

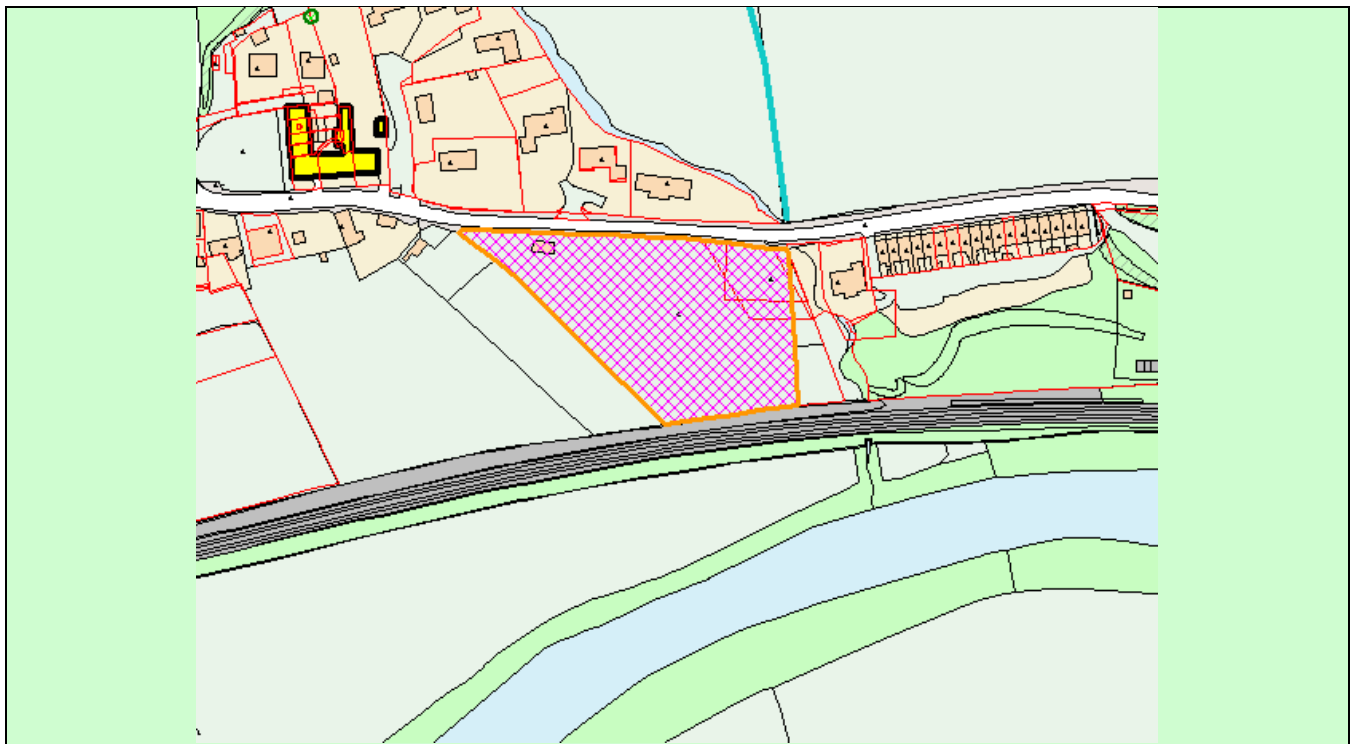


# Northumberland County Council

## Tynedale Area Planning Committee March 2024

<b>Application No:</b>	23/02793/FUL		
<b>Proposal:</b>	Full planning permission for 8no. residential dwellings (Use Class C3) with associated infrastructure and landscaping		
<b>Site Address</b>	Land South of Ashlea, Melkridge, Northumberland,		
<b>Applicant:</b>	Robbie Kalbraier C/O Agent	<b>Agent:</b>	Michael Hepburn St Nicholas Building, St Nicholas Street, Newcastle upon Tyne, NE1 1RF
<b>Ward</b>	Haydon And Hadrian	<b>Parish</b>	Melkridge
<b>Valid Date:</b>	1 August 2023	<b>Expiry Date:</b>	14 February 2024
<b>Case Officer Details:</b>	Name: Mr David Love Job Title: Specialist Senior Officer Tel No: 07517553360 Email: David.love@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to conditions.



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### 1. Introduction

1.1 The application is to be considered by the Tynedale Local Area Planning Committee having been called in by the local Member within 21 days of the application being validated.

