



# Northumberland

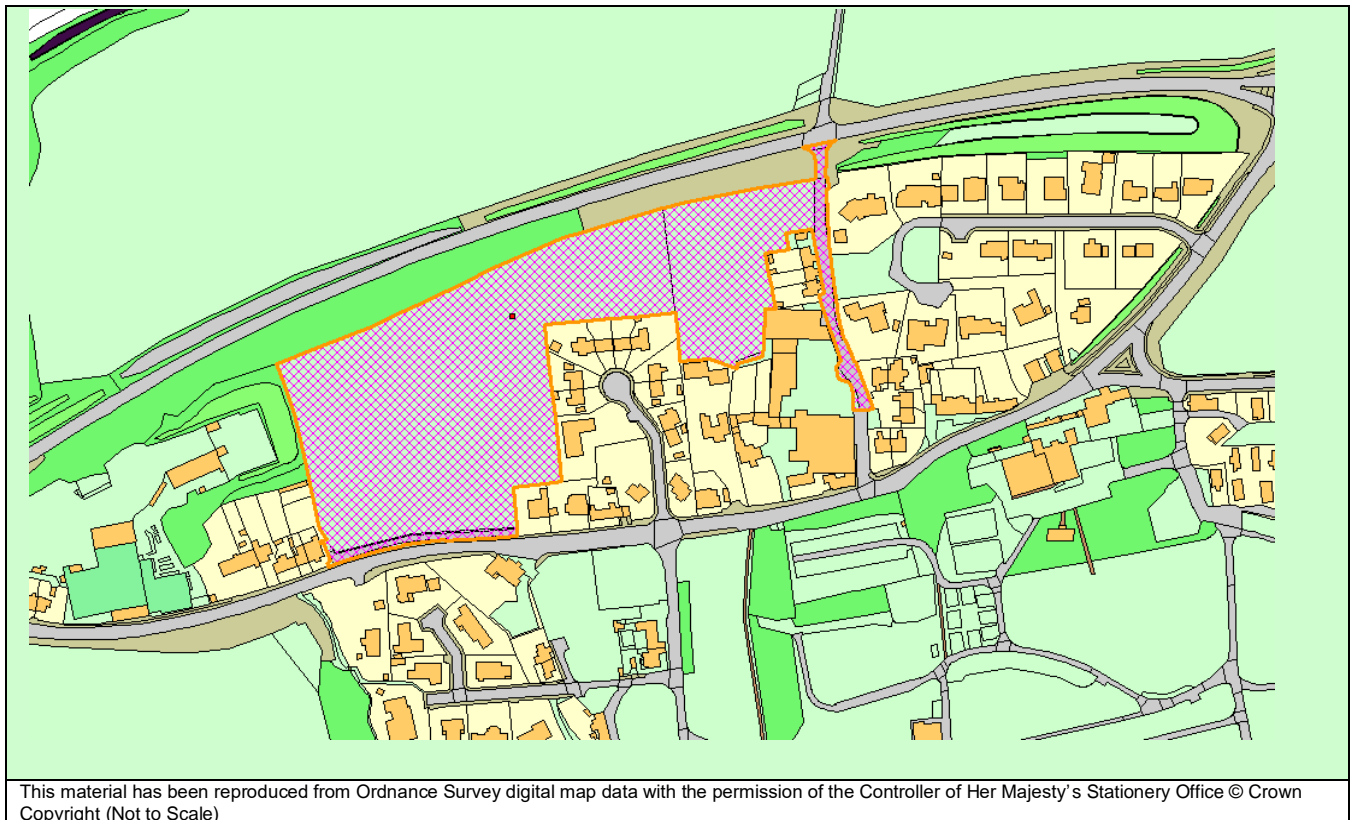
## County Council

### North Northumberland Local Area Council Planning Committee

24 March 2022

<b>Application No:</b>	21/02169/REM		
<b>Proposal:</b>	Reserved Matters Application pursuant to planning permission 18/00828/OUT for access, appearance, landscaping, layout and scale		
<b>Site Address</b>	Land North and West of Hillcrest, East Ord, Northumberland		
<b>Applicant:</b>	Ascent Homes C/o DPP	<b>Agent:</b>	Mrs Jo Robison DPP, Studio 012, Haylofts, St Thomas' St, Newcastle upon Tyne, NE1 4LE
<b>Ward</b>	Berwick West With Ord	<b>Parish</b>	Ord
<b>Valid Date:</b>	16 June 2021	<b>Expiry Date:</b>	31 March 2022
<b>Case Officer Details:</b>	Name: Ms Rachel Campbell Job Title: Senior Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		

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



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## **1. Introduction**

1.1 Under the provisions of the Council's current Scheme of Delegation, the application has been referred to the Director of Planning and the Chair and Vice Chair of the North Northumberland Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be referred to the Committee for determination.

