

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

7.5 Paragraph 147 maintains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that 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.

7.6 Similarly, Policy STP 8 of the emerging Northumberland Local Plan (Publication Draft Plan) relates to development in the Green Belt. Policy STP 8 states “development which is appropriate in the Green Belt, as defined in national planning policy, will be supported” and “development that is inappropriate in the Green Belt, in accordance with national planning policy, will not be supported unless very special circumstances clearly outweigh the potential harm to the Green Belt, and any other harm resulting from the proposal”.

7.7 In the above context, Paragraph 149 of the NPPF states that the LPA should regard the construction of new buildings as inappropriate in the Green Belt, however follows on with a list of exceptions to this, which are:

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

7.8 In addition, Paragraph 150 of the NPPF sets out what certain other forms of development are also not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- h) *mineral extraction;*
- i) *engineering operations;*
- j) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- k) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- l) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- m) *development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

7.9 The application building is an existing agricultural storage building situated on a small parcel of land adjacent to the host dwelling, Stelling South Cottage. The parcel of land and the existing vehicular access to the south of the agricultural building is used for access and parking by the host dwelling. This application proposes the change of use and extension of the existing agricultural building to create an annex and the change of use of the parcel of land into residential curtilage, both to be used ancillary to the host dwelling. Taking each element in turn, the acceptability of the development will be assessed below with regard to the above policy context.

Change of use of land

7.10 Paragraph 150 of the NPPF states that other forms of development are also not inappropriate in the Green Belt provided they preserve its openness. This includes the material changes in the use of land. The proposed land that is proposed to be converted to residential garden where the agricultural building is situated is adjacent to the existing host property, Stelling South Cottage. The parcel of land is adjacent to the existing residential curtilage of Stelling South Cottage and is within the ownership on the applicant. The parcel of land is bound on all elevations by existing boundary treatment and mature hedging. The parcel of land shares the same vehicular access as the host dwelling and is used as a parking area for Stelling South Cottage. Although it is acknowledged that there would be some encroachment into the surrounding countryside, the parcel of land has been enclosed and visually separated from the surrounding agricultural land since the building was constructed following the granting of planning permission under application T/20010550.

7.11 In this instance, the proposed change of use would not result in a significant encroachment of residential curtilage into the Green Belt, nor would it have an adverse impact upon the openness of the Green Belt. A condition would be attached to any grant of permission removing permitted development rights from this area of land to ensure that no buildings could be constructed on the land without the approval of the Local Planning Authority. As such, it is considered that the proposed change of use of this area of former agricultural land to residential curtilage is acceptable in this instance. Therefore, it is considered that the proposed works would accord with Policies STP 7 and STP 8 of the Northumberland Local Plan and the principles of the NPPF.

Change of use of existing agricultural building

7.12 Paragraph 150 of the NPPF states that other forms of development are also not inappropriate in the Green Belt provided they preserve its openness. This includes the re-use of buildings provided that the buildings are of permanent and substantial construction. The change of use of this existing agricultural building in the Green Belt to an ancillary residential annex would in principle be acceptable and would preserve the openness of the Green Belt. The development would therefore accord with Policies STP 1, STP 7 and STP 8 of the Northumberland Local Plan and the principles of the NPPF.

Extensions to the existing agricultural building

7.13 The application proposes a small porch extension to the existing agricultural building on the northern elevation. The proposed works to the building would result in a volumetric increase of 3.94% over and above the size of the original building. It is considered that this part of the proposal would consist of a limited extension that would

be subordinate to the original dwelling and would not substantially increase its size. The limited scale of the development means the proposal would not be inappropriate development within the Green Belt, nor would it result in disproportionate additions over and above the original building, and as such would not have a materially greater impact on the openness of the Green Belt than the existing building. The development is considered to not represent inappropriate development within the Green Belt and is acceptable in accordance with Policies STP 1, STP 7 and STP 8 of the Northumberland Local Plan and the principles set out within Chapter 13 of the NPPF.

Design and visual impact

7.14 Stelling South Cottage is a detached dwelling located in the open countryside. The site is bound by the B6309 public highway to the west and by open agricultural land to the north, east and south. The existing agricultural building and land on which it is situated is predominance screened from the public highway by mature hedging and is fully enclosed to all boundaries by existing boundary treatment.