## 2. Site Description and Proposals

2.1 The proposal is a full application seeking to develop eight two storeys, detached houses on the site in a contemporary design.

2.2 The application site comprises a 0.7-hectare area of grazing/paddock land with timber stables to the northern boundary within the small settlement of Melkridge, which lies to the south of the A69 and around 2.2km east of Haltwhistle and 2.4km west of Bardon Mill. The site is bound to the north by an established hedgerow, beyond which is the main U7070 highway that runs east - west through Melkridge, with detached single-storey properties to the north side of this. To the east is the detached single-storey property of Flatfield with two-storey terraced properties on Moor View beyond. The railway line forms the southern boundary of the site, with stables and paddock land to the west before entering the historic core of the village and a number of listed properties.

2.3 The site already benefits from an extant outline planning permission for 8 bungalows under 17/04501/OUT. This consent is secured the layout of the proposal of eight bungalows in a linear development along the road edge with two access points. A Reserved Matters application is currently under consideration (21/03562/REM) which maintains the approved layout and delivers on the outline. Plots are larger and cover the depth of the site.

2.4 The site is located within Flood Zone 2 and in a high-risk coal authority area.

## 3. Planning History

**Reference Number:** 17/04501/OUT

**Description:** Outline planning permission for construction of eight residential dwellings with associated parking, landscaping, and open space (All matters reserved except access and layout) (amended description)

**Status:** PER

**Reference Number:** 21/03562/REM

**Description:** Reserved matters application for appearance, landscaping, and scale for eight residential dwellings on approved application 17/04501/OUT

**Status:** PCO

## 4. Consultee Responses

Building Conservation	Less than substantial harm on nearby listed buildings and historic environment.
Melkridge Parish Council	Objection on grounds that the original proposal intended to deliver two-bedroom bungalows, whilst this application will provide larger and more expensive homes. Concerns over the design solution and general impacts on the wider village setting.
Highways	No objection subject to conditions.
Lead Local Flood Authority (LLFA)	No objection subject to conditions following confirmation that NWL will accept a discharge to their network.

County Ecologist	No objection subject to conditions.
Public Protection	No objection subject to conditions.
Forestry Commission	No response received.
Coal Authority	Objection as further information is required.  The agent has since submitted additional information and the CA has been reconsulted, their response is awaited.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	11
Number of Support	0
Number of General Comments	0

### Notices

General site notice, 9th August 2023

No Press Notice Required.

### Summary of Responses:

- Loss of amenity resulting from additional traffic
- Highway safety through traffic generation
- Loss of vegetation and habitats
- Drainage proposals are poor
- Additional load to sewerage network
- Lack of demand for larger houses but there is a need for smaller, affordable units
- Design is poor and does not relate to the historic environment
- Concerns over the neighbour notification process

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=RYESNNQSJFJ00>

## 6. Planning Policy

### 6.1 Development Plan Policy

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)  
 HOU 2 - Provision of new residential development (Strategic Policy)  
 HOU 9 - Residential development management  
 QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity  
QOP 5 - Sustainable design and construction  
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 2 - Biodiversity and geodiversity  
Policy ENV 7 - Historic environment and heritage assets  
ENV 9 - Conservation Areas  
WAT 4 - Sustainable Drainage Systems  
MIN 4 - Safeguarding mineral resources (Strategic Policy)

## 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2023)  
NPPG - National Planning Practice Guidance (2021, as updated)

## 6.3 Other Documents/Strategies

NDG - National Design Guide (2019)  
NMDC - National Model Design Code (2021)  
Historic England's Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets (2017)

## **7. Appraisal**

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

7.2 The principal considerations in the determination of this application are:

- Principle of development
- Design including layout
- Historic Environment
- Public Protection
- Ecological implications
- Minerals Safeguarding
- Coal Authority
- Climate Change
- Broadband Provision

### *Principle of Development*

7.3 The proposal lies in the settlement of Melkridge between the main spine road to the north and the railway line to the south. However, the village does not have a designated boundary. In this case, the frontage of the site is in a gap within, and opposite, existing development within the settlement but does extend significantly further south than the existing residential form. It is considered that the development of the site is consistent with the NLP.

7.4 A material consideration is that an extant outline permission already exists on the same site for 8 dwellings along the northern boundary, with a reserved matters application currently pending consideration. Whilst this application seeks to alter the design and layout, the principle of the development of 8 dwellings on the site has been established through the extant consent.

