

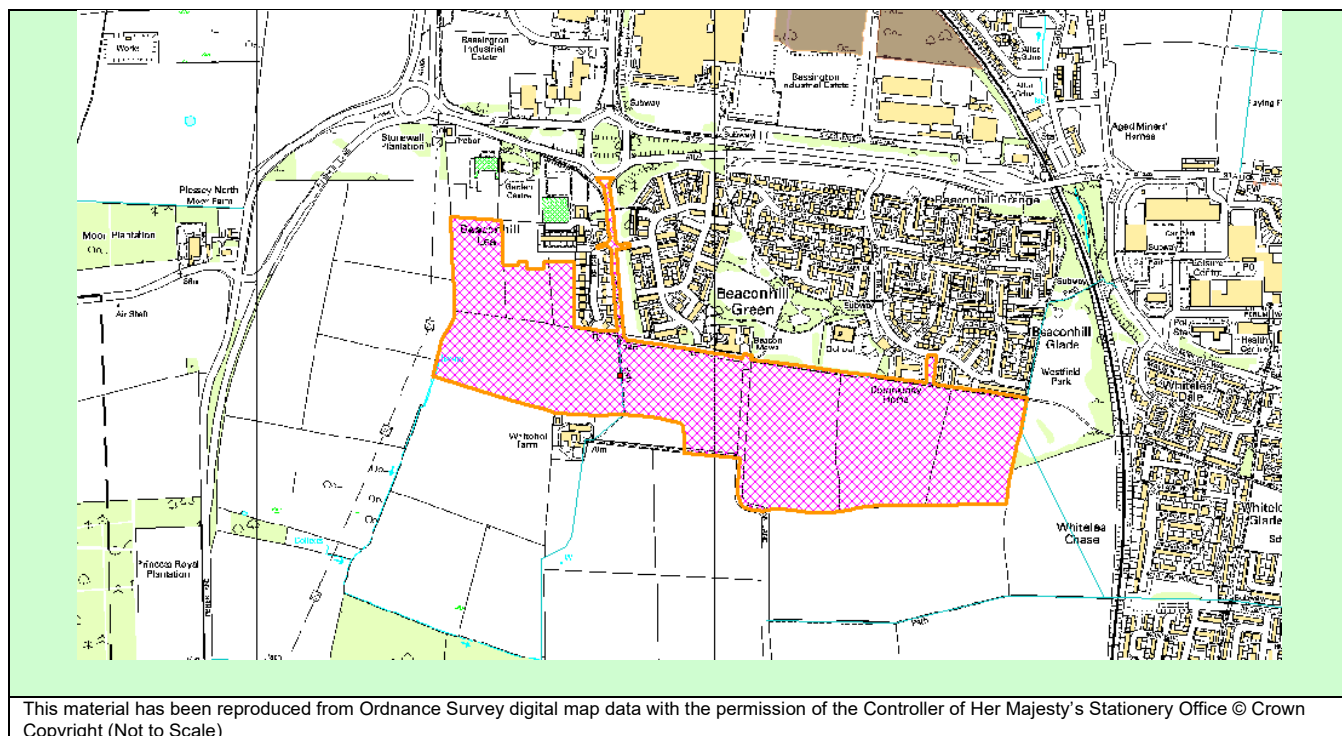


Northumberland County Council

STRATEGIC PLANNING COMMITTEE 3 AUGUST 2021

Application No:	21/00842/VAREIA		
Proposal:	Planning Variation of condition 4 (approved plans) on approved application B/08/00465/FUL in order to substitute house types on 715no. plots		
Site Address	Land At South West Sector, Beacon Lane, Cramlington, Northumberland		
Applicant:	Mrs Amy Ward C/O Barratt House, The Watermark, Gateshead, NE11 9SZ	Agent:	
Ward	Cramlington West	Parish	Cramlington
Valid Date:	24 March 2021	Expiry Date:	6 August 2021
Case Officer Details:	Name: Mr Geoff Horsman Job Title: Principal Planning Officer Tel No: 01670 625553 Email: geoff.horsman@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to conditions and the applicant entering into a Section 106 Agreement in respect of those matters detailed in this report.



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 Development of this site for 715 dwellings with associated recreational facilities within the northern part of the South West Sector of Cramlington was previously considered by the former South East Area Planning Committee on the 21 April 2015 and Strategic Planning Committee on the 7 February 2017 under planning application B/08/00465/FUL. At that time Members resolved that planning permission should be granted subject to conditions and the applicant entering into a Section 106 Agreement regarding the provision of infrastructure to support the proposed development. Following completion of that Section 106 Agreement planning permission was granted on the 3 May 2017. Material operations were undertaken on site prior to the 3 May 2020 to commence the approved development and pre-commencement planning conditions have also been discharged. The previously granted permission therefore remains extant at this time.
- 1.2 The current planning application the subject of this report seeks to vary the previous planning permission by amending the proposed house types with some associated minor site layout changes also proposed. In addition, the applicant is seeking to replace the Section 106 Agreement that runs alongside the previous permission with a new Section 106 Agreement that provides for contributions not previously included concerning ecology coastal mitigation and healthcare and the removal and reduction of previously included contributions due to recently established abnormal development costs that affect the financial viability of the proposed development.

2. Description of the Application Site & Proposal

- 2.1 The application site comprises undeveloped land which was formerly in agricultural use and is sited to the immediate south west of Cramlington. The site covers an area of around 34 hectares.
- 2.2 Access to the site at present is from Beacon Lane to the north.
- 2.3 The site is bounded to the north by the Azure Garden Centre and the Beaconhill Green estate. To the east is further agricultural land and beyond this the east coast main railway line. To the south lies further agricultural land which has planning permission for housing as part of the wider Cramlington South West Sector area and beyond this the Arcot Hall golf course Site of Special Scientific Interest (SSSI) and an area of woodland. To the west is land being redeveloped for housing and beyond this Fisher Lane.
- 2.4 Permission is sought under Section 73 of the Town & Country Planning Act to amend the house types and layout for the development of 715 dwellings. This would necessitate changing the wording of condition 4 (approved plans) attached to the original permission to replace previously approved drawing numbers with revised drawing numbers. The extensive areas of open space which comprise part of the development including the provision of 2 grass playing pitches, a Multi-Use Games Area (MUGA), a pavilion with changing facilities and play areas remain unchanged from the original approval in terms of those areas of the site set aside for such elements. Access arrangements for the site also remain unchanged with the primary access to the site still proposed from Beacon Lane to the north with a secondary access from Langdale Drive

for pedestrians/cyclists only on a day to day basis but which also includes provision for use by emergency vehicles in the rare event that access from Beacon Lane is not possible.

