



Northumberland

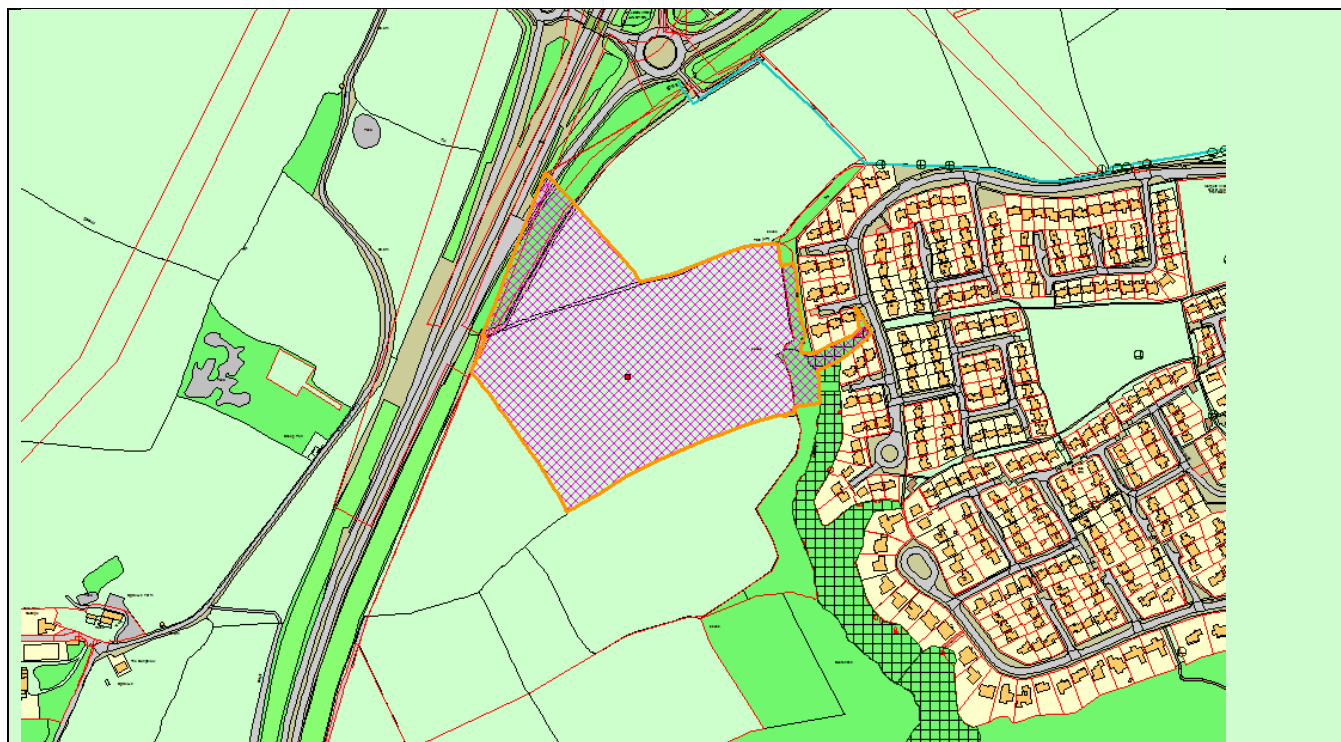
County Council

STRATEGIC PLANNING COMMITTEE

1st November 2022

Application No:	19/01362/REM		
Proposal:	Reserved matters application for appearance, landscaping, layout, and scale for proposed 150 residential dwellings (use class C3) including 30% affordable housing, countryside park including car park, pursuant to approved outline planning application 16/00078/OUT (revised description 8th August 2022).		
Site Address	Land West of Lancaster Park, Pinewood Drive, Lancaster Park, Morpeth, Northumberland		
Applicant:	Nicola Reed, Persimmon Homes, 2 Esh Plaza, Sir Bobby Robson Way, Newcastle Great Park, NE13 9BA	Agent:	None
Ward	Longhorsley	Parish	Mitford
Valid Date:	6 May 2019	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 GRANTED Reserved Matters Approval



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 of the subject of the significant level of public interest in this proposal. Also, for consideration on the agenda for this committee are related applications for reserved matters approval for a Trunk Road Service Area, Hotel, and Innovation Centre on adjacent land to the north (18/03394/REM).

2. Description of the Application Site & Proposal

- 2.1 The application site covers a section of 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 undeveloped land within the wider outline planning permission site which is the subject of related application 18/03394/REM and beyond this the St. Leonard's Junction of the Morpeth Northern Bypass with the A1. To the east is the Lancaster Park housing estate. To the south is undeveloped land within the wider outline planning permission site earmarked for redevelopment as 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 150 dwellings with associated infrastructure including access roads, parking, and landscaping. Also covered is the countryside park with associated infrastructure such as car parking.
- 2.4 The proposed dwellings would be provided within 3 areas of the site each separated from the other by existing hedge/tree planting which would be retained. In this regard a small group of 21 dwellings would occupy a triangular shaped area at the northern end of the site bounded by the commercial area the subject of application 18/03394/REM to the north and east, the A1 to the west and an existing area of tree/hedge planting running east-west to the immediate south. A further small group of 21 dwellings would be sited at the southernmost part of the site to the south of another east-west area of existing hedge/tree planting, with the remaining 108 dwellings occupying the central part of the site.
- 2.5 The main access to the proposed dwellings for vehicles and pedestrians would be from the commercial area to the north the subject of application

18/03394/REM. A cycleway/footpath only connection would also be provided in the northeast corner of the site from the proposed housing area through Scotch Gill Wood to connect with Pinewood Drive.

- 2.6 A total of 18 house types are proposed. These comprise a mix of 6 x 2 bed bungalows, 8 x 2 bed houses, 30 x 3 bed houses, 69 x 4 bed houses and 37 x 5 bed houses. Dwelling heights range from 1 to 2.5 storeys with most dwellings being 2 storeys in height. A mix of terraced, semi-detached, and detached units are provided.
- 2.7 30% of the proposed dwellings (i.e., 45 units) would be affordable dwellings. These would comprise 20 affordable rented units (3 x 2 bed bungalows, 6 x 2 bed houses, 9 x 3 bed houses and 2 x 4 bed houses) and 25 Discount Market Value (DMV) sale units (3 x 2 bed bungalows, 6 x 2 bed houses and 16 x 3 bed houses).
- 2.8 SUDs basins are proposed in the east, west and south areas of the site. Linear areas of open space are proposed running in a north-south direction at the eastern and western boundaries of the site connected east to west by two areas of open space. All these areas incorporate existing tree/hedge planting. A more middle area of open space is also provided for. An existing strip of woodland between the site and existing dwellings on Pinewood Drive would be retained.
- 2.9 A small electricity substation and a foul sewage pumping station to serve the development are proposed in the north and west of the site, respectively.
- 2.10 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: EIANR

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, 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: REF

