



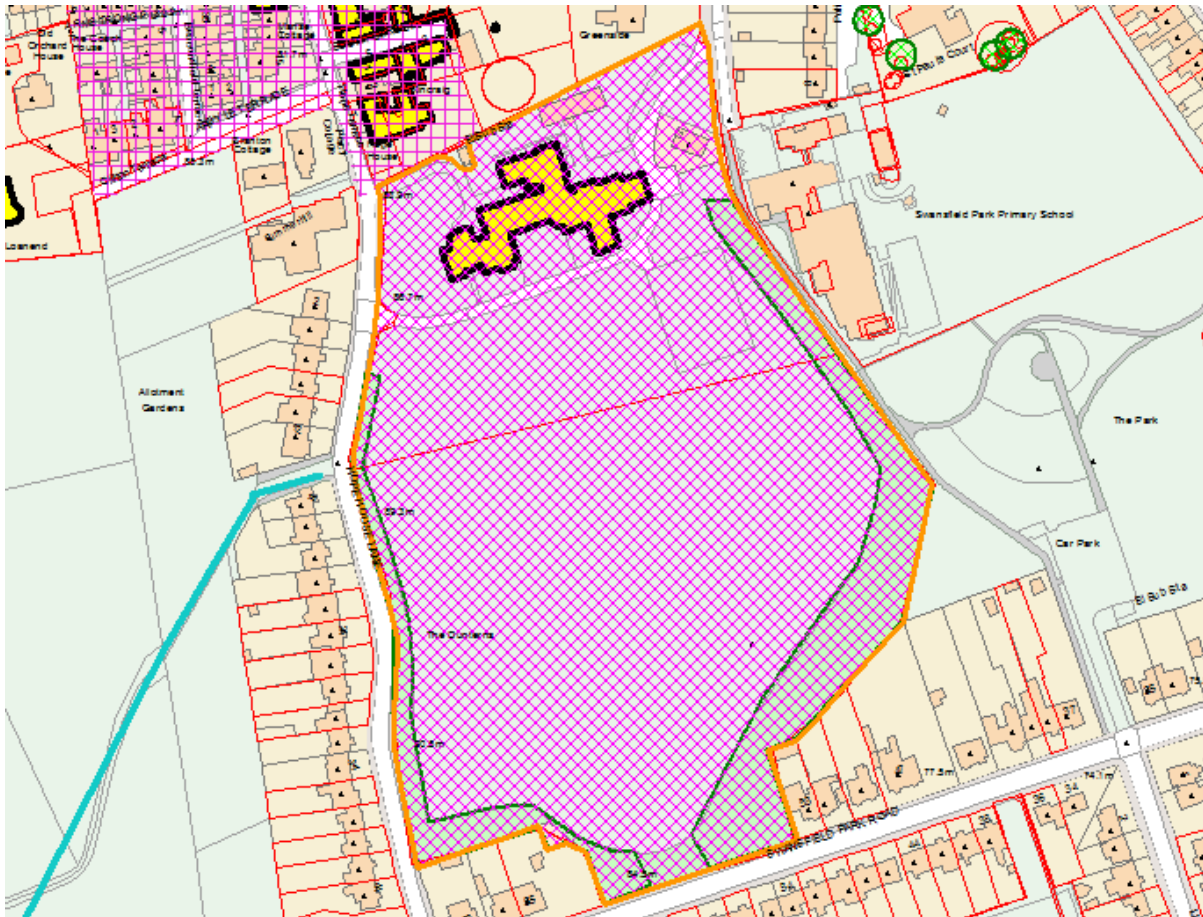
Northumberland

County Council

North Northumberland Local Area Council Planning Committee 18th August 2022

Application No:	22/00020/VARYCO		
Proposal:	Variation of conditions Variation of Condition 2 (approved plans) and 21 (protected species licence) pursuant to listed building consent 19/00500/FUL to allow amendments to the general site layout, retirement living block, listed building, and mews houses.		
Site Address	Former Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland		
Applicant:	Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX United Kingdom	Agent:	None
Ward	Alnwick	Parish	Alnwick
Valid Date:	10 January 2022	Expiry Date:	19 August 2022
Case Officer Details:	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: Email: David.love@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 The application has generated significant public interest and consultee comments. As a result, the proposal has gone through the Chair Referral process with the Head of Planning and Chair and Vice Chair of the planning committee determining that this submission should be determined by the planning committee.