## **2. Description of the Proposals**

2.1 Outline planning permission, with all matters reserved, was granted under application reference: 18/00828/OUT on 23<sup>rd</sup> November 2018 for the construction of 30 dwellings on land north and west of Hillcrest, East Ord. This outline application was determined by members of the North Northumberland Local Area Council Planning Committee.

2.2 This current application seeks approval of the reserved matters relating to outline planning application reference: 18/00828/OUT. The reserved matters for which approval is sought in this instance are means of access, appearance, scale, layout and landscaping.

2.3 The current reserved matters application relates to the construction of 30 dwellings, as approved at outline stage. The proposed 30 dwellings would be provided through 9 different house types (detached and semi-detached) and would provide:

- 4 x 2-bedroom dwellings.
- 15 x 3-bedroom dwellings.
- 11 x 4-bedroom dwellings.

3 x 2-bedroom dwellings and 2 x 3-bedroom dwellings would be delivered as affordable housing (amounting to 15% affordable housing). This 15% affordable housing contribution figure is as per the Section 106 Agreement which accompanied the outline planning permission.

2.4 The application site comprises of agricultural land that occupies an elevated position above East Ord Road (the main road that runs through the village of East Ord) to the south, with the site sloping at the western end of the site in a north-south direction. The application site is bounded by a narrow stretch of woodland to the north with the A698 (Rotary Way) and open land beyond. The application site is bounded by residential properties and some farm buildings to the east and south and is bounded by residential properties and an area of woodland to the west. Also, a Public Right of Way runs in a north-south direction to the east of the site and connects the A698 to East Ord Road.

2.5 The application site is within a Coastal Mitigation Zone, is within a Health and Safety Executive Site and is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI).

2.6 During the course of the application, the applicant has submitted additional and revised information and plans to address the initial concerns raised by the Council's Highway Development Management (HDM) team, the Council's Ecology team and the Council's Lead Local Flood Authority (LLFA) team. This reserved matters application originally proposed to construct 40 dwellings, an increase of 10 dwellings from the 30 dwellings approved at the outline application stage. However, during the course of the application it was raised with the applicant that the proposed increase from 30 dwellings to 40 dwellings could not be considered under this reserved matters application and hence the application was amended, and the number of dwellings proposed was reduced to 30. Amended plans have therefore been submitted to reflect this and full re-consultation has been undertaken.

### 3. Planning History

**Reference Number:** 17/04494/SCREEN

**Description:** Request for a screening opinion in respect to pre-application enquiry for the erection of approximately 30 dwellings.

**Status:** EIA Not Required

**Reference Number:** 18/00828/OUT

**Description:** Outline Permission with All Matters Reserved: 30 dwellings - Amended 21/08/18

**Status:** Permitted

**Reference Number:** N/00/B/0191

**Description:** Development comprising 36 dwellings, access roads and associated infrastructure works. (application revised to 36 dwellings, footpath link and land retained for future access to farm buildings revised 27.06.00).

**Status:** Refused

### 4. Consultee Responses

Lead Local Flood Authority (LLFA)	No objection subject to conditions and informatives.
Ord Parish Council	<p>Ord Parish Council have no objection. However, Parish Councillors would like the following points to be considered before the application is determined:</p> <ul style="list-style-type: none"> <li>- The 30mph speed limit on the A698 at East Ord roundabout should be extended along Rotary Way, past the junction to this development, as this will allow residents to exit and access the housing estate safely.</li> <li>- Parish Councillors support the comments from the Northumberland Clinical Commissioning Group that a single payment of £26,100 needs to be made from the developer under the S106 on the completion of the 1st dwelling.</li> <li>- The Parish Council require clarification as to who will be responsible for the future maintenance of open space within the development and will there be a charge per property to cover the annual costs.</li> <li>- The maximum number of houses on this site should be 30.</li> </ul>

