

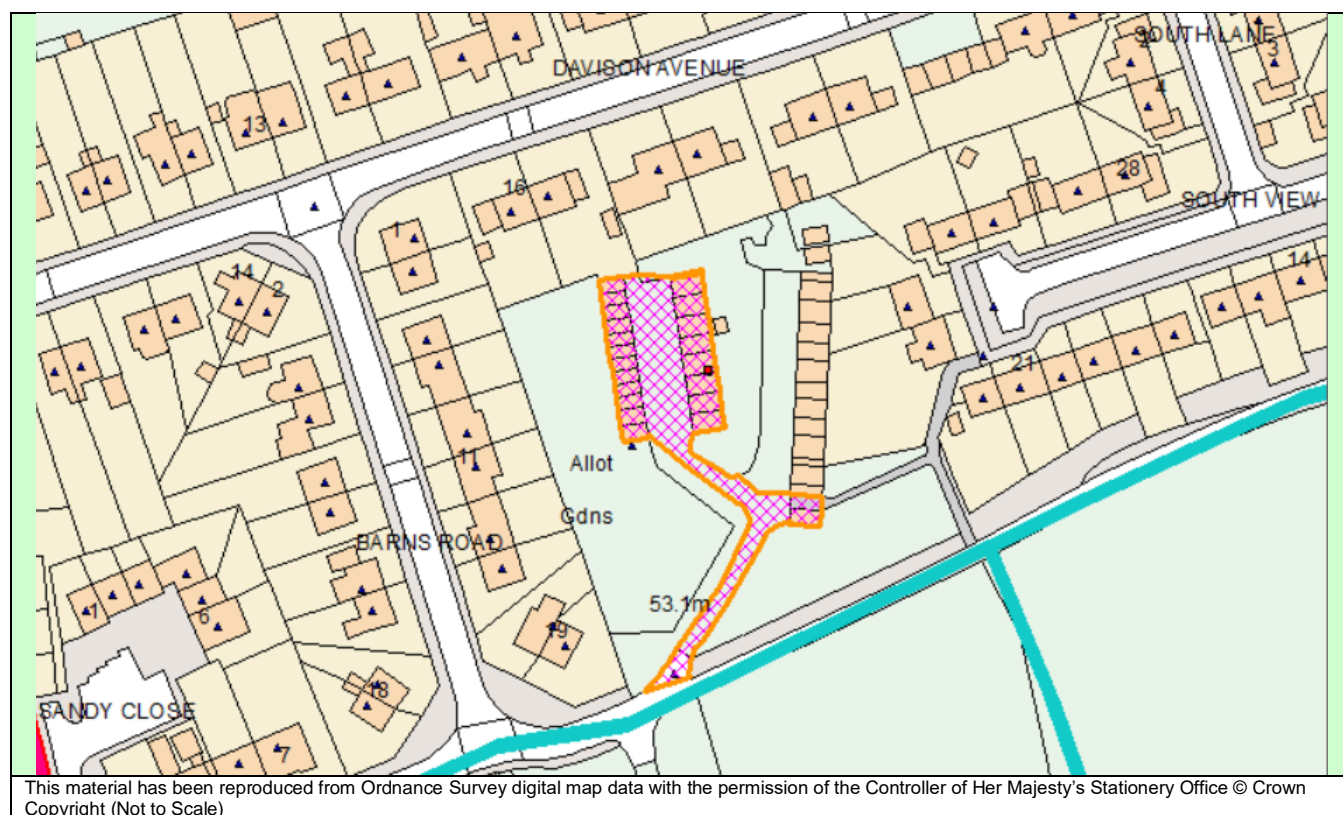


Northumberland County Council

North Northumberland Local Area Council Planning Committee 23 February 2023

Application No:	22/03896/FUL		
Proposal:	Conversion of existing garages to form 4 bungalows.		
Site Address	Mouldshaugh Lane Garages, Mouldshaugh Lane, Felton, Northumberland		
Applicant:	Mrs Saynor County Hall, Morpeth, NE61 2EF,	Agent:	Mr Edwards 5 Brewhouse Bank, North Shields, North Tyneside, NE301LL
Ward	Shilbottle	Parish	Felton
Valid Date:	9 November 2022	Expiry Date:	4 January 2023
Case Officer Details:	Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council Planning Committee due to the application site being on NCC land and the application having been submitted on behalf of NCC Property Services. In addition, objections have been received from the Parish Council and neighbours raising concerns including the impact of the proposals upon access, parking and neighbouring amenity.