2. Description of the Site and Proposal

2.1 The site to which the application relates is approximately 4.73ha hectares and is located on land to the south of Alnwick Town Centre. The existing site consists of the former Duke's School building and former playing field, which are now vacant due to the closure of the school in 2016.

The site is bounded by:

- To the east is Swansfield Park Primary School, Swansfield Park and an area of new housing development;
- To the west is Hope House Lane which is lined with residential properties;
- To the south by Swansfield Park Road, which is lined with residential properties, with the former Lindisfarne Middle School beyond; and,
- to the north by residential properties, including several Listed Buildings such as Hope House and Kinraig (Grade II), and several Grade II Listed Buildings clustered around South Street.

2.2 The site is currently accessed via The Avenue, with a former vehicle access leading from Hope House Lane along with a minor service vehicle access to the existing sub-station. The site has strong pedestrian connections to the whole of

Alnwick, with the main Town Centre being approximately a 0.3 mile walk to the north, and Willowburn Retail and Leisure facilities approximately a 1 mile walk to the south.

2.3 The application is a variation of a consent already granted which covered the conversion of Duke's School to residential apartments (27no.), change of use and development of specialist elderly accommodation (49no. units), along with the development of residential dwellings (22no.). The development also includes an extensive area of landscaping between the Duke's School and development in the southern area of the grounds, equating to the creation of 1.9ha (4.9 acres) of publicly accessible open green space.

2.4 The total site area is approximately 4.73ha in size. The built area for development in the southern area measures 0.4ha. The area proposed for public open green space is approximately 1.9ha. There is approximately 2.4ha of other uses including the tree belt around the site boundaries, footpaths, private gardens, roads, and car parking. Works will include a new vehicle access from Swansfield Park Road, along with an upgrading of the existing access from The Avenue. Car parking, gardens, drainage, and extensive landscaping of the newly formed public open green space will also be included.

2.5 Planning permission already exists for:

- Retirement Living Block: 1-bed: 23no. apartments, 2-bed: 26no. apartments, Total: 49no. apartments
- Duke's School Conversion: 1-bed: 9no. apartments; 2-bed: 14no. apartments; 3-bed: 4no. apartments; Total: 27no. apartments
- Residential Housing: 2-bed bungalow: 5no. 2-bed house: 17no. Total: 22no. dwellings

2.6 This permission seeks to:

- General Site Layout
 - Refinement of the drainage strategy to provide a more comprehensive and simplified drainage solution, including integrating the approved landscape strategy into this design and layout
- Retirement Living Block
 - Addition of winter gardens and balconies to provide outside amenity space to the apartments
 - Simplification to the roof design to allow for potential PV panels on the south facing roof pitch to enhance the building's sustainability
 - Additional area for air source heat pumps at lower ground level, sited in a discrete area with timber loggia cladding, again to enhance the building's sustainability
 - Addition of external electricity intake room at ground floor
 - Refinement of the landscape strategy around the perimeter of the building to accommodate the sloping site levels
 - Location for an electricity substation near the southern site entrance near the Gate House dwelling
- Duke's School Listed Building

- Retention of more of the existing Listed Building at the intersection with the new northern extension, retaining more of the original roof structure and finishes
 - Making good the 1970s central chimney flue, removal of the redundant roof lights
 - Minor updates to the northern extension including revised fenestration, finished floor heights, and introducing slope to the mansard roof
 - Opening windows added to the new apartments at first floor level on the western elevation
- Mews Houses
 - Amendment to the eaves height, removal of rooflights and replacement with bathroom windows

2.7 Furthermore, the applicant believes condition 21 attached to the extant consent is unenforceable as it requires approval from a separate body under different legislation from the planning process. They have requested that the condition is either removed or re-worded.