7.15 The proposed conversion of the existing building would create a 1no. bedroom annex with a kitchen/living area and bathroom. The proposals would retain the existing footprint of the building, with the exception of a small porch to the northern elevation. The porch would project 1.45m from the north elevation, measure 3m in length and would have a maximum flat roof eaves height of 2.26m. Externally the building would be re-clad in natural larch timber with feature anthracite standing seam zinc cladding to the east elevation and re-roofed with anthracite coloured corrugated metal sheeting. New glazed openings would be installed to the west, east and south elevations and 2no. rooflights and flue would be installed to the roof. A small canopy would also be installed to the east elevation over a new external door. The modest and sympathetic alterations to the building would improve the visual appearance of the outbuilding and would not detract from the existing host property and as such are considered to be acceptable. The design and scale of the proposed conversion and extension would be acceptable when viewed in context of the scale of the host property and would repurpose the existing building and should remain ancillary to the existing property of Stelling South Cottage.

7.16 In regards to the other aspect of the proposals, it is considered that the proposal to extend the residential curtilage of this particular site would not be harmful to the character of the area or the wider landscape. Furthermore, due to the existing physical separation of the site from the wider landscape, created by the existing mature hedging and boundary treatment and the existing residential use of the site for access and parking, the development would have a limited impact on the character of the wider landscape. As previously mentioned, a condition would be attached to any grant of permission removing permitted development rights from this area of land to ensure that no buildings could be constructed on the land without the approval of the Local Planning Authority.

7.17 In this instance, it is considered that the imposition of conditions would be appropriate and would be sufficient to control further development which could result in harm to the character of the area or the openness of the Green Belt. The proposed development would therefore accord with Policies HOU 9, QOP 1, QOP 2, ENV 1 and ENV 3 of the Northumberland Local Plan and the NPPF, in relation to design and impact on the wider landscape.

Impact upon amenity

7.18 The application site is bound by highway to the west and open agricultural land to the north, east and south. The nearest residential property is located approximately 107 metres to the northwest of the site. The proposed development would be fully screened from the public highways and from any nearby residential property. Given the above, it is considered that there would be no significant adverse impact upon the amenity of any nearby properties, in terms of loss of outlook, overshadowing, loss of light, overbearing or loss of privacy as a result of the proposed works. It is, therefore, considered that the proposals are in accordance with Policies HOU9 and QOP 2 of the emerging Northumberland Local Plan and the provisions of the NPPF.

Highway safety

7.19 The site is located within the open countryside. It is acknowledged that the Councils Highways Development Management Team have objected to the proposed development due to concerns that the site is located within an unsustainable location in terms of its connectivity. Notwithstanding this, due to the principle of the application being supported by both local and national planning policies, HDM have assessed the proposals from a technical point of view at the request of officers. HDM have recommended conditions and informative to be added to any granting of planning permission to ensure the development would not adversely impact upon highways safety. Subject to these conditions, the proposed development is considered to be in accordance with Policies TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan and the aims of the NPPF in relation to highway safety.

Ecology

7.20 Due to the location and nature of the application, the County Ecologist has been consulted on the application. The County Ecologist has confirmed that due to the age and construction of the existing building, there are no objections to the proposed development and in this instance no planning conditions are considered necessary. As such, the application accords with Northumberland local Plan Policy ENV 2 and the NPPF.

Land Contamination

7.21 As the site lies within the Coal Authority's Coal Mining Reporting Area, NCC require the provision of ground gas protection measures for all development within this area. Following initial comments from the Environmental Protection Team, the applicant submitted additional information as part of the application. It is noted by the EP Officer that the information submitted does not constitute a full strategy, including a verification plan, which will need to be provided prior to commencement of the development. It therefore is recommended that conditions are attached to any granting of planning permission to secure this detail. Subject to the aforementioned conditions, the development would accord with Policies POL 1 and POL 2 of the Northumberland Local Plan.

Drainage and Sewerage

7.22 The application form states that surface water drainage and foul sewerage would be disposed of by the mains sewer. However, it has been clarified as part of this application that the site is served by a package treatment plant and soak away, which is located to the north of the property on land owned by the applicant. The proposed

development would connect to the existing infrastructure at the site for drainage and sewerage purposes. The development would therefore be in accordance with Policy WAT 2 of the Northumberland Local Plan.