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: PER

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: PER

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: 18/03394/REM

Description: 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

Status: PCO

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: PCO

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: WTHD

4. Consultee Responses

Mitford Council	Parish	No objections.
Morpeth Council	Town	<p>Object to the application.</p> <p>Given that the housing element of the original Outline Consent was only approved on the grounds that it was required to make the employment site “financially viable” – we argue that this application should not be considered for approval unless/until the employment site application is approved in full accordance with our comments as above.</p> <p>And, with two separate developers now involved, both expecting to make a commercial profit on the separate developments, we find the original argument about the need for housing difficult to accept. If possible, we believe that an “open book” viability assessment should be carried out on both proposals to verify the original claim that the housing element is required.</p> <p>We maintain our original objections which we do not believe have been adequately addressed by further information from the developer. These include:</p> <ul style="list-style-type: none"> • The need for up-to-date species surveys and implications for hedgerow retention and maintenance. • The inconsistency of the plans with the approved landscape, highways, footpaths, cycleways, and emergency access route plans for the entire site. • As well as the "procedural" grounds for not splitting a single outline permission, the infrastructure (road access etc) required for the housing element relies on delivery of the employment element, and separate delivery will pre-empt prejudice of a separate application for the employment element. • The cycleway did not form part of the original application and there are concerns that this will not only have an adverse effect on the wildlife corridor and green space but also the privacy and security of existing residential properties (Policy Des1 - D, F, H, Policy Env1); • There are concerns with regards to flooding on the site and potential pollution of the Scotch Gill water course (Policy Des1 - L, Policy Inf1). <p>Specific Additional Points:</p> <p>i) We note that the developer claims that the original Outline Consent establishes “the principle of housing on the site.” We would argue strongly that this is not the case, given the particular circumstances of and grounds for that consent. It was a one-off approval against the recent (six months old) Neighbourhood Plan, which does not establish</p>

	<p>any sort of “general principle”</p> <p>ii) The developer justifies 5-bedroom houses on the grounds that there are houses of a similar size in Fulbeck The Dell, the entrance to Lancaster Park and Pottery Bank Court. We argue that the first two locations comprise individual houses rather than an estate and that all three locations are not sufficiently close to the proposed development.</p> <p>iii) The developer measures the proposal against Morpeth Neighbourhood Plan Policy Set 1. We disagree that M: Merely meeting existing building regulations on renewable energy and low carbon buildings does not meet the standard “encourage the use of...”</p> <p>The development relies on the other part of the development to provide infrastructure and services – which is a very practical reason it should not be approved without the employment element. We note that public transport provision for the whole development will be addressed by having a bus stop at the service station, which might be served by the X14 and X15. Otherwise, the estate relies on the bus routes running past the entrance of Lancaster Park 0.8 Km away (assuming pedestrian links are in place)</p> <p>iv) We do not find that the developer has submitted evidence that the proposals for a “Countryside Park” do not impact on the purpose and functions of the Local Wildlife Site as set out in its original designation as required by MNP Policy Env 5 <i>“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.”</i></p> <p>We also re-iterate our request for clarity on the Section 106 position and confirmation as to whether Persimmon Homes (North East), as applicant, will be taking on responsibility for the relevant aspects (including education funding provision). We also note that the education provision, at £1,333 per dwelling, was agreed before the County Council realised it had made errors in its school place provision calculations. It addressed this and or subsequent applications requested £6,674 per dwelling (e.g., 16/02336/FUL amongst others).</p>
Hebron Parish Council	No response received.
Environment Agency	No comments.
Lead Local Flood Authority (LLFA)	The LLFA have no objections to application 19/02562/REM subject to the following documents being listed as approved documents and a verification report condition.

	<ul style="list-style-type: none"> • Microdrainage calculations, 1 year, 30-year, 100 year + 45% CC "File Mitford 15-04-21.MDX" provided to the Council 30/08/2022 • SUDs Source Control Drainage Strategy Ref 1878 51 issue P5 dated 30/08/2022 • Proposed Drainage Layout - Sheet 1 of 4 Ref 1878 issue P10 dated 30/08/2022 • Proposed Drainage Layout - Sheet 2 of 4 Ref 1878 issue P9 dated 30/08/2022 • Proposed Drainage Layout - Sheet 3 of 4 Ref 1878 issue P8 dated 30/08/2022 • Proposed Drainage Layout - Sheet 4 of 4 Ref 1878 issue P10 dated 30/08/22 • Proposed Drainage Layout Ref 19056 02 Issue P4 dated 04/09/2022 • SuDS details Ref 1878 25 Issue P6 dated 04/09/2022 <p>Conditions 29-35 of decision notice 16/00078/OUT will still need to be discharged prior to construction/occupation retrospectively.</p>
Public Protection	No objections.
County Ecologist	No objection subject to conditions regarding ecology mitigation and implementation in accordance with submitted plans/documents.
Natural England	The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. No objections.
Highways	No objection subject to conditions
National Highways (Highways England)	No objection.
North Trees and Woodland Officer	No response received.
Countryside/ Rights of Way	Parish of Mitford Public Footpath No.13 runs further to the northeast of the proposed site. They have no objection to the application on the condition that Public Footpath No.13 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.
County Archaeologist	No objection subject to conditions.
Building Conservation	The proposed development site lies due west of Morpeth Conservation Area and is situated due north of the Grade II listed Highford Bridge ¹ , the Grade II listed Mill House ² and Old Abbey Mill ³ and the Grade II Newminster Abbey ⁴ and ruined Abbey complex, also a Scheduled Ancient Monument under the

	<p>Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance.</p> <p>We have found that the setting of the listed buildings is preserved as the development proposals do not result in harm to their setting and significance.</p>
Waste Management – North	Various comments received regarding layout and how this might impact on the refuse strategy / recovery.
Education - Schools	No response received.
Fire & Rescue Service	<p>The proposed development does not appear to conform to Approved Document B Vol 1: Dwellings, Section 13 Vehicle Access. In particular, plots shown as having shared drive Access.</p> <p>For dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house.</p> <p>Access routes and hardstanding's should comply with the guidance in Table 13.1 of the above approved document.</p> <p>Dead-end access routes longer than 20m require turning facilities and should comply with the guidance in Table 13.1 of the above approved document.</p>
Northumbrian Water Ltd	The updated drainage layout (Parts 1-4 Rev.P8 dated July 2021) remain acceptable to Northumbrian Water. Any planning approval granted should list the latest version of the drainage plans as part of the approved documents list and the scheme should be implemented in accordance with those details.
Northumbria Ambulance Service	As an emergency service we may be required to use the above road(s) for access and egress in the event of being activated to attend an emergency call or convey patients to hospital for out-patient appointments.
Northumberland Wildlife Trust	<p>Would like to echo the comments of the County Ecologist dated 24 August 2020. NWT are concerned about the impact to the Wansbeck and Hartburn Woods Local Wildlife Site (LWS), which lies directly east of the proposed development, particularly given the appearance of a proposed footpath on the revised site layout plan. The impact of this footpath to the LWS has not been assessed, nor any mitigation proposed. It would therefore be inappropriate for the development to proceed until this has been addressed.</p> <p>No response received to later re-consultation on further documentation.</p>
Architectural Liaison Officer - Police	No objection to this development.

