

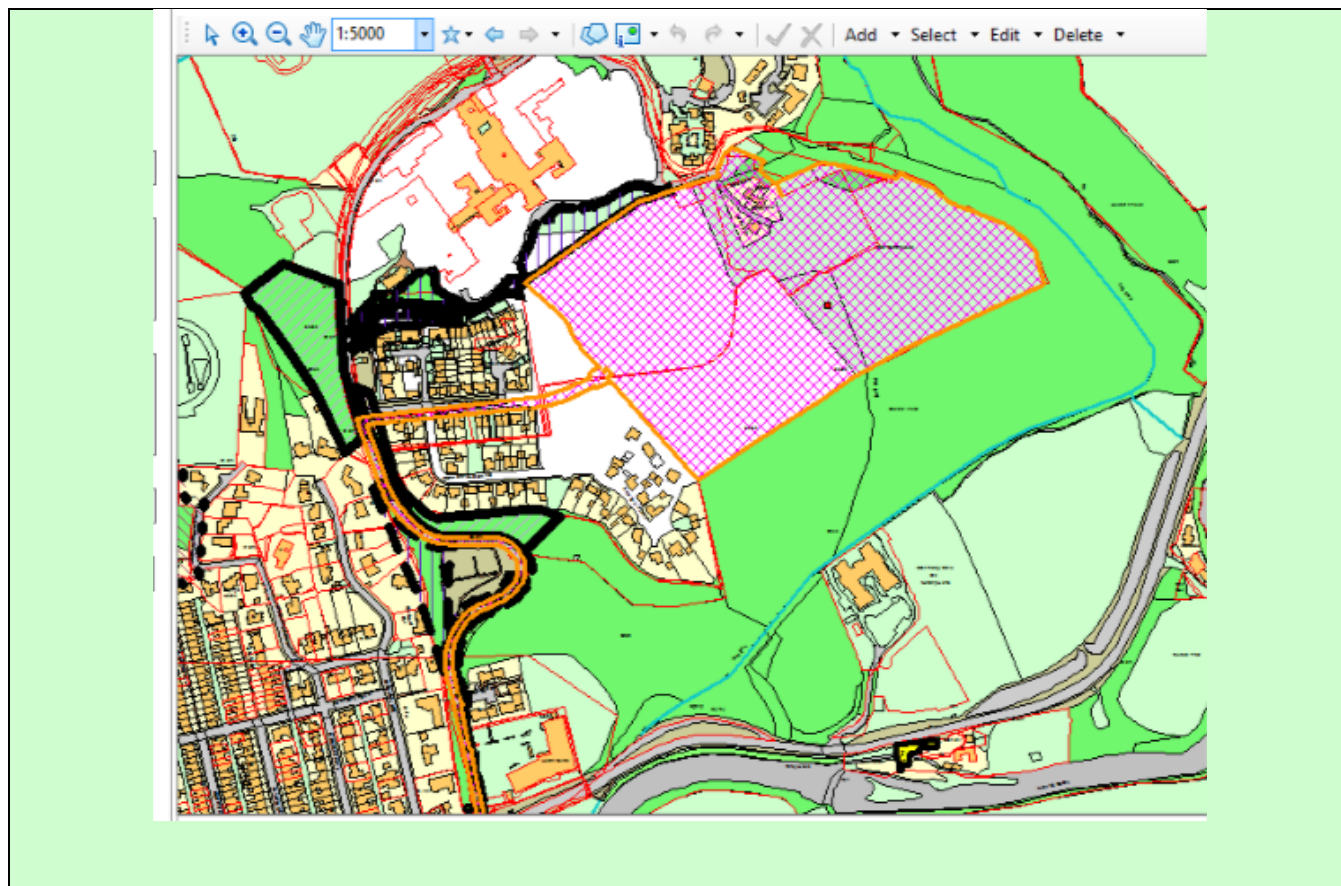


# Northumberland County Council

## Strategic Planning Committee 6/9/22

<b>Application No:</b>	21/04941/VARYCO		
<b>Proposal:</b>	Variation of condition 2 on approved application 19/00904/FUL in order to amend landscape plans to change position of play area so condition 10 can be complied with, resulting in slight amendment to landscaping. (amended description)		
<b>Site Address</b>	Land South Of Bluebell Court, East Cottingwood, Morpeth, Northumberland		
<b>Applicant:</b>	Paul Hacking 2 Esh Plaza, Sir Bobby Robson Way, Gosforth, NE13 9BA	<b>Agent:</b>	None
<b>Ward</b>	Morpeth North	<b>Parish</b>	Morpeth
<b>Valid Date:</b>	21 December 2021	<b>Expiry Date:</b>	5 July 2022
<b>Case Officer Details:</b>	Name: Mrs Tamsin Wood Job Title: Principal Planning Officer Tel No: 01670 625545 Email: tamsin.wood@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission



## **1. Introduction**

1.1 Given the number of objections the Chair of the committee and Director of Planning decided that the application should be determined at Committee.