Health Care CG	Request that a single payment of £20,100 is required from the developer as a Section 106 contribution and this should be on completion of the 20 <sup>th</sup> dwelling as previously agreed.
Highways	No objection subject to conditions.
Highways England	No objection.
Natural England	No objection.
Northumbrian Water Ltd	No issues to raise with the application. Recommend a condition relating to the implementation of the drainage scheme. Northumbrian Water comments simply reflect the ability of their network to accept flows if sewer connection is the only option.
County Archaeologist	No objection.
Public Protection	No comment to make on this reserved matters application.
Waste Management - North	No response received.
County Ecologist	No objection subject to conditions and informatives. The Section 106 Agreement completed under the outline application secures the required Coastal Mitigation Service contribution for this scheme.
Education - Schools	The financial contribution towards education provision for 30 dwellings has already been secured under the Section 106 Agreement completed under the outline application.
Fire & Rescue Service	No objection.
Architectural Liaison Officer - Police	No objection.
Northumbria Ambulance Service	No response received.
Affordable Housing	The proposed development would provide for 15% of the total dwellings as affordable homes, and thus would satisfy S.106 requirements. The proposed housing mix and tenure breakdown is in line with the county's identified needs and local and national policy requirements, considering the SHMA update, local housing needs study and RP plans to deliver more rented homes. There are no DMV homes in Berwick to date so this will provide a viable alternative and balanced offer for affordable homes. An affordable housing scheme should be submitted before the development commences.
Countryside/ Rights of Way	No objection, in principle, to the application subject to the protection of the Parish of Ord Public Footpath No.19 throughout.  It is noted that the intended upgrade to the access from the A698 does not include a footway to the east to accommodate Public Footpath No. 19. The developer should consider improving this section of the public footpath and ensure that

	this has a specification for an upgrade to an adoptable standard that is agreed by the Council's Development Management team. It is suggested that the developer contact the Council's Countryside Rights of Way Officer, Phillip Bradley, to discuss any improvements or alignments.
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## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	58
Number of Objections	4
Number of Support	0
Number of General Comments	0

### Notices

Site Notice affecting Public Right of Way – Displayed on 25th June 2021  
 Press notice in Berwick Advertiser – Published on 24th June 2021

### Summary of Responses:

Four representations of objection have been received from two neighbouring residents which have raised the following concerns during the initial consultation process and during the re-consultation process:

- A right of access through the field for 2 East Ord Farm Cottages is not incorporated into the proposed plans.
- Impact on residential amenity.
- Impact on the Public Right of Way.
- Noise and dust during construction.
- 2 and 3 East Ord Farm Cottages have a liability for the upkeep of the private road, which the proposed development would seek to utilise. Will damage to the road be addressed during construction and will the properties be liable for the upkeep of the private road after construction.
- Housing density and impact on the character of the area.
- Overdevelopment of a small area of the site.
- Different house types and sizes proposed to those submitted at outline stage.
- Highway safety.
- Car parking issues for existing neighbouring properties, such as Osborne Cottages.
- Traffic.
- Access.
- Concerns regarding new street lighting outside East Ord Farm Cottages.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=QTPZ81QSGR000>

## 6. Planning Policy

## 6.1 Development Plan Policy

*Berwick upon Tweed Local Plan (1999)*

Policy F1 – Environmental Wealth

Policy F5 – Berwick-Upon-Tweed

Policy F6 – Special Protection Areas, Special Areas of Conservation and Ramsar Sites

Policy F7 – National Nature Reserves and Sites of Special Scientific Interest

Policy F10 – Protected Species

Policy F12 – Trees and Woodlands

Policy F30 – Planning Obligations

Policy F31 – Social and Economic Welfare

Policy M14 – Car Parking Standards

Policy S6 – Affordable Housing

## 6.2 National Planning Policy

*National Planning Policy Framework (NPPF) (2021, as updated)*

*National Planning Practice Guidance (NPPG) (2019, as updated)*

## 6.3 Emerging Policy

*Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019)  
as amended by Main Modifications recommended in the Inspectors' Report  
(January 2022)*

Policy ENV 2 – Biodiversity and Geodiversity

Policy ENV 3 – Landscape

Policy ENV 7 – Historic Environment and Heritage Assets

Policy HOU 2 – Provision of New Residential Development (Strategic Policy)

Policy HOU 5 – Housing Types and Mix

Policy HOU 6 – Affordable Housing Provision (Strategic Policy)

Policy HOU 8 – Residential Development in the Open Countryside

Policy HOU 9 – Residential Development Management

Policy INF 1 – Delivering Development Related Infrastructure (Strategic Policy)

