



# Northumberland

## County Council

### North Northumberland Local Area Council

#### 22 July 2021

<b>Application No:</b>	21/00368/FUL		
<b>Proposal:</b>	Primary residency self build dwelling with workspace and garage.		
<b>Site Address</b>	Land North East Of Bradshawgate Cottages, Bradshawgate Cottages, Swinhoe, Northumberland		
<b>Applicant/ Agent</b>	Mr Roger Copestake 28A Clayton Road, Jesmond, Newcastle Upon Tyne, NE2 4RQ		
<b>Ward</b>	Bamburgh	<b>Parish</b>	Beadnell
<b>Valid Date</b>	2 February 2021	<b>Expiry Date</b>	30 June 2021
<b>Case Officer Details</b>	Name: Miss Stephanie Forster Job Title: Planning Officer Tel No: 07966331898 Email: stephanie.forster@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to planning conditions and the applicant entering into a S106 Legal Agreement to secure the following obligations:

- A financial contribution towards the Council's Coastal Mitigation Service (£615) and
- Principle residency restrictions



## 1. Introduction

1.1 Following an objection from the Parish Council, the application has been referred to the Director of Planning and Chairs of Planning Committee and it has been decided the application should be considered for determination at North Northumberland Local Area Council in accordance with the Councils Scheme of Delegation.

## 2. Description of the Proposals

2.1 The application seeks planning permission for the erection of one self build residential dwelling with a separate workspace and garage building to be used as a principle residency dwelling at Land North East of Bradshaw Gate Cottages, Swinhoe, Northumberland.

2.2 The proposed dwelling would be 3.9m in height to the eaves and 6.5m in height to the ridge. It would be 1.5 storey and would align with the run of large double garages on the northern edge of the settlement. The dwelling would be constructed using stone and slate with chimneys and architectural features to match existing style in the locality.

2.3 The proposed garage and workspace building would be 3.9m in height to the eaves and 6.5m in height to the ridge. It would be 1.5 storey and would align with the run of large double garages on the northern edge of the settlement. It would be designed to match the residential dwelling and the buildings in the local vicinity.

2.4 The application site is located within the settlement of Swinhoe. It is located adjacent to the AONB which is located to the east of the settlement of Swinhoe. The site is also within the Coastal Mitigation Zone.

### 3. Planning History

**Reference Number:** 12/00879/FUL

**Description:** Two residential units with associated car parking

**Status:** Withdrawn

**Reference Number:** 12/02889/FUL

**Description:** 2no. proposed residential units with associated car parking.

**Status:** Withdrawn

**Reference Number:** N/98/B/0549/P

**Description:** Erection of 2 bungalows.

**Status:** Refused

**Reference Number:** N/90/B/0645/A

**Description:** Refurbishment of 6 cottages and erection of 4 dwellings road layout altered and existing block reduced from six to three units received 14.05.92.

**Status:** Permitted

**Reference Number:** N/90/B/0645/C

**Description:** Refurbishment of 6 cottages and erection of 4 dwellings door altered to form window on front elevation of existing cottages revised detail received 22.07.92.

**Status:** Permitted

**Reference Number:** N/92/B/0513/P

**Description:** Revised design relating to 4 new dwellings road layout revised 19.10.92.

**Status:** Permitted

**Reference Number:** N/90/B/0645/P

**Description:** Refurbishment of 6 cottages and erection of 4 dwellings further details received 28.09.90 and 08.10.90. drg. no 1c revision d & drawing no3 received 30.10.90.

**Status:** Permitted

### 4. Planning Policy

#### 4.1 Development Plan Policy

*North Northumberland Coast Neighbourhood Plan 2017 - 2032 (Made Version (July 2018))*

Policy 1 Sustainable Development

Policy 5 Design in New Development

Policy 8 Development within Settlements

Policy 14 Principal Residence Housing

Policy 15 Principle Residence Housing in the Hamlets

## *Berwick upon Tweed Local Plan (1999)*

F1 Environmental Wealth  
F2 Coastal Zone  
F31 Social and Economic Welfare  
F10 Protected Species  
M14 Car Parking Standards

### 4.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2019, as updated)

### 4.3 Emerging Planning Policies

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

STP 1 Spatial strategy (Strategic Policy)  
QOP 1 Design Principles (Strategic Policy)  
QOP 2 Good Design and Amenity  
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

### 4.4 Other Documents/Strategies

National Design Guide (2019)

Northumberland Landscape Character Assessment 2011

## **5. Consultee Responses**

North Sunderland And Seahouses PC	No response received.
Beadnell Parish Council	Objection received on grounds of over development, over bearing, drainage issues and loss of amenity space in the area.
Natural England	No response received.
County Ecologist	No objection subject to conditions and contribution to CMS.
Countryside/ Rights Of Way	No objection.