#### *Design including Layout*

7.7 In June 2021 new provisions were added to the NPPF in relation to design. Paragraph 129 of the NPPF advises that the guidance contained the National Design Guide, and the National Model Design Code should be used to guide decisions on applications in the absence of locally produced design guides or design codes. Northumberland does not yet have any NPPF-compliant Local Design Guides. Until such time as it does, we must use the National Design Guide and National Model Design Code to guide decisions on applications. In accordance with the new provisions in the NPPF, development that is not well designed should be refused, especially where it fails to reflect government guidance on design. Conversely, significant weight should be given to development which reflects government guidance on design; and/or outstanding or innovative designs which promote elevated levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

7.8 The National Planning Policy Framework (NPPF) is a material planning consideration in the assessment of the application. Section 12 of the NPPF is about achieving well-designed places. Paragraph 126 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.

7.9 Local Plan policy QOP 1 sets out the design principles of the Local Plan. Proposals are expected to make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography. Further, proposals should create or contribute to a strong sense of place. The principles of QOP 1 are further enhanced by Policy QOP 3 – Public realm design principles which sets out a several criteria where applicants are expected to improve the public realm. This can be achieved by having a clear definition of private / public spaces, having a clear hierarchy of routes of aspaces, which are faced by active frontages and maximise natural surveillance. Proposals should also maximise urban greening though street trees and other vegetation.

7.10 Policy QOP 2 requires good design and amenity. In this regard, development will be required to provide a high standard of amenity for existing and future users. Paragraph 21 of the NDG describes that:

A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout (or masterplan);
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

These components are defined and commented on below.

7.11 *A layout shows how routes and blocks of development are arranged and relate to one another to create streets, open spaces and buildings. It defines:*

- *the structure or settlement pattern;*
- *the grain - the pattern of development blocks and plots; and*
- *the broad distribution of different uses, and their densities or building heights*

7.12 The site sits juxtapositioned between modern bungalows to the north, the historic centre of the village with listed buildings to the west, the railway line to the south and open fields beyond, whilst to the east is a modern detached dwelling with a row of older terraced buildings beyond. The site itself is open pasture currently used for grazing and houses a small stable building. Topographically it slopes downwards south and east.

7.13 The positioning between various design elements provides for an opportunity of a positive approach to the design. There is no single influence or defined local character providing a degree of flexibility. In this instance the journey through the village is characterised by a consistent ribbon. The application maintains this by proposing four units adjacent to the road. The modern bungalows opposite and the village centre are more than a single row of buildings which the proposal takes account of. The proposal is then served by a single access point, as opposed to a series of separate roads. This is positive and allows for a solid degree of boundary planting on the road edge mimicking the corridor effect seen opposite.

7.14 The layout is made up of two rows of houses taking account of the topography. It allows for consistent buildings heights and generous plot sizes. However, it will be important to maintain the pastoral element of this part of the village, therefore permitted development rights should be removed.

7.15 Form is the three-dimensional shape and modelling of buildings and the spaces they define. Buildings and spaces can take many forms, depending upon their:

- size and shape in plan;
- height;
- bulk - their volume;
- massing - how bulk is shaped into a form;
- building lines - the alignment of building frontages along a street; and
- relationship to the plot boundary - and whether they share party walls or not.

7.16 The site offers a generous opportunity for a positive development. In this regard the proposal caters for two house types which are both two storey detached dwellings. House A is the larger unit which would be situated to the south of the site, whereas the smaller House B units would be located to the north nearer the road. The bulk of the units is consistent with the general larger properties of the area.

7.17 Scale is the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions

7.18 The proposed houses take cue from traditional two storey dwellings in the local area. Their scale and massing reflect this. The layout is for two rows of four units making use of the contours and pastoral characteristics of the site. As opposed to two standard rows the site flows toward the south east better reflecting the character. This approach removes the need for hard engineering solutions and makes better use of the existing landform.

7.19 Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance.

7.20 The house types take on a more contemporary, urban character with the addition of box dormers and porches, irregularly placed and proportioned windows, and flat roofed detached garages. Another deviation from the local vernacular is the use of slate at first floor level which gives the appearance of a mansard roof with dormers.

7.21 Landscape is the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site, the area in which it is situated and the natural environment. Landscape includes landform and drainage, hard landscape such as surfacing, boundary treatments, street furniture and play equipment. It also includes soft landscape – trees, shrubs and other planting.