Policy INF 6 – Planning Obligations

Policy POL 1 – Unstable and Contaminated Land

Policy POL 2 – Pollution and Air, Soil and Water Quality

Policy QOP 1 – Design Principles (Strategic Policy)

Policy QOP 2 – Good Design and Amenity

Policy QOP 4 – Landscaping and Trees

Policy QOP 5 – Sustainable Design and Construction

Policy QOP 6 – Delivering Well-Designed Places

Policy STP 1 – Spatial Strategy (Strategic Policy)

Policy STP 2 – Presumption in Favour of Sustainable Development (Strategic Policy)

Policy STP 3 – Principles of Sustainable Development (Strategic Policy)

Policy STP 4 – Climate Change Mitigation and Adaptation (Strategic Policy)

Policy STP 5 – Health and Wellbeing (Strategic Policy)

Policy STP 6 – Green Infrastructure (Strategic Policy)

Policy TRA 1 – Promoting Sustainable Connections (Strategic Policy)

Policy TRA 2 – The Effects of Development on the Transport Network  
Policy TRA 4 – Parking Provision in New Development  
Policy WAT 1 – Water Quality  
Policy WAT 2 – Water Supply and Sewerage  
Policy WAT 3 - Flooding  
Policy WAT 4 – Sustainable Drainage Systems

## 7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the development plan comprises policies from the Berwick Local Plan, as identified above. The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also 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 independent examination of the Northumberland Local Plan (NLP) has concluded, and the Inspectors' report is published on the Council's website. The Inspectors consider that subject to a number of recommended Main Modifications, the NLP is 'sound' and provides an appropriate basis for the planning of the County. The Plan is in the final stage of preparation, there are no unresolved objections, and the Plan is consistent with national policy, and therefore significant weight can be given to the policies in the NLP.

7.3 The main considerations in the determination of this application are:

- Principle of the development.
- Planning obligations.
  - Affordable housing.
  - Education.
  - Health.
  - Coastal mitigation.
- Design and impact upon the landscape.
- Amenity.
- Archaeology.
- Highway safety.
- Impact upon the Public Right of Way.
- Ecology.
- Drainage and sewerage.
- Other matters.

### Principle of the Development

7.4 The principle of residential development at the application site has been established through the granting of outline planning permission under application reference: 18/00828/OUT. This outline planning permission is linked to this current reserved matters planning application. The principle of the development has already been assessed through the outline application and this reserved

matters application solely assesses the matters of means of access, scale, layout, appearance and landscaping.

### Planning Obligations

7.5 Policy F30 of the Berwick Local Plan relates to planning obligations and states that *“where it is necessary to the granting of planning permission in accordance with policies elsewhere in this plan and the development concerned, development will be permitted subject to a planning obligation to ensure that due regard is given to the environment and the interests of the local community. Developers will be required to provide appropriate infrastructure, or other consequential educational, social, recreational, sporting or community facilities and nature conservation benefits commensurate with the scale of the development”*.

7.6 Policy INF6 of the emerging Northumberland Local Plan also specifically relates to planning obligations. This policy states *“planning obligations may be used to secure the timely provision, and/or improvement and maintenance of any physical, social, community and green infrastructure and/or any mitigation and/or compensatory measures reasonably necessary to make a development acceptable in planning terms”*.

7.7 Paragraph 55 of the NPPF advises that *“local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition”*. Paragraph 57 of the NPPF advises that planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms.
- (b) directly related to the development.
- (c) fairly and reasonably related in scale and kind to the development.

7.8 A Section 106 Agreement to secure affordable housing, coastal mitigation, health and education contributions was completed to accompany outline planning application reference: 18/00828/OUT. As the scheme submitted under this reserved matters application continues to propose a total of 30 dwellings (the same number of dwellings as approved at outline stage), it is considered that the required planning obligations have already been secured under the Section 106 Agreement completed at outline application stage. However, each planning obligation will be summarised in turn below.

### *Affordable Housing*

7.10 The application proposes to construct a total of 30 dwellings, of which 15% (5 units) would be affordable. Policy S6 of the Berwick Local Plan relates specifically to affordable housing and states *“the development of affordable housing to meet an identified community need will be permitted on sites which are suitable in terms of proximity to local services and facilities and access to public transport”*. Policy S6 follows on to state that the Council will negotiate with developers for the inclusion of an appropriate element of affordable housing, including on sites of 1.5 or more hectares or a development of 40 or more



dwellings in the town of Berwick-upon-Tweed including Tweedmouth, Spittal and East Ord.