2.5 It is important that any re-wording of condition 21 ensures that it is not capable of being discharged until the licence is secured. This is because the Natural England licence application form requires the applicant to confirm that all wildlife-related conditions that are capable of being discharged have been discharged. Otherwise, a loop is created whereby condition 21 cannot be discharged and neither can the licence be secured to discharge the condition.

3. Planning History

Reference Number: C/75/A/018

Description: Acquisition of 'Kincraig' as additional teaching accommodation

Status: PER

Reference Number: C/10/00148/CCD

Description: Construction of a bike shed at Dukes Middle School, Hope House Lane, Alnwick

Status: PER

Reference Number: 12/03257/LBC

Description: Upgrade structural reinforcement of fire escape 1 which is currently supported temporarily with scaffolding, provide additional railings and lighting to all fire escapes, replacement of existing external doors with FD30 rated fire doors, replacement of 2no. windows to fire escape 2 with emergency egress window and replacement of windows with fire rated glazing

Status: PER

Reference Number: 17/02422/LBC

Description: Listed Building Consent for retrospective installation of permasteel to all windows and doors (temporary) and 4 bastion cameras on stands.

Status: PER

Reference Number: 19/00500/FUL

Description: Conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly

living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access, and drainage.

Status: PER

Reference Number: 19/00501/LBC

Description: Listed Building Consent for conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access, and drainage.

Status: PER

Reference Number: 22/00022/VARYCO

Description: Variation of Condition 11 (Approved Plans) pursuant to listed building consent 19/00501/LBC to allow amendments to the general site layout, retirement living block, listed building, and mews houses

Status: PCO

Reference Number: 22/01414/NONMAT

Description: Non-material amendment to planning permission 19/00500/FUL to amend the description of development to increase the number of apartments in the specialist elderly living accommodation to 52no to reflect the plans submitted with application 22/00020/VARYCO

Status: REF

Reference Number: 22/02101/S106A

Description: Variation of S106 Agreement on approved application 19/00500/FUL (in conjunction with 22/00020/VARYCO) dated 24.02.21.

Status: PCO

Reference Number: A/ENQ/2008/0318

Description: Residential Development

Status: REPLY

Reference Number: A/ENQ/2006/0745

Description: Care Home and Housing

Status: REPLY

4. Consultee Responses

Alnwick Town Council	<p>The scale and nature of the changes requested raise several specific concerns (the relevant Alnwick & Denwick Neighbourhood Plan policy references are given in brackets:</p> <ol style="list-style-type: none">1. the proposed changes do not respect the character of the street scene and are out of keeping with all the surrounding buildings. Any proposed changes must be in keeping with the original Listed building and its setting (ADNP H5b, HD5e)2. the proposed changes to some of the materials will not be sympathetic to the surrounding suburban townscape. The historic nature of the setting must ensure that stone walls and slate roofs are used (ADNP H5f)3. the proposed changes would not respect the privacy or amenity of the adjoining properties as the proposed viewing
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	platforms on the retirement block will overlook neighbouring gardens and properties. (ADNP H5c, HD5)
Building Conservation	For 22/00020/VARYCO BH&D does not support the use of render, brick and upvc door and window frames in the mews houses and retirement living block in the absence of a clear and convincing justification. We consider the remaining changes proposed do not increase the level of harm to the setting of the listed building already identified in our comments to the 2019 application.
County Ecologist	No objection and suggested an updated wording for condition 21.
County Archaeologist	There are no objections to the present application on archaeological grounds. No archaeological work is recommended.
Historic England	No comment.
Natural England	Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.
Public Protection	No comment.
Alnwick Town Council	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	93
Number of Objections	8
Number of Support	0
Number of General Comments	0