7.22 The applicant is proposing boundary planting along the road edge and an acoustic barrier along the southern boundary to mitigate noise from the railway line. Individual houses will be light weight treatments such as a metal railing and planting, but this is conditioned as the details are not available at this time. However, it will be important to avoid the over urbanisation of the site and maintain the openness as much as possible.

7.23 The material palette is an appropriate response to the local built environment. Local stone is the dominant element with traditional dual pitched slate roofs. However, a condition will require the developer to submit details of the materials prior to works above base course level.

## Summary

7.24 Considering the above the proposal provides for a sense of place consistent with that of Melkridge. Although two house types might result in a monoculture solution the use of design features such as traditional materials and modern elements will provide for a character unique in the village but also a form and scale consistent with it. The proposal is considered acceptable under the provisions of the National Design Guide.

## Existing Consent

7.25 It is important to consider the current approval and how it relates to this. Should both this application and the REM be approved then both cannot be implemented as they both cover the northern portion of the site. The current layout forms a row of bungalows along the front (north) of the site with open aspects onto the main road. In retrospect the current approved layout will result in something too urban akin to those properties opposite the site and not respecting the lower density of the wider settlement character. The new development allows for larger plots consistent with the wider character retaining the pastoral element of the site.

7.26 The south elevations of House Type B would be particularly prominent in the kinetic views from the railway line. The views from the spine road into the site will see a more traditional elevation without the cladding whilst the remainder will be more contemporary when viewed from within the site and from the railway line. Since the initial submission, the applicant has made amendments to the design including removing the slate from the northernmost elevation. However, this slate cladding gives the impression of a mansard roof which is not appropriate in this setting. To address this concern the cladding has been removed from the northern most elevation offering a more traditional appearance from the public views. A planning condition will ensure that the cladding will be determined prior to works above base course level. However, this should be of a contrasting appearance and coarse from the slate roof. The proposal is considered acceptable under policies QOP 1 and QOP 2 in terms of design.

## Historic Environment

7.27 Melkridge is a small rural settlement located to the south of the A69 which is the main routeway from Newcastle to Carlisle.

7.28 Melkridge contains several important Grade II listed buildings including Melkridge Hall and an outbuilding to its rear. These buildings date from 1830 and are constructed from squared stone in narrow courses. The Hall itself has a fine Lakeland slate roof with stone chimneys, whereas the outbuildings have a Welsh slate roof. The separately Grade II listed Coach House and stables have a mix of stone flag, slate, and concrete tiles to the roofs.

7.29 New High Town is a Grade II listed early 19th century building which was a former brewery and is now a handsome terrace of 7 houses. These buildings are of coursed rubble sandstone with stone dressings and patches of render on the west range. They have a mix of stone flagged, concrete-tiled and slate roofs with stone and brick chimneys.

7.30 To the east of this terrace is the former Coach House, now storage, which also dates from the early 19th century and is separately listed Grade II. It is of squared stone with dressings and a graduated stone-tiled roof with a stone chimney with an added brick top. The heritage assets are located to the north west of the application site.

7.31 It is important to consider the potential impact on these listed properties and the character of the historic core of the village. Although this is not a conservation area it is still an important aspect of the village and demonstrates how the village has historically developed around a central green. The council's Built Heritage and Design Officer has provided comments detailing that the loss of the pastoral setting of this portion of the village is important and should be treated carefully to retain the openness of the character. Details of soft and hard landscaping, boundary treatments, green, shared and private spaces within the development should be secured by condition. This will ensure the overall quality and appearance of the scheme and the integration of the development into its rural setting as required by Policy QOP 1 part b.

7.32 The roof detailing of house type B, those which front the road leading through Melkridge, has been amended to reduce the amount of slate on their principal elevations. The ratio of sandstone to slate better reflects the local vernacular. The external chimney flue has also been removed from the plans.



7.33 In tandem with the appropriate scale and massing of the dwellings, House Type A appears as a contemporary take on a traditional rural dwelling. The use of high quality, locally sourced materials is key to ensuring the development makes a positive contribution to local character. External materials are secured by condition to ensure compliance with Policy QOP 1 section b vi, in the form of a materials schedule and samples. Consideration has been had to the historic core and the potential influence the development could have. In this regard appropriate materials, landscaping and boundary treatments will ensure minimal impact and the potential to complement the listed buildings. It is considered that there is sufficient distance and appropriate landform between the historic core and this development to reduce any potential impact on the delicate setting of this area. The proposal is consistent with the provisions of Policy QOP 1 of the Local Plan, Chapter 12 of the NPPF and the National Design Code.