- 7.11 Policies HOU 5 (housing types and mix) and HOU 6 (affordable housing provision) of the emerging Northumberland Local Plan require that development proposals should be assessed in terms of how well they meet the housing needs and aspirations identified in the most up-to-date Strategic Housing Market Assessment (SHMA) or local housing needs assessment.
- 7.12 2 x 3-bedroom dwellings and the 3 x 2-bedroom dwellings would be delivered as affordable housing (amounting to 15% affordable housing). This 15% affordable housing contribution figure is as per the Section 106 Agreement which accompanied the outline planning permission. The Council's Affordable Housing (AH) team has been consulted on this application and considers the proposed layout shows a reasonable distribution of affordable housing units.
- 7.13 Following discussions with the applicant, all 5 of the affordable housing units would be for Discounted Market Value (DMV) sale at 70% of the Open Market Value. The Council's AH team consider that the proposed housing mix and tenure breakdown is in line with the county's identified needs and local and national policy requirements, considering the Strategic Housing Market Assessment (SHMA) update, local housing needs study and Registered Provider (RP) plans to deliver more rented homes. There are no DMV homes in Berwick to date so this will provide a viable alternative and balanced offer for affordable homes. The Council's AH team also considers that an affordable housing scheme should be submitted before the development commences.
- 7.14 The proposed scheme would comply with the 15% affordable housing contribution as set out in the Section 106 Agreement which accompanied the outline planning permission. The proposed development is therefore considered to be acceptable in accordance with Policy S6 of the Berwick Local Plan, Policy HOU 6 of the emerging Northumberland Local Plan and Paragraph 65 of the NPPF in relation to affordable housing.

### *Coastal Mitigation*

- 7.15 When developers apply for planning permission for new residential development within the coastal zone of influence, the local planning authority, as a 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.
- 7.16 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.
- 7.17 The proposed development would create a total of 30 new units (as agreed at outline stage); therefore, the total contribution towards the Coastal Mitigation Scheme has already been secured by virtue of the legal agreement under

Section 106 of the Town and Country Planning Act 1990 (as amended) which was completed to accompany outline planning application reference: 18/00828/OUT. The proposed development is considered to be acceptable in accordance with Policy F30 of the Berwick Local Plan and Policy INF 6 of the emerging Northumberland Local Plan in relation to coastal mitigation.

### *Health*

7.18 Paragraph 8 of the NPPF identifies three dimensions to sustainable development - an economic element, a social element, and an environmental element. Paragraph 8 indicates that the social role of sustainable development is to support strong, vibrant and healthy communities with accessible local services that reflect the community's needs and supports its health, social and cultural well-being.

7.19 Policy STP 5 of the emerging Northumberland Local Plan relates to health and well-being. This policy is supportive of development which promotes, supports and enhances the health and well-being of communities, residents, workers and visitors. This policy requires development proposals to provide access to a range of facilities including health, social care and education facilities.

7.20 Where major applications propose residential development of 30 units or above, the application is subject to consultation with the Northumberland Clinical Commissioning Group (NCCG). Contributions are based on the cost of space required from the total number of people that would accommodate the development taken in the context of GP capacity at catchment practices.

7.21 NCCG have responded to the consultation to request a contribution of £20,100 to facilitate the required GP surgery capacity expansion and to ensure the new health capacity is in place as the dwellings are occupied. It is noted that the requested contribution to health provision has increased slightly from that secured under the Section 106 Agreement at outline stage despite the number of proposed dwellings remaining at 30. Having sought further clarification from NCCG, they have confirmed that the original contribution toward health provision as secured under the Section 106 Agreement completed at outline stage can remain in place and would be acceptable in this instance. This is due to this matter being the only reason a new Section 106 Agreement would be required at this reserved matters stage and given the small change in additional contribution requested. It would therefore be unreasonable to request a new Section 106 Agreement at this stage. The proposal is acceptable in this respect in accordance with Policy F30 of the Berwick Local Plan and Policies STP 5 and INF 6 of the emerging Northumberland Local Plan.