1.2 The application has been reviewed by the Committee Chairs and the Director of Planning who requested a committee decision for the reason that it does raise issues of strategic, wider community or significant County Council Interest.

2. Description of the Proposals

2.1 The application seeks permission for the conversion of 2no existing council owned garage blocks to form 4no bungalows on land at Mouldshaugh Lane, Felton.

2.2 The proposed bungalows would be created using the retained outer walls of the garage blocks with new front walls and roofs being added using modular construction techniques. They would have a footprint of approximately 65sqm and a maximum height of approximately 4.5 metres. Internally they would comprise entrance hall, 2no bedrooms, wet room and open plan kitchen/living area. The existing area of hardstanding between the garages would become a communal garden with parking provided immediately to the south of the bungalows and visitor parking alongside a widened access road.

2.3 The application site is located within the settlement of Felton to the south of residential properties on Davison Avenue. The site is accessed from Mouldshaugh Lane to the south and is bound by residential development, with allotment gardens (designated as protected open space) to the west. The garages are currently leased out to members of the public.

3. Planning History

Reference Number: 22/02971/FUL

Description: Refurbishment of existing garages to form 4No. 2 Bedroom bungalows.

Status: APPRET

Reference Number: 22/03796/FUL

Description: Conversion of existing garages to form 4 bungalows

Status: APPRET

4. Consultee Responses

Felton Parish Council	Felton Parish Council objects to the proposed conversion of the Mouldshaugh Lane Garages into four residential units on the following grounds. 1. Loss of Valued Facilities 2. Health and Wellbeing 3. Access
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Countryside/ Rights Of Way	No objection to the proposed development provided that Public Footpath No 6 is protected throughout.
County Ecologist	No objection subject to conditions. Although the application is located within 10km of the coast, as it only involves the creation of four residential units, a contribution to the Coastal Mitigation Service (CMS) is not required.
Highways	Insufficient information has been provided at this time to make a suitable and substantive response within the defined consultation period.
Highways (2)	Following HDM's previous response further information has been supplied. Upon assessment of the submitted drawings and note, it can be seen that the applicant has looked to address concerns regarding the road width. The applicant has provided an updated drawing showing a bank of visitor parking along the main stretch of the access road leading to the development site. HDM have considered this proposal and require amendments in order to ensure sufficient manoeuvrability of vehicles and no potential for compromising the use and integrity of the proposed passing place. HDM would note that as the parking is banked together and the passing place is incorporated and designed to look the same, there would be no protection for this aspect to be used as intended, with the potential for the passing place to be used for parking. Therefore, it is considered proposals for parking spaces on this access route is not appropriate.
Highways (3)	Following HDM's previous comments further amendments have been supplied. The proposed layout has been changed to remove the vp bays from the access road and a statement submitted to justify why the proposed parking does not meet the requirements set out in Policy TRA 4 of the NLP. The site will have a total of 5no. car parking spaces which is considered acceptable, given the scale of the proposals, together with the justification provided. This will provide 1no. space per dwelling plus a visitor parking bay. Conditions and informatives are recommended.
Public Protection	No objection subject to conditions to protect public health and prevent loss of amenity.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	18
Number of Objections	6
Number of Support	0
Number of General Comments	2

Notices

Site Notice - Public Right of Way, 30th November 2022

Press Notice - Northumberland Gazette 17th November 2022

Summary of Responses:

6no letters of objection and 2no representations from neighbours have been received, summarised as follows,

Inaccuracies in submitted application documents

Garages are currently well used

Need for new "council" houses questioned

Amenity issues for existing and future residents

Access and parking issues

Inadequate parking provision and reduction of available spaces in garages will impact negatively on parking which is already a problem in the village

Whilst some of the garages may not currently be used for the parking of car, their removal prevents any future use.