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. Conclusion

8.1 National and local planning policies have been taken into consideration when assessing this application. The proposed development is also considered to have a limited impact on the openness of the Green Belt and can be considered an appropriate form of development within the Green Belt. Therefore, the proposed

development is supported as a matter of principle for the reasons set out within this report in accordance with the Northumberland Local Plan and the NPPF.

8.2 The application would also be acceptable in all other respects, including technical matters, and it is therefore recommended that the application be approved.

9. Recommendation

That this application be GRANTED subject to the following:

Conditions/Reason

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:

- Site Location Plan, Drawing no. 20008_0000 Rev 3, Dated 07.02.23
- Proposed Site Plan, Drawing no. 20008_1000 Rev 04, Dated 07.02.23
- Proposed Ground Floor Plan, Drawing no. 20008_1001 Rev 2, Dated 18.07.22
- Proposed Roof Plan, Drawing no. 20008_1003 Rev 2, Dated 18.07.22
- Proposed West Elevation, Drawing no. 20008_2003 Rev 2, Dated 18.07.22
- Proposed West Elevation – Context, Drawing no. 20008_2004 Rev 2, Dated 18.07.22
- Proposed West Elevation – Street Context, Drawing no. 20008_2005 Rev 2, Dated 18.07.22
- Proposed South Elevation, Drawing no. 20008_2002 Rev 2, Dated 18.07.22
- Proposed North Elevation, Drawing no. 20008_2000 Rev 2, Dated 18.07.22
- Proposed East Elevation, Drawing no. 20008_2001 Rev 2, Dated 18.07.22
- Proposed Section BB, Drawing no. 20008_3001 Rev 2, Dated 18.07.22
- Proposed Section AA, Drawing no. 20008_3000 Rev 2, Dated 18.07.22

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with the details contained within the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with Policies HOU 9 and QOU 1 of the Northumberland Local Plan.

04. The residential annex hereby approved shall not be used other than for residential purposes ancillary to the existing dwellinghouse, Stelling South Cottage, and shall not be occupied, sold or let as a separate dwellinghouse, and shall be maintained within the same planning unit as the dwellinghouse, Stelling South Cottage.

Reason: To protect the amenities of nearby residents and to consider the impacts of any alternative residential use on the amenity of residents, the character of the area and highways safety, in accordance with Policies HOU 9, QOP 1, QOP 2, TRA 1, TRA 2 and TRA 4 of the Northumberland Local Plan.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other subsequent order, no outbuildings shall be constructed within the hereby permitted additional curtilage without the prior granting of planning permission from the local planning authority.

Reason: In the interests of preserving the openness of the Green Belt and to ensure the character of the development is maintained in the interests of amenity, in accordance with Policies STP 7, STP 8, QOP 1 and QOP 2 of the Northumberland Local Plan.

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

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA4 of the Northumberland Local Plan.

07. No development shall be commenced until a report detailing the proposed protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard required in BS8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), or to a minimum of Characteristic Situation 2 level of protection, has been submitted to and approved in writing by the Local Planning Authority. The report shall specify to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling.

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 be prejudicial to the health & amenity, in accordance with Policies QOP 2, POL 1 and POL 2 of the Northumberland Local Plan.

08. No building shall be brought into use or occupied until a verification report to

the approved methodology in Condition 7 of this permission has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may be prejudicial to the health & amenity, in accordance with Policies QOP 2, POL 1 and POL 2 of the Northumberland Local Plan.

09. Prior to the occupation of hereby approved annex a statement with evidence of how the service ducts were sealed shall be submitted to and 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 health & amenity of the occupants of the respective building, in accordance with Policies QOP 2, POL 1 and POL 2 of the Northumberland Local Plan.

Informatives

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

2. 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.
3. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Background Papers: Planning application file(s) 22/00937/FUL



Northumberland County Council

Appeal Update Report

Date: March 2023

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?
22/00749/OUT	<p>Outline application for demolition of existing garage and stable block and construction of new dwellinghouse (all matters reserved) - building and land west of Roecliffe, Ladycutter Lane, Corbridge</p> <p>Main issues: appeal against imposition of a condition in the decision notice that limits the siting and scale of the new dwelling.</p> <p>Delegated Decision - Officer Recommendation: Approve</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?
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>Committee Decision - Officer Recommendation: Refuse</p>	No – claim refused
22/01100/FUL	<p>Timber shed for storage of tools and equipment required to maintain the woods and culverts. (Retrospective application) - Ochre Wood, Corbridge</p>	No

