



# Northumberland County Council

## Castle Morpeth Local Area Council Meeting, 8<sup>th</sup> February 2021

<b>Application No:</b>	20/00303/FUL		
<b>Proposal:</b>	Proposed 4no holiday chalets and food takeaway unit with extended wildlife area (as amended 16/11/2020)		
<b>Site Address</b>	Land South East Of The Drift, Cresswell, Northumberland,		
<b>Applicant:</b>	Mr Duncan Lawrence The Drift Cafe, Cafe And Bookshop, The Drift, Cresswell, Morpeth, Northumberland, NE61 5LA	<b>Agent:</b>	None
<b>Ward</b>	Druridge Bay	<b>Parish</b>	Cresswell
<b>Valid Date:</b>	19 June 2020	<b>Expiry Date:</b>	09 February 2021
<b>Case Officer Details:</b>	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to a s106 agreement in relation to a contribution to the Coastal Mitigation scheme.



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### 1. Introduction

1.1 This application is being referred to the Local Area Council for a decision due to the level of local interest. Under the current scheme of delegation, the

application was referred to the Chief Planning Officer (Director of Planning), Chair and Vice Chair of Strategic Planning Committee where it was considered that the application raises issues of strategic, wider community or significant County Council Interest.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of 4no holiday chalets and a food takeaway unit on land South East of The Drift, Cresswell.
- 2.2 The 4no holiday chalets would measure 6.5 metres in width by 11.3 metres in length incorporating a pitched roof that would measure 5 metres to the ridge. Materials used would consist of timber cladding upon the external walls whilst roof tiles would match those upon the existing Drift Café.
- 2.3 The proposed takeaway unit would measure 17.7 metres in length by 6 metres in width, also incorporating a pitched roof that measures 4.2 metres to the highest point. Materials would again consist of timber cladding and roof tiles.
- 2.4 The submitted details also indicate the creation of a wildlife area achieved through the creation of a pond and extensive tree planting within this section of the application site.
- 2.5 2no parking spaces would be provided for each chalet with 3no staff parking spaces located to the West of the structures. The proposed takeaway unit will utilise the existing car park for the Drift Café which currently provides parking for 42no vehicles.
- 2.6 The application proposals were amended on 16<sup>th</sup> November 2020 following initial comments from the local planning authority (LPA). It is these amended details that will be considered within the below appraisal.

## 3. Planning History

N/A

## 4. Consultee Responses

Cresswell Parish Council	No objection. Additional litter bins should be located within the surrounding area and parking restrictions put in place.
Highways	No objection subject to recommended conditions.
Public Protection	No objection subject to recommended conditions.
County Ecologist	No objection subject to recommended conditions and CMS contributions.
The Coal Authority	No objection subject to recommended conditions.
Northumbrian Water Ltd	No comment.
Natural England	No objection subject to CMS.
Tourism, Leisure & Culture	Support the application.
County Archaeologist	No objection subject to recommended condition.
Northumberland Coast AONB	No comment.

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## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	14
Number of Objections	17
Number of Support	4
Number of General Comments	4

### Notices

General site notice, 25<sup>th</sup> June 2020  
No Press Notice Required.

### Summary of Responses:

17no objections were received from neighbouring residents and members of the public. Concerns were raised regarding:

- Highway safety;
- Overdevelopment of the land;
- Development in the open countryside;
- Impacts on visual amenity and character;
- Light pollution;
- Ecological concerns.

4no representations were received against the application which recognised the benefits the existing Drift Café provides to the area but also raised concerns regarding how an increase in commercial activity would impact upon the area.

4no support comments were received recognising the need for additional holiday accommodation and the employment opportunities that will be created from the development.