	<p>However, they note the following:</p> <p>Thank you for sending through the above planning application, we have no objections from a crime prevention point of view, however I have noted the footpath access leading from the proposed development through to Lancaster Park and whilst we understand the need for connectivity, we also need to balance this with security and public safety. If no alternative route can be found that avoids access via an established cul-de-sac, the footpath should be at least 3m wide, well maintained (to enable natural surveillance) and be lit to BS5489-1:2020 which is the industry standard for road and public amenity lighting.</p>
Affordable Housing	No objections.
The Coal Authority	Site does not fall within the Development High Risk area and therefore the Coal Authority's Standing Advice is referred to.
Strategic Estates	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	321
Number of Objections	173
Number of Support	0
Number of General Comments	0

Notices

General site notice 17 June 2019, 17th August 2022

Morpeth Herald 30th May 2019

Northumberland Gazette, 18th August 2022

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

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 now 50% larger

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
No central village green
No allotments
More houses, smaller space for housing and closer to TRSA

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
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
Affordable housing in most undesirable location

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

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=PQKOTSQS0K500>

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)

HOU 5 – Housing types and mix

HOU 6 – Affordable housing provision (Strategic Policy)

HOU 9 – Residential development management

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

INF 1 – Delivering development related infrastructure (Strategic Policy)

INF 5 – Open space and facilities for sport and recreation

INF 6 – Planning obligations

Morpeth Neighbourhood Plan 'Made' 2016

Plan Objective 1 – Historic Market Town Character (PO1)

Plan Objective 2 – Rural Service Centre (PO2)

Plan Objective 3 – Accommodating Growth (PO3)

Plan Objective 8 – Natural and Heritage Assets (PO8)

Policy Sus1 - Sustainable Development Principles

Policy Des1 – Design Principles

Policy Env1- Landscape and Wildlife Corridors

Policy Hou3 – Housing Mix

Policy Hou4 – Delivering Affordable Housing

Policy Hou5 – Infrastructure to serve new Housing Development

Policy Tra3 – Transport Requirements for New Developments

Policy Tra4 – Development of Footpath and Cycleway Networks

Policy 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
- Ground contamination/stability
- Ecology matters
- Archaeology
- Housing mix and affordable housing
- Open space and play provision

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 Morpeth Neighbourhood Plan and the Northumberland Local Plan. The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are material considerations in determining this application.

Principle of development approved by outline permission

- 7.5 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 part of the northern area of the outline permission site.
- 7.6 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 Northumberland Local Plan, loss of agricultural land, concerns regarding the over provision of housing within Morpeth and querying of the viability assessment submitted at outline stage and the contention of the applicant related to this that the housing element of the scheme covered by this reserved matters application was necessary to deliver the commercial elements covered by application 18/03394/REM for the adjacent land to the immediate north.
- 7.7 Concern has also been expressed by objectors that the reserved matters details submitted do not conform with a Masterplan drawing that was submitted with the outline application. However, that Masterplan 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.
- 7.8 The details submitted under this application which relate to 150 dwellings are considered to fall within the terms of the outline permission which permitted up to 150 dwellings as part of a mixed-use development of the wider site.

Green Belt Policy

- 7.9 At the time of the original outline application the predominant interpretation of the former Joint Structure Plan 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, was that 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.
- 7.10 However, 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 Policy S5 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.

- 7.11 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 this housing element of the proposed development (now proposed as a location for 21 of the 150 dwellings proposed) in addition to the countryside park area within the Green Belt as proposed by the emerging Core Strategy. 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.
- 7.12 The above-mentioned emerging Core Strategy was never progressed to adoption, although the proposed Green Belt boundaries outlined in that document regarding this site have been carried forward unchanged into the County Council's recently adopted Local Plan.
- 7.13 Given the change to spatial policy resulting from the adoption of the Northumberland Local Plan the principle Green Belt assessments falls under Policy STP 7 (Strategic approach to the Green Belt (Strategic Policy)).
- 7.14 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 housing covered by this reserved matters application occupies the area shown for such development types on the illustrative masterplan that accompanied the outline application.
- 7.15 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 Policy STP 7. 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.

- 7.16 As such, it is not considered necessary to assess this Reserved Matters application further against Green Belt policy as outlined in the NPPF, adopted Local Plan, or 'Made' Neighbourhood Plan.
- 7.17 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

- 7.18 With regard to character and appearance matters, the key development plan policies are QOP 1 and QOP 2. Policy QOP 1 states that all development proposals should "*Make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography*". 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. Proposals will need to consider heritage assets where appropriate.
- 7.19 Policy QOP 2 refers to good design and amenity matters. The Policy aims to ensure that "*Development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area.*" Furthermore, applicants will need to consider the impacts on neighbouring uses and ensure they are compatible.
- 7.21 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.
- 7.22 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.

- 7.23 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.
- 7.24 For the purposes of paragraph 134 local design policy for the proposals the subject of this application with regard to character and appearance matters is as set out in NLP (Northumberland Local Plan) Policies HOU9 and QOP 1,2,3 and 6 with these latter Policies reflecting the 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.
- 7.25 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.
- 7.26 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. Most of the site except for a small triangular area in its northwest corner lies within an Area of High Landscape Value.
- 7.27 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 and adjacent buffer land in the east of the site subject ecology designations in the Local Plan being retained.
- 7.28 The layout has been heavily influenced by the decision made at the outline stage that set an expectation for a certain design level. The proposed site layout and dwellings are considered acceptable in design terms and in respect of their impact on the character and appearance of the area. However, the layout is

acknowledged not to meet the design standards now expected within Northumberland. The layout offers no sense of place other than through materials and house design. However, the proposed dwellings provide attractive frontage to the roads within the site, 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 trees/hedges to field boundaries in the northern and southern parts of the site are retained and incorporated into the site layout along with existing trees to the east and west boundaries including the trees and adjacent buffer to the eastern side of the site the subject of ecology designations in the NLP. The main spine road through the site which includes a central village green area provides a visual core to the layout. Pockets of cul-de-sac development are provided off this spine road and the more rural character of the site edges is respected using shared private drives which will give a softer, less engineered transition between the areas of built development and the site's soft landscaped edges. 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 as stated above key landscape features of greatest significance are retained.

- 7.29 In terms of building design, a mix of detached, semi-detached, and terraced dwellings are proposed with these ranging from bungalows to 2.5 storeys in height. The mix proposed, dwelling heights and elevational detail to dwellings is considered acceptable. Dwellings would utilise a range of red and buff brick and render facing materials with a mix of red and dark grey roof tiles. Overall, the proposals would ensure that the development provides for visual interest and engenders a sense of place and identity. A condition would be required to ensure that the precise specification of these materials is agreed.
- 7.30 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 village green and site edges. New planting also includes native tree, hedge, and shrub planting. As stated above existing trees/hedges are also retained within and to the site boundaries.
- 7.31 No elevation details have been supplied regarding the small pumping and sub-stations proposed and therefore a condition is suggested regarding this matter.
- 7.32 Overall, the proposals are considered acceptable in terms of their impact on the character and appearance of the area.