Lead Local Flood Authority (LLFA)	No comment.
Highways	No objection subject to conditions.
Northumberland Coast AONB	No objection.

## 6. Public Responses

### Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	22
Number of Support	0
Number of General Comments	0

### Notices

Site notice - Public Right of Way, 12th February 2021

Berwick Advertiser 11th February 2021

### Summary of Responses:

22 no objection comments were received in relation to this application. The objections comments were made on the grounds of:-

- over development
- lack of amenity space
- impact on drainage system and
- impact on the highway.

This is a summary of the objection comments and full details of all comments relating to the application can be viewed via the public access.

<https://publicaccess.northumberland.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## 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 comprises policies in the Berwick Upon Tweed Local Plan (1999) and the North Northumberland Coast Neighbourhood Plan (2017) as identified above. The National Planning Policy Framework (NPPF) (February 2019) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan;

the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 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 NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

The main issues for consideration include:

- Principle of Development
- Impact on the character of the area
- Impact on Residential Amenity
- AONB
- Highway Safety
- Water Management
- Ecology
- Planning Obligations

#### Principle of Development

7.4 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.

7.5 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F2 of the same document states that within the Coastal Zone "development will be permitted provided that;

- i) it is located in the villages of Seahouses, North Sunderland or Beadnell, or in exceptional cases relating to their particular features and/or needs, the villages of Bamburgh or Holy Island, or other small settlements...;
- ii) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including species appropriate to the north Northumberland coastal environment, means of enclosure and access;
- iii) it would not adversely affect the integrity of the internationally important nature conservation interests of the coast;
- iv) it is not located in an area at risk from flooding, erosion by the sea or landslips...; and,
- v) it accords with Policies elsewhere in the Plan.

7.6 Policy 1 of the NNCNP states that development within the plan area will be supported which provides for new principal residence dwellings, employment opportunities, new and expanded business premises or new and expanded social, community, leisure and educational facilities which contribute to the maintenance or growth of local sustainable communities.

7.7 Policy 8 of the NNCNP seeks to support development within the defined settlement boundaries where they can demonstrate how they will;

- a) where relevant, incorporate access for pedestrians from the proposed development into the centre of the settlement and, where relevant, the beaches;
- b) preserve key coastal views into and out of the settlements;
- c) ensure sufficient car parking space is provided within the curtilage of the proposed development to ensure no additional on-street parking on nearby streets;
- d) ensure that where infill development or conversions and extensions are proposed, they do not result in substantial loss of amenity space or loss of parking space which could result in an adverse impact on residential amenity from on-street parking on nearby streets;
- e) where relevant, provide linkages between wildlife corridors for the benefit of biodiversity as shown on the Policies Map;
- f) incorporate native landscaping to reduce the impact of the development, and improve biodiversity;
- g) contribute as necessary to any strategic mitigation initiatives devised to protect the Northumbria Coast SPA/Ramsar site, or other nationally and internationally important wildlife sites.

7.8 Policy 15 of the NNCNP supports single dwelling in smaller settlements and states that, 'New single dwellings including self-build and live-work units will be supported in the hamlets of Budle, Burton, Elford, Dukesfield, Tughall, Greenhill, Anstead, Glorum, East/West Fleetham, and Swinhoe. Any new dwellings in these hamlets must be well related to existing development and be of a nature and scale that reflects and respects the special character of the area in which it is situated. Any new dwelling in these hamlets will only be supported as a Principal Residence.'

7.9 Policy STP1 of the emerging NLP states that "sustainable development will be supported within the constraints of the Green Belt and settlement boundaries defined on the Local Plan policies map or in neighbourhood plans. As the application site falls within an identified hamlet as set out in the NNCNP, it is considered that the proposed development is acceptable in this context

7.10 The proposed dwelling while not located within the settlement boundaries, is located in the defined hamlet of Swinhoe, it would provide a form of infill development and would have access to a range of services and to transport links. The proposals would be supported by the Neighbourhood Plan under policies 1 and 15.

7.11 The proposed garage and workspace block would sit alongside the principle residence dwelling and would also be in accordance with local and national planning policy. The proposed site would be located with suitable access to local facilities and in this sense would be an appropriate area in which to site new development. In this context it is therefore considered that the principle of development is acceptable in accordance with local and national planning policy.