## **2. Description of the Proposals**

2.1 Planning permission was granted under application 19/00904/ful for the 'Construction of 158 dwellings, forming phase 1B of the development of the former St Georges Hospital site in Morpeth. (amended description)'. This permission was subject to a number of conditions including Condition 2 which listed the approved plans.

2.2 This application seeks an amendment to only the position of the play features on the open space to the west of the site so that condition 10 can be complied with. Condition 10 states:

'The play area to be provided in the open space shall be implemented in full accordance with the approved plans before the occupation of the 30th house and thereafter such play area provision shall be maintained.  
Reason: To achieve a satisfactory form of development and to secure appropriate provision for on-site play provision in accordance with Policy R4 of the Castle Morpeth Local Plan'

2.3 The reason why condition 10 cannot currently be complied with is because the site compound is on the area of open space to the west of the site where the play area is proposed. The Construction Method statement plan which showed the compound on this site was an approved document and therefore this position has been agreed.

2.4 As such permission is now sought to vary the approved landscape plans set out under condition 2, to show the position of the play area in the southern part of the open space rather than the northern part, so that it can be constructed and provided in accordance with Condition 10.

2.5 The site is located approximately 1km north east of the town centre of Morpeth off the A197 / Dark Lane. There is currently no access to the application site from the north with all vehicular traffic entering from the south via the junction with the A197 / Dark Lane and Phase A which has been completed. This site (Phase B) is greenfield land comprising rough grass land. Two buildings which were on this site have been demolished. The site comprises an area principally to the east and south east of the main former hospital buildings. The new St Georges Hospital itself is located immediately to the north east of the site. To the east the site is bound by Howburn Wood whilst to the south is Bluebell Wood beyond which lies the A197. To the west beyond the Phase A site is a further tree belt, residential properties, and King Edward VI School with its associated playing fields.

## **3. Planning History**

**Reference Number:** 19/00904/FUL

**Description:** Construction of 158 dwellings, forming phase 1B of the development of the former St Georges Hospital site in Morpeth. (amended description)

**Status:** PER

**Reference Number:** 21/01442/DISCON

**Description:** Discharge of Conditions 18(Surface Water Construction Management Plan), 21(Dust Management Plan), 23(Remediation Method Statement), 25(protective measures) and 27(Borehole Verification Report) on approved application 19/00904/FUL.

**Status:** CONREF

**Reference Number:** 21/03026/DISCON

**Description:** Discharge of condition 3 (materials) on approved application 19/00904/FUL.

**Status:** PER

**Reference Number:** 21/03578/DISCON

**Description:** Discharge of condition 4(ground levels), 9(bird nesting and bat roosting), 16(permeable paving), 31(external lighting), 33(Estate Street Phasing and Completion Plan) and 35(full engineering, drainage, street lighting and constructional details) on approved application 19/00904/FUL.

**Status:** PER

**Reference Number:** 21/04550/DISCON

**Description:** Discharge of Conditions 14 - (Open Space Management and Maintenance Scheme), 17 - (adoption and maintenance of all SuDS features), 34 - (future management and maintenance of the proposed streets), 37 - (details of surface water drainage) pursuant to planning application 19/00904/FUL-amended description

**Status:** PER

**Reference Number:** 22/02210/DISCON

**Description:** Discharge of Condition 15 (Archaeological Excavation Report) on approved application 19/00904/FUL

**Status:** PCO

**Reference Number:** C/01/00207/CPC

**Description:** Outline proposal for redevelopment of buildings and conversion to provide 150 dwelling units, 5839m2 of offices and enlarged playing field

**Status:** PER

**Reference Number:** 14/02750/FUL

**Description:** Hybrid planning application - Full planning permission sought for demolition of existing hospital buildings and development of 119no. dwellings (Use Class C3) with associated access, landscaping, public open space, parking, infrastructure and engineering works (Phase A). Outline planning permission sought for phased redevelopment of site for up to 256no. dwellings (Use Class C3) including change of use of administration block to residential and assembly and leisure use (Use Class C3 & D2) with associated public open space (Phase B & C).

**Status:** PER

**Reference Number:** 15/02479/DISCON

**Description:** Discharge of conditions 5 and 8a relating to planning permission 14/02750/FUL (Hybrid planning application - Full planning permission sought for

demolition of existing hospital buildings and development of 119 no. dwellings (Use Class C3) with associated access, landscaping, public open space, parking, infrastructure and engineering works (Phase A). Outline planning permission sought for phased redevelopment of site for up to 256 no. dwellings (Use Class C3) including change of use of administration block to residential and assembly and leisure use (Use Class C3 & D2) with associated public open space (Phase B & C))

**Status:** PER

**Reference Number:** 15/03821/DISCON

**Description:** Discharge of conditions 7, 12 (traffic), 9 (gas membrane), 10, 11, 16 (drainage) 13 (archaeology), 14 (materials), 15 (site layout) 17 (management/maintenance plan) of approved planning application 14/02750/FUL Hybrid planning application