- 2.5 The mix of dwellings proposed comprises: 2 x 1 bed flats, 136 x 2 bed houses, 394 x 3 bed houses and 183 x 4 bed houses. House types range from 1-3 storeys in height with the majority being 2 storey units.
- 2.6 The new Section 106 Agreement proposed seeks approval for contributions as follows:
- 2.7 Reduction in affordable housing from 143 units (20%) to 57 units (8%). The affordable housing mix would comprise 28 affordable rented units and 29 Discount Market Value sale/shared ownership units. The Affordable rented units would comprise 2 x 1 bed flats, 6 x 2 bed bungalows, 12 x 2 bed houses, 4 x 3 bed houses and 4 x 4 bed houses. The DMV/shared ownership units would comprise 15 x 2 bed houses and 14 x 3 bed houses.
- 2.8 Reduction of contribution for sports pavilion building from £759,000 to £697,998.
- 2.9 Contributions totalling £507,000 for provision of 2 grass playing pitches, play areas and a Multi-Use Games Area (MUGA) which is a reduction of £139,000 from the current Agreement.
- 2.10 Maintenance contributions in respect of the sports pavilion building and MUGA/playing pitches/play areas totalling £111,000 which remain unchanged.
- 2.11 A new ecology coastal mitigation contribution of £319,002.
- 2.12 Reduction of primary education contribution from £4,800,000 to £4,400,000 and of secondary education contribution from £740,000 to £684,500.
- 2.13 A new healthcare contribution of £415,500.
- 2.14 Travel planning scheme contributions reduced from £428,000 to £250,000, although a contribution of £194,000 to fund the salary of a Travel Plan Co-ordinator remains unchanged.
- 2.15 A Local Centre land maintenance contribution of £10,000 remains unchanged.
- 2.16 A master planning design contribution of £20,000 and a community trust contribution related to travel plan measures of £20,000 are proposed for removal from the Agreement. Maintenance contributions for SUDS of £778,000 and Public Open Space of £148,000 are also proposed for deletion with a replacement clause proposed in the new Section 106 Agreement to secure the setting up of a private management company to undertake such maintenance with it being anticipated that maintenance costs will be secured through service charges levied on future occupiers of the proposed dwellings.
- 2.17 A financial viability appraisal and a full breakdown of abnormal development costs have been supplied by the applicant in support of their request to amend the Section 106 Agreement contributions and County Council Officers have

commissioned an in-house chartered surveyor and an external quantity surveyor to independently scrutinise this documentation.

- 2.18 The original application was accompanied by an Environmental Statement (ES) under the EIA Regulations and an updated ES Addendum Report has been submitted with this latest application which concludes that the environmental effects of the proposed development have not substantially altered from those identified in the original ES.

3. Planning History

Reference Number: B/01/00506/OUT

Description: Development of residential; retail; community; recreational and open space provision; and associated highways, footpaths, cycleways and landscaping (Amended plans received 29 March 2006)

Status: REF

Reference Number: B/06/00358/OUT

Description: The development of residential dwellings of mixed property types, with garages and associated infrastructure: incorporating roads, footpaths, cycleways and landscaping; recreational and formal/informal open space provision and a local centre including retail facilities.

Status: PER

Reference Number: B/08/00465/FUL

Description: Erection of 715 dwelling houses on land adjacent to east and west of Beacon Lane in the south west sector, Cramlington. Development includes playing fields, a pavilion, 3No areas for play equipment, a multi-use games area, 3No sub stations (As amended)

Status: PER

Reference Number: 11/01040/REM

Description: Reserved matters application for The development of residential dwellings of mixed property types, with garages and associated infrastructure: incorporating roads, footpaths, cycleways and landscaping; recreational and formal/informal open space provision.

Status: PER

Reference Number: 20/00917/NONMAT

Description: Non-Material Amendment relating to approved planning application B/08/00465/FUL. Amend condition 4 to include approved plans list as shown in draft S106

Status: PER

Reference Number: 20/01063/DISCON

Description: Discharge of conditions 5 (S78 Design), 6 (S38 Design), 15 (Ground Contamination Desk Study, Remediation Strategy and Validation), 18 (Gas Verification Report), 24 (Level Information), 32 (Beacon Lane Crossing Roundabout), 33 (Beacon Lane Crossing Point), 34 (Beacon Lane Widening), 38 (PROW), 39 (Archaeology), 41 (Drainage and Surface Water Disposal), 42 (SUDs Maintenance Plan), 43 (Drainage and Surface Water Disposal), and 44 (Site Investigations) pursuant to planning permission B/08/00465/FUL

Status: PER

Appeals

Reference Number: 05/00016/NONDET

Description: Development of residential; retail; community; recreational and open space provision; and associated highways, footpaths, cycleways and landscaping (Amended plans received 29 March 2006)

Status: DISMIS

4. Consultee Responses

Cramlington Town Council	No response received.
Health Care CG	Section 106 contribution of £441,300 sought for enhancement of healthcare facilities in Cramlington.
Strategic Estates	No response received.
Highways	<p>No objection in principle.</p> <p>The layout offers reasonable walking and cycling permeability, although there are a few residential cul-de-sacs that would benefit from a greater number of direct opportunities to the wider area.</p> <p>The vehicle tracking has some notable over-run but these will be reviewed with any technical approval. However the applicant will need to be aware that servicing vehicles interfering with the perception of safe and suitable walking would not be, in the view of the highway authority, an acceptable planning outcome and so further work will be required at the technical approval stage, outside of planning.</p> <p>The layout has a number of 'squares' and little detail is provided and the nature of the squares will lead to issues should a better understanding of the use of these areas, including parking not be addressed. The applicant will need to consider ways to improve the quality of the squares for sustainable users and also consider parking controls.</p> <p>The applicant will need to ensure agreements are in place for any visitor parking in private areas so that the planning benefits of visitor parking always remain with the proposals.</p> <p>The garage internal dimensions are acceptable</p>
Countryside/ Rights Of Way	No objections.
County Archaeologist	No objections.
County Ecologist	<p>Insufficient information has been submitted to enable this application to be determined. The following information should be submitted to enable us to assess this application:</p> <ol style="list-style-type: none">1. Evidence that the habitat, bird and bat mitigation can be delivered around the revised plot types (revised landscaping plan, tree and hedgerow retention plan).

	<p>2. Confirmation of the retention or removal or works to the semi-mature ash tree on the northern boundary containing a bat roost (identified as T83 in Ground Based Tree Risk Assessment, OS Ecology Ltd, March 2020).</p> <p>An ecology coastal mitigation contribution of £319,002 needs to be secured. SSSI Management Plan condition not required if this has already been secured in respect of proposed development to the south elsewhere on the Cramlington South West Sector site.</p>
Open Spaces South East Area	No response received.
South SE Tree And Woodland Officer	No response received.
Affordable Housing	No objections.
Public Protection	No objections.
Education - Schools	<p>Section 106 contributions sought as per original Section 106 Agreement. Given the number of development sites ongoing in Cramlington we expect demand for places in the school catchment areas in Cramlington to increase, with secondary places already being oversubscribed. Therefore, Education and Skills group would object to any decrease to the agreed amount set out in the current S106 agreement relating to the Education contribution on the basis that there is a risk that this will lead to insufficient funds available from developer contributions to mitigate any requirement to increase schools' capacity in the future. In any event, any developer funding unspent by the Council on provision of additional capacity at the end of the agreed term would be returned to the developer.</p>
Lead Local Flood Authority (LLFA)	No objections subject to conditions from original approval being carried over into the varied permission.
Environment Agency	No comments.
Natural England	No comments.
Highways England	No objections.
Newcastle International Airport	No response received.
The Coal Authority	No objections.
Northumbrian Water Ltd	No comments.
Network Rail	No objections.
Sport England	No comments.

Newcastle City Council	No response received.
North Tyneside Council	Comments raised on previous application regarding the need for further assessment of potential impacts on the wider highway network not addressed and therefore such further assessment is requested again.
Northumberland Wildlife Trust	No response received.
Fire & Rescue Service	No response received.
Architectural Liaison Officer - Police	No comments.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	145
Number of Objections	7
Number of Support	0
Number of General Comments	0

Notices

Site Notice – 13 April 2021

News Post Leader 1 April 2021

Summary of Responses:

7 objections received from local residents raising concerns.

The majority of these object to the proposed pedestrian/cycle route and emergency access from the site to Langdale Drive. They consider this to be unnecessary given other nearby pedestrian/cycle routes and raise concerns that it could be used by general vehicle traffic, would be harmful to residents in terms of increased noise and light pollution and crime and harmful in highway safety terms.