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=Q4XFSYQS0CN00>

## 6. Planning Policy

### 6.1 Development Plan Policy

Castle Morpeth District Local Plan (2003, saved policies 2007) (CMDLP)

Policy RE5 - Surface water run-off and flood defences  
Policy RE8 – Contaminated land  
Policy RE9 – Ground stability  
Policy C1 - Settlement boundaries  
Policy C3 – Areas of high landscape value  
Policy C11 - Protected species  
Policy E10 – Self catering holiday accommodation

Policy T6 – Provision for cyclists/cycle routes  
Policy CLC1 – Cresswell settlement boundary  
Policy CLC2 – Cresswell area of high landscape value

## 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2019)  
NPPG - National Planning Practice Guidance (2019, as updated)

## 6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (including Proposed Minor Modifications) (Regulation 19) (submitted on 29th May 2019) (NLP)

Policy STP 1 Spatial strategy (Strategic Policy)  
Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)  
Policy STP 3 Principles of sustainable development (Strategic Policy)  
Policy STP 5 Health and wellbeing  
Policy ECN 12 A strategy for rural economic growth  
Policy ECN 13 Meeting rural employment needs  
Policy ECN 15 Tourism and visitor development  
Policy TCS 6 Hot food takeaways  
Policy QOP 1 Design principles (Strategic Policy)  
Policy QOP 2 Good design and amenity  
Policy QOP 4 Landscaping and trees  
Policy QOP 5 Sustainable design and construction  
Policy QOP 6 Delivering well-designed places  
Policy TRA 2 The effects of development on the transport network  
Policy TRA 4 Parking provision in new development  
Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)  
Policy ENV 2 Biodiversity and geodiversity 1  
Policy ENV 3 Landscape  
Policy ENV 4 Tranquillity, dark skies and sense of rurality  
Policy ENV 5 Areas of outstanding natural beauty  
Policy WAT 1 Water quality  
Policy WAT 2 Water supply and sewerage  
Policy WAT 4 Sustainable drainage systems  
Policy POL 1 Unstable and contaminated land  
Policy POL 2 Pollution and air, soil and water quality  
Policy INF 6 Planning obligations

## **7. Appraisal**

7.1 In assessing the acceptability of any proposal, regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that the starting point for determining applications remains with the development plan, which in this case contains policies from the Castle Morpeth District Local Plan (2003, saved policies 2007) (CMDLP).

- Principle of development;

- Design;
- Residential amenity;
- Highway safety;
- Ecological impacts;
- Public Protection;
- Archaeological impacts;
- Water management;
- Coal risk.

In accordance with paragraph 48 of the NPPF, local planning authorities (LPA's) may also give weight to relevant policies within emerging plans depending on the stage of preparation, extent of unresolved objections and the degree of consistency with the NPPF. Policies contained within the Northumberland Local Plan - Publication Draft Plan (Regulation 19) and proposed minor modifications (May 2019) can therefore be given some weight in the assessment of this application.

### **Principle of development**

- 7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration. The development plan comprises the Castle Morpeth Local Plan (2003, saved policies 2007). This document is the starting point for determining applications as set out in the NPPF. However, the NPPF advises that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.
- 7.3 In accordance with the NPPF weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The latest version of the NLP was submitted to the Secretary of State for examination in May 2019 and the examination in public into the Plan has recently concluded. Relevant policies in this document are a material consideration in determining this application and it is considered that such policies can be afforded some weight at this time.
- 7.4 Policy C1 of the CMDLP, read in conjunction with the Proposals Map that accompanies the Plan, seeks for development to be focused within existing settlements. It states that development in the open countryside beyond settlement boundaries will not be permitted unless the proposals can be justified as essential to the needs of agriculture or forestry or are permitted by other relevant policies within the Plan.
- 7.5 Policy E10 of the CMDLP is considered relevant and offers a level of support for self catering holiday accommodation outside designated Green Belt land. This policy sets out 5no provisions that all proposals must accord with, those being:
- i) the proposal should be well related to an existing settlement or group of buildings and blend with the landscape;*
  - ii) all buildings should be of a scale, character and materials which respect local building styles;*

*iii) there should be no detrimental effect on areas of high landscape value;*  
*iv) there would be no adverse impact on a significant area of best and most versatile agricultural land, or on farm structure;*  
*v) car parking should be provided on the basis of a minimum of one car parking space per two bedspaces.*

The policy also notes that where appropriate, the council will attach a planning condition prohibiting the use of the buildings as permanent residential accommodation.