#### *Public Protection*

7.34 The PP comments relates to three key issues, namely, contaminated land, ground gas and noise / vibration. These are covered in detail below:

#### *Contaminated Land*

7.35 The applicant has submitted a Phase 1 - Desk Top Study, Report Ref: JCCGEO23-007-01-DTS Revision: 01, March 2023 produced by JC Consulting and a Phase 2 - Site Investigation reference: JCCGEO23-007-01-Si, dated June 2023 also produced by JC Consulting. The report concludes that contamination risks are negligible and site remediation is not required. A watching brief condition is recommended.

#### *Ground gas*

7.36 The Phase 1 and 2 Contaminated Land Risk Assessment reports indicate the site is located within a 'Coal Mining Reporting Area' and within a 'Development High Risk Area'. Therefore, a Coal Authority CON29M coal mining report (ref: 51003340210001) and a consultant's coal mining report (ref: 51003340222001) were obtained for the site. No ground gas monitoring was undertaken as part of the Phase 2 site investigation however, ground gas conditions were included on the decision notice 17/04501/OUT. PP has recommended that these conditions are carried forward on this application.

#### *Noise / Vibration*

7.37 The applicant has submitted a Noise Impact Assessment reference 10836.1, dated 14 June 2023 Revision B, prepared by Apex Acoustics. The assessment recommends the provision of an acoustic barrier on the Northern and Western boundaries between the proposed development site and the railway line to reduce garden noise levels to below the guideline upper limit of 55 dB LAeq16hr.

7.38 The installation of acoustic glazing and acoustic ventilators is required to ensure that internal noise levels are within the recommended target levels specified in BS8233: 2014 Guidance on sound insulation and noise reduction for buildings.

#### *Conclusion*

7.39 Considering the above and with conditions the application is consistent with the provisions of policies POL 1 and those relating to residential amenity.

## *Ecology*

7.40 Policy ENV 2 requires proposals to deliver a biodiversity net gain. In this instance the potential impacts of the development are identified as being:

- Loss of 0.6ha of semi-improved grassland.
- Loss of small areas of scattered tall ruderal at the site boundaries.
- Loss of a section of the northern boundary hedgerow for access.
- Loss of nesting habitat used by breeding birds, including nests within the stable, and foraging habitat use by birds and potentially reptiles.
- Further spread of Wildlife and Countryside Act Schedule 9 invasive species Himalayan Balsam.
- Pollution of the Melkridge Burn adjacent to the site through contamination, run-off, silt, and dust during development construction.
- Loss and damage to retained hedgerows and trees, including those immediately adjacent to site.
- Loss of small areas of bat foraging habitat and commuting routes associated with the northern boundary hedgerow.
- Increased disturbance to bats using the site through increased lighting.
- Increased predation of birds through a potential increase of pet cats.
- Risk of harm to individual amphibians such as common frog and potentially common toad should they be present on-site during works.
- Potential harm to mammal and amphibian species through entrapment within excavations left open overnight.
- Loss of habitat used by, and potential increased disturbance to, national priority species hedgehog and common toad.
- Potential harm/disturbance to badgers that may reside in adjacent habitats and forage across the site.
- Potential harm/disturbance to otters that may use the adjacent burn should works take place near the burn

7.41 The site plans show trees to be retained and hedgerows. There is a significant loss of hedgerow, but this hedgerow as described in the EclA does not meet the threshold of being considered 'important' in the Hedgerow Regulations 1997. However, hedgerows are a Habitat of Principal Importance and as such a compensation plan is required by condition.

7.42 The application is consistent with the provisions of ENV 2 with planning conditions to compensate for the loss of hedgerows.

## *Minerals Safeguarding*

7.43 The application lies in the safeguarding for minerals. However, the site is never likely to come forward to extraction given the location within the village envelope. It is not considered expedient to seek safeguarding of the minerals resource given the location of the proposal.

