



Northumberland County Council

North Northumberland Local Area Council 22nd July 2021

Application No:	21/01108/COU		
Proposal:	RESUBMISSION - Change of use to storage facility to be used for container, boat and caravan storage		
Site Address	Land North East Of Chathill Station, Chathill, Northumberland,		
Applicant:	Mr M Worthington C/O Agent	Agent:	Mr Tony Carter 1st Floor Hepscott House, Coopies Lane, Morpeth, NE61 6JT
Ward	Longhoughton	Parish	Ellingham
Valid Date:	18 March 2021	Expiry Date:	30 June 2021
Case Officer Details:	Name: Mr Jon Sharp Job Title: Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council following a call in request from the local member and receipt of a valid objection from Chathill Parish Council. The application has been reviewed by the Director of Planning and the Committee Chair and Vice Chair who considered that

the application raises issues of strategic, wider community or significant County Council Interest.

1.2 The application is a resubmission of planning application reference 20/02159/COU which was refused permission by committee decision on the 21st Jan 2021. The reasons for refusal were visual impact, residential amenity and impact upon heritage assets.

2. Description of the site and proposals

2.1 The application seeks permission for the change of use of former railway land to boat and caravan storage. The application also seeks permission for the erection of storage compounds. The reasons for refusal of the previous application have been addressed through the reduction in the number of compounds proposed in an attempt to reduce the visual impact and the impact on the setting of the historic assets. This should also have a commensurate impact in terms of residential amenity. As with the earlier application conditions are recommended by the Council's Public Health Protection team in order to reduce any potential amenity issues to an acceptable level.

2.2 The land would be divided into 8no storage compounds ranging in size from approximately 135sqm to 250sqm, each of which would include a single shipping container and an area of hardstanding. The proposed containers would each have a footprint of approximately 15sqm and height of approximately 2.6 metres. The compounds would be arranged along the north eastern boundary of the site with an access road separating them from the listed station buildings to the south west.

2.3 The application site is located adjacent to the settlement of Chathill and consists of an area of former railway land that was originally part of the station goods yard and bay platform for the Seahouses branch line. The land is currently laid to a combination of concrete and crushed hardcore surfacing having previously been overgrown with scrub like vegetation. The site is located adjacent to Chathill Station and is bound to the north east by a Northumbrian Water pumping station and open agricultural fields, by the station platform and railway lines to the south west and by highway, from which the site is accessed, to the south east.

3. Planning History

Reference Number: 20/02159/COU

Description: Change of use to storage facility to be used for container, boat and caravan storage

Status: Refused

Reference Number: 13/02735/FUL

Description: Proposed 6no. (3 bedroom) affordable houses with associated garden and parking provision

Status: Withdrawn

Reference Number: 13/03392/FUL

Description: Proposed 6no. (2 bedroom) affordable houses are proposed with associated garden and parking provision

Status: Refused and appeal dismissed

Reference Number: N/86/B/LB44

Description: Erection of electrification masts within station limits.

Status: Permitted

4. Consultee Responses

Ellingham Parish Council	<p>Objection.</p> <p>Councillors noted that this revised application does not address their original concerns and request that this application is taken to NCC Planning Committee for further scrutiny. Councillors also noted the following,</p> <p>The application remains to the setting of the Listed buildings within Chathill and the harm is not outweighed by any benefit to the local community.</p> <p>The application represents an unwelcome industrialisation of a rural village which is a gateway to the Northumberland Area of Outstanding Natural Beauty.</p> <p>The access is too close to the level crossing, and concerns are raised regarding conflict with farm traffic and potential conflicts with cyclists along the popular cycle route.</p> <p>Issue of additional noise generating activities which would be unrelated to the transient noise associated with the adjacent train line.</p>
Building Conservation	Built Heritage and Design object to the proposal. We consider the proposal would give rise to less than substantial harm within the terms of paragraph 196 the NPPF.
County Archaeologist	The railway infrastructure previously on the site has been removed. There are no objections to the proposed development on archaeological grounds. No archaeological recording work is therefore recommended.
County Ecologist	No objection subject to a condition secure details of proposed landscaping.
Highways	The development will not have a severe impact on highway safety, and there are no objections in principle to the proposals. The imposition of conditions and informatives with regards to access, car parking and the impacts during the construction phase will address any concerns with the proposed development.
Longhoughton Ward	<p>I am requesting that the above planning resubmission application is heard at Area Council.</p> <p>Planning reasons are; The builds appearance is out of character with existing property and a listed building Industrialisation of a quaint and quintessential English village.</p>
Network Rail	With reference to the protection of the railway, Network Rail has no objection in principle to the development, however, we are keen to ensure that the scheme does not impact on the safe operation of the adjacent Chathill Level Crossing. In addition, it should be noted that work to implement and operate the site will be in proximity to high voltage overhead lines associated with the operation of the East Coast Main Line and the developer will be required to liaise with our Asset