	<p>Main issues: inappropriate development within the open countryside and Green Belt; and insufficient information on access and car parking arrangements.</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>	
21/01112/FUL	<p>Replacement of existing store and smoking shelter within the rear car park with a shipping container to provide outdoor food and drink service ancillary to Beadnell Towers Hotel – Beadnell Towers Hotel, The Wynding, Beadnell</p> <p>Main issues: harm to the setting of the listed building and Conservation Area; and fails to conserve or enhance the Northumberland Coast AONB.</p> <p>Committee Decision - Officer Recommendation: Refuse</p>	No

Planning Appeals Withdrawn

Reference No	Proposal and main planning considerations	Award of costs?
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>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
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>
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>
20/02094/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</p>	<p>17 August 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>

	development in the open countryside and unsustainable location; and lack of completed S106 Agreement in respect of affordable housing, education, health and a Habitat Maintenance and Management Plan	
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 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.</p>	<p>27 September 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/04958/FUL	<p>Resubmission - Retrospective application for outdoor dining facilities within car parking area to front. Material amendment to roof covering and part timber cladding – Percy Arms, Chatton</p> <p>Main issues: development results in harm to the character and appearance of the Conservation Area; and substandard access to rear car park.</p>	<p>1 November 2022</p> <p>Committee Decision - Officer Recommendation: Approve</p>
21/03396/FUL	<p>Construction of 3no. residential cottages with associated garages, access, car parking and landscaping and demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s) and internal alterations - 4 and 5 Front Street, Capheaton</p> <p>Main issues: proposals are not commensurate with the size of the settlement and encroach into the open countryside, adversely impacting on the setting and appearance of the settlement and surrounding countryside; proposals result in harm to the heritage assets and their setting</p>	<p>2 November 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	without clear and convincing justification of this harm or public benefits to outweigh the harm; layout, scale and design as well as pattern of development would be detrimental to local vernacular and character; lack of information on car parking, access arrangements, refuse, drainage and opportunities to promote walking, cycling and public transport; and proposals result in biodiversity net loss.	
21/03397/LBC	Listed Building Consent for demolition of existing outbuilding(s) and extension(s) to 4 & 5 Front Street with replacement extension(s), internal alterations and alterations to boundary walls – 4 and 5 Front Street, Capheaton Main issues: proposals result in harm to the heritage assets without clear and convincing justification of this harm or public benefits to outweigh the harm.	2 November 2022 Delegated Decision - Officer Recommendation: Refuse
22/00393/FUL	Siting of 'Timber Living Trailer' - land south of Jubilee Cottages, West Woodburn Main issues: site is in the open countryside and not in a sustainable or accessible location; and adverse impacts on the open countryside and landscape.	3 November 2022 Delegated Decision - Officer Recommendation: Refuse
21/02696/S106A	Variation of S106 Agreement relating to planning permission A/2004/0323 dated 3rd February 2005 – Hawkshaw, Old Swarland, Swarland Main issues: the S106 continues to serve a useful purpose and insufficient information has been submitted to demonstrate that there is no longer a requirement for discount market value accommodation for a local person(s) in the area.	7 November 2022 Delegated Decision - Officer Recommendation: Refuse
21/04002/FUL	Proposed 6no. Yurts and associated structure for holiday and tourism – land south-east of Alnham House, Alnham Main Road, Alnham Main issues: the site is not in an accessible location; and results in incursion into the open countryside and fails to respect the intrinsic character and beauty of the area.	17 November 2022 Delegated Decision - Officer Recommendation: Refuse
22/00913/FUL	Resubmission of approval 18/03632/REM for the construction of two detached dwellings and associated works – land to north west of Blue House Farm Cottages, Blue House	7 December 2022 Delegated Decision - Officer Recommendation:

	<p>Farm Road, Netherton Colliery</p> <p>Maini issues: isolated residential development in the open countryside; and no planning obligation secured in respect of a contribution to the Coastal Mitigation Service or other alternative mitigation.</p>	Refuse
21/04208/FUL	<p>Proposal to erect a single self-build dwelling house – land south west of Hazeldene Cottage, Sinderhope</p> <p>Main issues: isolated development in the open countryside in an unsustainable location; fails to conserve and enhance the natural beauty and scenic qualities of the North Pennines AONB; visibility splays from the access are inadequate; insufficient information to assess ecological impacts; and insufficient information regarding foul water drainage.</p>	<p>7 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/00262/FUL	<p>Demolition of existing extension and rebuilding an extension – 1 Sandridge, Newbiggin-by-the Sea</p> <p>Main issues: unacceptable design with detrimental loss and alteration of a historic building group with harm to the Conservation Area.</p>	<p>8 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/01675/FUL	<p>Erection of 1 no. Dwelling (C3 use) - land south of Old Smithy, Widdrington Village</p> <p>Main issues: development in the open countryside; harm to the setting of a Grade I listed building with no public benefits; and no unilateral undertaking has been completed to secure a contribution to the Coastal Mitigation Service.</p>	<p>19 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
22/03313/AGTRES	<p>Prior notification for change of use and conversion of agricultural building to single dwelling – The March Barn, Welton</p> <p>Main issues: the proposal involves significant building operations that go beyond what is reasonably necessary to convert the building and therefore it is not permitted development.</p>	<p>21 December 2022</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>
21/01833/FUL	<p>Development of 60 no. Pitches for holiday accommodation comprising touring caravan/campervan pitches and tents – land at Elwick Farm, Belford</p> <p>Main issues: unsustainable major tourism in the open countryside; lack of information in relation to impacts on wildlife; lack of information in respect of a nutrient</p>	<p>10 January 2023</p> <p>Delegated Decision - Officer Recommendation: Refuse</p>

	calculation relating to the Lindisfarne SPA; and lack of information relating to surface water drainage and highways.	
22/00394/FUL	Retrospective: Construction of pergola and decking within existing beer garden – The Dyvels Hotel, Station Road, Corbridge Main issues: inappropriate development in the Green Belt with no demonstrated very special circumstances to outweigh the harm; and harm to the character and appearance of the building and the surrounding area.	13 January 2023 Delegated Decision - Officer Recommendation: Refuse
22/01812/FUL	Proposed detached single storey garage and store with associated formation of driveway – Eland Close, Eland Land, Ponteland Main issues: inappropriate development in the Green Belt and the open countryside.	24 January 2023 Delegated Decision - Officer Recommendation: Refuse
21/02287/FUL	Convert and extend redundant cow byre to residential use (C3) for holiday let – Waterside Cottage, Acklington Main issues: development in an unsustainable location within the open countryside; insufficient information to justify non-mains foul drainage; insufficient information to demonstrate the proposal would not sterilise and identified sand and gravel resource; absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC; and loss of ancient woodland with no exceptional circumstances or suitable compensation strategy.	25 January 2023 Delegated Decision - Officer Recommendation: Refuse
22/03609/AGTRES	Notification of Prior Approval to convert an existing but now redundant agricultural building on the Guyzance Estate for permanent residential use – land south of Waterside Cottage, Acklington Main issues: impacts on adjacent ancient semi-natural woodland and River Coquet and Coquet Valley Woodland SSSI; and absence of suitable mitigation to address recreational disturbance with adverse effects on the Northumbria Coast SPA and Ramsar Site and the North Northumberland Dunes SAC.	25 January 2023 Delegated Decision - Officer Recommendation: Refuse
22/03324/FUL	Erect a feed barn for storage of animal feed – Eastside, Partnership Field, Springwell, Ovington	13 February 2023 Delegated

	Main issues: inappropriate development in the Green Belt.	Decision - Officer Recommendation: Refuse
22/04634/FUL	Demolition of detached garage and construction of side extension – Middlesteads Farm, Longhirst Main issues: design does not respect the character of the existing dwelling or its locality, would fail to remain subordinate and would result in unacceptable adverse impact on the character of the dwelling and its setting.	16 February 2023 Delegated Decision - Officer Recommendation: Refuse

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?
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	No

Enforcement Appeals Withdrawn

Reference No	Description and address	Award of costs?
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).	No

Enforcement Appeals Received

Appeals Received

Reference No	Description and address	Appeal start date
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
22/00571/ENDEVT	Unauthorised siting of a caravan – land south-west of Hartburn Bridge, Morpeth	1 February 2023

Inquiry and Hearing Dates

Reference No	Description and address	Inquiry/hearing date and decision level
None		

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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