Benefits do not outweigh impacts to community

Impacts upon nearby school especially at pick up/drop off times

The termination of current tenancy agreements for the existing garages will have a considerable impact on the amenities and social life of a significant group of pensioners who live close by and rent both garages and allotments

How will the remaining garages be allocated?

The single detached garage on the south eastern edge of the proposed development does not need to be demolished.

the benefit of four new bungalow units needs to be offset by the loss of sixteen valuable parking spaces in a known problem parking area

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=RK0732QSKJS00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

STP 1 - Spatial strategy (Strategic Policy)

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

STP 3 - Principles of sustainable development (Strategic Policy)

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

STP 5 - Health and wellbeing (Strategic Policy)

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

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

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

HOU 6 - Affordable housing provision (Strategic Policy)

HOU 9 - Residential development management

HOU 11 - Homes for older and vulnerable people (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 3 - Public realm design principles

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

QOP 6 - Delivering well-designed places

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

ICT 2 - New developments

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

ENV 2 - Biodiversity and geodiversity

WAT 2 - Water supply and sewerage

WAT 3 - Flooding

POL 1 - Unstable and contaminated land

POL 2 - Pollution and air, soil and water quality

INF 6 - Planning obligations

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)

6.3 Neighbourhood Planning Policy

N/A

6.4 Other Documents/Strategies

NDG - National Design Guide (2019)

PPG - Planning Practice Guidance (2021, as updated)

NMDC - National Model Design Code (2021)

7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan 2016-2036 (NLP) (2022). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 219 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.3 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. The main considerations in assessing this proposal are:

Principle of Development,
Housing Need,
Design,
Amenity,
Highways,
Ecology,
Environmental Protection,
Water Management,
Sustainable Construction,
ICT Infrastructure,
Other Matters, and
Procedural Matters.

Principle

7.4 Policy STP 1 of the NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth and which conserves and enhances the County's unique environmental assets. The policy sets out a settlement hierarchy which identifies Felton as a "Service Village" which will provide for a proportionate level of housing and be the focus for investment in rural areas, to support the provision and retention of local retail, services and facilities.

7.5 Policy HOU 2 supports the best and most efficient use of land and buildings, encouraging higher densities in the most accessible locations and the redevelopment of suitable previously developed 'brownfield' sites wherever possible and viable to do so.

7.6 This mirrors the support given in paragraph 119 of the NPPF to promoting the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 goes on to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. It also promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).

7.7 On the basis of the above the conversion of the garages to form domestic accommodation, which would meet an identified need within a recognised settlement, is acceptable.

Housing Need

7.8 Policy HOU 5 of the NLP seeks to ensure the provision of a range of good quality, energy-efficient and affordable homes, including supported specialist housing for vulnerable people, as part of delivering a more balanced mix of tenures, housing types and sizes to meet identified housing needs.

7.9 Together with HOU 5, policy HOU 6 requires development proposals to 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.

7.10 The proposed development would provide for 4no dwellings, all of which would be for social, affordable or intermediate rent. It is also intended that all the properties would meet Approved document M4 section 2 and would therefore provide high quality affordable and accessible accommodation for which there is a demonstrable need. Demand for accessible bungalows in rural areas of Northumberland is very high and development sites are few and far between in these areas, including Felton.

7.11 The applicant also notes that NCC needs to maximise the use of their land assets ahead of buying new land for development (and in any event there is no suitable land within Felton available to purchase to meet the identified need). Using garage sites that are located within current council residential areas enables residents to move to smaller more accessible accommodation whilst also remaining within their well-established community and support networks. It is intended that priority will be given to residents within the local parish and then secondary priority will be given to residents of the surrounding areas.