	Protection Team prior to work commencing at the site to discuss safe working in proximity to this equipment.
Public Protection	Public Health Protection does not object to the proposal providing that the measures detailed in the application documents are implemented as stated.

5. Public Responses

Neighbour Notification

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

Notices

Site Notice - Affecting Listed Building, posted 20th April 2021

Press Notice - Berwick Advertiser, published 22nd April 2021

Summary of Responses:

None received

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=QQ4I3GQSMS900>

6. Planning Policy

6.1 Development Plan Policy

Berwick upon Tweed Local Plan (1999)

F1 Environmental Wealth
F4 Intermediate Areas of Landscape Value
F10 Protected Species
F31 Social and Economic Welfare
W6 Bad Neighbour Uses

6.2 National Planning Policy

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

6.3 National Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021)

STP 1 Spatial strategy (Strategic Policy)
STP 2 Presumption in favour of sustainable development (Strategic Policy)
STP 3 Principles of sustainable development (Strategic Policy)
STP 4 Climate change mitigation and adaptation (Strategic Policy)

STP 5 Health and wellbeing (Strategic Policy)
ECN 13 Meeting Rural Employment Needs (Strategy Policy)
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 Effects of Development on the Transport Network
TRA 4 Parking Provision in New Development
ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 Biodiversity and geodiversity
ENV 4 Tranquillity, dark skies and a sense of rurality
ENV 7 Historic environment and heritage assets
POL 1 Unstable and contaminated land
POL 2 Pollution and air, soil and water quality

6.4 Other Documents/Strategies

National Design Guide (2019)

Planning (Listed Buildings and Conservation Areas) Act 1990

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are;

- Principle of Development
- Emerging Policy
- Scale, Design & Visual Impact
- Amenity
- Impact on Highways
- Impact on Railway
- Heritage Assets
- Ecology

Principle of the development

7.2 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the NPPF's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the saved policies of the Berwick Local Plan (1999) (BLP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F4 of the same document seeks to ensure that any development within the Intermediate Areas of Landscape value accords with its surroundings, in terms of scale, mass, materials etc. and sets out locational requirements for development. Policy F31 of the same document seeks to ensure that, in applying Framework policies, appropriate 'weight' is given to the degree to which proposals enhance the quality of life of communities or complement the range of their social and economic functions.

7.5 Paragraph 83 of the NPPF supports economic growth in rural areas. As the proposal seeks to create a sustainable rural business which would potentially help to support the storage needs of other rural businesses, the provision of a storage facility and associated infrastructure in this location is acceptable in accordance with the provisions of the BLP and the NPPF.

Emerging Policy

7.6 Paragraph 48 of the NPPF states that 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 emerging Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for the Ministry of Housing, Communities and Local Government on 29 May 2019 and is currently going through the examination process.

7.7 On 9 June 2021 the Council published for consultation a Schedule of proposed Main Modifications to the draft Local Plan, which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation and the policies in the emerging plan are considered to be consistent with the NPPF.

7.8 The emerging NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) dependent upon whether Main Modifications are proposed and the extent and significance of unresolved objections.