### *Education*

7.22 Paragraph 8 of the NPPF and Policy STP 5 of the emerging Northumberland Local Plan, which are set out above, are relevant to education provision as well as health care provision. In respect of major housing applications, issues of school capacity and the impacts of new development are considered through consultation with Education. Contributions, where necessary, are sought for physical infrastructure improvements based on capacity. Paragraph 95 of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and local planning

authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

7.23 The proposed development would create a total of 30 new units (as agreed at outline stage); therefore, the total contribution towards education provision has already been secured by virtue of the legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) which was completed to accompany outline planning application reference: 18/00828/OUT. The proposed development is considered to be acceptable in this respect in accordance with Policy F30 of the Berwick Local Plan and Policies STP 5 and INF 6 of the emerging Northumberland Local Plan.

### Design and Impact upon the Landscape

7.24 Chapter 12 of the NPPF seeks to achieve well-designed places. Paragraph 126 of the NPPF advises that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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”*.

7.25 Paragraph 130 of the NPPF sets out design principles for development proposals to follow. These principles seek to ensure developments:

- “a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”*.

7.26 Paragraph 134 of the NPPF states *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*.

7.27 Policies F1 and F3 of the Berwick Local Plan are relevant policies to assess the design impact of the proposals, as well as the impact of the proposal on local character and the landscape in which the proposals sit.

7.28 Policy F1 of the Berwick Local Plan relates to environmental wealth and states *“having regard to the provisions for development made in the Plan, and of Policy F31, primary importance will be given to sustaining and enhancing the Borough's*

*environmental wealth, including its landscape and coast, its native biodiversity and its human heritage”.*

7.29 Policy F5 of the Berwick Local Plan relates specifically to Berwick-upon-Tweed and states *“within the town of Berwick-upon-Tweed, including Tweedmouth, Spittal and East Ord, development will be permitted provided that:*

- i) it accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including indigenous species, means of enclosure and access; and,*
- ii) it accords with Policies elsewhere in the Plan”.*

7.30 Policies STP 2, STP 3, HOU 8, HOU 9, QOP 1, QOP 2, QOP 6 and ENV 3 of the emerging Northumberland Local Plan are relevant to matters relating to design and the context in which a proposal will be viewed, which includes landscape and local character.

7.31 The residential nature of the proposed development is deemed to be appropriate in this setting, given that outline planning permission was previously granted under application reference: 18/00828/OUT in relation to this application site. Therefore, as aforementioned, the principle of development for this proposal has already been assessed under the outline planning application. The application proposes residential development close to the existing settlement of East Ord, located on its periphery. The proposed layout is not similar to that shown in the indicative site plans submitted at outline stage. The outline planning application was for the construction of 30 dwellings, covering the whole of the site, with this revised proposal being for the construction of 30 dwellings, covering the north and eastern part of the site and with public open space within the southern part of the site and with the existing pastureland to the west being retained. The proposed dwellings are to be of a two storey nature. Differing from the indicative site plan itself is not an appropriate reason for refusal, as this is not an approved plan of the outline planning permission.

7.32 The proposed 30 dwellings would be provided through 9 different house types (detached and semi-detached) and would provide:

- 4 x 2-bedroom dwellings.
- 15 x 3-bedroom dwellings.
- 11 x 4-bedroom dwellings.

7.33 3 x 2-bedroom dwellings and 2 x 3-bedroom dwellings would be delivered as affordable housing. The proposed scheme provides a mixture of dwelling types and housing mix to the local housing market, meeting a range of needs. This is generally reflective of this area of East Ord, which is characterised by a range of house types and a relatively broad housing mix.

7.34 The proposed dwellings would be constructed of lbstock facing bricks (of different blends, depending on the house type), with either Marley Modern Smooth Grey or Marley Old English Red roofing tiles (again, depending on the house type), with some house types incorporating Monoconche Scratch render (off-white colour). Render, brickwork and a mixture of grey and red roofing tiles are all materials which feature heavily within the built form which surrounds the

application site; therefore, the proposed appearance of the dwellings is considered to be acceptable and in keeping with the character of the wider locality. It is noted that the 30 dwellings would all be two storey in height. There is a mixture of two storey and single storey dwellings within the surrounding area, with the properties to the south at Hillcrest being predominantly single storey. The scale of the proposed dwellings is therefore considered to be appropriate and in keeping with the scale of the existing properties within the wider, surrounding local area. A condition relating to the submission of details of the proposed materials to be used is considered necessary to ensure that the dwellings are in keeping with the character of East Ord and respect the site's landscape setting. It is considered that the proposed residential development would protect and maintain the positive qualities of the site's edge of settlement location and the urban/rural northern fringe of the village.