**Status:** CONREF

**Reference Number:** 16/01314/NONMAT

**Description:** Non-material amendment to 14/02750/FUL (amendment - include 2no. single garages to plots 4 and 5. Reduce garage of plot 12 from double to single. Amend turning head to South East of site to allow for 3no. visitor parking spaces in line with Highways comments)

**Status:** PER

**Reference Number:** 16/02340/DISCON

**Description:** Discharge of Condition 6 (Remediation), 18 (Landscaping) & 19 (Landscape Management) of Planning Permission 14/02750/FUL - Hybrid planning application - Full planning permission sought for demolition of existing hospital buildings and development of 119no. dwellings (Use Class C3) with associated access, landscaping, public open space, parking, infrastructure and engineering works (Phase A). Outline planning permission sought for phased redevelopment of site for up to 256no. dwellings (Use Class C3) including change of use of administration block to residential and assembly and leisure use (Use Class C3 & D2) with associated public open space (Phase B & C).

**Status:** PER

**Reference Number:** 17/01368/VARYCO

**Description:** Variation of conditions 2 (plans) and 18 (landscaping) of approved planning application 14/02750/FUL (revised address)

**Status:** PER

**Reference Number:** 17/03544/VARYCO

**Description:** Variation of conditions 2 (approved plans) 14 (schedule of samples) 19 (landscape management plan) 20 (proposed roads and footpaths) and 24 (road standards) pursuant to planning permission 14/02750/FUL in order to substitute house types and minor layout amendments within phase 1A.

**Status:** PER

**Reference Number:** 18/03987/DISCON

**Description:** Discharge of Conditions 5 (Layout Plan), 7a (Programme of Archaeological Work), 8 (Refuse & Recycling Storage) and 12 (Street Lighting) pursuant to planning application 17/03544/VARYCO.

**Status:** PER

**Reference Number:** 19/00904/FUL

**Description:** Construction of 158 dwellings, forming phase 1B of the development of the former St Georges Hospital site in Morpeth. (amended description)

**Status:** PER

**Reference Number:** 19/02721/DISCON

**Description:** Discharge of conditions 6 (access road) and 10 (highway improvements) pursuant to planning application 17/03544/VARYCO.

**Status:** PCO

**Reference Number:** 21/01442/DISCON

**Description:** Discharge of Conditions 18(Surface Water Construction Management Plan), 21(Dust Management Plan), 23(Remediation Method Statement), 25(protective measures) and 27(Borehole Verification Report) on approved application 19/00904/FUL.

**Status:** CONREF

**Reference Number:** 21/03026/DISCON

**Description:** Discharge of condition 3 (materials) on approved application 19/00904/FUL.

**Status:** PER

**Reference Number:** 21/03578/DISCON

**Description:** Discharge of condition 4(ground levels), 9(bird nesting and bat roosting), 16(permeable paving), 31(external lighting), 33(Estate Street Phasing and Completion Plan) and 35(full engineering, drainage, street lighting and constructional details) on approved application 19/00904/FUL.

**Status:** PER

**Reference Number:** 21/04550/DISCON

**Description:** Discharge of Conditions 14 - (Open Space Management and Maintenance Scheme), 17 - (adoption and maintenance of all SuDS features), 34 - (future management and maintenance of the proposed streets), 37 - (details of surface water drainage) pursuant to planning application 19/00904/FUL-amended description

**Status:** PER

#### 4. Consultee Responses

Morpeth Town Council	<p>Morpeth Town Council object to this variation as is not clear why the developer feels the need to make this change now, rather than stick to the original plan. We note the objections of residents re further exposure to the dust and disruption of the compound if it continues in its current position until completion of phase 1C as proposed and the delay in providing the play facilities promised to new house buyers.</p> <p>This contravenes Policy Des1 of the MNP that "Development proposals should make a positive contribution to their surroundings in terms of ensuring that the development does not cause unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties".</p>
Neighbourhood Plan Team	No response received.
County Ecologist	No objection to the variation.
South SE Tree And Woodland Officer	No response received.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	157
Number of Objections	24
Number of Support	0
Number of General Comments	0

### Notices

General site notice, 23/2/22

No Press Notice Required.

### Summary of Responses:

24 letters of objection with some from the same household have been received which in summary state:

- No mitigating circumstances that have arisen that require the applicant to change the planning permission.
- The need to move the compound in order to deliver the open and playing spaces after the sale of the 30th house in phase 1B was entirely predictable and was present at the time of the existing planning application.
- The proposed change contravenes condition 10 (not delivering the play area), and condition 13 (failure to deliver promised planting of compounded area). 2) Approving this variation would also mean contravention of condition 13. *(response- the applicant has submitted this so they can comply with condition 10 and the applicant has been made aware that if they can't comply with condition 13 they will need to agree another time frame in writing with the LPA – this is not to be dealt with as part of this application)*
- The proposed application to leave the compound in place until 1B is complete means the residents of Rastrick Way and surrounding areas will have to put up with the dust, noise, traffic, and loss of view for far longer than they were expecting at the time of their purchases and for far longer than was previously approved *(response- the compound has already been approved in its location under the 19/00904/ful application)*
- The open and play spaces were promised to residents at the start of phase 1A. To be without a resource sold to them for up to a decade is unacceptable. People spent a lot of money purchasing houses off plan for a location on the estate to benefit from those planned amenities. *(response- this is really a civil issue with the developer )*
- Confidence in the applicant to deliver the plan on time is damaged by their failure to complete phase 1A after more than 5 years. Roads, footpaths, green spaces, and planted areas remain unfinished and in a state of disrepair. Repeated problems with lighting and road conditions. *(response- not relevant to this application. This is a civil matter or to be dealt with through enforcement if neighbours wish)*

