



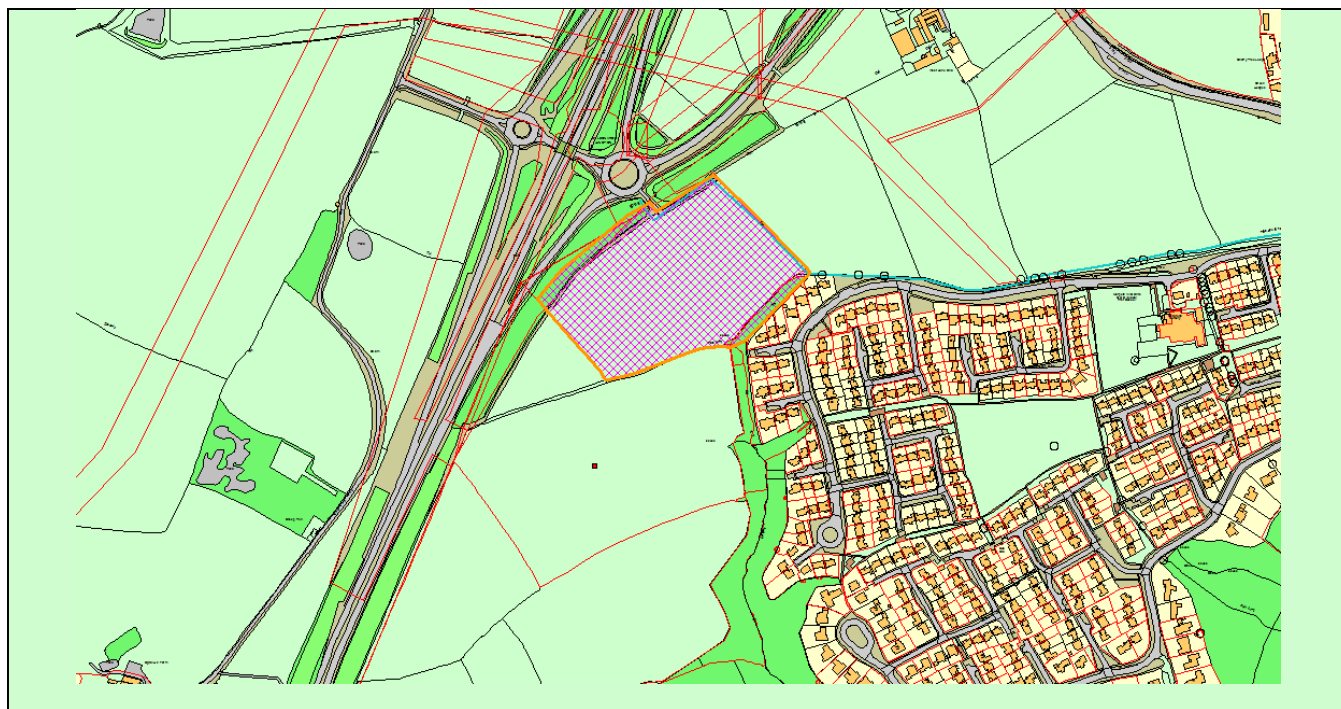
Northumberland

County Council

STRATEGIC PLANNING COMMITTEE 1 NOVEMBER 2022

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

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



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1. Introduction

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

2. Description of the Application Site & Proposal

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

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

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

3. Planning History

Reference Number: 14/03354/SCREEN

Description: Proposed screening for outline planning application

Status: EIA Not required

Reference Number: 15/01285/OUT

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

Status: Refused

Reference Number: 16/00078/OUT

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

Status: Approved

Reference Number: 18/02169/NONMAT

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

Status: Approved

Reference Number: 18/03339/DISCON

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

Status: PCO

Reference Number: 19/01362/REM

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

Status: Pending consideration

Reference Number: 19/01471/DISCON

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

Status: Pending consideration

Appeals

Reference Number: 16/00011/REFUSE

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

Status: Withdrawn

4. Consultee Responses

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

It is therefore a requirement that any "reserved matters" application should follow the commitments in Outline consent very closely, otherwise the departure from the Neighbourhood Plan is not justified.

MTC also notes that the Outline consent contained linked proposals for both commercial development and housing development. Separate "reserved matters" applications are now coming forward for the two proposals. MTC is concerned that the link between these two elements of the Outline consent should not be considered separately, since the housing element was only justified by the commercial development and would otherwise not have been approved. We request that NCC (Northumberland County Council) Planning require that "reserved matters" applications for the two elements are submitted and considered together so that the full significance of the conditions on the Outline consent can be assessed. Just seven units of basic office space are offered as opposed to an "Innovation Centre for the research and development sector". There are no changes to the employment provision in the amendments and nothing like an "Innovation Centre"

A significant reduction in the overall number of jobs to be created. The absence of an Innovation Centre and the reduced hotel size means that both the number and quality of jobs that would be created by the development fall far short of the commitments in the Outline approval. Nothing in the recent amendments changes this.

Since the approval as a departure from the newly made Neighbourhood Plan was justified entirely on the economic benefits of the proposed development - these failings to meet the commitments in the Outline consent are critical. On this alone, the "reserved matters" application should be rejected.