- 7.6 The NPPF at paragraph 83 also offers support to rural development that would contribute to a prosperous rural economy. Part a) of the policy states that this can be achieved through *'the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings'*.
- 7.7 Whilst full weight cannot yet be given to policies within the emerging NLP, policy ECN 15 seeks for Northumberland to be promoted and developed as a destination for tourists and visitors. The policy goes on to note that new chalets will be supported in accessible locations outside the two AONB's and World Heritage site provided the development is adequately screened, taking into account short and long range views, by existing topography or vegetation of new good quality landscaping compatible with the surrounding landscape.
- 7.8 As part of the application assessment, a site visit was undertaken by the Planning Officer with a 'character assessment' document provided as part of the application submission demonstrating short and long range views of the application site. The 4no holiday chalet structures, and takeaway unit, would be well related to the existing Drift Café building with the scale, massing and overall heights of the units ensuring they are viewed as subordinate to the main building on site directly to the West. The creation of a wildlife area upon the South Eastern boundary would negate any concerns in regards to ribbon development of the site and would provide a clearly identified end between built form and further agricultural land extending towards the settlement of Cresswell.
- 7.9 The site forms part of 'the coastal area of Druridge Bay' area of high landscape value and is recognised as having a special identity which can be harmed or destroyed by unnecessary or insensitive development. The amended proposals represent an acceptable form of development that can be appropriately located on site without detrimentally impacting upon the wider designated area. The incorporation of additional landscaping on site is welcomed and provides partial screening to the built form as proposed.
- 7.10 The proposals would provide clear tourism and economic benefits for the area in line with both local and national planning policy. Supporting information has been provided by the applicant outlining the creation of approximately 20 FTE job roles whilst Northumberland Tourism have also lodged their support for the proposals due to the sites location adjacent to the Northumberland Coast Path and the lack of service accommodation currently existing at present. The number of visitors to Northumberland is increasing and there is evidently an increased demand for tourist accommodation and services, where appropriate.

- 7.11 In terms of planning balance, the LPA have determined that the overall benefits of the scheme through the creation of employment and tourism benefits, outweigh any harm considered to be caused by the introduction of built form upon undeveloped agricultural land. There is clear support at both local and national planning policy level for rural development, where appropriate, and the proposals in their current form represent an acceptable form of development that accords with relevant policies.

### **Design**

- 7.12 Whilst visual character has primarily been addressed above, further consideration can be given in this section of the appraisal to the design of the 4no holiday chalets and takeaway units. Paragraph 124 of the NPPF recognises good design as a key aspect of sustainable development whilst paragraph 127 goes on to note that 'developments should function well and add to the overall quality of the area' whilst being 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.
- 7.13 Policy QOP 1 of the NLP mirrors these provisions and states that development should 'make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features including landform and topography'.
- 7.14 The 4no holiday chalets and takeaway unit have been appropriately designed inline with the rural character of the surrounding landscape. The incorporation of a timber cladding upon the external walls of the structures is appropriate for a rural setting and was identified as already existing within the surrounding landscape upon existing structures located along the coastal path. As referenced above, the scale and massing of the buildings are subordinate to the existing café on site and due to the landform and topography of the surrounding environment, they would not provide an overly dominant or incongruous impact upon the landscape.
- 7.15 The incorporation of additional planting upon the South Eastern boundary of the site and the site frontage would further assist in screening views of the development from various viewpoints and would negate any potential impact that the addition of built form upon the application site would cause.
- 7.16 The proposals represent good design in accordance with both local and national planning policy.

### **Residential amenity**

- 7.17 Due to the rural location of the application site, with a separation distance of approximately 150 metres to the nearby permitted travellers site to the South West, the proposals would not cause any adverse impacts upon residential amenity. Future occupiers of the holiday chalets would benefit from an appropriate level of amenity space internally for the premises to be accommodated for holiday purposes and not permanent residential use.