Residential amenity impact

- 7.33 In assessing residential amenity matters consideration needs to be given to the following 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.
- 7.34 Turning firstly to the matter of privacy, outlook and daylight/sunlight impacts arising from the proposed development to existing and future residential occupiers, NLP policies HOU 9 and QOP 2 state that proposals should not

cause unacceptable adverse impact on the amenities of occupiers of existing or proposed nearby properties.

- 7.36 In these respects, the proposals are considered acceptable. The nearest existing dwellings on Pinewood Drive within the Lancaster Park housing estate lie at least 57 metres from the nearest proposed dwellings. In terms of the commercial development proposed to the north of the site as part of application 18/03394/REM considered elsewhere on this agenda, proposed dwellings would have a separation distance from the innovation units building (the nearest proposed building) of at least 47 metres. Furthermore, all these existing and proposed dwellings would be screened to a degree from the above-mentioned neighbouring dwellings/buildings by existing retained tree planting. Within the site itself the relationship between proposed dwellings is likewise considered acceptable with separation distances of at least 19 metres between elevations with habitable room windows with most such relationships being more than 20 metres and satisfactory habitable room window elevation to gable elevation distances of at least 11 metres which is also considered satisfactory.
- 7.37 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.
- 7.38 Moving onto the matter of community safety issues related to crime, Policies QOP 1 and QOP 3 states that proposed site layout and development design should create safe and secure environments. Developers must be able to demonstrate that proposals have taken the concept of 'designing out crime' into consideration. 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.
- 7.39 Northumbria Police have advised that they have no objection in principle to the proposed development, although they raise some detailed matters related to lockable gates and fencing in shared rear alleyways. This has been adjusted in recently updated plans. The play area is unfortunately located to the west of the housing area within the country park area. Ideally this should be within the residential area and benefiting from passive surveillance. This is a hangover from the requirements of the outline consent. Furthermore, the proposed new footpath through the Scotch Gill linking the residential development with Lancaster Park will need to be a 3m wide hard engineered solution with appropriate levels of lighting for safety, culvert and DDA compliance.
- 7.41 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 to the north, which it is proposed retain as part of the proposed neighbouring scheme, albeit on a diverted route within that application site. Under this application the further pedestrian/cyclist route is proposed through Scotch Gill connecting the proposed housing area with Pinewood Drive but again there is no evidence that this would give rise to increased crime and anti-social

behaviour and a condition is suggested regarding the details of lighting to this link further improve its safety.

- 7.42 Overall, as stated above, the Police raise no objections in principle and it is considered that the proposals are acceptable in community safety.
- 7.43 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
- 7.44 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, in order to obtain representative noise levels upon completion of the Morpeth Bypass.
- 7.45 Condition 37 in respect of the housing element covered by this application states that no dwelling shall be constructed until an acoustic design scheme has been submitted and approved in writing by the Local Planning Authority. This scheme shall demonstrate that internal noise levels of 35dB Laeq during the daytime (0700hrs - 2300hrs) in living rooms and bedrooms and 30dB Laeq and 45dB(A) L_{Amax} during the night-time period (2300hrs - 0700hrs) in bedrooms, can be achieved. The scheme shall include internal room layouts to show that main habitable bedrooms have access to a window which can be opened without causing an exceedance of the L_{Amax} level during the night-time period.
- 7.46 A Noise Assessment has been submitted with this Reserved Matters application which demonstrates that the requirements of condition 37 can be met subject to appropriate mitigation including suitably specified glazing and the provision of acoustic fencing to some rear garden boundaries closest to the A1. Details have also been submitted under related application 19/01471/DISCON elsewhere on this agenda for discharge of this condition. The Council's Public Protection team have advised that they have no objections to the proposals. A condition is suggested to secure implementation of the noise mitigation outlined in the applicant's submitted noise assessment.
- 7.47 In respect of the proposed commercial development area to the north the subject of application 18/03394/REM elsewhere on this agenda, a Noise Assessment has also been submitted with that 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 in respect of that application to secure provision of these.

- 7.48 The Council's Public Protection team also suggest a condition on that application 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 that application is taken account of in respect of mitigation requirements and therefore a further condition is suggested in this regard on that application.
- 7.49 Further conditions suggested by the Public Protection team on application 18/03394/REM regarding construction working/delivery hours are also proposed to be added were this application to be approved.
- 7.50 With regard to 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 to the footpath/cycleway link into the Lancaster Park estate.
- 7.51 In terms of ground contamination/stability matters, the Council's Public Protection team raise no objections. In respect of application 18/03394/REM a condition is suggested regarding ground gas protection, and it is proposed that this be attached also to this proposal if approved.

Highway safety/transportation matters

- 7.52 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

- 7.53 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.
- 7.54 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.
- 7.55 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.

- 7.56 The above requirements are reflected also in NLP Policy TRA2.
- 7.57 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, albeit that some further detailed modelling work has been requested by the Council's highways team in relation to the on-site roundabout on the adjacent 18/03394/REM application site which the applicant is currently undertaking and which it is envisaged will be agreed with the Council's highways team prior to committee. The housing scheme the subject of this application would be accessed via that adjacent site.

Highway design

- 7.58 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. Policy Tra3 refers to the need for adequate parking and manoeuvring space within developments in accordance with Highway Authority standards. NLP Policies TRA1 and 2 reflect the above policies.
- 7.59 The Council's highway team have examined the applicant's latest site layout drawing and swept path analysis work. They express that they are content with the provision of visitor parking and note that some of this is out with the highways and in areas to be maintained by a management company. Overall adequate visitor parking has been provided evenly throughout the site. HDM (Highways Development Management) are also satisfied with the swept path analysis and satisfied that the tracking of the refuse lorry will not overrun footways.
- 7.60 National Highways raise no objection to the application.

Car parking

- 7.61 With regard to 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. NLP Policy TRA 4 requires adequate space to be provided around dwellings for appropriate off-street car parking.
- 7.62 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).

- 7.63 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.
- 7.64 Appendix D of the NLP sets out detailed car parking provision standards. For dwellings these are specified as 2 spaces per property for 2-3 bed dwellings and 3 spaces per property for 4-5 bed dwellings. All the proposed dwellings on the layout meet these standards. There is also a requirement of 1 space per 4 units for visitors which is exceeded by this proposal which shows 50 visitor parking bays for the 150 dwellings proposed.
- 7.65 The parking provision for the scheme also includes provision for electric vehicle charging facilities. In this regard the applicant has advised that all units with garage provision (i.e., 120 out of the 150 units) will be provided with charging facilities which is considered acceptable. A condition is suggested regarding the details of such provision.

Provision for pedestrians and cyclists

- 7.66 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.

