



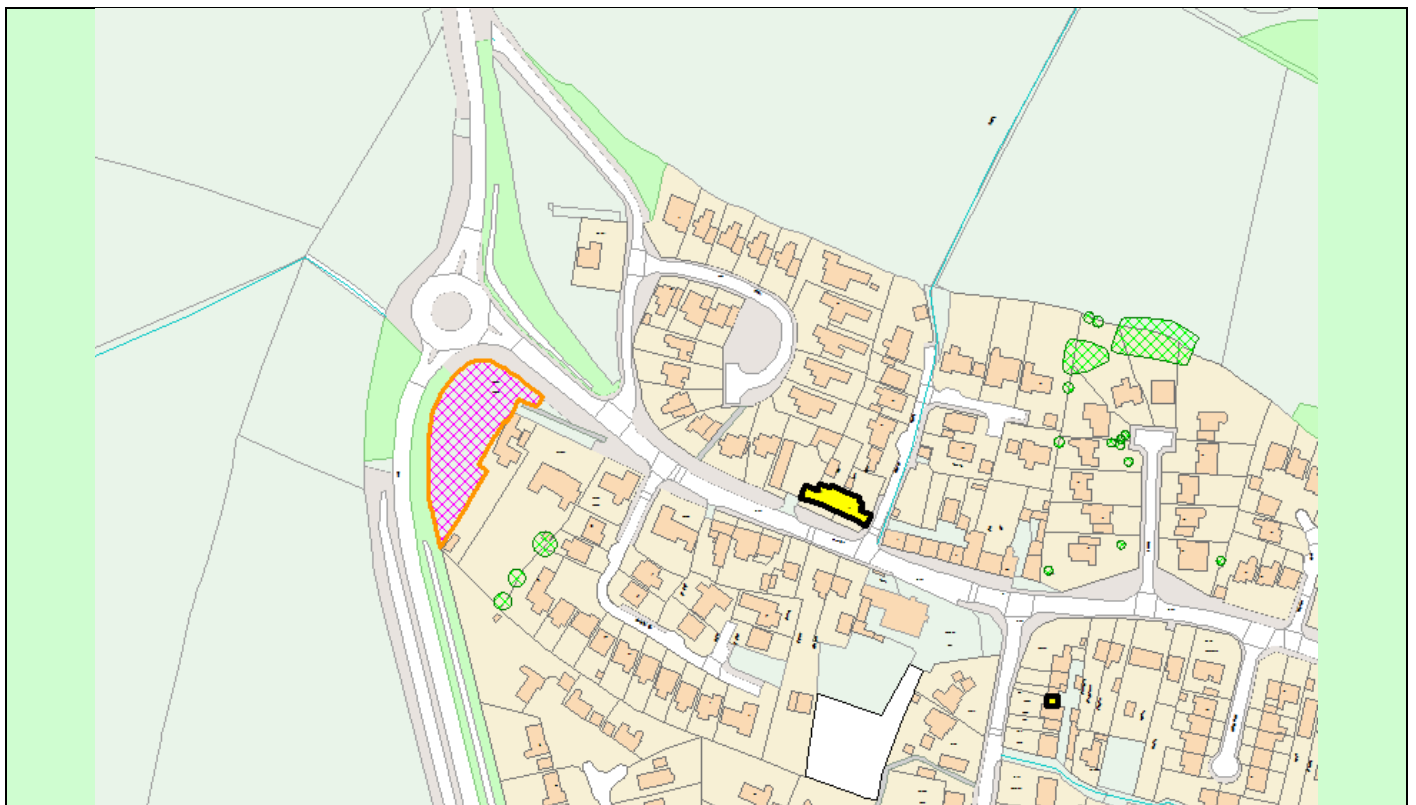
Northumberland

County Council

Castle Morpeth Local Area Council Committee, Monday 12th September 2022

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| Application No: | 21/01137/FUL | | |
| Proposal: | Construction of two residential properties, including new vehicular access, with associated drainage and infrastructure | | |
| Site Address | Land North West of Garden Cottage, Front Street, Ellington, Northumberland | | |
| Applicant: | Mr Peter Colquitt Lichfields, St. Nicholas Building, St. Nicholas Street, Newcastle upon Tyne, NE1 1RF | Agent: | Mr Dominic Crowley Lichfields, St Nicholas Building, St Nicholas Street, Newcastle NE1 1RF |
| Ward | Lynemouth | Parish | Ellington And Linton |
| Valid Date: | 22 March 2021 | Expiry Date: | 13 September 2022 |
| Case Officer Details: | Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk | | |

Recommendation: That this application be GRANTED permission subject to a legal agreement securing coastal mitigation contributions and relevant conditions.