-Vistry must have had an alternate plan for the site compound (unless they knew they'd get it) *(response- not relevant to this application/ not planning issue)*

- What is the reason for this other than Vistry like where the compound is and it's easier for them to access. Why is it not viable to move the compound. *(response- not relevant to this application/ not planning issue)*

-The roundabout/traffic lights and the unsuitability of the current access road / lack of link to the bypass have still not been started *(response- not relevant to this application)*

- The site compound was required to be relocated as a condition of the original application and not maintaining their current compound as it is *(response- not relevant to this application)*

-On multiple occasions Linden/Vistry have been in breach of condition 20 – with site work starting before 0800. *(response- not relevant to this application/ this matter can be dealt with through enforcement if neighbours wish )*

- The play area and open space were sold to residence of Phase 1A. This phase has now been “completed” for approaching 24 months. Delay in play facilities / open space promised to residents. Vistry's proposal would delay the creation of this space for years and all the kids in the neighbourhood will miss out.. *(response- the applicant has submitted this so they comply with condition 10)*

- The proposal to place the play area next to the suds basin open body of water concerns me from a child safety point of view. *(response- do accept this could be a concern. NCC Ecology have no objection to the amendment. Quite often suds areas are landscaped as this area will be to offer attractive walking / recreation routes and their multi purpose is considered to be a benefit. In this case though whilst the play area will be on the site of the large suds pond, which won't necessarily have water in it all the time, the play area will still be separated.*

-Developer constantly changing goal posts.

-The site compound is an eyesore.

- Part of the road along from there at the junction of Copperfield and Palmerston is also being used as a material store. Signage directing construction vehicles not to be visible as there are often lorries heading into the estate.

-Can Vistry be forced to do something with the part of the site containing the old hospital buildings and chapels before allowing further development of the fields around the hospital. These have been left to rot and whilst I understand may be difficult. I'm sure Vistry are hoping that they become such a state that they need to be demolished rather than retained.

-Given they have just announced the road is going to be closed up the hill to the hospital for a number of weeks, I would advise that they are made to maintain the brambles etc that have grown through the fence along the road to the hospital. At the moment pedestrians are forced onto the road and given the increase of cars that will be in the areas this is likely to cause an accident.

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=R4F8N0QSLE600>

## **6. Planning Policy**

### 6.1 Development Plan Policy

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

Policy STP 1 Spatial strategy (Strategic Policy)

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

Policy STP 3 Principles of sustainable development (Strategic Policy)

Policy STP 6 Green Infrastructure

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

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

Policy HOU 1 Making the best use of existing buildings (Strategic Policy)

Policy HOU 2 Provision of new residential development (Strategic Policy)

Policy HOU 3 Housing requirements for neighbourhood plan areas (Strategic Policy)

Policy HOU4 Housing development site allocations

Policy HOU 5 Housing types and mix

Policy HOU 6 Affordable Housing provision

Policy HOU 8 Residential Development in the open countryside

Policy HOU 9 Residential development management

Policy QOP 1 Design principles (Strategic Policy)

Policy QOP 2 Good design and amenity

Policy QOP 4 Landscaping and trees

Policy QOP 5 Sustainable design and construction

Policy QOP 6 Delivering well-designed places

Policy TRA 1 Promoting sustainable connections (Strategic Policy)

Policy TRA 2 The effects of development on the transport network

Policy TRA 4 Parking provision in new development

Policy ICT 2 New developments and infrastructure alignment

Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

Policy ENV 2 Biodiversity and geodiversity

Policy ENV 3 Landscape

Policy WAT 1 Water quality

Policy WAT 2 Water supply and sewerage

Policy WAT 3 Flooding

Policy WAT 4 Sustainable Drainage Systems

Policy POL 1 Unstable and contaminated land

Policy POL 2 Pollution and air, soil and water quality

Policy INF1 Delivering development related infrastructure (Strategic Policy)

Policy INF6 Planning Obligations

### Morpeth Neighbourhood Plan- Made 2011-2031

Policy Sus 1 – Sustainable Development Principles

Policy Des 1- Design Principles

Policy Set 1- Settlement Boundaries

Policy ENV1- Landscape and Wildlife Corridors

Policy ENV5- Local Wildlife Site

Policy HOU1- Housing Development

Policy HOU2- ST Georges Hospital, Morpeth



Policy HOU3- Housing Mix  
Policy HOU4- Delivering Affordable Housing Mix  
Policy HOU5- Infrastructure to serve new Housing Development  
Policy Tra 2- Traffic Congestion  
Policy Tra 3- Transport Requirements for New Developments  
Policy Tra 4- Development of Footpath and Cycleway Networks  
Policy Inf1- Flooding and Sustainable Drainage

## 6.2 National Planning Policy

National Planning Policy Framework 2019 (NPPF)  
National Planning Practice Guidance (amended, 2019)

## **7. Appraisal**

7.1 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started or an application for approval of reserved matters must be made. Section 73 cannot be used to change the description of the development either. There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. It is considered that the proposal sought in this instance can be considered to be a minor material amendment as it would comply with all the above criteria.