Design & Impact on Character of Area

7.12 Policy QOP 1 of the NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness, incorporate green infrastructure and opportunities to support wildlife

and make provision for efficient use of resources, be adaptable to a changing climate and ensure the longevity of buildings and spaces.

7.13 Policy QOP 2 goes on to say that the physical presence and design of development proposals should preserve the character of the area and not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development should not be oppressive and the best outcomes for outlook are achieved wherever possible.

7.14 Policy HOU 9 of the NLP seeks to support residential developments where they contribute to a sense of place, provide functional space and facilities for refuse and recycling storage as appropriate for the development and are constructed to a high quality of design.

7.15 Paragraph 126 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.16 The National Design Guide also provides guidance on design for those involved in the planning and built environment disciplines and illustrates how well-designed places that are beautiful, enduring and successful can be achieved. This forms part of the Planning Practice Guidance and should be read alongside other guidance on the design process and tools.

7.17 High quality design supports the creation of good places and has a positive impact on health, wellbeing, and happiness. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe, and pleasant, easy to move around, welcoming, adaptable, and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located.
- demonstrate an understanding of the historical development of the site.
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape.
- provide appropriate densities depending on their existing characteristics; and,
- incorporate and use features worthy of retention, including natural features, buildings, and views.

7.18 The scale, massing, materials, and design features proposed have a traditional emphasis and would be laid out in a parallel layout, dictated by the site layout and reuse of the existing structures. As such the proposal accords with Policy QOP 1 b. which requires new development to integrate built form with the site overall and the wider local area.

7.19 The introduction of residential dwellings into an area hitherto used as garages would change the character of the site however this would not be to the detriment of the wider area and would potentially improve the visual amenity of the site.

Amenity

7.20 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.21 Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.22 The site location is such that there would be no substantive concerns regarding neighbouring amenity. The proposal would not give rise to concerns in respect of overlooking, overbearing or loss of light. Due to the nature of the proposals the front elevations of the bungalows would be closer than may ordinarily be accepted, however they would be handed to reduce the potential for direct overlooking and the landscaping of the communal garden will help in this respect. As such there are no significant concerns regarding privacy or overlooking.

7.23 The comments from neighbours raising concerns about the impacts of the proposals on the amenity of surrounding property owners and of those who currently rent garages are noted, however, there are no substantial concerns in respect of overlooking, overbearing, or loss of privacy and the applicant has confirmed that a number of the garages are currently vacant, whilst others are not used for their intended purpose. The proposal is therefore in accordance with Policy QOP 2 of the NLP and the NPPF in this respect.

Highways

7.24 Policy TRA 1 of the NLP promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network. Policy TRA 4 sets out requirements for parking provision in new development.

7.25 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.26 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.27 The Local Highway Authority responded to initial consultation raising concerns about access and parking and requested additional information. Following receipt of additional information, including revised site plans and justification for the level of

parking to be provided, no objections are raised subject to conditions and informatives as set out below. On this basis that proposals are acceptable in highways policy terms.

Ecology

7.28 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon biodiversity and geodiversity, avoiding significant harm through location and/ or design and will secure a net gain for biodiversity through planning conditions or planning obligations. The proposal is in accordance with this policy which is a material consideration in the assessment of the application.

7.29 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.30 The County Ecologist has responded to consultation noting that there are local records of bats, red squirrel, brown hare, and hedgehog. No objections are raised subject to conditions in respect of protected species and biodiversity enhancement. It is noted that the application site is located within 10km of the coast, however as the proposals only involve the creation of four residential units, a contribution to the Coastal Mitigation Service (CMS) is not required.

Environmental Protection

7.31 Policy POL 1 of the NLP states that development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts.

7.32 Policy POL 2 seeks to ensure that development proposals are not put at an unacceptable risk of harm from or are adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances.

7.33 Paragraph 183 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.34 The Council's Environmental Protection team have raised no objections to the proposals subject to conditions in respect of contamination and ground gas, which are required to ensure the risks arising are minimised and are not prejudicial to health and amenity.