### Impact on the character of the area

7.12 Policy 5 of the NNCNP states that all development should comprise high quality design which respects local context and character. Policy F2 of the BLP sets out the criteria against which new housing development shall be assessed, including the impact on adjacent land uses in terms of scale, massing, materials, etc.

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 1no dwelling would be 3.9m in height to the eaves and 6.5m in height to the ridge. It would be 1.5 storey and would align with the run of large double garages on the northern edge of the settlement. The dwelling would be constructed using stone and slate with chimneys and architectural features to match existing style in the locality.

7.15 The 1no garage and workspace would also be 3.9m in height to the eaves and 6.5m in height to the ridge. It would also be 1.5 storey and would fit it well with the surrounding buildings and will be built using materials which would compliment the existing properties in the local vernacular.

7.16 In terms of the layout of the properties it is considered that they would be quite large but would not be unreasonably sized in comparison to other properties in the local area. The height of the buildings would mitigate the footprint somewhat. It is considered that the proposals would accord with the relevant local and national planning policies in this regard.

7.17 Policy QOP 1 of the NLP seeks to support development which respects its surroundings. Policy ENV 1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character.

7.18 It is considered that the proposals are respectful of the existing properties in the locality and thought has been given to this on development of the plans. The use of local materials and adjusting the height of the dwelling to fit in with those already in existence is noted. It is considered that the proposals are acceptable and in accordance with the Northumberland Local Plan, the NNCNP, the BLP and the NPPF.

### Impact on Residential Amenity

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 Policy QOP2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses.

7.21 Due to the site location, there would not be any substantive impacts on residential amenity resulting from the proposal in terms of loss of light, outlook or privacy. The proposals submitted, show that the height of the buildings would be smaller than many of the existing dwellings in the local vernacular and any potential over looking habitable rooms would be mitigated by the use of obscured glazing. As such the proposal is considered to be in accordance with the NPPF in this respect.

### Impact on AONB

7.22 The application site lies just outside the Northumberland Coast AONB, however, the proposals may have an impact on the AONB and as such consideration must be given to the impact of the proposals on that designated area.

7.23 Policy F2 of the BLP states that development will be permitted where it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping..., including means of enclosure and access. Policy 5 of the NNCNP states that all new development in the Neighbourhood Area, should incorporate high quality design which, for areas within the Northumberland Coast AONB, will include incorporating the principles contained in the most recent version of the Northumberland Coast AONB Design Guide.

7.24 Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

7.25 Policy ENV 5 of the NLP states that the special qualities of the AONB will be conserved and enhanced having regard to the current AONB Management Plan and locally specific design guidance.

7.26 The site is outside of but adjacent to the AONB. The AONB Partnership have been consulted in relation to the application and have returned comment stating that, ' The design of the new house and garage/workspace is considered in line with the AONB's Design Guide for the Built Environment. It is therefore welcomed that, in line with our Management Plan Policy 7.2, the dwelling is intended for permanent occupation.'

7.27 It is considered that the proposals would be welcomed by the AONB Officer and would not have an unacceptable impact on the landscape or the surrounding area. On the basis of the above, it is considered that the proposals would be acceptable and in accordance with Policy F2 of the BLP, policy ENV5 of the NLP, and Paragraph 172 of the NPPF.

### Highway Safety

7.28 Policy M14 of the BLP sets out parking standards for new development within the former borough.

7.29 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.

7.30 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network

7.31 The Countryside/ Right of Way Officer has been consulted with regard to the application and they have raised no objection to the proposals provided that the public right of way is not disturbed.

7.32 The NCC Highway's Officer has been consulted in relation to the application and originally returned comment stating that they required further information. On submission of the further information the NCC Highways Officer stated that they had no objection to the proposals subject to the imposition of conditions relating to boundary treatments, materials, car parking, cycle parking, the implementation of highways works and refuse. It is considered that the proposals are in accordance with local and national planning policy and are acceptable in this regard

### Water Management

7.33 The LLFA and Northumbrian Water have been consulted with regard to the proposals. Northumbrian Water declined to comment and the LLFA returned comment stating that the proposals were considered to be a minor development and they did not wish to comment on the proposals.

7.34 It is considered that the proposal for 1 no residential dwelling and separate garage and workspace would not have a substantial impact on the water management of the site and the proposals would be acceptable in this regard in accordance with local and national planning policy.

### Ecology

7.35 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.

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

7.37 Policy ENV2 of the Northumberland Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.38 Natural England were consulted with regard to this application as it is located within the coastal zone. However, no response have been received.