7.2 In respect of Section 73 applications such as this the planning legislation states that the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

7.3 If a Section 73 application is approved the end result is that a new planning permission is granted in respect of the development in its entirety albeit subject to differently worded conditions.

7.4 The main issues in the consideration of this application are therefore:

Principle of Development  
Design and landscape impact

### Principle of development

7.5 Matters relating to the principle of development were addressed in the original planning application 19/00904/FUL. The principle of development was deemed to be acceptable and does not need to be revisited in the determination of this section 73 application which only needs to address those issues pertinent to the application. In this case it is only the repositioning of the play area and slight amendment to the

landscaping in the open space area. In addition there is a clause in the Section 106 tied to the original consent that ensures it remains in force in respect of any permission under a section 73 application, without the need for further agreement.

### Design and landscape impact

7.6 The main purpose of this application is so the applicant is able to implement the play space as per the requirements of the original condition- 10 which states 'The play area to be provided in the open space shall be implemented in full accordance with the approved plans before the occupation of the 30th House..' etc. The application is therefore only for the repositioning of the play area as the site it was proposed on is used as the site compound which has also been agreed in the same location. Some slight amendments to the landscaping in the areas affected is also shown on the submitted plans. There are no changes to the size of the SUD's provision and all hardstanding, i.e. roads, footways, shared private drives are the same size.

7.7 The applicant has confirmed that the amount of public open space within the red line of phase 1B is exactly the same and the play feature provision is also exactly the same as the already permitted landscape proposals but on a different part of the site. In moving the play space this does mean that there is a very slight change in the type of planting in some areas, however this change is really just a swap from one area to the other, with the same type of planting proposed. As such the changes are not considered to be significant.

7.8 Overall, the changes are considered to be acceptable and will not provide a poorer quality of development or have any further impact than already approved, given the plans just really show a movement around of already approved features. The County Ecologist has raised no objection to the proposal either. The proposal is therefore still considered to be acceptable in terms of visual impact and the changes proposed will not have any further impact upon residential amenity, in accordance with the Local Plan and the NPPF.

### Other

7.9 In response to the above objections a lot of these are not relevant to this application including concern regarding general maintenance around the site development, other conditions not being complied with, buildings being left to fall into disrepair, lack of link to the bypass. Some of these are civil or enforcement matters. The applicant has however submitted this application in order to be able to comply with condition 10. This application is to move the play area so the applicant is able to implement the play space as per the requirements of the original condition- 10. This is because the approved position of the play area conflicts with the approved position of the site compound area. Whilst objectors are concerned that the compound is in the same position as it was for Phase 1a and so will be in this position for longer, the position of it has been agreed with Highways and the position of this is not being assessed as part of this application. The applicant is only seeking to change the location of the play area and slight changes to landscape.

7.10 In addition whilst a number of objections relate to the positioning of the actual compound, stating it is causing amenity issues and that the site where it is now should have been reverted back to open space on completion of Phase A1, the approved Construction Management Plan does show construction vehicles should take their route around the northern side of the residential properties, so not through the estate. This is also the only reasonable route with features such as woodland,

buildings and trees restricting the route and also the compound to its location. On a site visit the fencing around the site also appeared to be in a good state of repair. It is considered that the route of vehicles and the fencing therefore helps to limit the impact on amenity. The fencing is also required for safety and security reasons. Notwithstanding this the applicant will be made aware of the concerns raised. The applicant has also said they will open up the southern area of open space with play space when this has been completed and which will be before the dwellings have been completed.

## Equality Duty

The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

## Crime and Disorder Act Implications

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

## Human Rights Act Implications

The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

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

## **8. Recommendation**

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of 26<sup>th</sup> March 2021.