- 7.67 NLP Policy TRA 1 state that the council will support a range of transport modes with a preference for sustainable forms and ensure connection and promotion of walking and cycling routes.
- 7.68 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.
- 7.69 A public footpath currently runs through the north and east edges of the adjacent site the subject of application 18/03394/REM 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 for that reserved matters application 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. This enhanced footpath would be accessible to the residents of the proposed housing covered by this reserved matters application via that adjacent site.
- 7.70 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 as part of this application between the proposed dwellings and Pinewood Drive with this route running through the northeast corner of the site adjacent to the 18/03394/REM site. A 3-metre-wide footpath/cycleway is provided alongside the main spine road through the site with 2-metre-wide footways provided elsewhere including east-west segregated footway routes to provide for good permeability across the layout for pedestrians and cyclists.
- 7.71 Cycle parking is provided for each of the proposed dwellings either within garages serving those properties or within a rear garden shed to be provided for dwellings without garages.
- 7.72 Overall, the proposed links for pedestrians and cyclists are considered acceptable subject to conditions regarding the detailed specification in terms of surfacing, marking and signage for those sections of these routes segregated from the vehicle highway and the cycle parking facilities. The matter of lighting would be picked up through the separate condition suggested earlier in this report. However, the Council's Highway team do have concerns related to the safety of pedestrians within the site arising from the footpath. Therefore, a balance will need to be struck to ensure ecology and user safety arrangements can both be met.

Public transport provision

- 7.73 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.
- 7.74 In this regard the proposed layout for the adjacent 18/03394/REM site 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.
- 7.75 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.

- 7.76 The outline permission included provision for an emergency access route to the site from the B6343 to the south via the Countryside Park in the event that 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.
- 7.77 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 elsewhere on this agenda relating to condition 11 (phasing) of the outline permission proposes that the emergency access route is provided in the 1st phase of development.
- 7.78 Objectors have raised concern that the indicative details are not capable of being approved by the emergency services and consultee comments would support this stance. The proposed layout allows for pumping appliances to be located within 45m of all points inside the dwelling house.

- 7.79 Access routes on the adopted highways will be constructed to the Council's adoptable specification. Fire services vehicles will be able to access private drives where necessary which will be constructed to accommodate a minimum of 12.5 tonne. The proposed site layout has been amended to include appropriate turning facilities throughout the site to accommodate fire service vehicles.
- 7.80 In terms of the emergency access road within the Country Park, this is currently detailed on submission drawing ref. 19056-05-P3 in terms of the width and specification. The route provides an appropriate emergency vehicular access point from the south of the Country Park to the residential development. This link will address the concerns raised and will be delivered on land within our control. The final details of the emergency access link will be submitted to discharge condition 10 of the outline planning consent and through the Building Warrant submission.

Flooding and drainage

- 7.81 MNP Policy Inf1 and NLP Policies WAT3 and WAT4 all seek to ensure that proposed developments are acceptable with regard to flood risk and that sustainable drainage infrastructure is provided for.
- 7.82 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 attenuation basins to the east, west and southern edges of the site. Surface water would eventually drain into the Scotch Gill watercourse that runs to the east of the site with a headwall feature being constructed at the interface of the sustainable drainage system and watercourse.
- 7.83 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, verification regarding the installation of sustainable drainage features and retention at all times to the drainage infrastructure within this site for the adjacent 18/03394/REM site to the north. 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.
- 7.84 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 on the adjacent 18/03394/REM site and car parking/roads on this site. 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. This has been assessed in collaboration with NCC (Northumberland County Council) Ecology.

Ecology matters

- 7.85 In terms of the NLP the strip of woodland and associated landscaped buffer area in the east of the site forms part of a larger area to the south which is designated as a Local Nature Reserve. These designations in respect of the strip of woodland and associated buffer within the application site are 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 the MNP. The entire site forms part of a Nature Improvement Area as per NLP Policy ENV 2.
- 7.86 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.
- 7.87 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.
- 7.88 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.
- 7.89 NLP Policy ENV2 reflects guidance in the NPPF which seeks to not only safeguard designated sites and protected species but also secure biodiversity enhancement.
- 7.90 Detailed survey work has been undertaken and submitted with the application regarding ecology and tree matters. Regarding tree matters it is proposed to remove 5 trees in the woodland area between the site and the Lancaster Park estate to accommodate the proposed 3-metre-wide footpath/cycleway link and 1 further tree adjacent to the northern site boundary. However, most existing trees within and to the site edges would be retained and around 180 new trees would be planted. Detailed plans have also been provided concerning landscaping, external lighting, and drainage. It should be noted that the SuDS infrastructure maintains a 15m buffer from the woodland, as confirmed by the applicant in their submission and reflected in the approved plans. All these documents have been examined by the County Council's Ecologist who raises no objection to the proposals subject to conditions. Natural England likewise raise no objections.

- 7.91 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.
- 7.92 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.
- 7.93 Considering the above, it is considered that the proposals are acceptable in ecology terms subject to the conditions referenced.

Archaeology

- 7.94 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.
- 7.95 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 conditions 20-22 attached to the outline permission being added to this application also if approved. However, this is not considered necessary as this current application is pursuant to the outline permission and the matters in question can be addressed through discharge of those existing conditions.

Housing mix and affordable housing

- 7.96 MNP Policy Hou3 states that housing development shall be designed to include a range of property sizes, types and tenures including affordable housing and housing for younger and older people, so as to promote a balanced housing market.
- 7.97 Policy Hou4 further states that proposals for developments resulting in a net gain of ten dwellings or more will be expected to provide affordable housing on the site, in accordance with the Development Plan or an up-to-date housing needs assessment. In exceptional circumstances, where it can be justified, affordable housing will be accepted off-site; this must be on a site that is agreed as being in a suitable location relative to the housing need to be met, ideally within the same town or village, or if this is not feasible, then within another village in the Neighbourhood Area.
- 7.98 NLP Policies HOU5 (Housing types and mix) and HOU6 (Affordable housing provision) require that development proposals should be assessed in terms of how well they meet the housing needs and aspirations identified in the most up-to-date Strategic Housing Market Assessment (SHMA) or local housing needs assessment.

- 7.99 The NLP notes at paragraph 7.35 that the latest SHMA Update from June 2018 identifies a countywide net affordable housing need shortfall of 151 dwellings per annum over the period 2017-2022, which equates to a residual 17% affordable housing need in terms of the draft Plan's overall average annual housing requirement for the plan period 2016-2036. However, it should be noted that, due to the ongoing independent examination, the draft Policy HOU6 approach to breaking down this affordable housing needs requirement according to viability value areas only has little weight at this stage and is therefore not currently being applied for decision-making purposes. So pending receipt of the Inspector's report and adoption of the new Local Plan, the minimum affordable housing requirement being applied countywide is currently 17%.
- 7.100 A Section 106 Agreement runs alongside the outline planning permission to which this reserved matters application is pursuant. This requires the provision of 30% affordable housing comprising a mix of affordable rented and discount market value (DMV) sale units.
- 7.101 The submitted reserved matters details accord with the Section 106 Agreement in that 45 affordable units (30% of the 150 units proposed) are shown on the proposed layout. The tenure mix of units proposed (20 affordable rented units and 25 DMV units) and the proposed size mix (6 x 2 bed bungalows, 12 x 2 bed houses, 25 x 3 bed houses and 2 x 4 bed houses) has been agreed by the Council's affordable housing team as acceptable in terms of addressing local affordable housing need and they raise no objections to the proposals.
- 7.102 Throughout the determination process, discussions have been ongoing with your affordable housing officer to agree upon the mix, tenure, and location of affordable properties throughout the scheme. The location of affordable units has been a key point of discussions and the affordable housing officer considers the locations as proposed appropriate. The affordable housing units are spread within the first phase of the scheme meaning that they will be delivered relatively early. They are located within the layout which provides a mix of 3 – 5 bed properties within the vicinity of plots.
- 7.103 The applicant has been in discussion with registered providers and has commented that:
- "Bungalows are sought after house types and this product is not often provided for on new build developments. Given the context and shape of this north west corner, we designed a Mews courtyard character area where plots are primary served off private parking courts and surrounded by open space. It is considered that bungalows are a house type suited to the context of this character area and this is also reflected on our scheme under construction on Pottery Bank to the east of Lancaster Park. Whilst there are smaller product and affordable plots in this location, we have integrated open space and larger 4/5 bed properties."*
- 7.104 Officers are satisfied that the location and type of units offered for the affordable provision are acceptable and consistent with the relevant conditions of the NLP.