Water Management

7.35 Policy WAT 3 of the NLP relates to flooding and states that development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. Policy WAT 4 relates to Sustainable Drainage Systems and states that water sensitive urban design, including Sustainable Drainage Systems (SuDS) will be incorporated into developments whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local

guidance. Policy WAT 5 sets out requirements for development sites located within Coastal Change Management Areas.

7.36 Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

7.37 The applicant has indicated that the site is not within an area at risk of flooding and that both foul and surface water drainage will be dealt with by way of existing mains sewer infrastructure. On this basis the proposals are acceptable in accordance with the NLP and NPPF.

Sustainable Construction

7.38 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.

7.39 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.40 Policy QOP 5 relates to sustainable design and construction and states that 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.

7.41 The applicant confirms that the proposed bungalows would be constructed by a modular building company which specialises in using the existing brick skins of empty garage units to create modern one and two bed bungalows. This model offers a delivery solution that can employ zero carbon technologies, produce very energy efficient homes to ease fuel poverty and is delivered within a very quick build time. It is therefore accepted that the proposed dwellings will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

ICT

7.42 Policy ICT 2 of the NLP 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.

7.43 Paragraph 114 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic

communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

7.44 The current application does not state whether full-fibre broadband connections are proposed. It is therefore appropriate that further details of the proposed broadband connectivity for the development be secured by condition, in accordance with Policy ICT 2 of the NLP and Paragraph 114 of the NPPF.

Other Matters

7.45 The comments received from the Parish Council and neighbours are noted and have been addressed and/or taken into consideration in the assessment of the application as appropriate.

Procedural Matters

Equality Duty

7.46 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

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

Human Rights Act Implications

7.48 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.

7.49 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.

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

8. Conclusion

8.1 The main planning considerations in determining this application have been set out above, stating accordance with the relevant Development Plan Policies. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the NLP and the NPPF on the matters of relevance in this case.

8.2 Whilst noting the concerns raised by neighbours, the principle of the proposal is acceptable and the conversion of the garages to high quality accessible bungalows would provide for an identified need within the area whilst not having a significant detrimental impact upon neighbouring amenity or highway interests.

8.3 The proposal has addressed the main considerations, accords with relevant planning policies and legislation and is considered to be acceptable on balance.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

02. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved plans

1. Drawing No 21035-EARCH-EX-ST-01-A-0010-P03 - Location Plan
2. Drawing No 21035-EARCH-DR-ST-01-A-0500 P17 - Proposed Site Plan
3. Drawing No 21035-EARCH-EX-ST-01-A-0120-P02 - Proposed Floor Plans
4. Drawing No 21035-EARCH-PL-EL-01-A-0300 P02 - Proposed Elevations
5. Drawing No 21035-EARCH-PL-RF-01-A-0201-P01 - Proposed Roof Plans

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

03. Construction Method Statement (including Plan) - PRE-COMMENCEMENT

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

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

04. Details of car parking to be submitted

No dwelling shall be occupied until details of the car parking area with spaces measuring 2.5 x 5m have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the car parking area shall be retained in accordance with the approved details.

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

05. External lighting

The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter. Reason: In the interests of amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

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

06. Means of vehicular access road to be widened

The development shall not be occupied until the existing access road has been widened, repaired and resurfaced in accordance with the approved plans and NCC Highway Constructional Specifications, together with the provision of a passing place and suitable signage, road markings and all other associated works. Thereafter, the access shall be retained accordingly.

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

07. Management and Maintenance of Estate Streets

No development above damp-proof course level shall commence until details of proposed arrangements for future management and maintenance of the proposed

street within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the street shall be maintained in accordance with the approved management and maintenance details.

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

08. Surface water drainage (Private Land)

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

09. Details of Electric Vehicle Charging to be submitted

Prior to occupation details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

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

10. Refuse - No external refuse outside of the premises

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

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and Policies TRA1 and TRA2 of the Northumberland Local Plan.