1. Introduction

- 1.1 Following the receipt of an objection from Ellington and Linton Parish Council, the application was referred to the director of planning and the chairs of the local area council committee. The chair referral response confirmed that the application shall be determined at local area council committee.

2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of 2no residential dwellings on land north west of Garden Cottage, Front Street, Ellington.
- 2.2 The proposed dwellings would be 1.5 storey properties, constructed in brick with a slate roof. Plot 1, located to the site frontage, would measure 9.55m in width by 7.77m in length, incorporating a pitched roof that measures 6m to the ridge. Plot 2 proposes an L shaped arrangement that would measure a maximum of 11.8m in width by 14.17m in length. A pitched roof would also be incorporated upon this property, measuring 6.7m at the highest point.
- 2.3 Plot 1 would have a detached double garage located towards the northern boundary of the site, as well as hardstanding to the site frontage, whilst plot 2 would have an integral single garage with further parking provision to the front and side of the dwelling. A new access to the site would be created from the adjacent Front Street/C122 public highway.
- 2.4 Both properties would benefit from private outdoor amenity space with the the existing trees and hedging upon the western and northern boundaries of the site to be retained. A strip of hedging would be removed to the north east of the site to facilitate the proposed vehicular access.
- 2.5 The application site is located within the existing settlement of Ellington. Pre application advice was sought by the applicant prior to submission of the full planning application.
- 2.6 An amended proposal was submitted by the applicant on 21st July 2022 reducing the scale of the 2no dwellings following concerns being raised by the local planning authority. It is these amended details that will be considered within the below appraisal.

3. Planning History

N/A

4. Consultee Responses

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|-------------------------------------|--|
| Ellington And Linton Parish Council | Concern regarding highway safety, in particular with regard to how this will affect traffic coming off the roundabout off the A1068. |
| Highways | No objection subject to recommended conditions. |

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|-----------------------------------|---|
| County Ecologist | No objection subject to recommended condition. |
| Northumbrian Water Ltd | No objection subject to recommended condition. |
| Public Protection | No objection subject to recommended conditions. |
| Lead Local Flood Authority (LLFA) | No objection subject to recommended conditions. |

5. Public Responses

Neighbour Notification

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| Number of Neighbours Notified | 5 |
| Number of Objections | 5 |
| Number of Support | 6 |
| Number of General Comments | 2 |

Notices

General site notice, 29th April 2021
No Press Notice Required.

Summary of Responses:

5no objections were received against the application from neighbouring residents. Concerns were raised regarding:

- Access to the site;
- Highway safety;
- Flooding implications;
- Inaccuracy of application details;
- Impact upon visual character of the area;
- Residential amenity concerns;
- Development of a greenfield site;
- Lack of services;
- Biodiversity impacts;

Material planning considerations shall be assessed within the below appraisal.

2no general comments were received against the application, advising of the neutrality towards the proposals. These comments recognised benefits of the proposed development as well as concerns regarding the proposal.

6no support comments were received from members of the public. They supported the development due to –

- Unkept and overgrown land at present;
- A need for further development in Ellington;

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=QQ7TFGQSMU300>

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 - Sustainable development (strategic policy)
Policy STP 4 - Climate change mitigation and adaption (strategic policy)
Policy STP 5 - Health and wellbeing (strategic policy)
Policy HOU 2 - Provision of new residential development (strategic policy)
Policy HOU 5 - Housing types and mix
Policy HOU 9 - Residential development management
Policy QOP 1 - Design principles (strategic policy)
Policy QOP 2 - Good design and amenity
Policy QOP 3 - Public realm design principles
Policy QOP 4 - Landscaping and trees
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 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 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 INF 6 - Planning obligations

6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)
National Planning Practice Guidance (2021) (NPPG)

7. Appraisal

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

- Principle of development;
- Design and visual character;
- Residential amenity;
- Highway safety;
- Ecological impacts;

- Land contamination, stability and ground gas;
- Drainage and flooding.