## *Planning Contributions*

7.44 A residential proposal over 0.5ha would usually attract requirements for planning contributions for affordable housing, education, health care and open space as set out as set out below;

- Affordable Housing – 2 units
- Health care – None
- Education – No response
- Open space - £18,843.80

However, given the site already has permission through an extant outline consent with a reserved matters application pending consideration, it is considered that this represents a fall back position and that it would not be reasonable to request the above contributions in light of this.

### Coal Risk

7.45 The site lies within a high-risk coal area. The applicants have submitted a report which has been assessed by the Coal Authority who have objected on the basis that further information is required. Further information has been submitted by the applicant, and the CA have been reconsulted – their comments are awaited.

### Climate Change

7.46 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.

7.47 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.

7.48 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.

7.49 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

7.50 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.

7.51 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.

#### Equality Duty

7.52 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

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

#### Human Rights Act Implications

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

7.55 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.

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

## **8. Conclusion**

8.1 The site already benefits from outline planning permission for a linear development of eight bungalows. An associated REM application is currently under

consideration pending the determination of this submission. It is considered by officers that this proposal represents a better design fit in terms of layout and form as compared to that which already has permission. The design of the units represents a contemporary solution and is considered consistent with the relevant design policies of the Local Plan and the NPPF.

## **9. Recommendation**

That this application be GRANTED permission subject to conditions.

### Conditions/Reason

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

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

02. The development to which this permission relates shall be carried out in accordance with the approved plan(s) referenced

Location Plan AL (0)01 Rev A  
Existing Site Plan AL (0)02

Proposed Site Plan AL (0)10 Rev K  
Proposed House Type A AL (0)11 Rev D  
Proposed House Type B AL (0)12 Rev E  
Proposed House Type B - Elevations AL (0)13 Rev D  
Proposed House Type A - Elevations AL (0)14 Rev D  
Roof Plan AL (0)15 Rev A  
Roof Plan AL (0)16 Rev A  
Proposed Site Section AL (0)24 Rev D  
Annotated Site Plan for Planning AL (0)27 Rev C

Proposed Junction Layout C-G-010 Rev A  
Proposed Junction Levels C-GA-011 Rev A  
Proposed Junction Visibility Splays C-GA-012 Rev A  
Proposed Junction Swept Path Analysis C-GA-013 Rev A  
Swept Path Analysis, 1025-001  
C-G-A001 Proposed Drainage General Arrangement Rev C dated 23.09.2023 by JCC Consulting

Area of Compressible Deposits G-GA-002  
Drainage Strategy, JCC, JCC23-046-C-02, September 2023

Reason: For the avoidance of doubt and in the interests of proper planning, and in order to achieve a satisfactory form of development in accordance with the National Planning Policy Framework and the Local Plan.

03. 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].

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

#### 04. 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 and amenity.

#### 05. Verification of Ground Gas Protection

No building shall be brought into use or occupied until the applicant has submitted a verification report to the approved methodology in Condition 4. The verification report shall be approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which be potentially be prejudicial to the health and amenity.

#### 06. Glazing/Ventilation Specification

Prior to the commencement of the development, details of the glazing and acoustic ventilation to be installed in all windows in the development, in accordance with Table 9: Glazing and trickle ventilator performance requirements in the Noise Impact Assessment reference 10836.1, dated 14 June 2023 Revision B, prepared by Apex Acoustics, shall be submitted to, and approved in writing by, the Local Planning Authority.

The approved glazing and ventilation scheme shall be implemented in full before the development is brought into use. The approved works shall be retained for the life of the development unless agreed in writing with the local planning authority.

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

#### 07. Provision of Acoustic Barrier

Prior to the development being brought into use, a scheme for a robust, continuous acoustic barrier constructed along the North and Western boundary of the site, as shown in Figure 4 in the Noise Impact Assessment reference 10836.1, dated 14 June

2023 Revision B, prepared by Apex Acoustics, shall be submitted to, and approved in writing by the local planning authority. The acoustic barrier must be a minimum height of 1.8 metres [measured from the ground level] and minimum surface density of 10 Kg/m<sup>2</sup>. All works which form part of the approved scheme shall be completed before first residential occupation. The barrier shall be maintained throughout the life of the development.

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

#### 08. Construction Noise

No external site machinery or plant shall be operated, no works of demolition or construction carried out and no deliveries received or dispatched from the site, except between the hours of:

- o 0800 to 1800 on Monday to Friday and
- o 0800 to 1300 on Saturday.
- o No development shall take place on Sundays, Public or Bank Holidays

unless agreed in writing with the Local Planning Authority.