Notices

Dep, affect LB & Con Area 10th February 2022

Northumberland Gazette 20th January 2022

Summary of Responses:

There have been eight representations raising several objections. These are detailed below:

- The development should retain the original materials
- The solar panels should be installed with the original build

- The noise from the sub-station could be a nuisance for those nearby properties
- There are no details of acoustic mitigation for the air source heat pumps
- The winter gardens / balconies are not a positive addition and will cause privacy issues with existing houses
- Concerns that the solar panels will be reflective

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=R58SIVQSLMG00>

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)
 HOU 1 - Making the best use of existing buildings (Strategic Policy)
 HOU 2 - Provision of new residential development (Strategic Policy)
 HOU 3 - Housing requirements for neighbourhood areas (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 4 - Tranquillity, dark skies, and a sense of rurality
 ENV 7 - Historic environment and heritage assets
 ENV 9 - Conservation Areas
 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 2 - Community services and facilities
 INF 5 - Open space and facilities for sport and recreation
 INF 6 - Planning obligations

Alnwick and Denwick Neighbourhood Plan 'made' 2017 (ADNP)

H1 - Quantity of Housing
H2 - Location of Housing Development
H3 - Ensuring a Choice of Housing
H4 - Housing Design
CF5 - Future Development of the Middle Schools
TRA1 - Walking
TRA2 - Cycling
ENV1 - Providing New Green Space through Development
ENV2 - Protecting Green Space
ENV3 - Local Green Space
ENV6 - Protecting Trees
ENV7 - Landscaping of New Developments
ENV8 - Protecting Green Infrastructure
ENV9 - Sustainable Drainage Systems
ENV11 - Reducing Light Pollution
HD1 - Protecting Landscape Setting
HD2 - Heritage Assets at Risk
HD5 - Design in the Wider Town

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)
PPG - Planning Practice Guidance (2021, as updated)
NDG - National Design Guide (2019)
NMDC - National Model Design Code (2021)

6.3 Other Documents

Traditional Windows Their Care Repair and Upgrading (2017), Historic England

7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the Northumberland Local Plan and the Alwick and Denwick Neighbourhood Plan 2017.

7.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are particularly relevant to this application.

7.3 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- Principle of development
- Design Changes
- Ecology

- Planning Obligations
- Other Matters

Principle of Development

7.4 The principle of the development has been firmly established through the grant of consent reference 19/00500/FUL. This permission remains extant and was assessed against the provisions of the current local plan and the neighbourhood plan.

7.5 The principle of the proposal is consistent with the provisions of the development plan with the current approval still live.

Design Changes and Heritage Impacts

7.6 The Duke's School is a grade II listed building dating from 1904 built in ashlar with a slate roof. There are some later additions dating to c1960 which are not considered to be of intrinsic significance although legally they are part of the listed building. There are some later structures adjacent but not attached to the main school dating from c1960. Their dates preclude them from being considered curtilage listed. The site is out with the Alwick Conservation Area. The development has the potential to impact on the setting of the listed school, the Alwick Conservation Area, and certain listed buildings within it.

Retirement living block:

7.7 Council officers consider that the proposed changes to the retirement living block will result in less than substantial harm within the terms of the National Planning Policy Framework. Condition 28 was imposed on 19/00500/FUL requiring the LPA to approve the main construction materials.

7.8 The original submission included a change to the external materials to include elements of brick and render. This has now been removed following discussions between officers and the applicant.

7.9 Considering this change and the use of the original conditions this element of the proposal is consistent with policies ENV 7 and 9.

Duke's School Listed Building

7.10 The following is taken from the council's Built Heritage and Design Officer's comments:

"We have no in principle objections to the four bullet points set out. However, on a practical note plan 252-P2 uses colour coding with several variations of red to brown which is difficult to read. As BH&D has had the benefit of looking closely at the windows this does not inhibit our understanding of the proposal, but others less used to the building could struggle.