The "reserved matters" proposal only offers two thirds of the number of hotel bedrooms as the Outline approval specifies. The amended plans still propose just 40 hotel bedrooms as opposed to "circa 60" beds specified in the Outline consent.

Less than half of the consented floor space of Use Class A3. Less floor space of Use Class A1. Neither of these have been altered in the amendments.

In addition, MTC notes that the new Ecology Report does not mention the relevant environmental policies in the Neighbourhood Plan, nor does it recognise the status of Scotch Gill Woods as a Local Wildlife Site with specific protection under MNP Policy Env5. We remain concerned.

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| | <p>that the noise, light spillage, and risk of water course contamination from the Services Station will impact severely on the woodland, wildlife, burn and River Wansbeck.</p> <p>Overall MTC maintains its strong objections to this "reserved matters" application.</p> |
| Hebron Parish Council | No response received. |
| Environment Agency | No objection. |
| Lead Local Flood Authority (LLFA) | No objection subject to conditions. |
| Public Protection | <p>The initial outline planning permission conditions were not recommended by this section who had objected to that application.</p> <p>No objection subject to conditions.</p> <p>The Public Protection team has also requested that an air quality assessment be provided which is yet to be submitted. It is expected that the air quality assessment will have been received and those findings assessed by the committee date of 1st November, at which Members will be updated</p> |
| County Ecologist | No objection subject to conditions to secure the proposed landscaping, surface water drainage and lighting scheme. |
| Natural England | The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. |
| Highways | No objection subject to conditions regarding details of pedestrian/cycle linkage with Lancaster Park estate, electric vehicle charging facilities and restriction of use re innovation units. |
| National Highways (Highways England) | No objection following receipt of amended details and further information. |
| North Trees and Woodland Officer | No response received. |
| Countryside/ Rights of Way | <p>They note from the revised site layout plan the intention to upgrade the public footpath, to the highway authority's required specification and the proposed addition of a new footpath to connect to the existing Pinewood Drive footpath, both these proposals are welcomed. They therefore have no objection to the application on the condition that the public right of way network is protected throughout. No action should be taken to disturb the path surface, without prior consent from us as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.</p> |

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

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

Neighbour Notification

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

Notices

Site notice - Departure & PROW 8 April 2020

Morpeth Herald 23rd April 2020

Summary of Responses:

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

Changes from original permission

Change of layout will impact nature reserve

Application far removed from original outline app

Applicants allowed to amend and resubmit plans over 5 years

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

Continuously changing the plans, now larger and encroaching woodland

Employment numbers reduced

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

Noise/light/air pollution

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

Drainage Issues

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

Land

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

Economy

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

Amenity/environment/crime/design

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

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

Other

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

In breach of neighbourhood plan

Deadlines have been missed

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

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

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

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan

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

STP 3 – Principles of sustainable development (Strategic Policy)

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

STP 5 – Health and wellbeing (Strategic Policy)

STP 6 – Green Infrastructure (Strategic Policy)

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

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

QOP 1 – Design principles (Strategic Policy)

QOP 2 – Good design and amenity

QOP 3 – Public realm design principles

QOP 4 – Landscaping and trees

QOP 5 – Sustainable design and construction

QOP 6 – Delivering well-designed places

TRA 1 – Promoting sustainable connections

TRA 2 – The effects of development on the transport network

TRA 4 – Parking provision in new development

ICT 2 – New developments

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

ENV 2 – Biodiversity and geodiversity

ENV 3 – Landscape

ENV 7 – Historic environment and heritage assets

WAT 1 – Water quality

WAT 2 – Water supply and sewerage

WAT 3 – Flooding

WAT 4 – Sustainable Drainage Systems

POL 1 – Unstable and contaminated land

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

Morpeth Neighbourhood Plan 2016 (MNP)

Sus1 – Sustainable development principles

Des1 – Design principles

Env1 – Landscape and wildlife corridors

Env5 – Local Wildlife Sites

Emp5 – Safeguarding of employment sites and additional employment sites

Tra2 – Traffic congestion

Tra3 – Transport requirements for new developments

Tra4 – Development of footpath and cycleway networks

Inf1 – Flooding and sustainable drainage

6.2 National Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide

National Model Design Code

6.3 Other Documents/Strategies

Northumberland Landscape Character Assessment

7. Appraisal

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

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

Principle of Development

Policy weight

7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan and the Morpeth Neighbourhood Plan, with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) all being material considerations in determining this application.

Principle of development approved by outline permission

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

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

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

Accordance with scope of outline permission

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

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

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

Employment generation

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

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

Green Belt Policy

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

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

Impact on the character and appearance of the area

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

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

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

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

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

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

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

Residential amenity impact

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

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

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

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

Highway safety/transportation matters

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

Highway capacity

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

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

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

Highway design

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

Car parking

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

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

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

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

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

Provision for pedestrians and cyclists

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

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

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

Public transport provision

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

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

Emergency access arrangements.

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

Flooding and drainage

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

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

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

Ecology matters

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

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

Archaeology

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

Air Quality

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

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

Other Matters

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

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

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

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

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

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

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

8. Conclusion

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

9. Recommendation

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

Conditions/Reason

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Informative

Statutory Nuisance

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

Stopping up/ diversion of footway/bridleway

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

Date of Report: 20th October 2022

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