Residents in Kielder Avenue raise concerns regarding increased noise and air pollution and loss of privacy from the works proposed as part of the development to improve Beacon Lane which will bring vehicles closer to their properties. Concern is also raised regarding proposed 2.5 storey dwellings adjacent to the site boundary with Kielder Avenue with a suggestion that bungalows are provided here. It is also considered that ownership/maintenance of the existing strip of land between Kielder Avenue and the application site needs to be resolved.

Finally objections are raised regarding the loss of 'green field' land to housing and adverse impacts on local wildlife.

The above is a summary of the comments. The full written text is available on our website.

6. Planning Policy

6.1 Development Plan Policy

Cramlington Neighbourhood Plan March 2020

CNP1 – The sustainable development of Cramlington
CNP2 – Northumberland Coastal Mitigation Service
CNP3 – Promoting good quality design in new developments
CNP6 – Extending choice in housing
CNP7 – Providing lifetime affordable housing
CNP8 – Creating high quality new places through good quality housing design/layout
CNP14 – Sustainable and active travel
CNP15 – Connectivity of development sites
CNP17 – Green Infrastructure Networks
CNP20 – Protecting trees and woodland
CNP23 – Community Facilities
CNP24 – Infrastructure
CNP25 – Healthy communities

Blyth Valley District Local Plan 1999

E3 – Landscape: General Approach
E5 – Protection of tree and shrub cover
H21 – Design and layout principles for New Housing Areas
SW1 – Energy efficient housing
SW2 – Housing development
SW5 – Landscape Structure
SW6 – Play space
SW7 – The Road Network
SW8 – Footpath/cycleway system

Blyth Valley Core Strategy 2007

SS1 - Regeneration and Spatial Strategy
SS2 - Sequential Approach and Phasing
SS3 - Sustainability Criteria
H1 - Housing Provision
H2 - Making the Best and Most Efficient Use of Land
H3 - Mix of Housing Development
ENV1 – Natural Environment & Resources
ENV2 – Historic & Built Environment
A2 – Pedestrian/cycle routes

Blyth Valley Development Control policies DPD 2007

DC1 - General Development
DC2 – Planning Obligations
DC11 – Planning for sustainable travel
DC12 – Provision of community facilities

DC13 – Open space contributions
DC14 – Sites of National Importance for Nature Conservation
DC16 – Biodiversity
DC17 – Landscape: General Protection & Restoration
DC19 - Drainage and Flood Risk
DC21 - Pollution Control
DC22 - Noise Pollution
DC26 - Archaeology
DC27 - Design of New Developments
DC30 – Integrated renewable energy

6.2 National Planning Policy

NPPF
NPPG

6.3 Other Documents/Strategies

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 6 – Green Infrastructure (Strategic Policy)
HOU 2 – Provision of new residential development (Strategic Policy)
HOU 5 – Housing types and mix
HOU 6 – Affordable housing provision
HOU 9 – Residential development management
QOP 1 – Design principles (Strategic Policy)
QOP 2 – Good design and amenity
QOP 4 – Landscaping and trees
QOP 5 – Sustainable design and construction
QOP 6 – Delivering well-designed places
TRA 1 – Promoting sustainable connections
TRA 2 – The effects of development on the transport network
TRA 4 – Parking provision in new development
ENV 2 – Biodiversity and geodiversity
ENV 3 – Landscape
ENV 7 – Historic environment and heritage assets
WAT 3 – Flooding
WAT 4 – Sustainable Drainage Systems
POL 1 – Unstable and contaminated land
POL 2 – Pollution and air, soil and water quality
INF 5 – Open spaces and facilities for sport and recreation
INF 6 – Planning obligations

7. Appraisal

7.1 It is considered that the main planning issues raised relate to:

- Principle of development

- Housing mix
- Impact on the character and appearance of the area
- Residential amenity impact
- Highway safety/transportation matters
- Flooding and drainage
- Ground contamination/stability
- Ecology matters
- Aircraft safety
- Archaeology
- Section 106 contributions

Principle of Development

- 7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises policies in the Cramlington Neighbourhood Plan, the saved Policies of the Blyth valley District Local Plan (1999), the Blyth Valley Core Strategy (adopted 2007) and the Blyth Valley Development Control Policies DPD (adopted 2007) as identified above. The National Planning Policy Framework (NPPF) (February 2019) and National Planning Practice Guidance (NPPG) are material considerations in determining this application.
- 7.3 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.
- 7.4 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.
- 7.5 Overall, the principle of development on the site is considered to be acceptable as this was resolved in granting planning permission previously and that previous permission remains extant. The only matters therefore for consideration in respect of this latest submission relate to the detailed aspects of the proposed revised scheme and associated Section 106 Agreement.

Housing Mix and Affordable Housing

- 7.6 Neighbourhood Plan Policies CNP6 and CNP7 seek to extend choice in housing and provide lifetime affordable homes. Proposals should assist in meeting needs as identified in the Council's Strategic Housing Market Assessment (SHMA) and the Cramlington Local Housing Needs Assessment.

- 7.7 Policy H3 of the Blyth Valley Core Strategy likewise seeks to promote a mix of unit types and tenures on new housing developments.
- 7.8 The NPPF advises that to deliver a wide choice of high quality homes Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. It goes on to state that Local Planning Authorities should identify the range of tenure and range of housing that is required and provide affordable housing in accordance with need.
- 7.9 The proposed affordable housing mix is considered acceptable as a range of dwelling types are provided for including 1-4 bedroomed properties.
- 7.10 In terms of affordable housing the proposals comprising 57 units (8%) provision are substantially less than the 20% provision secured under the present Section 106 Agreement, although the Council's Affordable Housing team consider the tenure and size mix of the 57 units proposed to be acceptable in and of themselves.
- 7.11 The acceptability of the overall level of affordable housing provision has been considered as part of the County Council's assessment of the applicants viability and abnormal costs documentation and it is accepted that this is the level of affordable housing that can be accommodated having regard to the predicted development values and costs, although viability review mechanisms are proposed in the new Section 106 Agreement that may result in the provision of additional affordable housing in future years if abnormal foundation costs related to ground conditions and Part L/Future Homes costs are not as great as currently envisaged.
- 7.12 Overall therefore in terms of housing mix and affordable housing the proposal is considered to be acceptable and in accordance with Policy H3 of the Blyth Valley Core Strategy and the NPPF.

Impact on Character and Appearance of the Area

- 7.13 Neighbourhood Plan Policies CNP3 and CNP8 promote high quality design in new developments based on the Cramlington Design Principles outlined in the Neighbourhood Plan. Policy DC27 of the Blyth Valley Development Control Policies DPD also promotes high quality design.
- 7.14 The NPPF advises that the Government attaches great importance to the design of the built environment and recognises that good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people. The NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development and reinforces this message by stating that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 7.15 Emerging Local Plan Policies QOP1, 2, 4 and 6 reflect the above design objectives.
- 7.16 The proposed site layout is considered acceptable in urban design terms as dwellings positively address road frontages and open space areas within the site. The 1-3 storey building heights reflect the character of this edge of Cramlington location and the Beaconhill estate to the north and the house types are considered to be generally acceptable in terms of their design and detailing.
- 7.17 No precise details have been provided re external facing and roofing materials. It is considered that a condition could be attached requiring the submission of materials details.

- 7.18 Overall strategy drawings have been provided regarding landscaping. It is considered that these are acceptable subject to conditions to ensure that they are worked up in further detail to address comments made by the Council's Ecologist.
- 7.19 Overall the proposals are considered acceptable in terms of their impact on the character and appearance of the area.