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

#### 09. Construction Environmental Management Plan (CEMP)

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to the LPA for approval in writing. The CEMP will detail the working methods to avoid any pollution incidents, Buffer zones to the watercourse and protection measures, and measures to protect existing trees and hedges during construction. It will be written by the project ecologist in co-operation with the design and construction team and include the recommendations for precautionary working methods for protected species and habitats detailed in the report Ecological Impact Assessment, Land at Melkridge (July 2023, E3 Ecology).

Reason: to maintain and enhance the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan.

#### 10. Landscape and Ecological Management Plan (LEMP)

No development will commence until a landscape and ecological management plan (LEMP) is submitted to, and approved in writing by, the local planning authority. It will be written by the project ecologist in co-operation with the design team. The content of the LEMP shall include the recommendations of the report Ecological Impact Assessment, Land at Melkridge (July 2023, E3 Ecology) and include measures to replace trees and hedgerows on the site which will be lost.

It will provide details of:

- a) Description and evaluation of features to be managed.
- 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 fully implemented in accordance with the approved details.

Reason: to maintain and enhance the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan.

#### 11. Landscape and Boundary Treatment

Development shall not commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

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

#### 12. Materials

Prior to the commencement of works above base course level the applicant shall provide details of the proposed external materials. Once agreed in writing by the planning authority the development shall be completed as per these details.

Reason: To ensure a suitable finish to the development and ensure no adverse impact on the Conservation Area as per policies QOP 1 and ENV 7.

#### 13. Restricted Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any subsequent Order amending, revoking or re-enacting that Order), there shall be no further building, structure or enclosure placed on the site unless an application for planning permission in that behalf has first been submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers that any further development would prejudice a satisfactory layout and would have a harmful effect upon the amenity of the area.

#### 14. Boundary Treatment

The development shall not be occupied until details of the proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied.

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

#### 15. Hard and Soft Landscaping

Prior to the commencement of development a detailed landscaping scheme, showing both hard and soft landscaping proposals, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include, where required, [the planting of trees and shrubs including a planting schedule setting out species, numbers, densities and locations, the provision of screen walls or fences, the mounding of earth, the creation of areas of hardstanding, pathways, etc, areas to be seeded with grass, and other works or proposals for improving the appearance of the development - delete as applicable]. The scheme shall be carried out in accordance with the approved drawings not later than the expiry of the next planting season



following commencement of the development, or within such other time as may be approved with the Local Planning Authority. The landscaped areas shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any plants, or areas of seeding or turfing comprised in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion.

#### 16. Construction Method Statement (including Plan)

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
- vi. details of the size and number of HGV's associated with the construction phase of 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

#### 17. Implementation of car parking area

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

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

#### 18. Completion of highway works before occupation

Development shall not be occupied until details of the proposed highway works i.e. for delivery of the site access including facilitating vehicular access to NCC Type C specification and pedestrian links, including footway construction works to existing bus stops along the northern boundary of the site, road markings, dropped kerbs, tactile paving, and all other associated highway works 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.

#### 19. Implementation of cycle parking

No dwelling shall be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

20. 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 detail 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.

21. Implementation of Electric Vehicle Charging

Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented Thereafter; the Electric Vehicle Charging Points shall be retained in accordance with the approved plans 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.

22. SuDS – Adoption and Maintenance

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

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

23. SuDS – Construction

No Development, including site set up, shall commence until details of the disposal of surface water from the development through the construction phase has been submitted to and agreed with the Local Planning Authority.

REASON: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

24. SuDS – Verification

Prior to the first occupation 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);
- Photographs of the surface water system being installed as per the agreed scheme including flow controls, storage structures and any other SuDS components.

- Health and Safety file; and
- Details of ownership organisation/adoption and maintenance details.

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

#### 25. Climate Change

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 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.

#### 26. Broadband

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.

### **Informative**

#### 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](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.

#### 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](mailto:highwaysplanning@northumberland.gov.uk).

#### Highway works under Section 278 Agreement

The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980:

Vehicular access to NCC Type C specification, pedestrian links, including footway construction works to existing bus stops along the northern boundary of the site, road markings, dropped kerbs, tactile paving, and all other associated highway works.

#### 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.

#### 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.

#### 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](mailto:highwaysplanning@northumberland.gov.uk)

#### 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)

**Background Papers:** Planning application file(s) 23/02793/FUL