A key part of the how the windows will be addressed is in the Heritage Impact Assessment (HIA). It would be prudent if this document were brought within the list of approved documents. In assessing window proposals BH&D refers to Historic England guidance Traditional Windows Their Care Repair and Upgrading (2017). The first position is to repair and retain the existing traditional windows. However, the guidance

sets out at p54 the circumstances in which double glazing may be acceptable. The approach set out in the HIA is broadly in line with the HE guidance. However, the circumstances of the Dukes School fenestration is complicated by several factors. First, given it has only been listed in recent years there is a legacy of some existing timber framed double glazed windows. Some windows have been replaced in white UPVC much to the detriment of the special interest of the listed building. Some surviving traditional timber framed windows have been altered with inferior quality inserts. While a solution for the surviving windows in the listed building (and the new additions) are still emerging through the developer's project team we are satisfied that 252-P is a broadly acceptable strategy subject to the continued application of relevant window conditions as set out in 19/00500/FUL & 19/00501/LBC."

7.11 In line with these comments this element of the submission is considered acceptable, and the list of approved documents has been updated.

Mews Houses

7.12 The proposed changes to the Mews Housing is result in a less than substantial harm outcome as per the criteria of the NPPF. Council officers are content to support this element of the proposals so long as the relevant conditions remain in place.

Summary

7.13 The council's Built Heritage and Design Officer has summarised their position as follows:

We suggest conditions in force on the 2019 applications relevant to materials and fenestration remain in place subject to the substitution of relevant plan reference numbers. The HIA should be added to the list of approved documents. References to slate must refer to natural slate. References to stone must relate to natural stone.

7.14 Taking these comments on board the conditions list has been updated to reflect their input. The proposal is considered consistent with the relevant provisions of the development plan.

Ecology

7.15 The applicant is seeking to vary condition 21 which requires confirmation of a species license from Natural England or that one is not required. The issue here is the wording of the condition, and its requirements could end up putting the applicant in an unending loop without being able to either achieve a license or discharge the condition. The applicant does not consider the condition to meet the necessary tests in that it is potentially unenforceable.

7.16 The County Ecologist has commented that following wider discussions this standard condition has been amended and therefore can be updated to reflect the recent changes. This is included in the proposed list of conditions and replaces the original condition 21.

Planning Obligations

7.17 The extant s106 agreement contains a clause that ensures it is carried forward to any subsequent permissions. Furthermore, it is written in such a manner that does not allow it to be revisited by either party.

7.18 To summarise the S106A has agreed the following:

- Education Contribution (£306,000 (Primary Education £162,000, Secondary Education £144,000))
- Healthcare Contribution (£40,200)
- Affordable Housing Contribution (equivalent to 17% of the site following reduction for Vacant Building Credit)
- Coastal Mitigation Contribution (£58,800 (98 dwellings x £600))
- Replacement Playing Pitch (2.74 Hectares @ Greensfield)

Other Matters

7.19 It should be noted that the objections all raised the issue of materials and impact on the listed Duke's Middle School. The materials have now been altered to revert to the original stone finish. The proposal is seeking to utilise alternative energy sources to improve the sustainability of the applications including solar panels and air source heat pumps. Solar panels are matt finished so will not cause a reflective glare impacting on adjacent properties. There are no concerns from Public Protection regarding noise from the substation or the air source heat pumps. Such elements are regular in modern housing developments and founded complaints are not common. Finally, the winter gardens / balconies are a substantial distance (some 40m plus between elevations) from extant properties and officers do not consider that they will cause any undue impact on privacy beyond that already experienced in residential areas.

Equality Duty

7.20 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

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

Human Rights Act Implications

7.22 The Human Rights Act requires the County Council to consider the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful

enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.23 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.

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

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above stating the level of accordance with relevant Development Plan Policy (NLP and ADNP). The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF)

8.2 The principle of the development has been firmly established through the grant of consent currently extant. There are no objections from the consultees and council officers consider the proposed changes acceptable in terms of design and the historic environment.