Residential Amenity Impact

- 7.20 The nearest existing dwellings lie to the north and west of the application site. These comprise properties on Lowther Square, Langdale Drive, Beacon Lane, Elgin Close and Kielder Avenue. Separation distances between proposed dwellings and properties on these neighbouring streets are considered acceptable in terms of residential amenity and in response to objections from residents in Kielder Avenue adjacent 2.5 storey dwellings originally proposed have been replaced with 2 storey dwellings as per the previously approved scheme.
- 7.21 Within the site itself it is considered that there are acceptable separation distances between dwellings. At least 15 metres is generally provided for where main habitable room elevations directly face one another and at least 10 metres where gable ends face main habitable room elevations. These are a little below the minimum separation distances that would normally be required but reflect in the main and in places are an improvement on what was approved previously under extant permission B/08/00465/FUL. Conditions are suggested re certain plots to ensure that no additional windows are provided to certain elevations to minimise overlooking.
- 7.22 Overall it is considered that a suitable form of development is achieved on the site that would not have unacceptable effects upon the privacy or amenity of residents.
- 7.23 With regard to noise pollution matters Policy DC22 of the Blyth Valley Development Control Policies DPD seeks to ensure that noise sensitive developments are adequately separated from noise generating uses and that generally development is suitably mitigated from noise pollution. Public Protection raise no objections on noise grounds.
- 7.24 Amenity concerns raised by residents regarding the Lowther Square pedestrian/cycle link and Beacon Lane works are noted but these are reflective of what has been approved previously and are therefore considered acceptable.
- 7.25 Conditions are proposed to address construction work impacts.

Highway Safety/transportation matters

- 7.26 The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.27 The Council's Highway Authority have assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. A review of the information provided has been undertaken and it is considered that the proposals are now acceptable in principle in terms of highways matters following the submission of amended plans which address detailed layout issues highlighted by the Council's highways team. Certain detailed matters related to swept paths, highway design of 3 'squares' on the layout and public access to visitor parking

- bays in shared private drive areas will require further work but it is considered that such detailed matters are best resolved at the later Highways Act technical approval stage rather than as part of the planning process.
- 7.28 An existing public footpath (300/119) runs through the site from Beacon Lane. A condition is suggested to secure continued access along this route during construction works in line with details already approved re discharge of condition 38 of the previous extant permission. Beyond construction work the proposed site layout provides for safeguarding of this footpath route. The Council's Public Rights of Way team raise no objections.
- 7.29 Car parking levels are acceptable with appropriate levels of curtilage parking being provided for dwellings and satisfactory levels of visitor parking also being shown on the proposed layout.
- 7.30 Means of access to site will be via an improved Beacon Lane with the details of these works having already been approved through discharges of conditions on the previous permission. Further conditions are suggested to secure these improvements in respect of this current application.
- 7.31 Resident concerns regarding the Lowther Square footpath/cycle route are noted but as stated above this reflects what has already been approved under the previous permission, although amended plans have been submitted reducing the width of this link to 3 metres which is the characteristic width for a shared pedestrian/cycle route such as this. On the previously approved application this link was designated also as a pedestrian/cycle link but was wider as it had originally been envisaged that it would operate as a bus route. The proposal now however is to direct all bus services via Beacon Lane with a through route being provided through the application site and the Persimmon/Bellway development area to the south to the new roundabout that has been constructed on Fisher Lane. A condition is also suggested regarding the detailed design and provision of the proposed bollards for the Lowther Square route to ensure that it cannot be used by vehicular traffic other than the emergency services in the unlikely event that the main site access becomes blocked.
- 7.32 The comments of North Tyneside Council requesting further modelling regarding the impact of the proposals on the wider highway network are noted. However, the principle of 715 dwellings on the site has already been established through the previous grant of planning permission which remains extant, with this current application seeking only to amend the house types and layout of that scheme. Furthermore the County Council as Local Highway Authority and Highways England as Strategic Highway Authority for the A1 and A19 raise no objections on highway capacity grounds and the Cramlington South West Sector site as a whole has been identified for comprehensive redevelopment in the adopted development plan since 1999. As such it is not considered that further modelling of highway network impacts is justified.
- 7.33 Overall the proposals are therefore now considered acceptable on highways grounds although detailed technical specification matters will need to be resolved at the later Highways Act technical approval stage.

Drainage and Flooding

- 7.34 The NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere. The site lies within Flood Zone 1 and therefore considered to be at low risk of flooding. Policy DC19 of

the Blyth Valley Development Control Policies DPD also seeks to ensure that drainage and flood risk matters are satisfactorily addressed.

- 7.35 After reviewing the submitted information the Council's LLFA team, Northumbrian Water and the Environment Agency raise no objections with conditions proposed to secure the details of surface and foul water drainage provision.

Ground Contamination/Stability

- 7.36 It is considered expedient that proposals for the development of all land identified as being, or potentially being contaminated by previous developments or mineral workings to be accompanied by a statement of site investigation outlining the tests undertaken and the evaluation of results, in order that the Council may assess any direct threat to health, safety or the environment. It also considered that proposals for development which is on unstable or potentially unstable land should be accompanied by a statement on ground stability, together with details of measures proposed to deal with any instability.
- 7.37 The application site lies within a Coal Authority Development High Risk area.
- 7.38 The Coal Authority and the Council's Public Protection team raise no objections subject to conditions.

Ecology matters

- 7.39 Updated ecology reports from those undertaken in connection with the previous planning application have been examined by NCC Ecology. These show that habitats on site have not changed significantly over the intervening time period and therefore mitigation previously agreed remains appropriate. This includes provision/retention outside of dwelling curtilages of the following:
- Retention of the key hedgerows (2,000m) and trees (52);
 - Hedgerows on the southern and eastern boundaries to be gapped with native species and managed to the benefit of wildlife;
 - New native species hedgerow (1650m) and tree planting (227);
 - New areas of species-rich grassland within the site of at least 2.5ha in size;
 - Creation of species-rich grassland buffers along hedgerows, totalling approx. 1ha.
- 7.40 Further mitigation measures are identified in the updated ecology reports.
- 7.41 Conditions are also suggested regarding construction mitigation activities, bat mitigation, provision of bird/bat nesting features and external lighting.
- 7.42 Further discussions have taken place with NCC Ecology and it is considered that all of the above matters can be addressed through conditions.
- 7.43 There has also been some discussion with the Council's Ecologist regarding the matter of a long term management plan for the SSSI to the south to mitigate disturbance impacts from the proposed dwellings. This management plan has recently been secured by condition through a grant of Reserved Matters approval for part of the Persimmon/Bellway Homes housing site to the south which is closer to the SSSI than this application site and therefore it is not

considered that a further SSSI management plan condition is required were this application to be supported.

- 7.44 The applicant has agreed to include in the revised Section 106 Agreement the NCC Ecology requested contribution the £319,002 for ecology coastal mitigation.
- 7.45 Overall the proposals are considered acceptable in ecology terms subject to these conditions being attached.

Aircraft safety

- 7.46 No comments have been received from Newcastle Airport. However, in respect of a recent Persimmon/Bellway Homes application to the south the airport raised no objections in respect of aircraft safety subject to assurances around planting details and bird hazard management re drainage features.
- 7.47 It is considered that these matters can be addressed through conditions.

Archaeology

- 7.48 A written scheme of investigation regarding archaeological evaluation has already been agreed through partial discharge of a condition on the original planning permission. NCC Archaeology raise no objections subject to a condition requiring evaluation and recording to be undertaken in accordance with that scheme.