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

02. The development hereby approved shall be carried out in complete accordance with the approved plans. These plans are:  
Flood Risk Assessment and Drainage Strategy Revision C (30 June 2020) - CK21;  
Drawing 'SuDS Details - Sheet 1' number - 19032-CK-XX-XX-DR-C-(52)-104 Rev P2;  
Drawing 'SuDS Details - Sheet 2' number - 19032-CK-XX-XX-DR-C-(52)-105 Rev P1;  
Drawing 'SuDS Details - Sheet 3' number - 19032-CK-XX-XX-DR-C-(52)-106 Rev P1;  
Drawing 'Engineering Layout - Sheet 1' number - 19032-CK-XX-XX-DR-C-52-001 Rev P4;  
and  
Drawing 'Engineering Layout - Sheet 2' number - 19032-CK-XX-XX-DR-C-52-002 Rev P4.  
EXTERNAL WORKS ARRANGEMENT SHEET 2 19032-CK-XX-XX-DR-C90-002 P1  
EXTERNAL WORKS ARRANGEMENT SHEET 1, 19032-CK-XX-XX-DR-C90-001 P1  
PROPOSED GARAGE - SINGLE, SGM 519 G1 XX DR A 2020, Rev F  
PROPOSED GARAGE - DOUBLE, Feb 2019- SGM 519 G2 XX DR A 2021- Rev G  
PROPOSED GARAGE - EXTENDED DOUBLE, SGM 519 G4 XX DR A 2023  
SITE LOCATION PLAN- SGM 519 S XX DR A 0101  
PROPOSED SITE PLAN - FINISHES, SGM - 519 - S - XX - D - A - 2002, Rev E  
PROPOSED SITE LAYOUT- SGM - 519 - S - XX - D - A - 2001, Rev N  
PROPOSED SITE SECTION, SGM 519 S XX D A 2101, Rev F  
Illustrative layout - Playarea, ONE-Z1-XX-DR-L-0801, Po3  
PROPOSED HOUSE TYPE GRAINGER, SGM 519 HT10 XX DR A 2019, Rev J  
PROPOSED HOUSE TYPE 1001, SGM 519 HT6 XX DR A 2015, Rev J  
PROPOSED HOUSE TYPE MYLNE, SGM 519 HT8 XX DR A 2017, Rev K  
PROPOSED HOUSE TYPE MOUNTFORD, SGM 519 HT5 XX DR A 201, Rev I  
PROPOSED HOUSE TYPE HARCOURT, SGM 519 HT1 XX DR A 2010, Rev E  
PROPOSED HOUSE TYPE EVELEIGH, SGM 519 HT3 XX DR A 2012, Rev F  
PROPOSED HOUSE TYPE 304, SGM 519 HT4 XX DR A 2013, Rev E  
PROPOSED HOUSE TYPE PEMBROKE, SGM 519 HT9 XX DR A 2018, Rev I  
Proposed Planting Plan Sheet 1 of 5, N788-ONE-ZZ-XX-DR-L-0201 P13  
Proposed Planting Plan Sheet 2 of 5, N788-ONE-ZZ-XX-DR-L-0202 P13

Proposed Planting Plan Sheet 3 of 5, N788-ONE-ZZ-XX-DR-L-0203 P12  
Planting Plan Sheet 4 of 5, N788-ONE-ZZ-XX-DR-L-0204 P13  
Proposed Planting Plan Sheet 5 of 5, N788-ONE-ZZ-XX-DR-L-0205 P10  
Proposed Softworks Plan Overview PRELIMINARY N788-ONE-ZZ-XX-DR-L0200 P12  
Site Internal Visibility Splays- View 1, 20-056/015 Rev A  
Site Internal Visibility Splays- View 2, 20-056/016 Rev A  
Site Internal Visibility Splays- View 3,4,5, 20-056/017 Rev A  
Swept Path of a 11.6m Refuse Vehicle, 20-056/TK02, Rev C  
Swept Path of a 11.6m Refuse Vehicle, 20-056/TK03, Rev C  
Swept Path of a 11.6m Refuse Vehicle, 20-056/TK01, Rev C  
CONSTRUCTION METHOD STATEMENT & PLAN, M102-XX-XX-X-X-DR-CXX-01  
-Transport Statement  
-Road Safety Audit Response Report  
- UPDATE ECOLOGICAL APPRAISAL, June 2020  
- Bluebell Wood and Howburn Wood, 10 Year Woodland Management Plan, February 2021, Version 3.1  
ARBORICULTURAL IMPACT ASSESSMENT, 25/06/20  
ARBORICULTURAL IMPACT ASSESSMENT JUNE 2020  
LANDSCAPE MANAGEMENT PLAN  
GENERAL MAINTENANCE SCHEDULE SHEET 1 and 2  
Dust Management Plan May 2019  
Site Management Methodology May 2019  
Air Quality Assessment

Reason: In the interests of proper planning, and for the avoidance of doubt.

03. The materials to be used in the construction of the external walls and / or roof(s) of the building(s) shall conform to the materials approved under 21/03026/DISCON on 27<sup>th</sup> August 2021.

Reason: To retain control over the external appearance of the development from the outset in the interests of amenity and in accordance with the provisions of in accordance with the provisions of Local Plan Policy H15.

04. The proposed ground levels shall be carried out in complete accordance with the details approved under 21/03578/DISCON on 21/1/22.

Reason: In the interests of visual amenity and residential amenity, in accordance with Local Plan Policy H15.

05. No trees or hedges shall be removed outside the application site boundary.  
Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with Local Plan Policy C15.