8.3 Objections have been raised primarily against the change of materials. This has been resolved by removing it from the proposals. Other objections including concerns over privacy from the winter gardens / balconies, glint and glare from the solar panels and noise from air source heat pumps and the sub-station cabinet. These have all been addressed in the assessment and considered by consultees through the determination process.

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

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions

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. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

Retirement Living

311-P4 Proposed LG Layout
312-P4 Proposed GF Layout
313-P4 Proposed FF Layout
321-P5 Proposed Elevations
113-P8 RL Site Layout
300-P2 Proposed Sections
314-P3 Proposed Roof Plan
322-P2 Coloured Elevations

Alms houses

114-P9 Alms houses Site Layout
402-P2 Alms houses Streetscenes
401-P6 House type booklet
PL39-B Proposed Streetscene Mews Houses

School

112-P6 School Proposed Layout
201-P2 - Overall demolition plan
211-P2 Proposed LG Plan
212-P3 Proposed GF Plan
213-P3 Proposed FF Plan
214-P2 Proposed SF Plan
215-P2 Proposed Roof Plan
221-P2 Proposed Elevations
231-P2 Proposed Sections
241-P2 LGF Demolished Plan
242-P2 GF Demolished Plan
243-P2 FF Demolished Plan
244-P2 SF Demolished Plan
245-P2 Roof Demolished Plan
246-P2 Demolition Elevations
251-P2 Fire Strategy Plan
252-P2 Proposed window strategy

Layout drawings

111-T1 Proposed Site Layout
121-P3 Proposed Site Sections
131-P12 Proposed Boundary Treatment Plan
133-P3 Existing and Proposed Wall elevations access point
134-P7 Vehicular access proposals (south)

Drainage

140895 MD Output North 010422

140895 MD Output South 010422

140895-2050-C

140895-2051-D

140895-04-Flood Risk Assessment and Drainage Strategy Issue 4

Heritage Impact Assessment

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

03. The development shall not be occupied until a scheme for parking management measures, including School Keep Clear restriction/prohibition of parking, on The Avenue, have been implemented, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

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

04. Development shall not commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

Reason: In the interests of visual amenity of the area, in accordance with the National Planning Policy Framework.

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

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

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

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

07. The development shall not be occupied until the vehicular accesses to the site from The Avenue and Swansfield Park Road, have been constructed, in accordance with Type 'C' of Northumberland County Council specifications and the accesses from Hope House Lane have been upgraded and resurfaced in accordance with Type 'B'.

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

08. No residential unit shall be occupied unless works to provide dropped kerb crossing points and footway resurfacing and alterations to existing accesses along Hope House Lane, reinstatement of kerbs and footway at redundant access on The Avenue and footway resurfacing along Swansfield Park Road within 20m either side of new site access, have been completed, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

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

09. Notwithstanding the details provided, the development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

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

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

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

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

12. No development shall commence 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.

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

13. No development 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; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework.

14. Development shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Demolition and 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; and,
- v. storage of plant and materials used in constructing the development

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

15. Prior to commencement details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

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.

16. Prior to commencement details of the SuDS Basin Maintenance Track shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase by providing access to the basin for maintenance

17. Prior to the first use of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

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

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

18. Prior to first occupation an assessment into the structural integrity of the proposed SuDS basins shall be undertaken. This assessment shall ensure the structural integrity of the drainage system and any adjacent structures or infrastructure

under anticipate loading conditions over the design life of the development considering the requirement for reasonable levels of maintenance.

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

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

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

20. Prior to construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

21. Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:

- licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or
- written justification by a suitably qualified ecologist confirming why a licence is no longer required

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report (BSG Ecology, January 2019 (revised June 2019) which details the methods for maintaining the conservation status of bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report (BSG Ecology, January 2019 (revised June 2019) which details the methods for maintaining the conservation status of protected species unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

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

22. No development shall take place unless in accordance with the (bat) mitigation detailed within the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report. BSG Ecology, January 2019 (revised June 2019) , including, but not restricted to adherence to timing constraints and working methods; retention of external roasts on Building 1, and provision of boxes during construction. Only Bitumen type 1F roofing felt with a hessian matrix will be installed in roofs used by bats.