Section 106 Contributions

- 7.49 The revised proposed Section 106 contributions are detailed earlier in this report. Taking account of the new ecology coastal mitigation and healthcare contributions that have been secured, which are not in the current Section 106 Agreement that runs alongside the previous extant permission, a reduction of £1,065,000 in Section 106 contributions is proposed compared to the current Agreement in addition to the affordable housing reduction from 20% to 8%.
- 7.50 However, £926,000 of the £1,065,000 reduction relates to the removal of SUDS maintenance and informal open space maintenance contributions and as stated earlier a new clause is proposed in the revised Section 106 Agreement that would meet such maintenance costs through the setting up of a management company to look after these areas who would levy service charges on estate occupiers to cover maintenance costs. The remaining £139,000 reduction relates to a reduction in the proposed contribution for play areas, although 3 play areas are still proposed with a contribution of £507,000 still offered to fund these as well as 2 grass playing pitches and a MUGA.
- 7.51 The Council's in house chartered surveyor and externally appointed quantity surveyor have assessed the developers viability appraisal and whilst there are some differences of opinion regarding the detail of certain inputs they agree that the scheme even with the affordable housing and Section 106 contributions now proposed still shows a deficit of at least £3 million and is therefore unviable at present. The developer purchased parts of the application site from the County Council in 2017 and is looking to bridge this remaining viability gap by seeking to re-negotiate overage clauses in its land

sale contract with the County Council which may assist in generating additional development value from the scheme. However, that is a matter separate to this planning application and the Council's in house chartered surveyor largely concurs with the overall development value put forward by the applicant in their financial appraisal, albeit that the Council's surveyor values the scheme at slightly less than the applicant.

- 7.52 The Council's externally appointed quantity surveyor has suggested that viability review clauses be included in any revised Section 106 Agreement regarding foundation costs and costs associated with Government changes that will be taking place in future years around carbon dioxide emission reductions through changes to Part L of the Building Regulations including the Future Homes initiative. This is because it is not possible at this time to specifically determine these costs due to the need for further site investigation works re ground conditions and some uncertainties around Part L/Future Homes costs due to further guidance/legislation being awaited from Government and the possibility of some savings being achieved in future years through economies of scale and increased supplier competition as industry develops products to meet the new standards re carbon dioxide emission reductions.
- 7.53 Whilst the reduction in affordable housing and other Section 106 contributions is regrettable it is considered that such reductions can be supported in this instance on viability grounds subject to the above-mentioned viability review clauses.

Other Matters

- 7.54 Equality Duty - 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.
- 7.55 Crime and Disorder Act Implications - These proposals have no implications in relation to crime and disorder.
- 7.56 Human Rights Act Implications - 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.
- 7.57 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.

- 7.58 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 Overall the Reserved Matters details submitted are considered acceptable subject to certain further conditions to address detailed matters.
- 8.2 With regard to the EIA Regulations and the updated ES Addendum Report it is accepted having considered all of the above matters that the environmental effects of the proposed development have not substantially altered from those identified in the original ES.
- 8.3 As stated earlier whilst the reduction in affordable housing and other Section 106 contributions is regrettable it is considered that such reductions can be supported in this instance due to viability constraints subject to viability review clauses re foundation and Part L/Future Homes costs
- 8.4 This site comprises a significant element of the Cramlington South West Sector development which contributes substantially to housing land supply for the plan period of the new Local Plan in respect of both Cramlington and the wider County and therefore there is a need to progress development of this large site as soon as possible.
- 8.5 In addition to amending condition 4 to update the approved drawing numbers, officers are also proposing changes to other conditions carried over from the previous approval to assist with phasing of the development and to reflect technical details approved under a recent discharge of condition application related to the original permission. Further new conditions are also suggested to reflect consultee comments.
- 8.6 Overall it is considered that sustainable development would be achieved in this case having regard to the relevant policies of the development plan and the NPPF. The identified development plan policies are considered to be consistent with the NPPF, and the scheme therefore represents sustainable development and should be supported subject to the following conditions and the applicant entering into a Section 106 Agreement to secure the affordable housing and infrastructure matters highlighted earlier in this report.

9. Recommendation

That this application be GRANTED permission subject to the following conditions and the applicant entering into a Section 106 Agreement to secure the affordable housing and other contributions/matters highlighted earlier in this report.

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the 3 May 2017.

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission.

02. A Site Wide Phasing Plan and Programme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development above damp proof course level on the site. The phasing Plan and Programme shall include details of the proposed sequence of development across the entire site, the extent and location of individual development phases including reference to the type and extent of any development envisaged in each phase. Thereafter the development shall be carried out in full accordance with that approved Phasing Plan and Programme. In this permission "phase" means each phase identified on the Phasing Plan or such other plan as may be approved in writing by the Local Planning Authority pursuant to condition 2.

Reason: To ensure the orderly progression of the development.

03. The Local Planning Authority shall be provided with no less than 28 days prior written notice of the commencement of development of each phase.

Reason: In order to ensure development is carried out in an appropriate manner.

04. The development hereby permitted shall not be carried out other than in complete accordance with the details contained within the following approved plans/documents:

N81:2249 100 P1 Site Location Plan;
N81:2249 102 P24 Proposed Site Layout;
N81:2249 103 P23 Proposed Site Layout Sheet 1 of 2;
N81:2249 104 P22 Proposed Site Layout Sheet 2 of 2;
QD1603-00-100C Engineering Layout Sheet 1 of 2;
N81:2249 105 P8 External Finishes Sheet 1 of 2;
N81:2249 106 P8 External Finishes Sheet 2 of 2;
QD1603-00-102B External Works Sheet 1;
QD1603-00-103B External Works Sheet 2;
QD1603-00-104B External Works Sheet 3;
QD1603-00-106B External Works Sheet 5;
QD1603-00-500 Impermeable Areas 2021 Layout;
c-1574-01B Landscape Overview (to be amended through condition 10 further submissions);
c-1574-02A Landscape Masterplan Sheet 1 of 4; (to be amended through condition 10 further submissions);

c-1574-03A Landscape Masterplan Sheet 2 of 4; (to be amended through condition 10 further submissions);
c-1574-04A Landscape Masterplan Sheet 3 of 4; (to be amended through condition 10 further submissions);
Housetype Brochure February 2021;
LDG2H8 Twin Garage Details;
LSG1H8 Single Garage Details;
B54F0THE 01A Type 54 House Type;
BBLD0TCI 01 Bedale Mid House Type;
BBLD0THE 01A Bedale Semi-Detached Hipped House Type;
N81;2249 301 P1 Keepmoat Street scenes;
Environmental Statement Update received 03/03/21;
Revised Affordable Housing Statement 07/07/21;
N81:2249 110 D5 Affordable Housing Plan;
OS Ecology Bat Survey 19185 V1 (Draft) dated October 2020;
OS Ecology Breeding Bird Survey 19185 V2 (Draft) dated August 2020;
OS Ecology Ground Based Tree Risk Assessment 19185 V1 (Draft) dated March 2020;
OS Ecology Preliminary Ecological Appraisal 19185 V1 (Draft) dated December 2019;
OS Ecology Wintering Bird Survey 19185 V1 (Draft) dated March 2020

Reason: To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

05. The road extension to Beacon Lane shall be implemented in accordance with the details approved in respect of condition 5 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and made available for use by vehicles, pedestrians and cyclists before the completion of no more than 500 dwellings on the site or within 10 years of the commencement of development (whichever is sooner) and shall thereafter remain open for use for vehicles, pedestrians and cycles to access land to the south at all times. No barriers or other physical impediments to the use of this road extension by vehicles, pedestrians and cyclists to access lands to the south shall be put in place without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of an integrated road system within the SW Sector in the interest of securing sustainable travel modes and access to facilities by future residents in a timely way in accordance with Policies CNP1 and CNP15 of the Cramlington Neighbourhood Plan. Policy SS3 of the Blyth Valley Core Strategy and the NPPF.