06. All remaining trees, bushes and hedges within, and to the boundaries of the site and trees which fall outside the site but have roots that fall within the application site, shall be protected throughout the course of development in accordance BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations, British Standards Institution, 2012 and the Arboricultural Impact Assessment Report.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with Local Plan Policy C15.

07. In this condition "retained tree" means an existing tree which is to be

retained in accordance with the approved plans and particulars;

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of the same species.

Reason: To ensure the protection of existing trees and hedges in the interests of visual amenity in accordance with Local Plan Policy C15.

08. All development shall be undertaken in full accordance with the Avoidance and Mitigation Strategy and Compensation Strategy set out in section H Recommendations of the report entitled Update Ecological Appraisal: Phase B, St Georges Hospital, Morpeth (E3 Ecology Ltd, Version RO6 Final, June 2020), including but not restricted to:

-The provision of a buffer zone of at least 15m width between the development site and the ancient woodland adjacent to it. This shall be fenced off prior to development commencing and protected from any damage or disturbance thereafter, and planted with a hedge comprising native thorny species as shown on drawing number N788-ONE-ZZXX-DR-L-0200 Revision P11 Proposed Softworks Plan - Overview

-Measures to secure the protection of species protected by law.

- Restrictions on external lighting to avoid light spill on woodland edges or the woodlandbuffer zone.

- The provision of 13cm x 13cm hedgehog gaps in all garden fencing.

Reason: To secure the protection of habitats and species of principal importance in accordance with paragraph 175 of the NPPF and in accordance with Local Plan Policy C11.

09. The built-in bird nesting and bat roosting features (eg bat bricks and swift bricks), shall be installed in complete accordance with the details approved under 21/03578/DISCON on 21/1/22.

Reason: To secure ecological enhancement, as required by paragraphs 170 and 175 of the NPPF. In accordance with Local Plan Policy C11.

10. The play area to be provided in the open space shall be implemented in full accordance with the approved plans before the occupation of the 30th house and thereafter such play area provision shall be maintained.

Reason: To achieve a satisfactory form of development and to secure appropriate provision for on-site play provision in accordance with Policy R4 of the Castle Morpeth Local Plan.

11. No removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds, all species of which are protected by law. In accordance with Local Plan Policy C11.

12. All garden boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species. In accordance with

## Local Plan Policy C11.

13. The approved landscaping scheme shall be fully implemented during the first full planting season (November March inclusive) following the commencement of development or within another time scale agreed in writing with the LPA.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site. In accordance with Local Plan Policy C11.

14. The development shall be carried out in accordance with the Open Space Management and Maintenance Scheme submitted to and approved in writing by the Local Planning Authority under 21/04550/discon on 15/6/22 , unless otherwise agreed in writing with the Local Planning Authority.

The open space areas provided shall be retained for their intended purpose at all times thereafter unless otherwise is approved in writing by the Local Planning Authority.

Reason: To ensure appropriate maintenance and management of open space having regard to the National Planning Policy Framework. In accordance with Local Plan Policy C11.

15. The development shall be carried out in accordance with the programme of archaeological work submitted to and approved in writing by the Local Planning Authority, under 22/02210/discon on 25/7/22.

Reason: The site is of archaeological interest in accordance with the NPPF.

16. All permeable paving within the development shall be carried out in accordance with the details approved under 21/03578/DISCON on 21/1/22.

Reason: To ensure that the scheme to dispose of surface water effectively disposes of surface water without increasing the risk of flooding elsewhere. In accordance with Morpeth Neighbourhood Plan Policy Inf1-deals with Flooding and Sustainable Drainage and Castle Morpeth District Local Plan Policy RE5.

17. The development shall be carried out in accordance with the details of the adoption and maintenance of all SuDS, submitted to and approved in writing by the Local Planning Authority under 21/04550/discon on 15/6/22 ,

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime. In accordance with Morpeth Neighbourhood Plan Policy Inf1-deals with Flooding and Sustainable Drainage and Castle Morpeth District Local Plan Policy RE5.

18. The disposal of surface water from the development through the construction phase shall be carried out in accordance with the details approved under 21/01442/DISCON on 15<sup>th</sup> June 2021.

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 Morpeth Neighbourhood Plan Policy Inf1-deals with Flooding and

## Sustainable Drainage and Castle Morpeth District Local Plan Policy RE5.

19. Prior to the first occupation of the development, a verification report 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. In accordance with Morpeth Neighbourhood Plan Policy Inf1-deals with Flooding and Sustainable Drainage and Castle Morpeth District Local Plan Policy RE5.

20. During the construction periods, 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. Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in an investigation as to whether a statutory nuisance is being caused  
Reason: To safeguard the amenity of neighbouring residential properties. In accordance with Local Plan Policy H15.

21. The emergency contact telephone numbers in the event of a dust complaint being received and the scheme specifying (Dust Management Plan) and the provision to control/mitigate dust emanating from the site, shall be implemented in accordance with the details approved under 21/01442/DISCON on 15<sup>th</sup> June 2021, in full and maintained until the construction process has been completed.  
(Guidance on the assessment of dust from demolition and construction can be found at the following: [www.iaqm.co.uk](http://www.iaqm.co.uk)).  
Reason: To Safeguard the amenity of neighbouring residential properties. In accordance with Local Plan Policy H15.