11. Contaminated Land Assessment - PRE-COMMENCEMENT

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

a) A Phase 2 intrusive site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately

assessed taking into account the sites existing status and proposed new use. The site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

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

Reason: To ensure that risks from land contamination are minimised.

12. Contaminated Land Verification Report

Prior to the development being brought into use or continuing in use the applicant shall submit a verification report to the Local Planning Authority for its written approval. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remediation strategy. Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination are minimised.

13. Contamination not Previously Discovered - Watching Brief

If during development contamination not previously considered is identified, then an additional written remediation strategy regarding this material (prepared by a competent person) shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

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

Reason: To ensure that risks from land contamination are minimised.

14. Ground Gas Protection

No foundation works shall be commenced until a report detailing the proposed protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard required in BS8485:2015+A1:2019 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), or to a minimum of Characteristic Situation 2 level of protection, has been submitted to and approved in writing by the Local Planning Authority.

The report shall specify to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling.

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 be prejudicial to the health & amenity.

15. Verification of Ground Gas Protection

No building shall be brought into use or occupied until a verification report to the approved methodology in Condition 6 has been submitted to and 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 health & amenity.

16. Validation and Verification of the Sealing of Service Duct Annulus

Prior to first occupation of any habitable dwelling, a statement providing evidence of how the service ducts were sealed shall be submitted to and 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 health & amenity of the occupants of the respective properties.

17. Ecology Mitigation

No development shall take place other than in accordance with the Precautionary Working Method Statement detailed in Appendix VII of the Ecological Impact Assessment - Bats and Birds, Garages at Mouldshaugh Lane, Felton, NE65 9NJ, Tyne Ecology, 3rd October 2022' including;

- Prior to any works starting, all contractors being made aware by a tool box talk by the project ecologist of the risk of bats and birds in the building, of the locations where bats and birds could be present, of their legally protected status, of the working methods, and the appropriate course of action to be taken if bats or birds are found in an unexpected location.
- Timber fascias at the eaves must be removed by hand under the direct supervision of the project ecologist who will check for bats immediately prior to removal.
- The wall cavity will be checked by the project ecologist immediately after removal of the roof.
- Should nesting birds be found, nests must be protected from disturbance until young have fledged.
- If bats or signs of bats are found, then work must stop, and the project ecologist contacted for advice.

- Works should avoid the bird nesting season unless a suitably experienced ecologist has confirmed that no nesting birds are present immediately prior to the works commencing.

Reason: To maintain and protect the local biodiversity in accordance with the requirements of Local Plan policy and ENV2 and the NPPF

18. Biodiversity Enhancement

To ensure there is a net gain in ecological value, a minimum of one bat box and one bird box shall be built into the converted building following best practice. Prior to first occupation of the building a verification report and/or photographic evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that this work has been done.

Reason: To conserve and enhance biodiversity in line with the NPPF and Local Plan Policy ENV2.

19. ICT

Prior to the occupation of the development, details confirming the installation of a full fibre broadband connection to each property 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.

Informatives

1. Noisy Working

During the construction period, there should be no noisy activity, i.e. audible at the site boundary outside the following times,

Monday - Friday - 0800-1800

Saturday - 0800-1300

Sundays or Bank Holidays - None.

Any repeatedly noisy activity at any time may render the developer liable to complaints which could result in investigation as to whether a statutory nuisance is being caused.

2. Public Rights of Way

A Public Right of Way passes close to or through the site. No action should be taken to disturb the surface, obstruct the path or in any way prevent or deter public use without the necessary legal diversion or closure Order having been made, confirmed and an alternative route provided.

3. Coal Authority Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

4. Highway condition Survey

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

5. 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.

6. Contact Local Highway Authority - Management and Maintenance of Estate Street

The applicant is advised that to discharge condition 7 the Local Planning Authority requires details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. You can contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

7. 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.

8. 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).

Background Papers: Planning application file(s) 22/03896/FUL