06. The access (including pedestrian and cycle access) between land to the south and the footpath/cycleway to the east of the playing pitches shall be provided in accordance with the details approved in respect of condition 6 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and in accordance with timing details concerning provision of this access to be submitted to and approved in writing by the Local Planning Authority. The access must be made available for use thereafter without restriction and provide access to the land to the south,

Reason: In order to ensure a comprehensive network to promote sustainable routes and to extend the opportunities to travel by safe and sustainable means in

accordance with Policies CNP1 and CNP15 of the Cramlington Neighbourhood Plan, Policies SS3 and A2 of the Blyth Valley Core Strategy, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

07. No development shall take place:

- a) unless in accordance with the mitigation detailed within: OS Ecology Bat Survey 19185 V1 (Draft) dated October 2020; OS Ecology Breeding Bird Survey 19185 V2 (Draft) dated August 2020; OS Ecology Ground Based Tree Risk Assessment 19185 V1 (Draft) dated March 2020; OS Ecology Preliminary Ecological Appraisal 19185 V1 (Draft) dated December 2019; OS Ecology Wintering Bird Survey 19185 V1 (Draft) dated March 2020 and the Environmental Statement submitted with application B/08/00465/FUL including the provision/retention of the following outside of dwelling curtilages – retention of the key hedgerows (2,000m) and trees (52) including tree T83 (Ash) as identified in OS Ecology Ground Based Tree Risk Assessment 19185 V1 (Draft) dated March 2020, hedgerows on the southern and eastern boundaries to be gapped with native species and managed to the benefit of wildlife, new native species hedgerow (1650m) and tree planting (227), new areas of species-rich grassland within the site of at least 2.5ha in size, creation of species-rich grassland buffers along hedgerows, totalling approx. 1ha and new areas of native scrub; and
- b) until protection measures are in place for the retention of the key hedgerows (2,000m) and trees (52) including tree T83 (Ash) as identified in OS Ecology Ground Based Tree Risk Assessment 19185 V1 (Draft) dated March 2020.

Reason: To protect Arcot Hall Grasslands and Ponds SSSI and conserve protected species and their habitat in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policies SS1, SS3 and ENV1 of the Blyth Valley Core Strategy, Policies DC14 and DC16 of the Blyth Valley Development Control Policies DPD and the NPPF.

08. No construction shall take place above damp proof course level until a scheme for the provision and maintenance of signs within the development to inform walkers of the presence and vulnerability of the Arcot Hall Site of Special Scientific Interest has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to the occupation of any dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect Arcot Hall Grasslands and Ponds SSSI and conserve protected species and their habitat in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policies SS1, SS3 and ENV1 of the Blyth Valley Core Strategy, Policies DC14 and DC16 of the Blyth Valley Development Control Policies DPD and the NPPF.

09. Prior to construction above damp-proof course level, a scheme for the provision of integrated bird box or bat box/roosting features at a ratio of one per dwelling shall be submitted to and agreed in writing by the local planning authority. The scheme shall detail the location, height, orientation, numbers and specification of bird/bat nesting/roosting provision. This should include swift bricks in groups of four to six on suitable gable ends. Thereafter the approved scheme shall be implemented in full.

Reason: To conserve and enhance local biodiversity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policies SS1, SS3 and ENV1 of the Blyth Valley Core Strategy, Policies DC1 and DC16 of the Blyth Valley Development Control Policies DPD and the NPPF.

10. Notwithstanding the landscape overview and masterplan drawings referenced in condition 4 above, no development shall take place above damp proof course level until a revised site-wide Landscape Masterplan has been submitted to and approved in writing by the Local Planning Authority. The Landscape Masterplan shall address the following issues:

- a) The quantum and location of different typologies of green spaces across the site;
- b) Clearly identify existing trees, hedgerows, habitats, ponds and other natural features proposed for retention;
- c) Principles for the layout, design, landscaping and boundary treatment of each of these areas;
- d) Principles for public access to and through these areas (taking account of condition 45 Sensitive Lighting Scheme);
- e) Principles for lighting of these areas;
- f) Retention of the key hedgerows (2,000m) and trees (52) including tree T83 (Ash) as identified in OS Ecology Ground Based Tree Risk Assessment 19185 V1 (Draft) dated March 2020
- g) Hedgerows on the southern and eastern boundaries to be gapped with native species and managed to the benefit of wildlife,
- h) New native species hedgerow (1650m) and tree planting (227) and areas of native scrub;
- i) New areas of species-rich grassland within the site of at least 2.5ha in size and creation of species-rich grassland buffers along hedgerows, totalling approx. 1ha.

The Landscape Masterplan shall be implemented in accordance with the approved details unless otherwise agreed with the local planning authority.

Reason: In the interests of amenity, ecology and public safety in accordance with Policies CNP1 and CNP8 of the Cramlington Neighbourhood Plan, Policies SS1, SS3 and ENV1 of the Blyth Valley Core Strategy, Policies DC1, DC16 and DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

11. No development shall take place above damp roof course level within any phase until full details of both hard and soft landscape works in respect of that phase have been submitted to and approved in writing by the Local Planning Authority. These shall include details of all hard surfaces, planting plans, written specifications, schedules of plants (noting species plant sizes and proposed number densities where appropriate) in respect of that phase of development including the timing for implementation thereof. The works shall be carried out as approved and in accordance with the approved timetables.

Reason: In the interests of visual amenity and biodiversity in accordance with Policies CNP1 and CNP8 of the Cramlington Neighbourhood Plan, Policies SS1, SS3 and ENV1 of the Blyth Valley Core Strategy, Policies DC1, DC16 and DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

12. No development shall take place within any phase until a detailed Open Space Management and Maintenance Scheme for the maintenance and

management of all areas of open space within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented upon the occupation of the first residential unit of that particular phase (or as may otherwise be approved in writing by the Local Planning Authority). Details to be submitted shall include;

- a) Details of landscape management and maintenance plans
- b) Details of planting, grass cutting, weeding and pruning
- c) Inspection, repair and maintenance of all hard landscaping and structures
- d) Management, monitoring and operational restrictions
- e) Maintenance and planting replacement programme for the establishment period of landscaping
- f) Establish a procedure that would be implemented in the event of any tree (or item of soft landscaping) being removed, uprooted/ destroyed or dying

The open space areas provided shall be retained for their intended purpose unless otherwise is approved in writing by the Local Planning Authority.

Reason: To ensure appropriate maintenance and management of open space in accordance with Policies CNP1 and CNP8 of the Cramlington Neighbourhood Plan, Policies SS1, SS3 and ENV1 of the Blyth Valley Core Strategy, Policies DC1, DC16 and DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

13. Prior to the commencement of development above damp proof course level, a detailed survey and assessment of ground conditions that could affect the use and quality of the playing fields (including drainage and topography) of the land proposed in this application as playing fields shall be undertaken and the results submitted in writing to the Local Planning Authority. Based on the results of this assessment, a detailed scheme to ensure that the playing fields will be provided to an acceptable standard (to be specified by Northumberland County Council) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The scheme shall also include details of the layout and finishes of the playing fields and a programme for delivery of the playing fields and ancillary facilities (including access and parking areas). The scheme shall be carried out in full accordance with the approved details and programme of delivery

Reason: To ensure that site surveys are undertaken for new playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing fields area in accordance with Policy CNP23 of the Cramlington Neighbourhood Plan, Policy DC12 of the Blyth Valley Development Control Policies DPD and the NPPF..