22. No flood lighting shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. The floodlighting shall thereafter be installed and operated fully in accordance with the approved scheme.

Reason: To retain control over floodlighting in the interests of visual amenity. In accordance with Local Plan Policy H15.

23. The development hereby permitted shall be carried out in accordance with the method statement detailing the remediation requirements to deal with any contamination of land or pollution of controlled waters as approved under 21/01442/DISCON on 15<sup>th</sup> June 2021.

Reason: To ensure that any contaminants within the site are dealt with in



an appropriate manner to afford protection to the public, the buildings and the environment. In accordance with Local Plan Policy RE8.

24. If during development, contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [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 any contaminants not previously considered within the site are dealt with in an appropriate manner to afford protection to the end user. In accordance with Local Plan Policy RE8.

25. The development shall be carried out in accordance with the report detailing the protective measures to prevent the ingress of ground gases, as approved in writing by the Local Planning Authority under 21/01442/DISCON on 15<sup>th</sup> June 2021.

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 properties. In accordance with Local Plan Policy RE8.

26. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 25, which has been approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gases, which may potentially be prejudicial to the health of future occupiers. In accordance with Local Plan Policy RE8.

27. No development shall be commenced until a verification report detailing the position of all boreholes installed for the investigation of soils, ground gases, groundwater or geotechnical purposes (including grouting), shall be submitted to the Local planning authority. The verification report shall detail on how redundant boreholes have been decommissioned and how any borehole that needs to be retained, post-development, for monitoring purposes will be secured, protected and inspected.

Reason: To ensure that redundant boreholes are safe and secure, and they do not cause preferential pathways for contaminant movement. In accordance with Local Plan Policy RE8.

28. The development shall be carried out in accordance with the details of the Interim Priority Junction arrangement with the B1337 Dark Lane / St George's Access Road, in broad accordance with Figure 1 of the approved Technical Note (Reference Technical Note 3, September 2020), together with details of carriageway and footway and footway/cycleway construction works, kerbs, traffic signage, road markings, street lighting, traffic signal works, drainage and utilities and associated works, that were submitted to and approved in writing by the Local Planning Authority, under 22/02620/discon on 28/7/22.

Thereafter, no more than 46 dwellings shall be occupied until these works have been constructed in accordance with the approved plans.

Reasons: In the interests of pedestrian and highways safety, amenity and

encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.

29. The development shall be carried out in accordance with the details of the Full Signalisation Junction arrangement with the B1337 Dark Lane / St George's Access Road, in broad accordance with Figure 2 of the approved Technical Note (Reference Technical Note 3, September 2020), together with details of carriageway and footway and footway/cycleway construction works, kerbs, traffic signage, road markings, street lighting, traffic signal works, drainage and utilities and associated works, that were submitted to and approved in writing by the Local Planning Authority, under 22/02620/discon on 28/7/22.

Thereafter, no more than 108 dwellings shall be occupied until these works have been constructed in accordance with the approved plans.

Reasons: In the interests of pedestrian and highways safety, amenity and encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.

30. The development shall be carried out in accordance with the details of the improvements to the St Georges Access Road between the B1337 Dark Lane junction and its junction with Palmerston Avenue (Phase 1A Access Road), that were submitted to and approved in writing by the Local Planning Authority, under 22/02620/discon on 28/7/22.

No dwelling shall be occupied until the improvements have been completed in accordance with the approved plans.

Reasons: In the interests of pedestrian and highways safety, amenity and encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.

31. The external lighting of the building(s) and external area(s) shall be implemented in complete accordance with the details approved under 21/03578/DISCON on 21/1/22 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.

32. 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.

33. The development shall be carried out in accordance with the Estate Street Phasing and Completion Plan details submitted to and approved in writing by the Local Planning Authority under 21/03578/DISCON on 21/1/22.

Reason: 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.

34. The development shall be carried out in accordance with the details of proposed arrangements for future management and maintenance of the proposed streets within the site as submitted to and approved in writing by the Local Planning Authority under 21/04550/discon on 15/6/22.

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.

35. The development shall be carried out in accordance with the full engineering, drainage, street lighting and constructional details of the streets proposed for adoption details submitted to and approved in writing by the Local Planning Authority under 21/03578/DISCON on 21/1/22, 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.

36. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

37. The development shall be carried out in accordance with the details of surface water drainage to manage run off from private land, as submitted to and approved in writing by the Local Planning Authority under 21/04550/discon on 15/6/22.

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.

38. 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 staff travel to work survey;

- ii clearly specified ongoing targets for staff 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.

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

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

40. The approved Construction Method Statement, and accompanying plan(s) shall be adhered to throughout the Construction period.

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

**Date of Report:**

**Authorised by:**

**Date:**

**Background Papers:** Planning application file(s) 21/04941/VARYCO