### **Highway safety**

- 7.18 Paragraph 109 of the NPPF states that ‘development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 7.19 Policy TRA 2 of the emerging NLP states that all developments must minimise adverse impacts on the transport network. This can be achieved through providing effective and safe access and egress to the existing transport network, including appropriate measures to mitigate and manage any adverse impacts and minimise conflict between different modes of transport including measures for network, traffic and parking management.
- 7.20 Policy TRA 4 states that an appropriate amount of off-street vehicle parking sufficient to serve the new development shall be made available in safe, accessible and convenient locations prior to the development, as a whole or in part, being brought into use. As referenced earlier within the appraisal, policy E10 of the CMDLP stipulates a minimum of one car parking space per two bed spaces within self catering holiday units.
- 7.21 Consultation was undertaken with Highways Development Management who raised no objection to the proposals subject to recommended conditions and the securing of a S278 agreement for various highway improvements at the site and the imposition of a parking management strategy along the entire frontage of the site.
- 7.22 Appropriate parking provision has been provided for the 4no holiday chalets, along with staff car parking, whilst parking provision for the existing takeaway unit can be appropriately accommodated within the existing hardstanding car park located to the North West of the application site beyond the existing Drift Café building. To ensure highway safety at all times, a condition is recommended that the development shall not be brought into use until the required car parking provisions, together with access arrangements, have been formed, and thereafter shall be retained at all times for the parking of vehicles associated with the development.
- 7.23 The proposed development site is to be accessed from a new site access and egress from the C110 public highway. This section of adopted highway has a 20mph speed limit and no parking restrictions. Given that on-street car parking is frequent along this section of highway which can obstruct the sightlines at the access, the applicant must seek to secure the implementation of a Traffic Regulation Order (TRO) through a parking management strategy across the whole of the frontage of the existing and proposed sites to restrict or prohibit parking in these areas. In the interests of highway and pedestrian safety, and the amenity of the surrounding area, it is advised that a construction method statement is submitted prior to the start of works identifying access routes to the site, vehicle cleaning facilities, parking for site operatives and visitors, storage areas and loading/unloading areas.
- 7.24 The proposals, subject to recommended conditions, represent an appropriate form of development on highway grounds that would not adversely impact upon highway safety.

## **Ecological impacts**

- 7.25 Policy C11 of the CMDLP stipulates that the council will not permit development which would adversely affect protected species or their habitats unless it can be demonstrated that the reasons for the proposed development outweigh any adverse affect on the species or their habitat.
- 7.26 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment and that this can be achieved by 'minimising impacts on and providing net gains for biodiversity'. The provisions are mirrored with policy ENV 2 of the emerging NLP.
- 7.27 Consultation was undertaken with the local authority's ecologist who raised no objection to the proposals subject recommended conditions and the securing of coastal mitigation contributions via a legal agreement.
- 7.28 An ecological impact assessment forms part of the submitted details and assesses the risk to protected species and habitats as being low. Nevertheless, precautionary working method and mitigation must be secured on site via condition to ensure there would be no significant adverse impacts.
- 7.29 As this is a proposed residential development within 10km of the coast, consideration will need to be given to the impact of increased recreational disturbance to bird species that are interest features of the coastal SSSIs and European sites, and increased recreational pressure on dune grasslands which are similarly protected. Contributions have been calculated at £1,377 taking into consideration average occupancy rates within holiday lets and such contributions can be secured via a unilateral undertaking.

## **Public Protection**

- 7.30 Policy RE8 of the CMDLP states that the council will require proposals for the development of all land identified as being, or potentially being contaminated by previous developments of mineral workings, to be accompanied by a statement of site investigation outlining the tests undertaken and the evaluation of the result in order that the council may assess any direct threat to health, safety or the environment.
- 7.31 A phase III remediation strategy report forms part of the application submission and allows the local authority's Public Protection department to confirm no objection to the proposals subject to recommended conditions. In line with the ground gas protection measures as detailed within the report, a validation and verification report of these measures must be submitted to and approved in writing by the local authority prior to any building being brought into use to ensure the safety of the premises for the end user.
- 7.32 Details of the proposed extraction system for the takeaway unit have also been provided which Public Protection have confirmed no objection to. The proposed system is acceptable for a proposal of this scale and there are no sensitive receptors situated in the zone of influence of the site.