14. No dwelling hereby permitted shall be occupied unless and until the works specified in the Remediation Statement approved in respect of condition 15 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON have been completed in accordance with the approved scheme and a report validating the remediated site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment from contamination and to ensure that the site is reclaimed to a standard appropriate for its approved use in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy SS3 of the Blyth Valley Core

Strategy, Policy DC21 of the Blyth Valley Development Control Policies DPD and the NPPF.

15. Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring and reporting proposals shall be detailed in the report which shall be approved in writing by the Local Planning Authority.

Reason: To protect the environment from contamination and to ensure that the site is reclaimed to a standard appropriate for its approved use in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy SS3 of the Blyth Valley Core Strategy, Policy DC21 of the Blyth Valley Development Control Policies DPD and the NPPF.

16. If during development contamination not previously considered is identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the environment from contamination and to ensure that the site is reclaimed to a standard appropriate for its approved use in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy SS3 of the Blyth Valley Core Strategy, Policy DC21 of the Blyth Valley Development Control Policies DPD and the NPPF.

17. Development shall take place within each Phase in full accordance with the scheme to protect the buildings within that Phase from gas emissions associated with the former mine workings, in particular Stythe (or Black Damp) as approved in respect of condition 18 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON

Reason: In order to safeguard the development and/or the occupants thereof from possible future gas emissions in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy SS3 of the Blyth Valley Core Strategy, Policy DC21 of the Blyth Valley Development Control Policies DPD and the NPPF.

18. Throughout the construction period within each phase development shall take place in accordance with a 'Dust Management Plan' to be submitted to and approved in writing by the Local Planning Authority. The submitted 'Dust Management Plan' must include a procedure for dealing with complaints about dust which would be activated when justified dust complaints are received by the Local Planning Authority. Monitoring points should be approved in writing by the local planning authority.

Reason; In the interests of amenity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy SS3 of the Blyth Valley Core Strategy, Policy DC21 of the Blyth Valley Development Control Policies DPD and the NPPF.

19. Construction work and deliveries associated with the proposal shall only take place between the hours of 7am to 7pm Monday to Friday, 8am to 1pm on Saturdays but shall not take place on Sundays or Bank Holidays unless otherwise approved in advance and in writing by the Local Planning Authority.

Reason; In the interests of amenity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy SS3 of the Blyth Valley Core Strategy, Policy DC22 of the Blyth Valley Development Control Policies DPD and the NPPF.

20. No development shall take place above damp proof course level within each Phase until details of all external facing and roofing materials to be used on dwellings within that phase 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 interest of visual amenity in accordance with Policies CNP3 and CNP8 of the Cramlington Neighbourhood Plan, Policy DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

21. No development shall take place above damp proof course level within each Phase until details of the provision of refuse and recycling storage for each dwelling within that Phase and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. Thereafter each Phase of the development shall be carried out in accordance with the approved details in respect of that Phase unless otherwise is approved in writing by the Local Planning Authority. The refuse/recycling area should have a direct and level access from the street to the dwelling and be capable of accommodating the appropriate refuse/recycling.

Reason: In the interests of the provision of adequate refuse storage/collection facilities and of general and visual amenities in accordance with Policies CNP3 and CNP8 of the Cramlington Neighbourhood Plan, Policy DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

22. Prior to the commencement of development above damp proof course level, details of the location, design and landscaping of a communal recycling facility for the scheme and a programme for its delivery shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the details and programme approved.

Reason: In the interest of providing adequate recycling facilities and visual amenity in accordance with Policies CNP3 and CNP8 of the Cramlington Neighbourhood Plan, Policy DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

23. The development shall be constructed in accordance with the levels details approved in respect of condition 24 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON

Reason: In order to safeguard the character and appearance of the area in accordance with Policies CNP3 and CNP8 of the Cramlington Neighbourhood Plan, Policy DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

24. Provision shall be made available for the secure parking of bicycles the details of which shall first be submitted to and approved in writing by the Local Planning Authority and the development must be carried out in accordance with those approved detail. All of the above shall apply unless any variation is approved in writing by the Local Planning Authority.

Reason: To establish cycling as an alternative form of transport and ensure adequate storage facilities for bicycles within the scheme in accordance with Policy CNP14 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

25. Prior to the commencement of development in respect of the sports and recreation facilities hereby permitted a scheme for the provision of secure covered bicycle storage for non-residential uses to be provided on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, number and design of secure bicycle parking and shall be implemented in accordance with the approved scheme prior to initial use of the non-residential uses.

Reason: To establish cycling as an alternative form of transport and ensure adequate storage facilities for bicycles within the scheme in accordance with Policy CNP14 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

26. No development shall take place above damp proof course level in each phase until a scheme (including a programme for implementation) for the inclusion of energy from renewable energy sources has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve environmental benefits in accordance with Policy CNP8 of the Cramlington Neighbourhood Plan, Policy DC30 of the Blyth Valley Development Control Policies DPD and the NPPF.

27. Prior to the commencement of any part of the development above damp proof course level, full details of all substations (including a programme for implementation) shall be submitted to approved in writing by the Local Planning Authority. The submitted details shall include details of materials, design and locations. Thereafter the development shall be carried out In full accordance with the approved details and timetable.

Reason: In the interests of visual amenity in accordance with Policies CNP3 and CNP8 of the Cramlington Neighbourhood Plan, Policy DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

28. Construction traffic movements throughout the construction period within each phase of the development shall be in full accordance with a Traffic Management Plan to be submitted to and approved in writing by the Local Planning Authority. The Traffic Management Plan shall include routing, schedule and timing of movements,

details of escorts for abnormal loads, temporary warning signage, banksman/escort details and proposed mitigating measures.

Reason: In order to achieve a satisfactory form of development having regard to highway safety and general amenity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

29. Construction work throughout the construction period within each phase of the development shall be undertaken in full accordance with a Construction Method Statement to be submitted to and approved in writing by the Local Planning Authority. That Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors;
- b) delivery times and loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding;
- e) the erection and screening of any compound and welfare facilities;
- f) wheel washing facilities;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from the construction works.
- i) no tree felling or vegetation clearance shall be undertaken between 1st March and 31st August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.
- j) all works on site shall be carried out in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations British Standards Institution, 2012.
- k) all works on site will adhere to the Pollution Prevention Guidance for Businesses provided by DEFRA and the Environment Agency. For further information follow the link: <https://www.gov.uk/guidance/pollution-prevention-for-buisnesses>
- l) a visual inspection for any squirrel dreys will be carried out not more than 3 months before the start of tree works. If there are any potential dreys and other signs such as feeding signs, the dreys will need to be observed for occupancy then dismantled by hand before felling.
- m) all trenches and excavations deeper than 0.30m left open overnight should have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals.

Reason: In order to achieve a satisfactory form of development having regard to highway safety, general amenity and biodiversity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policies DC11 and DC16 of the Blyth Valley Development Control Policies DPD and the NPPF.

30. Turning facilities for all vehicles, including abnormal loads, must be provided within the confines of the application site for the full duration of the construction period to enable all vehicles to enter and leave the highway in a forward direction at all times.