- 7.105 Further detail regarding this provision including delivery timescales would be secured through the Affordable Housing Scheme that the Section 106 Agreement requires is submitted to and approved by the County Council prior to the commencement of development.
- 7.106 The overall mix of dwellings, both affordable and market, is considered acceptable as a total of 18 house types are proposed comprising a range of 2 bed bungalows and 2 to 5 bed houses in a mix of terraced, semi-detached, and detached units.

Open space and play provision

- 7.107 MNP Policy Hou5 and NLP Policy INF5 sets out the requirements for open space provision in respect of new housing developments with Appendix H1 of the NLP setting out detailed provision standards and contribution levels with again on-site provision being sought in respect of the scale proposed, although allowance is made for an off-site contribution if on-site provision cannot be made.
- 7.108 The proposed site layout provides a village green open space area within the site, along with east-west landscape corridors across the site and north-south landscape corridors either side of the site which incorporate areas of existing tree and hedge planting.
- 7.109 The play provision would be sited within the proposed Countryside Park to the south which was approved as part of the outline planning permission mixed-use development of which these housing proposals form a part. The Section 106 Agreement that runs alongside the outline permission specifically references play and open space provision in its definition of the Countryside Park and the Agreement further states that no part of the development shall commence until all details of the design, siting, layout, timing of installation and operation and future management of the Countryside Park (including a woodland management plan) have been submitted to and approved by the Council with the development then having to be implemented in accordance with those approved details.
- 7.110 As such it is not considered necessary for play provision to be sited within this reserved matters application site and provision of play facilities and further open space within the Countryside Park is considered acceptable bearing in mind also that the Countryside Park site lies immediately adjacent to the housing proposed under this application.

Climate change

- 7.111 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 7.112 Local Plan Policy QOP1 sets out a number of design principles. Proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.
- 7.113 Local Plan Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation, and lighting amongst other matters.
- 7.114 The supporting documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to the permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP1 and QOP5.

Broadband connectivity

- 7.115 Policy ICT2 of the Northumberland Local Plan requires provision of full fibre broadband connections in new developments. Where this cannot be provided, alternative solutions may be appropriate where justified. The Policy states that where no broadband provision is included, developers will be required to demonstrate, including through consultation with broadband providers, that connections are not deliverable, and/or viable.
- 7.116 The current application does not state whether full-fibre broadband connections are proposed. It is recommended that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the NPPF.

Other Matters

- 7.117 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. As a result, the applicant has amended this application to include the countryside park.
- 7.118 Objectors have also expressed concern about the impact of the commercial uses referenced in application 18/03394/REM 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.
- 7.119 Reference has also been made by objectors to the impact of the proposals on local services. However, this matter was considered at outline stage and an

education contribution is secured through the Section 106 Agreement that runs alongside the outline planning permission and the matter of open space and play provision is addressed in part through open space provision on site and further provision within the Countryside Park area as detailed above.

Equality Duty

- 7.120 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

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

Human Rights Act Implications

- 7.122 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.123 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.
- 7.124 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision-making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

- 8.1 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, archaeology, housing mix/affordable housing and open space/play provision these Reserved Matters details are acceptable subject to conditions.

9. Recommendation

That this application be GRANTED Reserved Matters Approval 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:

Site Layout

MIT125150/A/GA/001 Rev.W Architectural Site Layout;

House Types

ChP_MA_DET_R21_901 Chopwell House Type Floorplan
ChP_MA_DET_R21_904 Chopwell House Type Elevation
CuL_MA_DET_R21_901 Cullen House Type Floorplan
CuL_MA_DET_R21_904 Cullen House Type Elevation
HaS_MA_DET_R21_901 Hasting House Type Floorplan
HaS_MA_DET_R21_904 Cullen House Type Elevation
BaM_MA_DET_R21_901 Bamburgh House Type Floorplan
BaM_MA_DET_R21_904 Bamburgh House Type Elevation
LaN_MA_DET_R21_901 Lancombe House Type Floorplan
LaN_MA_DET_R21_904 Lancombe House Type Elevation
HoC_MA_DET_R21_901 Hollicombe House Type Floorplan
HoC_MA_DET_R21_904 Hollicombe House Type Elevation
SeA_MA_DET_R21_901 Seacombe House Type Floorplan
SeA_MA_DET_R21_904 Seacombe House Type Elevation
HeY_MA_DET_R21_901 Heysham House Type Floorplan
HeY_MA_DET_R21_904 Heysham House Type Elevation
BrH_MA_DET_R21_901 Broadhaven House Type Floorplan
BrH_MA_DET_R21_904 Broadhaven House Type Elevation
We_MA_End_R21_901 Wentworth House Type Floorplan
We_MA_End_R21_904 Wentworth House Type Elevation
Hd_MA_End_Trad_R21_901 Haldon House Type Floorplan
HD_MA_End_Trad_R21_904 Haldon House Type Elevation
Da_MA_End_R21_901 Danbury House Type Floorplan
Da_MA_End_R21_904 Danbury House Type Elevation
Gl_MA_Det_R21_901 Glenmore House Type Floorplan
Gl_MA_Det_R21_904 Glenmore House Type Elevation
Sh_MA_Det_R21_901 Sherwood House Type Floorplan
Sh_MA_Det_R21_904 Sherwood House Type Elevation
Br_MA_End_R21_901 Braunton House Type Floorplan
Br_MA_END_R21_904 Braunton House Type Elevation

R20-GD-03 Double Garage;
R20-GD-02 Single Garage;