## **Archaeological impacts**

- 7.33 Paragraph 187 of the NPPF states that local planning authorities should maintain or have access to a historic environment record. This should contain an up-to-date evidence about the historic environment in their area and can be used to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.
- 7.34 The site is located within a landscape retaining evidence of human occupation spanning the prehistoric to modern periods. In particular, the proposed development site is located in an area of the Northumberland coast which retains a high potential for unrecorded remains of prehistoric date. The settlement of Cresswell dates from the medieval period. The proposed development site is located some distance from the medieval settlement and is likely to have been in agricultural use from at least the medieval period onwards.
- 7.35 Consultation was undertaken with the local authority's archaeologist who raised no objection to the proposals subject to a recommended condition that a programme of archaeological work is required. Such work must be done in accordance with the NCC Conservation Team's standards for archaeological mitigation and site specific requirements document (dated 30/07/2020).

### **Water management**

- 7.36 The submitted information confirms that foul sewage would be disposed of via an existing on-site septic tank treatment plant whilst surface water will be disposed of via existing soakaway. Such arrangements are acceptable and would ensure appropriate water management at the application site.

### **Coal risk**

- 7.37 Policy RE9 of the CMDLP states that the council will require proposals for development which is on unstable or potentially unstable land to be accompanied by a statement on ground stability, together with details of measures proposed to deal with any instability.
- 7.38 The application site is located with a development high risk area as defined by The Coal Authority (TCA). Consultation was undertaken with TCA who confirmed their information indicates that the site lies in an area where historic unrecorded coal mining activity is likely to have taken place at shallow depth. In addition, a recorded mine entry (adit, CA. 428593-001) is present beyond the western site boundary.
- 7.39 The application is accompanied by a Coal Mining Risk Assessment report (February 2020, prepared by Earth Environmental & Geotechnical). The report makes appropriate recommendations for the carrying out of intrusive ground investigations in the form of boreholes in order to establish the depth and condition of shallow coal seams and to inform any necessary remedial measures. The Coal Authority welcomes the recommendation for the undertaking of intrusive site investigations. These should be designed by a competent person to properly assess ground conditions and to establish the exact situation regarding coal mining legacy which could pose a risk to the proposed development. The applicant should ensure that the exact form of

any intrusive site investigation is agreed with the Coal Authority's Permitting Team as part of their permit application. Such works can be secured via condition and will ensure appropriate ground stability on site, prior to the commencement of development.

### **Equality Duty**

- 7.40 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**

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

### **Human Rights Act Implications**

- 7.42 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.
- 7.43 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.
- 7.44 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 proposal represents an acceptable form of development in accordance with both local and national planning policy for reasons outlined above. The scheme would represent both tourism and economic growth for the site and wider area whilst ensuring there would not be significant harm to the rural character.
- 8.2 The application is recommended for approval.

## 9. Recommendation

That this application be GRANTED permission subject to a s106 agreement in relation to a contribution to the Coastal Mitigation scheme and the following conditions.

### Conditions/Reason

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

- 1) Location plan (received 30<sup>th</sup> January 2020)
- 2) Proposed holiday chalets (received 30<sup>th</sup> January 2020)
- 3) Ecological appraisal Tyne Ecology (received 20<sup>th</sup> July 2020)
- 4) Proposed site plan drawing no. 001 A.B (received 16<sup>th</sup> November 2020)
- 5) Proposed takeaway unit (received 16<sup>th</sup> November 2020)
- 6) FLORIGO Extraction proposal (received 14<sup>th</sup> December 2020)
- 7) Phase III Remediation Strategy – GEOL Consultants Ltd GEOL20-9720 (received 27<sup>th</sup> November 2020)

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

03. No external lighting may be operated onsite without the prior approval of the Local Planning Authority.

Reason: To limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

04. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology detailed within the approved plan “Phase III Remediation Strategy – GEOL Consultants Ltd GEOL20- 9720 – 26/11/2020” which has been approved in writing by the LPA.