Principle of development

- 7.2 Policy STP 1 of the NLP, read in conjunction with the Proposals Map which accompanies the Plan, identifies main towns, service centres and service villages across the county where sustainable development can be located. Ellington is recognised as a service village where a proportionate level of housing can be accommodated. The application site is located within the settlement of Ellington.
- 7.3 The site is clearly sustainable owing to its location within the existing settlement of Ellington. A public house, convenience store, supermarket and school are all located within walking distance of the application site. Furthermore, the site is well supported by public transport links that allow travel to neighbouring towns, as well as Newcastle city centre, without the requirement of a private car. Whilst the site is recognised as a greenfield plot with no evidence of previous built form, its location within the existing settlement boundary does ensure accordance with relevant policies included in the NLP.
- 7.4 The application site is bounded by residential development to the east with a number of existing residential properties located upon Front Street. The LPA recently permitted 3no dwellings on land to the north of the application site under application ref no. 21/01747/FUL.
- 7.5 The principle of development is therefore acceptable and accords with relevant local and national planning policy.

Design and visual character

- 7.6 Policy HOU 9 of the NLP states that residential development will be supported where they *'contribute to a sense of place'* and *'are constructed to a high quality of design'*. Policy QOP 1 is also relevant within this assessment and states that development proposals should *'make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography'*.
- 7.7 The NPPF at paragraph 126 recognises good design as a key aspect of sustainable development with paragraph 130 noting developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.8 As part of the application assessment, a site visit was undertaken by the planning officer to assess the application site and the wider surrounding area. An earlier visit had also previously been undertaken as part of the pre application submission. It was noted as part of the application assessment that there is an evident housing mix within Ellington however, bungalows are the identifiable housing style to the south of the C122 with two storey properties located to the north. The topography of the surrounding land slopes westwards, ensuring the site is not readily visible from neighbouring viewpoints, partly screened by existing dwellings. As part of the pre

application response provided by the LPA, it was outlined that careful consideration would need to be given to the ridge heights of the proposed dwellings, ensuring they were not significantly higher than existing properties within the immediate area.

- 7.9 Following the submission of amended details on 21st July 2022, the LPA are satisfied that the proposed 2no dwellings are of an appropriate scale and design that would not cause harm to the visual amenity of the area. The amended proposal reduces the ridge height of the dwellings, ensuring they are in keeping with the roof profiles upon neighbouring properties when taking into consideration the sloped nature of the land. The proposed material palette of brickwork and slate roof tiles is acceptable and the LPA can secure the submission of precise details via planning condition. Fenestration has been appropriately sited in a uniform pattern upon both properties.
- 7.10 The proposed dwellings accord with both local and national planning policy in regards to good design.

Residential amenity

- 7.11 Policy QOP 2 of the NLP states that *'development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area'*. Paragraph 130, part f) of the NPPF states that planning decisions should ensure that developments *'create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users'*.
- 7.12 The site is bounded by existing residential development to the east with a public highway bounding the site to the north and west beyond existing soft landscaping. The orientation and siting of the 2no dwellings within the plot ensures that there would be no significant adverse impact upon the amenities of the adjacent Garden Cottage or further plots located eastwards. Appropriate separation distances would be retained between the 2no dwellings and existing properties to ensure no significant overshadowing or loss of light would occur whilst fenestration has been appropriately sited to ensure no direct overlooking to protect the privacy of residents. The retention of soft landscaping upon the northern and western boundaries of the application site is welcomed, ensuring both properties benefit from well screened, outdoor amenity space. The introduction of timber fencing throughout the site will provide additional screening.
- 7.13 To protect the amenity of neighbouring residents during the construction phase, appropriate conditions have been recommended by the local authority's environmental protection team that must be adhered to throughout the construction works on site. Subject to conditions, the LPA are satisfied that the proposed development will not adversely impact upon the residential amenity of neighbouring properties in accordance with policy QOP 2 of the NLP and the NPPF.

Highway safety

- 7.14 Policy TRA 2 of the NLP states that developments will be expected *'provide effective and safe access and egress to the existing transport network'* and *'include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or highway safety'*. Policy TRA 4 is also relevant within this assessment and states that *'an appropriate amount of off-street vehicle parking to serve new development shall be made available in safe, accessible and convenient locations'*.
- 7.15 Paragraph 111 of the NPPF states that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 7.16 Consultation was undertaken with highways development management (HDM), who, following the submission of additional information, raised no objection to the application proposals subject to recommended conditions. A road safety audit prepared by the applicant was appropriately assessed by HDM, identifying improvement work that would secure highway safety on site through the implementation of the new access. The applicant will be required to enter into a S278 agreement with the local highways authority in regard to the construction of the vehicular and pedestrian access, as well as the relocation of traffic calming features upon the existing C122. A condition is recommended to ensure these works are completed in full prior to occupation of either dwelling.
- 7.17 Appropriate in curtilage parking has been demonstrated for both plots, according with NLP parking standards whilst matters relating to refuse storage and cycle parking can be secured via planning condition. To ensure highway safety throughout the construction phase of the development, a condition method statement (including plan) has been requested by HDM prior to the commencement of any development upon site. Subject to recommended conditions, the LPA consider the proposed development accords with both local and national planning policy in relation to highway safety.