7.9 Policy STP 1 of the emerging NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. The policy is subject to a proposed major modification, however the location of the application site within the open countryside is not in dispute. Paragraph f. states that development in settlements not identified as Main Towns, Service Centres, Service Villages or Small Villages will be limited to that within the built form of the settlement, and the conversion, extension or redevelopment of existing buildings, unless it supports the sustainable growth of an existing business or the formation of a new business, or provides for new or enhanced community facilities. Paragraph g.i. goes on to say that development in the open countryside will only be supported if it can be demonstrated that, amongst other criteria, it supports the sustainable growth and expansion of existing business or the formation of new businesses in accordance with Policy ECN 13.

7.10 Policy ECN 13 of the emerging plan states that in the countryside, development that will generate employment opportunities, proportionate to the rural location, will be supported where it is related as closely as possible to the existing settlement

pattern, existing services and accessible places and will not have an adverse impact on the operational aspects of local farming or forestry.

7.11 These policies are a material consideration in the determination of this planning application, although they may be afforded limited weight at this stage.

Scale, Design & Visual Impact

7.12 Policy F4 of the BLP sets out the criteria against which new development shall be assessed. This includes the impact on adjacent land uses in terms of scale, massing, materials, etc and sets out locational requirements for development.

7.13 Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.14 The proposed development would be characterised by temporary structures and would be of a scale that would be appropriate to its surroundings. Taking into account the comments made by Councillors on the last application, the site plan has been revised reducing the number of units, and moving the storage units further to the North West of the site to mitigate the perceived impact on the surrounding area. Further to this, a landscaping scheme is now proposed along the North East boundary of the site to obscure views of the storage units and soften the site area to a significant degree.

7.15 The applicant's supporting statement sets out the details of the proposed containers, noting that they would be painted in 'Forest Green' before being placed within their individual compounds. The containers would have a maximum height of 2.6m, a maximum width of 2.5m and a maximum length of 6.10m ensuring that they can be well contained with the individual units and blend in with their surroundings. A plan has been submitted with this application to show the colour of the containers and their dimensions. To provide further comfort, it is further proposed that the storage units will only be allowed to store a maximum of 1 container, 1 boat and 1 caravan within their confines.

7.16 On the basis of the above it is therefore considered that the original refusal reason has been addressed, and by virtue of the revised design, reduced scale, and amended location, the proposed development would not now have a detrimental impact on the surrounding area and would therefore be in accordance with Policy F4 of the Berwick Local Plan and the NPPF.

7.17 Policy QOP 1 of the emerging NLP seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy state that development proposals should make a positive contribution to local character and distinctiveness, incorporate green infrastructure and opportunities to support wildlife, make provision for efficient use of resources, respond to the climatic conditions of the location and avoid the creation of adverse local climatic conditions, mitigate climate change and be adaptable to a changing climate and ensure the longevity of the buildings and spaces. The proposals are in general accordance with these criteria, however only limited weight can currently be given to the policy.

Amenity

7.18 Policy W6 of the BLP seeks to ensure that development that could be reasonably expected to adversely affect surrounding land uses can be suitably mitigated in order to safeguard other land users and the wider community. Meanwhile, Policy R9 seeks to ensure that a high standard of amenity will be provided for visitors to the site.

7.19 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.20 Due to the site location, it is considered that there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook, overbearing or privacy. Concerns raised in respect of residential amenity which were raised previously are considered to have been addressed via the amendments set out above. The application has been reviewed by the Council's Public Health Protection team and no objections have been raised nor conditions requested. The applicant has however offered to accept a condition restricting the use of the site to between the hours of 6am and 10pm in order to protect residential amenity. It is considered these hours are comparable with the operation of trains (in the main) on the adjacent East Coast Mainline. Concerns raised in respect of the impact of external lighting upon the railway are noted and a condition is recommended in this respect.