7.35 In terms of scale, the details submitted show the proposed dwellings would have moderately sized residential curtilages due to being sited within moderate sized plots of land. It is acknowledged that the density of the scheme has remained the same, however, the total area of the whole site occupied by residential development has decreased since the outline planning application stage. This issue has been raised within the representations of objection. However, despite a decrease in the area of the site covered by residential development at this reserved matters stage, in terms of scale, the residential curtilages of the dwellings would be similar, albeit slightly smaller, to others within the wider locality, yet they are considered to be compatible in this location and in the wider area and would provide sufficient levels of private, outdoor amenity space for future occupiers.

7.36 The proposal is considered to fit within the landscape, being in an edge of settlement location on the urban/rural fringe, and sited between the A698 (Rotary Way) and the existing built form of East Ord. The application site is bounded by woodland to the north and west, which would screen the majority of the proposed development when viewed from outside of the settlement and from long distance views. Although there may be glimpses of the proposal from the wider rural area, it will be viewed against the backdrop of the existing built form of East Ord. Further to this, it is also considered that the design of the proposal would complement the existing built environment in proximity to the site and would not appear jarring with its surroundings. It is therefore considered that this proposal will appear congruous with its surroundings or in keeping with its character or fitting with the context of the locality. It is therefore considered that the proposal grasps the identity of its locality, with the proposed built form complementing its surroundings.

7.37 It is therefore considered that the proposed development would be appropriate in design and impact upon landscape terms and would adhere to Policies F1 and F5 of the Berwick Local Plan, Policies STP 2, STP 3, HOU 8, HOU 9, QOP 1, QOP 2, QOP 6 and ENV 3 of the emerging Northumberland Local Plan and the principles of Chapter 12 of the NPPF in this respect.

7.38 The representations of objection have made comments in regard to the scheme's design, housing density, the impact on the character of the area and the overdevelopment of the site. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment,

it is considered that the proposal as submitted, is acceptable in this respect in planning terms.

### Amenity

- 7.39 As aforementioned, Chapter 12 of the NPPF seeks to achieve well-designed places and to create better places in which to live and work. Paragraph 130 of the NPPF advises that planning policies and decisions should ensure that developments promote health and well-being and provide a high standard of amenity for existing and future users.
- 7.40 Policy QOP 2 of the emerging Northumberland Local Plan specifically relates to good design and amenity. This policy states that development will be required to provide a high standard of amenity for existing and future users of the development itself and preserve the amenity of those living in, working in or visiting the local area.
- 7.41 The application site is located immediately adjacent to the settlement of East Ord and adjacent to existing residential development. The application site is bounded by a narrow stretch of woodland to the north with the A698 (Rotary Way) and open land beyond. The application site is bounded by residential properties and some farm buildings to the east and south and is bounded by residential properties and an area of woodland to the west.
- 7.42 The proposal seeks to construct residential development on agricultural land that occupies an elevated position above East Ord Road (the main road that runs through East Ord) to the south, with the site sloping at the western end of the site in a north-south direction. The proposed residential development would be located on the settlement edge and it is acknowledged that the proposed residential development has the potential to impact on the amenity of neighbouring properties and land uses more than that experienced presently by the current agricultural use of the site. However, it is considered that the proposed development would not have a significant adverse impact on the amenity of neighbouring residential properties and land uses in terms of loss of privacy or overlooking, loss of light, outlook or have any overbearing impact, as a result of the sufficient separation distances which can be achieved combined with the careful orientations of the proposed dwellings.
- 7.43 It is acknowledged that the 30 dwellings would be two storey in height. There is a mixture of two and single storey dwellings within the surrounding area, with the properties to the south, at Hillcrest, being predominantly single storey. The two storey scale of these dwellings is considered to be appropriate because, based on the layout of the site, there is considered to be acceptable separation distances between the proposed dwellings and the immediate existing residential properties to ensure that the two storey scale would not adversely impact upon the residential amenity of neighbouring properties.
- 7.44 Concerns regarding amenity have been raised within the representations of objection, which are from occupiers directly adjacent to the site. Whilst the concerns raised have been taken into consideration when assessing the impact on amenity, it is not considered they represent an appropriate reason for refusal in this instance. It is therefore considered that for the reasons outlined above, the scheme proposed, represents a proposal which would not impact significantly on

neighbouring occupiers as to warrant refusal in terms of impact on amenity. In addition to potential longer term amenity impacts, concerns have been raised within the objections regarding amenity impacts during construction; however, this is a matter which is relevant to an outline application rather than a 'reserved matters' application such as this and this matter was dealt with at the outline stage, through conditions recommended by the Council's Public Health Protection team, to ensure the protection of neighbouring amenity.