Ecological impacts

- 7.18 Policy ENV 2 of the NLP states that developments should minimise their impact upon biodiversity and geodiversity and where possible, secure net gains. These provisions are mirrored within paragraph 174, part d) of the NPPF.
- 7.19 An ecological assessment forms part of the application submission allowing the LPA to appropriately assess potential impacts upon protected species and how these can be mitigated at the site. Consultation was undertaken with the local authority's ecologist who raised no objection to the application subject to recommended conditions and the securing of coastal mitigation contributions via a legal agreement. A condition has been recommended that would ensure no tree felling would be undertaken during bird nesting season, all retained trees and hedgerows should be appropriately protected and that a bird box must be incorporated within the fabric of both properties.
- 7.20 As this is a proposed residential development within 10km of the coast, consideration will need to be given to the impact of increased recreational

disturbance to bird species that are interest features of the coastal SSSIs and European sites, and increased recreational pressure on dune grasslands which are similarly protected.

- 7.21 When developers apply for planning permission for new residential development within the coastal zone of influence, the LPA has to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites. Until now, we have required the developer to devise suitable mitigation, supported by survey work that they have commissioned. However, due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service which will be used to fund coastal wardens who will provide the necessary mitigation.
- 7.22 Contribution to the Coastal Mitigation Service enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is set at £615 per unit within 7km of the coast and £307 per unit for those between 7-10km of the coast. Minor developments of 9 units or less contribute £615 per unit within 7km of the coast but are exempt beyond that. The coastal mitigation contribution for this development has been calculated at £1,230 (£615 x 2). The applicant has agreed to these contributions which can be secured via a unilateral undertaking.

Land contamination, stability and ground gas

- 7.23 Policy POL 1 of the NLP outlines that *'development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts'*.
- 7.24 Policy POL 2 of the NLP is also relevant within this assessment and states that *'Development proposals in locations where they would cause, or be put at unacceptable risk of harm from, or be adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances will not be supported'*. Both of these provisions are mirrored within the NPPF.
- 7.25 As the site is located with an area subject to former coal mining activity, the applicant will be required to install appropriate ground gas protection within the development to protect the health of future occupiers of the properties. A condition has been requested by Environmental Protection that would secure the installation of protection within this development with a verification report to be provided prior to occupation to ensure protection has been correctly installed.

- 7.26 Further conditions have been requested by Environmental Protection to protect the amenity of neighbouring residents during the development phase on site with a phase 2 site investigation also requested to ensure any contamination on site shall be appropriately addressed on site to ensure no adverse impact upon the end user of the site. Subject to recommended conditions, the LPA are satisfied that the application accords with relevant local and national planning policy.

Drainage and flooding

- 7.27 Policy WAT 4 of the NLP states that sustainable drainage systems (SuDS) will be a requirement for any development in order to separate, minimise and control surface water run-off. As part of the application assessment, consultation was undertaken with the lead local flood authority (LLFA) team who, following the submission of additional information, raised no objection to the application subject to recommended conditions. The condition ensures appropriate SuDS will be implemented on site and that a maintenance schedule will ensure their continued operation throughout the lifetime of the development.

Equality Duty

- 7.28 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

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

Human Rights Act Implications

- 7.30 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.31 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.

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

8. Conclusion

- 8.1 The proposals demonstrate an appropriate form of development that accords with both local and national planning policy. Technical matters on site have been addressed and the submission of further information can be secured via appropriately worded conditions attached to an approval.