7.21 On the basis of the above it is considered that the original refusal reason has been addressed, and by virtue of the revised design, reduced scale, and amended location, the proposed development would not now have a detrimental impact upon residential amenity in terms of noise and air quality. As such the proposal is in accordance with Policy W6 of the BLP and the NPPF in this respect.

7.22 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in accordance with this, however only limited weight can currently be given to this policy.

Highways

7.23 Policy M14 of the BLP sets out parking criteria for new development within the plan area.

7.24 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.25 The traffic expected to be generated from the proposed development is not considered to have a harmful impact on the highway network, and a fully dimensioned block plan has been submitted in support of this application, showing parking and access. The Local Highway Authority has responded to consultation raising no objections subject to conditions in respect of vehicular access and parking. As such the proposal is in accordance with highways policy in this respect.

7.26 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Impact on railway

7.27 The application site lies adjacent to Chathill Railway Station and the East Coast Main Line (ECML) and the access to the site is within 10 metres of Chathill level crossing. As such issues of railway safety must be taken into account in the determination of the application.

7.28 Network Rail has responded to consultation raising no objection but have requested a number of conditions and informatives as set out below. On this basis the application is acceptable in respect of potential impacts on railway safety and integrity.

Heritage Assets

7.29 The application site lies adjacent to the grade II listed Waiting Shed and Up Platform at Chathill Station and is also within the setting of Chathill Station and Downhill Platform and Signal Box at Chathill Station (both also grade II listed) and as such due consideration must be given to the impact of the proposals on these designated heritage assets.

7.30 The legislative framework has regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.31 Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as 'total loss', 'substantial harm', or 'less than substantial harm' and introduces the need to balance any harm against the benefits of the development.

7.32 The Council's Building Conservation Officer responded to consultation raising concerns about the potential impact of the proposals on the setting of the listed assets. It is noted that the number of proposed container units has been reduced from 10 to 8 in an effort to reduce the impact on the Waiting Shed and Up Platform at Chathill Station and to address concerns regarding the view of the Station from the northeast. However, the site would still be visible from the Station, the platform and importantly, by those passing through the village by train.

7.33 The Conservation Officer finds that the proposal would give rise to less than substantial harm within the terms of paragraph 196 the Framework. Whilst noting that it is for the decision maker to give due weight to any public benefits arising, the Conservation Officer notes that paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

7.34 The applicant has submitted a more robust Heritage Statement with this application setting out justification for the proposals and highlighting the public benefits arising, including the support of a rural business (in accordance with para 83 of the NPPF), the nature of which is characterised by temporary structures which may be mitigated to reduce visual impact. The reuse of previously developed land is also encouraged by the NPPF and the proposal would not have a significant detrimental impact upon the designated assets. In the planning balance, it is

considered that the proposal would not harm the special architectural, historic interest or setting of the area. Equally the proposal would preserve the appearance and setting of this brownfield site.

7.35 Furthermore and in terms of archaeological heritage assets, the County Archaeologist has confirmed they have no objections to the proposed development on archaeological grounds. No archaeological recording work is therefore recommended.

7.36 On the basis of the above the proposal is acceptable in accordance with the NPPF and the PLBCAA.

Ecology

7.36 Policy F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species protection provisions which apply.

7.37 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.38 These revised proposals show a landscaping scheme, which has evolved through consultation with the County Ecologist. It is proposed to incorporate native species with a small percentage of Larch (as an evergreen screening element) to include Crab Apple, Silver Birch, Common Hawthorn, Cherry, and Hazel. A detailed landscaping scheme is submitted in support of these proposals to demonstrate the screening effect. On this basis, the proposal should be considered acceptable and in accordance with Policy F10 of the BLP and the NPPF.

7.39 Policy ENV2 of the emerging Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon biodiversity and geodiversity, avoiding significant harm through location and/ or design and will secure a net gain for biodiversity through planning conditions or planning obligations. It is considered that the proposal is in accordance with this, however only limited weight can currently be given to this policy.

Other Matters

7.40 The concerns raised in the parish council objection and representation from the elected member are noted and have been addressed in the preceding paragraphs.