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

05. If during redevelopment contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority – the written method statement must be written by a competent person. No building shall be occupied until a method statement 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 to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

06. The takeaway unit shall not be brought into use until the car parking area associated with the takeaway unit, as indicated on the approved plans, has been marked out in bays and 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.

07. The chalets shall not be occupied until the car parking area associated with the chalets, as indicated on the approved plans, has been marked out in bays and 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 chalets.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

08. Notwithstanding the details submitted, development shall not commence until revised details of the proposed highway works comprising, construction of the vehicular access/egress to the site, the construction of the footway from the existing cafe to the existing car park, and the imposition of a parking management strategy along the entire frontage of the site, together with the associated drainage works, provision of lighting and any other related works and associated items have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use 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.

09. The takeaway unit shall not be brought into use 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.

10. The chalets shall not be brought into use 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.

11. 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.

12. No external refuse or refuse container 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.

13. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following, and be informed by the mitigation in the report Preliminary Ecological Appraisal Report, Drift Cafe, Cresswell, NE61 5LA (Tyne Ecology, July 2020).
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features. This will include the commitment to no noisy works over 70dB LA max during the overwintering period October to March inclusive.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: to maintain the biodiversity value of the site, prevent harm to protected species and avoid disturbance to birds which are interest features of the Northumberland Shore SSSI and Northumbria Coast SPA.

14. No development will commence until a Biodiversity Enhancement Plan for the site has been submitted to the LPA for approval in writing. This will include planting details and the enhancement measures included in the report Preliminary Ecological Appraisal Report, Drift Cafe, Cresswell, NE61 5LA (Tyne Ecology, July 2020), including;
- gaps through boundary and internal fences
  - details of the planting and establishment method for the pond/wildlife area
  - numbers and locations of bird boxes

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

Reason: to maintain and enhance the biodiversity value of the site.

15. A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 30/07/20). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.

b) The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest.

16. No development shall commence until intrusive investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the local planning authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason: The undertaking of intrusive site investigations is required in order to ensure the safety and stability of the development in accordance with the National Planning Policy Framework.

17. Where the findings of the intrusive site investigations (required by condition 16) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason: The undertaking of intrusive site investigations is required in order to ensure the safety and stability of the development in accordance with the National Planning Policy Framework.

18. Notwithstanding any description of the materials in the application, no construction of building shall commence until precise details, to include samples, of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of policy E10 of the Castle Morpeth District Local Plan and the National Planning Policy Framework.

19. The development shall be implemented and occupied in accordance with the following:
- (i) The accommodation shall be occupied for holiday purposes only;
  - (ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
  - (iii) The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the accommodation, and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To avoid the creation of a permanent residential dwelling and to allow further consideration of any alternative residential use, in the interests of amenity and in accordance with Policy E10 of the Castle Morpeth District Local Plan.

## Informatives

- 1) You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter
- 2) You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

You are advised to contact the Council's Traffic Management Section at [highwaysprogramme@northumberland.gov.uk](mailto:highwaysprogramme@northumberland.gov.uk) before and during the construction period in respect of the imposition of a parking management strategy along the entire frontage of the site.

- 3) 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.
- 4) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the Highway.
- 5) You should note that Road Safety Audits are required to be undertaken. Northumberland County Council offer this service. You should contact [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) or 01670 622979
- 6) NCC Conservation Team is part of the Planning Service within Northumberland County Council. The role of the NCC Conservation Team is to advise the LPA regarding the need for and scope of archaeological work to inform the planning process and to mitigate development impacts to the historic environment. The NCC Conservation Team is an advisory service only and does not undertake archaeological fieldwork. The applicant may wish to engage an archaeological consultant to commission and co-ordinate the necessary assessment programme. The Conservation Team does not retain or provide a list of approved archaeological contractors or consultants. Directories of archaeological contractors and consultants are hosted by independent organisations, including:
  - Chartered Institute for Archaeologists:  
<http://www.archaeologists.net/regulation/organisations>
  - British Archaeological Jobs and Resources:  
<http://www.bajr.org/RACSmapp/default.asp>

**Date of Report:** 18<sup>th</sup> January 2021

**Background Papers:** Planning application file(s) 20/00303/FUL