9. Recommendation

That this application be GRANTED permission subject to a legal agreement securing coastal mitigation contributions and the following conditions:

Conditions/Reason

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

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans. The approved plans for this development are:-

- 1) Location plan drawing no.001 (received 19th March 2021)
- 2) Ecological assessment BSG ecology (received 19th March 2021)
- 3) Drainage design drawing no. NT15127-02-001 rev. B (received 1st July 2021)
- 4) Noise assessment report 0003 V4.0 (received 1st July 2021)
- 5) Proposed site plan drawing no. 003 rev. C (received 1st July 2021)
- 6) Phase I contamination risk assessment GEOL20-9455 (received 14th July 2021)
- 7) Plot 1 proposed plans and elevations drawing no. T4-000 rev. B (received 21st July 2022)
- 8) Plot 2 proposed elevations drawing no. T5-000a (received 21st July 2022)
- 9) Plot 2 proposed floor plans drawing no. T5-000 (received 21st July 2022)
- 10) Plot 1 detached garage plans and elevations drawing no. DG 01 (received 22nd August 2022)

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

03. Notwithstanding any description of the materials in the application, prior to construction above damp proof course level of the dwellings hereby approved, precise details of the materials to be used in the construction of the external walls, roof and fenestration of the dwellings, shall be submitted to, and approved in writing by, the Local Planning Authority. Development must not be undertaken above damp proof course level until approval from the Local Planning Authority has been provided in writing. All roofing and / or external facing materials used in the construction of the development shall conform to the materials thereby approved.

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 policy QOP 1 of the Northumberland Local Plan and the National Planning Policy Framework.

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

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

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

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

Monday to Friday - 08:00 to 18:00
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

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

07. No development shall commence, including any works of demolition, until a written dust management plan has been submitted and approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the duration of the site works and shall include measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, dealing with complaints of dust and arrangements

for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.

Reason: To ensure a commensurate level of protection against windblown dust and debris.

08. The development hereby approved must be constructed in full accordance with the Proposed Site Plan and the following sections of the Noise Assessment Report –

Noise assessment report 0003 V4.0 (received 1st July 2021):
Sections 6.2.4 and 6.2.5, Pages 11 and 12 of the Report and Figures 3, 7 and 8.

All acoustic barriers/ fences to be installed with a minimum density of 15 kg/m²

Reason: To ensure habitable living conditions with respect to noise for future residents.

09. Prior to the commencement of the development no building 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 aforementioned report must also detail to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling. Furthermore, the report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties.

10. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 10 which has been approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

11. If during redevelopment contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority

prior to occupation of the development hereby approved – the written method statement must be written by a competent person. No building shall be occupied until 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, prior to occupation of the development hereby approved.

“Competent Person” has the same definition as defined within the National Planning Policy Framework (NPPF) ISBN 978-1-5286-1033-9

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.

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

- a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. A copy of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

- b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

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.

13. Prior to occupation of the development hereby approved, a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination (as required within Condition 12) have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

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

14. Development shall not commence until a Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:
- i. details of temporary traffic management measures, temporary access, routes and vehicles
 - ii. vehicle cleaning facilities
 - iii. the parking of vehicles of site operatives and visitors
 - iv. the loading and unloading of plant and materials
 - v. storage of plant and materials used in constructing the development.

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

15. Development shall not be occupied until details of the required highway works (relocation of traffic calming features and amendments to the Traffic Regulation Order on the C122, Front Street Ellington) have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

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

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

17. No dwelling shall 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 each dwelling 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 and Policy TRA1 of the Northumberland Local Plan.

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

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

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

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

20. The development hereby permitted shall undertake in accordance with the following, unless otherwise agreed in writing by the local planning authority:

- No tree felling or vegetation clearance shall be undertaken between 1st March and 31st 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.
- Retained trees and mature hedgerows should be protected in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction' throughout the construction phase of the development.
- Prior to first occupation or use of the development, a minimum of one integrated bird box must have been constructed within the fabric of each of the new buildings following best practice guidance.
- 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 conserve and enhance local biodiversity in line with the National Planning Policy Framework.

Informatives

- 1) You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development.

All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

- 2) You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk.
- 3) You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period in respect of the relocation of traffic calming features and amendments to the Traffic Regulation Order on the C122, Front Street Ellington.
- 4) Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
- 5) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- 6) Hedgehogs are a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act (2006) and therefore of priority conservation concern. Contractors working at the site should be made aware of their potential presence and caution is needed in case of nesting hedgehogs when clearing the ground prior to development, particularly piles of deadwood or leaves and areas of long grass or dense vegetation. It is advised that work likely to cause disturbance through the removal of hibernation habitats such as log piles and dense scrub should not take place during November to March. In addition to using permeable fencing, habitat enhancement for hedgehogs can easily be incorporated into developments, for example through provision of purpose-built hedgehog shelters or log piles in gardens. Further guidance for developers is available from the British Hedgehog Preservation Society,

<https://www.britishhedgehogs.org.uk/wp-content/uploads/2019/05/developers-1.pdf>

Date of Report: 18th August 2022

Background Papers: Planning application file(s) 21/01137/FUL