Reason: In order to achieve a satisfactory form of development having regard to highway safety and general amenity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

31. The proposed four-leg roundabout at the junction of Beacon Lane/U9551 shall be constructed in accordance with the details approved in respect of condition 32 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and in accordance with an implementation timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

32. A crossing point over Beacon Lane (close to the entrance into the development) shall be constructed in accordance with the details approved in respect of condition 33 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and in accordance with an implementation timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

33. All highway works to Beacon Lane shall be constructed in accordance with the design details approved in respect of condition 34 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and in accordance with an implementation timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

34. All carriageways, footways, cycleways and street lighting serving the development (the street works) are to be constructed and installed to adoptable standards. All of the above shall apply unless any variation is approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

35. Prior to the commencement of development above damp proof course level, details of the location and design of bus stops within the development shall be submitted to and approved in writing by the Local Planning Authority along with a programme for their implementation. Thereafter those bus stops shall be provided in accordance with the agreed details and programme of delivery.

Reason: To ensure provision of adequate bus stop facilities within the scheme in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

36. Each car parking space approved through this permission shall be constructed as approved, and drained, surfaced and made available for use before any unit of accommodation or use that it serves is occupied.

Reason: To provide for appropriate and secure car parking in accordance with Policy CNP8 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

37. In respect of the carrying out of the development hereby permitted the public footpath through the site (300/119) shall be protected in full accordance with the scheme approved in respect of condition 38 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and the footpath must remain open at all times with no restrictions, notwithstanding temporary diversions agreed in writing with the Local Planning Authority.

Reason: In order to protect a public footpath ensuring connectivity and safety in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

38. A programme of archaeological work is required. The archaeological scheme shall comprise two stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged and shall be undertaken in full accordance with the Written Scheme of Investigation approved in respect of condition 39 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON

a) The archaeological recording scheme required by the brief must be completed in accordance with the approved scheme of investigation.

b) The programme of analysis, reporting, publishing and archiving if required by the brief must be completed in accordance with the approved written scheme of investigation.

Reason: To safeguard archaeological heritage assets in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy ENV2 of the Blyth Valley Core Strategy, Policy DC26 of the Blyth Valley Development Control Policies DPD and the NPPF.

39. Any works to be carried out within the 'Exclusion Area' identified on Fig 1 of the archaeological mitigation brief (NC ref BV3/5; 11262 dated 27/09/10) submitted with application reference B/08/00465/FUL shall be undertaken in full accordance with an Archaeological Method Statement to be submitted to and approved in writing by the Local Planning Authority. No intrusive groundworks (including surface drainage facilities or service trenches) shall be undertaken below the level of the present ground surface. All of the above shall apply unless any variation is approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological heritage assets in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy ENV2 of the Blyth Valley Core Strategy, Policy DC26 of the Blyth Valley Development Control Policies DPD and the NPPF.

40. The Surface water disposal scheme in respect of the development hereby permitted shall be implemented and subsequently maintained, in full accordance

with the details approved in respect of condition 41 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and shall be constructed in accordance with an implementation timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC19 of the Blyth Valley Development Control Policies DPD and the NPPF.

41. The provision, implementation and maintenance of the two attenuation ponds (SuDS) and associated network shall be undertaken in full accordance with the details approved in respect of condition 42 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON and these ponds shall be constructed in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the water environment and reduce the risk of flooding from surface water drainage in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC19 of the Blyth Valley Development Control Policies DPD and the NPPF.

42. Surface water and foul sewage drainage in respect of the development hereby permitted shall be constructed in full accordance with the details approved in respect of condition 43 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to ensure that the development is provided with a satisfactory means of drainage in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC19 of the Blyth Valley Development Control Policies DPD and the NPPF.

43. The development hereby permitted shall be carried out in full accordance with coal mining legacy mitigation details approved in respect of condition 44 of planning permission B/08/00465/FUL on the 5 March 2021 under application reference 20/01063/DISCON

Reason: The application site has been the subject to past coal mining and any implications arising from this need to be considered from the outset in order to ensure the safety and stability of the proposed development in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC21 of the Blyth Valley Development Control Policies DPD and the NPPF.

44. Prior to the felling or works to trees having low and moderate potential for roosting bats, as identified in 'Ground Based Tree Risk Assessment, OS Ecology Ltd, March 2020' and 'Bat Survey, OS Ecology Ltd, October 2020', a detailed method statement for the works to minimise the risk of harm to bats shall be submitted to and agreed in writing by the local planning authority.' Thereafter work shall be undertaken in full accordance with that approved method statement.

Reason: To avoid harm to a species protected under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2007

(as amended) in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy ENV1 of the Blyth Valley Core Strategy, Policy DC16 of the Blyth Valley Development Control Policies DPD and the NPPF.

45. Prior to construction above damp-proof course level in any phase, a sensitive lighting scheme for all areas of that phase shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall:

a) Be designed in consultation with the project ecologist and follow guidance set out in Institution of Lighting Professionals (2018) Advice note 08/18 (<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>).

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory (e.g., for foraging and commuting) or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications agreed.

Reason: To prevent disturbance and harm to a European protected species (bats) and conserve local biodiversity in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy ENV1 of the Blyth Valley Core Strategy, Policy DC16 of the Blyth Valley Development Control Policies DPD and the NPPF.

46. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no additional window or other opening shall be made in the following elevations of the dwellings specified on the following plots unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority – 9 west, 19 west, 20 south, 24 east, 31 east, 32 south, 35 south, 36 north, 53 north, 64 south, 69 north, 70 north, 75 east, 87 west, 88 north, 105 east, 112 east, 136 west, 141 north, 150 north, 151 north, 156 south, 159 south, 164 north, 165 north, 170 south, 178 north, 179 north, 195 west, 215 north, 219 south, 220 south east, 221 south east, 225 south, 230 north, 233 west, 236 west, 238 east, 245 east, 248 west, 255 north, 261 north, 264 south, 271 south, 272 north, 274 north, 275 south, 278 east, 285 east, 291 east, 294 south, 296 north, 299 west, 300 west, 301 east, 313 west, 316 east, 330 south, 331 east, 336 west, 337 east, 340 west, 348 south east, 351 east, 353 east, K011 north, K014 south, K017 north, K018 west, K029 east, K034 south, K035 south, K036 north, K038 south, K048 west, K060 east, K061 west, K062 north, K066 north, K067 south, K070 east, K074 north, K078 north, K081 south, K087 south, K088 north, K093 north, K097 west, K103 west, K106 east, K107 west, K108 east, K116 west, K122 east, K126 north, K132 north, K156 north, K159 east, K166 north or south, K167 north, K170 west, K173 west, K194 north, K195 south, K206 north, K209 east, K214 north, K224 south, K241 south, K242 east, K246 west, K247 south, K251 south, K254 south, K261 east, K275 west, K281 south, K299 south, K302 west, K323 west, K353 west or K362 west.

Reason: To safeguard the privacy and amenity of the occupiers of adjacent properties and in accordance with Policy DC27 of the Blyth Valley Development Control Policies DPD.

47. Means of enclosure to dwellings in each phase shall be provided prior to the first occupation of those dwellings in full accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policies CNP3 and CNP8 of the Cramlington Neighbourhood Plan, Policy DC27 of the Blyth Valley Development Control Policies DPD and the NPPF.

48. The pedestrian/cycle access from the application site to Langdale Drive shall at all times following its substantial completion incorporate bollards to prevent use of that access by vehicular traffic other than emergency service vehicles with the location and specification of such bollards being in full accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy CNP1 of the Cramlington Neighbourhood Plan, Policy DC11 of the Blyth Valley Development Control Policies DPD and the NPPF.

49. Development shall not commence in respect of the surface water drainage scheme hereby permitted unless and until a bird hazard assessment and management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the surface water drainage scheme shall be constructed and managed in full accordance with those approved details.

Reason: In the interests of aviation safety in accordance with the NPPF.

Date of Report: 16/07/21

Background Papers: Planning application file(s) 21/00842/VAREIA