Countryside Park

130568/8002 rev A Landscape Softworks Sheet 1
130568/8003 rev A Landscape Softworks Sheet 2
130568/8004 rev B Landscape Softworks Sheet 3
130568/8005 rev B Landscape Softworks Sheet 4
130568/8006 rev B Landscape Softworks Sheet 5
130568/8007 rev A Woodland Management Plan
130568/8008 rev A Country Park Site Location Plan
130568/8009 rev A Country Park Site Layout Plan (Block Plan)
130568/8010 rev A Landscape Strategy Country Park Reserved Matters
130568/8011 rev A Proposed Car Park and Refuse Storage
130568/8012 Landscape Construction Details
130568/8013 Proposed Play Area
Ecological Appraisal and Biodiversity Strategy – Country Park Element Phase 3 June 2021 3464 Version R01
19056-02-P3 Proposed Drainage Layout
19056-05-P3 Proposed EVA Road Design
19056-07-P1 Car Parking Proposals (Car Parking Construction Details)
19056-11-P1 Detention Basin Details

Finished Levels

1878/11 Rev.P10 Proposed Finished Levels – Sheet 1 of 4 (levels details only approved);
1878/12 Rev.P9 Proposed Finished Levels – Sheet 2 of 4 (levels details only approved);
1878/13 Rev.P8 Proposed Finished Levels – Sheet 3 of 4 (levels details only approved);
1878/14 Rev.P10 Proposed Finished Levels – Sheet 4 of 4 (levels details only approved);

Surface Water Drainage

Microdrainage calculations, 1 year, 30-year, 100 year + 45% CC “File Mitford 15-04-21.MDX” provided to the Council 30/08/2022
SUDs Source Control Drainage Strategy Ref 1878 51 issue P6
Proposed Drainage Layout - Sheet 1 of 4 Ref 1878 issue P11
Proposed Drainage Layout - Sheet 2 of 4 Ref 1878 issue P10
Proposed Drainage Layout - Sheet 3 of 4 Ref 1878 issue P9
Proposed Drainage Layout - Sheet 4 of 4 Ref 1878 issue P11
Proposed Drainage Layout Ref 19056 02 Issue P4
SuDS details Ref 1878 25 P7

Highways

1878/71 Rev.P7 Proposed Surface Finishes & Kerb Layout;
1878/91 Rev.P5 Section 38 Layout;
Cycle & Refuse Storage Report dated 18/11/21;
Street Management Report dated 18/11/21.

Ecology

Ecological Appraisal dated February 2021 21026 Version V1 (DRAFT);

Woodland Management Plan, Land West of Lancaster Park, November 2021 (OS Ecology);
Trees Bat Box Plan, Trees Bird Box Plan and Buildings Bat and Bird Box Plan (OS Ecology November 2021);
Arboricultural Impact Assessment ARB/AE/810 dated September 2020;
Arboricultural Method Statement & Tree Protection Plan ARB/AE/810 dated September 2020;
Ecological Appraisal Update, Lancaster Park, Mitford (OS Ecology, October 2022)
Extended Phase 1 Habitat Survey - Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
· 'Bat Survey - Land at Mitford', E3 Ecology Ltd., Version R03, Jan 16
· 'A Breeding Bird Survey of Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
· 'Freshwater Invertebrate Assessment - Land at Mitford', E3 Ecology Ltd., Version R03, Sept 15

Noise

NJD17-009 Acoustic Fencing Plan;
Noise Assessment NJD17-0009-001R/R3 August 2022

Sewerage

Foul Drainage Strategy January 2016;

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

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening shall be made in the following elevations of the dwellings specified unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority – 2 South, 6 East, 9 North, 18 North, 23 South, 29 North, 52a East, 69 South, 88 South, 92 South, 97 South, 113 South, 116 South, 118 West, 121 East, 125 South, 126 East, 133 West, 141 East, 143 East or West, 145 North, 146 North.

Reason: To safeguard the privacy and amenity of the occupiers of adjacent properties and in accordance with the NPPF.

03. All dwellings 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 the Local Plan and the NPPF.

04. The substation and pumping station structures shown on approved drawing no. MIT125150/A/GA/001 Rev.N Architectural 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 unless otherwise agreed in writing with the Local Planning Authority

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

05. No dwelling within the application site shall be occupied unless and until a lockable gate has been provided to the rear garden of that dwelling and to any shared alleyway used to access the rear garden of that dwelling in full accordance with location and specification details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter those lockable gates shall remain in place at all times.

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

06. No dwelling within the application site shall be occupied unless and until the shared pedestrian and cyclist link shown on approved drawing no. MIT125150/A/GA/001 Rev.N Architectural Site Layout between the application site and the Lancaster Park estate to the east has been constructed together with dropped kerbs within the Lancaster Park estate to provide access from that link to the primary school on that estate in full accordance with details additional to those provided with this reserved matters application 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 link including full structural details of the bridge/culvert crossing for the link 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 TRA 1 Local Plan and the NPPF.

07. No dwelling requiring noise mitigation measures as detailed in approved Noise Assessment NJD17-0009-001R/R4 October 2022 shall be occupied unless and until the noise mitigation measures for that dwelling as specified in this Noise Assessment, including where specified acoustic glazing and acoustic fencing, have been provided in full. Thereafter such mitigation measures shall remain in place at all times.

In the interests of residential amenity in accordance with Policy Des1 of the Morpeth Neighbourhood Plan, the Local Plan and the NPPF.

08. 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, Northumberland Local Plan and the NPPF.

09. 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, Northumberland Local Plan and the NPPF.

10. 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, Northumberland Local Plan and the NPPF.

11. No building shall be occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 10 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, Northumberland Local Plan and the NPPF.

12. No dwelling within the application site with an integral or detached garage shall be occupied unless and until details of electric vehicle charging for that dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging for each dwelling shall be implemented prior to occupation of that dwelling. 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, Northumberland Local Plan and the NPPF.

13. No dwelling within the application site shall be occupied unless and until vehicle, pedestrian and cyclist access to that dwelling 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 and any Reserved Matters approval for that part of the Outline Planning Permission 16/00078/OUT site between the land the subject of this Reserved Matters approval and the above mentioned junction. Thereafter such vehicle, pedestrian and cyclist access shall remain in place at all times.

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

14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-

enacting that Order with or without modification), the garages hereby approved shall not be converted into habitable accommodation, including utility room, domestic workshop, study, or similar uses, without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of adequate off-road parking space in accordance with Policy Tra3 of the Morpeth Neighbourhood Plan, Local Plan and the NPPF.

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

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

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

16. The drainage infrastructure within the application site the subject of this Reserved Matters application necessary to connect any development constructed on that part of the outline planning permission 16/00078/OUT site between the site the subject of this Reserved Matters approval and the St. Leonard's junction of the A1 with the Morpeth Northern Bypass with the watercourse as shown on approved drawing 1878/01 Rev.P11 Proposed Drainage Layout – Sheet 1 of 4 shall be available for use by that phase of the development on the wider outline planning permission site at all times following its first occupation.

REASON To ensure that surface water from that phase of development on the wider outline planning permission site is suitably managed to minimise flood risk in accordance with Policy Inf1 of the Morpeth Neighbourhood Plan, 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 dwelling 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 dwelling 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, Local Plan and the NPPF.

18. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall provide the means by which the mitigation detailed in the reports

- Ecological Appraisal Update, Lancaster Park, Mitford (OS Ecology, October 2022)
- 'Extended Phase 1 Habitat Survey - Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
- 'Bat Survey - Land at Mitford', E3 Ecology Ltd., Version R03, Jan 16
- 'A Breeding Bird Survey of Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16
- 'Freshwater Invertebrate Assessment - Land at Mitford', E3 Ecology Ltd., Version R03, Sept 15

AND

- protective measures for retained hedge lines and trees to be implemented during construction, including measures to protect ancient woodland (including buffer zones)
- pollution control measures for any works affecting watercourses

The CEMP (Biodiversity) shall include the following

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To maintain the biodiversity value of the site to protected species and habitats in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

19. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following and demonstrate the means of delivery of the landscaping for both the residential and country park elements of the scheme.

- a) Description and evaluation of features to be managed (referring to mitigation detailed in the reports Ecological Appraisal Update, Lancaster Park, Mitford (OS Ecology, October 2022), 'Extended Phase 1 Habitat Survey - Land at Mitford', E3 Ecology Ltd., Version R04, Jan 16, 'Bat Survey - Land at Mitford', E3 Ecology Ltd., Version R03, Jan 16, 'A Breeding Bird Survey of Land at Mitford', E3 Ecology Ltd.,

Version R04, Jan 16, 'Freshwater Invertebrate Assessment - Land at Mitford', E3 Ecology Ltd., Version R03, Sept 15

- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: To maintain the biodiversity value of the site to protected species and habitats in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

20. Prior to the commencement of development a biodiversity mitigation and enhancement scheme shall be submitted for the written approval of the LPA. The scheme shall include the following measures:

- The provision of bird nesting and bat roosting opportunities, integrated into the fabric of the permitted dwellings. The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. The ratio will be 1:1 of features to dwellings.
- Gaps shall be created and retained in all boundary fences between dwellings to allow the passage of small mammals such as hedgehog. Gaps shall measure no less than 13cm by 13cm.

Once approved in writing the development shall be implemented in strict accordance with the approved scheme.

Reason: to protect the biodiversity of the site and the local area in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

21. Prior to the commencement of the development a scheme for the installation of any permanent and temporary lighting on the site shall be submitted to and agreed in writing with the LPA. The lighting scheme should be designed so that lighting levels are minimised in accordance with the document Bats and Artificial Lighting in the UK Guidance Note 08/18, Institute of Lighting Professionals and BCT, 2018. The scheme shall include motion sensor street lighting which secures dark conditions for bats. The approved scheme shall be implemented in full prior to the dwellings being occupied.

Reason: to prevent the risk of harm to a protected species to maintain and enhance the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

22. A detailed plan of all works to create new pedestrian links will be provided to the LPA for approval in writing. This will be supported by fully detailed drawings and appropriate ecological survey, assessment and mitigation or compensation for impacts on protected species and habitats. Once approved in writing the development shall be implemented in strict accordance with the approved scheme.

Reason: to prevent the risk of harm to a protected species to maintain and enhance the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

23. Notwithstanding the details submitted with the application, prior to the construction of any dwelling above damp proof course level, a scheme to demonstrate how the development will where feasible, minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details, including prior to the dwellings being brought into use where relevant, and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

24. Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where an alternative broadband connection is proposed, prior to the occupation of the development, sufficient justification for such an alternative shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented and made operational prior to the occupation of the development.

Where no broadband connection is proposed, prior to the occupation of the development, sufficient justification for the lack of broadband provision shall be submitted to and approved in writing by the Local Planning Authority in order discharge this condition.

Reason: To ensure the development is served by high quality communications infrastructure, in accordance with Policy ICT2 of the Northumberland Local Plan and Paragraph 114 of the National Planning Policy Framework.

25. 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.

26. Details/ Samples of materials

Notwithstanding the details provided, prior to commencement of development samples of the materials to be used in the construction of the external surfaces of the adoptable highway elements shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

27. Street Trees

No part of the development shall be occupied until details of street trees have been submitted to and approved in writing by the Local Planning Authority. The approved street trees shall be implemented prior to first occupation. Thereafter, the street trees shall be incorporated into the management strategy.

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

28. Implementation of car parking area (amended)

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

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

29. Completion of highway works before occupation – amended

Development shall not be occupied until details of all proposed highway works, including signage, road markings and street lighting have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

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

30. Submission of details of adoptable streets

No works to the streets proposed for adoption shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

31. Implementation of cycle parking - Amended

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

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

32. Surface water drainage (Private Land) - Amended

Prior to occupation, details of surface water drainage to manage run off from private land and private runoff onto the adoptable estate road area, have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details. Reason: In order to prevent surface water runoff in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

33. Construction Method Statement (including Plan) - Amended

Notwithstanding what has been approved as part of 16/00078/OUT, the development shall not commence until a Construction Method Statement for this application, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes, and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development
- vi. routing of heavy construction vehicles and deliveries;
- vii. site access and any turning facilities required for construction vehicles;
- viii. the approximate phasing of construction works;
- ix. vehicle movements and numbers;
- x. measures to be put in place to safeguard during construction works any existing trees and hedgerows
- xi. details of any temporary lighting, which shall be designed so that lighting levels are minimised

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

Informative

Section 38 Agreement and adoption of highways

You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the adoption of new highways.

INFO 28 Section 278 Agreement and works in adopted highway

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

INFO29 Highway condition survey

You should note that a highway condition survey should be carried out before the commencement of construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk

INFO31 Contact Traffic Management

You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period. INFO33 Reminder to not store building material or equipment on the highway Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the StreetWorks team on 0345 600 6400 for Skips and Containers licences.

INFO34 Technical Approval of Highway Structures

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

INFO35 Contact Lighting Section

You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

Contact Local Highway Authority - Submission of details of adoptable streets

The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge condition [insert] of this permission. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk

INFO40 - Reminder to not deposit mud/ debris/rubbish on the highway

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

INFO41 - Road Safety Audits

You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. You should contact highwaysplanning@northumberland.gov.uk or 01670 622979

INFO NEW Street Naming

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority. Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19).

Acoustic Barriers

The proposed acoustic barriers shall be manufactured acoustic fencing specifically made and marketed for this purpose of noise reduction, rather than a "closed-boarded fence." It is recommended that a product similar to those manufactured by Jacksons Fencing is sourced and used on the site:

<https://www.jacksons-security.co.uk/acoustic-security-barriers>

Any acoustic fencing should be similar to the type used on the Barratt Homes development at Wideopen and visible from the A1 just north of the Gosforth junction, permitted by Newcastle City Council LPA (Local Planning Authority): 2015/1640/01/DET - Erection of 167 residential units including associated infrastructure, means of access from Coach Lane, open space at North Brunton

Or

the fence used to product emissions of from noise from the service/delivery yard at the rear of ASDA, Ashington permitted by Northumberland County Council LPA: 07/00391/FUL - Development of new Asda store with car park, service area, associated works at Land To South West Of Lintonville Roundabout Lintonville Terrace Ashington

Date of Report: 20th October 2022

Authorised by:

Date:

Background Papers: Planning application file(s) 19/01362/REM