7.39 The County Ecologist has also been consulted in relation to the application and has returned comment stating that they have no objections to the application, subject to conditions being imposed on any planning permission granted relating to bird boxes and the applicants agreement to enter into the councils coastal mitigation scheme. On this basis the proposal is considered to be acceptable and in accordance with Policy F10 of the BLP, policy ENV2 of the NLP and the NPPF.

7.40 The applicant has agreed to enter into a unilateral undertaking for coastal mitigation and on this basis the proposal is considered to be acceptable and in accordance with Policy F10 of the BLP and the NPPF.

## Planning Obligations

### Coastal Mitigation

7.41 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.

7.42 Due to growing concerns about the effectiveness of mitigation that does not include direct management of the protected areas themselves, the Council has introduced a scheme whereby developers can pay a contribution into a strategic mitigation service (paid on occupation of the first unit) which will be used to fund coastal wardens who will provide the necessary mitigation.

7.43 The contribution per unit in this location would be £615. This contribution can be secured by Unilateral Undertaking by virtue of S106 of the Town & County Planning Act 1990.

7.44 In this instance, the applicant has agreed to contribute to the Coastal Mitigation Scheme and as such the proposal is acceptable in this respect.

### Primary Occupancy

7.45 Policy 14 of the NNCNP states that proposals for all new housing, excluding replacement dwellings, will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a Principal Residence. This is to be secured by appropriate planning obligations created and enforceable under section 106 of the Town & Country Planning Act 1990.

7.46 In accordance with the above policy, the proposals are now subject to a S106 agreement in respect of Principal Occupancy. The applicant has agreed to this obligation and it will be secured through a s106 agreement.

7.47 Policy INF 6 of the Northumberland Local Plan seeks to secure planning obligations where they will ensure that otherwise unacceptable development can be made acceptable. The proposed development is acceptable subject to the securing of an S106 agreement in respect of principal occupancy and coastal mitigation and is therefore in accordance with Policy INF 6.

### Equality Duty

7.48 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

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

### Human Rights Act Implications

7.50 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.

7.51 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.

7.52 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 application has addressed the main considerations and would accord with relevant planning policy. The principle of development is acceptable and the proposal is therefore recommended for approval.

8.2 It is considered that the proposal represents an appropriate form of sustainable development that would not have a significant adverse impact on the street scene, the local area or the amenity of nearby residents.

8.3 The proposal is in accordance with national and local planning policies and there would not be any significant or unacceptable harmful impacts arising from the development of the site for residential use. It is accordingly considered that it would be unreasonable to withhold planning permission.

8.4 All representations are noted, including those from the Parish Council. All representations have been taken into account in the preparation of the report.

## **9. Recommendation**

That this application be GRANTED permission subject to planning conditions and the applicant entering into a s106 agreement to secure the following obligations:

- A financial contribution towards the Council's Coastal Mitigation Service (£615) and
- Principle residency restrictions

### Conditions

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. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

1. Location Plan
2. Site Plans, Elevations and Floor Plans

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

03. 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.

04. Prior to commencement of development details of the materials to be used in the construction of the external surfaces of the driveway and parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

05. The development shall not 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.

06. Notwithstanding the submitted details, the dwelling shall not be occupied until the extended turning head and alterations to the private estate road secured under Condition 4 of Planning Permission 21/00026/FUL has constructed in accordance with the approved plans. 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 and pedestrian safety, in accordance with the National Planning Policy Framework.

07. The development shall not 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.

08. Development 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. The Construction Method Statement 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.

09. The development shall not be occupied until details of refuse management strategy has been submitted to and approved in writing by the Local Planning Authority. The details shall include the arrangements for the provision of the bins and collection of household waste. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste in accordance with the National Planning Policy Framework.

10. Prior to the commencement of development a scheme for the provision of bird boxes integrated into the fabric of the building shall be submitted for the written approval of the LPA. The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. The approved scheme shall be implemented in full prior to the dwelling being occupied.

Reason: to protect and enhance the biodiversity of the site.

## **Informatives**

1. 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.
2. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

4. Any areas of hardstanding areas (car parks, driveways etc.) within the development shall be constructed of a permeable surface so flood risk is not increased elsewhere. There are three main types of solution to creating a permeable surface:
  - Using gravel or a mainly green, vegetated area.
  - Directing water from an impermeable surface to a border rain garden or soakaway.
  - Using permeable block paving, porous asphalt/concrete.

Further information can be found here -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7728/pavingfrontgardens.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf)

In addition the development should explore disconnecting any gutter down pipes into rain water harvesting units and water butts, with overflow into rainwater garden/pond thus providing a resource as well as amenity value and improving water quality

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

**Date of Report:** 09.07.2021

**Background Papers:** Planning application file(s) 21/00368/FUL