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.

7.45 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 appropriate form of development that would not have a significant adverse impact on the appearance of the property, the street scene or the amenity of nearby residents.

8.2 The concerns raised in respect of the impacts of the proposal upon highway safety, heritage assets and the local community have been taken into account in the assessment of the application, however these must be weighed against the policy support for the reuse of brownfield land adjacent to a recognised settlement.

8.3 The highlighted concerns notwithstanding, the proposal is in accordance with national and local planning policies and accordingly it would be unreasonable to withhold planning permission.

9. Recommendation

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

Conditions/Reason

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

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

02. Approved Plans

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

1. Drawing No HD355-2001-P01 - Location Plan,
2. Drawing No HD355-2004-P03 - Proposed Site Plan;
3. Drawing No HD355-2007-P02 - Proposed Car Parking and Visibility;
4. Drawing No HD355-2008-P00 - Swept Path Analysis,
5. Drawing No HD355-2009 - Proposed Landscaping,
6. Drawing No HD355-2010 - Proposed Containers.

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

03. Construction Method Statement (and Plan) to be submitted - Pre-commencement

The development hereby approved shall not commence until a Construction Method Statement 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 and shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. 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.

04. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, 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.

05. Means of vehicular access to be constructed

Notwithstanding the details submitted, the development shall not be occupied until the means of vehicular access has been constructed in accordance with Type 'B' of Northumberland County Council specifications, incorporating a minimum entry width of 6 meters and 6m radii, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

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

06. Landscape Planting

The development hereby approved shall be implemented in accordance with the submitted "Proposed Landscaping Plan" (Drawing No HD355-2009). The planting scheme shall be implemented in full during the first planting season (November - March inclusive) following the commencement of development.

Reason: To enhance the biodiversity value of the site, in accordance with the NPPF.

07. Surface Water Drainage

Notwithstanding the approved plans, all surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be located so as to discharge away from the railway infrastructure. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

08. External Lighting

Notwithstanding the approved plans, details of any proposed external lighting must be submitted to and approved in writing by the Local Planning Authority prior to being brought into use. Thereafter the lighting shall be erected and maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of safety and the operational needs and integrity of the adjacent railway, in accordance with the NPPF.

09. Hours of Operation

The development hereby approved shall only be open to members of the public between 0600 and 2200 hours.

Reason: In the interests of residential amenity and in accordance with Policy W6 of the Berwick Local Plan and the NPPF.

10. Colour of storage units

Notwithstanding the approved plans, the storage containers hereby approved shall be of a uniform colour to ensure that they do not stand out against the surrounding natural and built environment. Prior to first use of the development, details of the colour of the units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the units shall be retained as such for the lifetime of the development.

Reason: In the interests of visual amenity, in accordance with Policy F4 of the BLP and the NPPF.

11. The height of the storage containers hereby approved shall not exceed 3m.

Reason: In the interests of visual amenity, in accordance with Policy F4 of the BLP and the NPPF.

Informatives

1. Alterations to vehicle crossing point (widening driveway) (S184) -Type B Specification

You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: northernareahighways@northumberland.gov.uk

2. 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 licenses.

3. 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

4. Access to Network Rail Assets

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail's ability to inspect and maintain its assets must not be impacted by the scheme. Access to and from the adjacent railway level crossing and any access points/railway equipment should remain clear and unobstructed at all times.

5. Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any

unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

6. Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

7. Network Rail Asset Protection

The developer is advised that Network Rail will be unable to agree to discharge of a method statement condition without direct discussion and agreement with their Asset Protection Team and the developer entering into a Basic Asset Protection Agreement (where appropriate). The applicant is advised to discuss the proposals with Asset Protection prior to applying for the discharge of condition. Contact details for Asset Protection are below.

Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 3B
George Stephenson House
Toft Green
York
Y01 6JT

Email: assetprotectioneastern@networkrail.co.uk

Date of Report: 25.06.2021

Background Papers: Planning application file(s) 21/01108/COU