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

23. Nest sites for swift will be marked up and retained during construction, with details of how the species will be accommodated during construction (e.g. by timing restrictions) forwarded to the LPA for approval in writing prior to development commencing. Alternative nesting provision for house martin will also be included. The mitigation will be fully implemented as approved.

Reason: to maintain nesting sites for swift and house martin, amber listed birds of conservation concern.

24. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law.

25. No tree works on site will commence unless in strict accordance with the measures in the report Arboricultural Impact Assessment, and associated Tree Protection Plan and Arboricultural Method Statement. (May 2019, All About Trees). A checking survey should be completed prior to the commencement of works affecting trees within the Site to determine whether any red squirrel dreys or bat roosts are present. If red squirrels are found to be present within the Site, the qualified ecologist will liaise with the contractor to ensure that measures are adopted to avoid impacts on red squirrels and bats.

Reason: to maintain the landscape and biodiversity value of the site and avoid harm to protected species.

26. Any trenches or deep excavations are covered at the end of each working day or ramps installed to provide exit routes for any animals that fall in.

Reason: to ensure that protected species are not harmed during construction.

27. Prior to development reaching damp-proof course level a Biodiversity Enhancement Plan will be provided to the LPA for approval in writing, and should include clearly marked-up plans showing:

4 bat boxes (2FR Schwegler Bat Tube or equivalent) incorporated into gable ends on the east and west elevations of new buildings in the southern part of the Site;
Gaps in all external and internal boundaries measuring 13cm x 13cm at the base of fences or walls to allow movement through the site by hedgehog;
Detailed planting and management scheme for the Landscape Strategy including creation of species rich native grassland (use locally sourced Northumberland Meadow Mix) and planting of wildflowers and native scrub planting;
Details of SUDS design and planting, maximising biodiversity gain;
Position of 14 bat boxes (2FR Schwegler Bat Tube or equivalent) incorporated into gable ends on the east and west elevations of new buildings in the southern part of the Site;
Position of 52 swift bricks incorporated into new buildings within the southern part of the Site, in clusters of 4 per building on northern elevations away from windows, facing onto greenspace within the Site; and,
Position and design of two habitat piles within areas of woodland in the south of the site to provide additional opportunities for shelter for hedgehog.

The approved plan will be fully implemented as approved.

Reason: to maintain the landscape and biodiversity value of the site.

28. Prior to the commencement of development above damp proof course level and notwithstanding the approved details in the application particulars of all construction materials for the new buildings within the scheme shall be submitted to, and approved in writing by the Local Planning Authority. Samples of the proposed materials shall be made available on site for inspection and retained for the duration of the works. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF

29. Prior to the installation of the windows, window frames, doors, and door frames within the new build elements of the scheme, details (including plans, elevations) regarding windows, window frames, doors and door frames shall be submitted and approved in writing by the LPA. This should include details relating to their design, materials, and colour. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

30. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no;

Extensions;
Outbuildings;
Porches;

Roof Openings;
Cladding/Rendering; or
Roof extensions.

Shall be added to or constructed within the curtilage of the resulting property hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: In the interests of visual and residential amenity and in accordance with the development plan, neighbourhood plan and the National Planning Policy Framework.

31. 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: To ensure that risks from 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.

32. 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 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.

33. Prior to the first occupation of the development a long term tree management strategy will be agreed in writing by the Local Planning Authority. The trees and vegetation on the site will be maintained in accordance with the agreed strategy thereafter.

Reason: To ensure the protection of the trees and vegetation included in the development.

Background Papers: Planning application file(s) 22/00020/VARYCO