7.45 The matters of appearance, scale and layout, for which the local planning authority's approval is sought, is considered to be acceptable in this respect and thus the proposal is in accordance with Policy QOP 2 of the emerging Northumberland Local Plan and the principles of Chapter 12 of the NPPF.

### Archaeology

7.46 Chapter 16 of the NPPF seeks to conserve and enhance the historic environment. Policy ENV 7 of the emerging Northumberland Local Plan relates to the historic environment and heritage assets. This policy states "*development proposals will be assessed, and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings*" and "*development proposals, which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, will require an appropriate desk-based assessment and, where necessary, a field evaluation*".

7.47 Outline planning application reference: 18/00828/OUT was subject to a phased programme of archaeological assessment, including desk-based assessment and evaluation trenching. The archaeological trial trenching exercise identified a number of features of archaeological interest, including medieval pottery, linear ditches, localised quarrying, cobbled surfaces and a small number of pits. With the exception of two linear features and one pit (which produced shards of late medieval pottery), finds recovered from the features were typically modern/post-medieval/19<sup>th</sup> century. The Council's Archaeologist has been consulted on this application and considers that although a number of archaeological features were recorded within the site following the phased programme of archaeological assessment, none were considered to be significant enough to require further archaeological work. Therefore, the Council's Archaeologist has no objection from an archaeological perspective to the proposed development which is subject to this reserved matters application and considers that no archaeological work is required in this instance. Therefore, the application is considered to be in accordance with Policy ENV 7 of the emerging Northumberland Local Plan and the principles of Chapter 16 of the NPPF in this respect.

### Highway Safety

7.48 This current reserved matters application requires consideration to be given to matters of highway safety in respect of the proposed layout of the proposed housing development, including the internal highway layout and parking provision, and to access from the A698 (Rotary Way), to ensure a safe and suitable access can be provided to support the proposed housing development.

7.49 Chapter 9 of the NPPF relates to promoting sustainable transport. Paragraph 110 of the NPPF advises that developments should ensure that:

- appropriate opportunities to support sustainable transport modes are taken up.
- safe and suitable access can be achieved for all users.
- the design of streets and parking areas reflects current national guidance.
- any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.50 Paragraph 111 of the NPPF follows on to advise *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

7.51 Paragraph 112 of the NPPF adds to this and states *“within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”*.

7.52 Policies TRA 1 (promoting sustainable connections), TRA 2 (the effects of development on the transport network) and TRA 4 (parking provision in new development) of the emerging Northumberland Local Plan are also relevant to this application.

7.53 The Council’s Highway Development Management (HDM) team has been consulted on this application and has no objection subject to conditions. Highways England have been consulted on this application and they have raised no objection. During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the Council’s HDM team. The recommended conditions relate to details of Public Footpath works, the protection of the Public Footpath, details of vehicular access, details of refuse storage facilities and strategy, details of highway works, submission of a Construction Method Statement and for the garages within the scheme to be used solely for the purposes of vehicle parking and to be retained as such in perpetuity. The Council’s HDM team consider it is necessary for a condition to be attached to any permission granted to ensure that the garages within the scheme are used solely for the purposes of vehicle parking and that they will be retained as such in perpetuity because they have been included in the overall car parking numbers provided for the scheme. It is noted that the majority of the conditions recommended by the Council’s HDM team under this reserved matters application, are conditions which already apply to the outline



application. Therefore, it is not necessary to carry these across as the conditions from the outline application continue to apply to this development.

7.54 Subject to accordance with the recommended conditions, the matters of layout and means of access, for which the local planning authority's approval is sought, are considered to be acceptable in this respect and thus the proposal is in accordance with Policies TRA 1, TRA 2 and TRA 4 of the emerging Northumberland Local Plan and the principles of Chapter 9 the NPPF.

7.55 The representations of objection have made comments in regard to highway safety, car parking, traffic, access and street lighting. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with the Council's HDM team and Highways England, it is considered that the proposal as submitted, is acceptable in respect of highway safety and access. It is also noted that the representations raise the issue of rights of access over the land; however, this is a civil matter and is not a material planning consideration.

#### Impact upon the Public Right of Way

7.56 Paragraph 100 of the NPPF seeks to protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. Policy TRA 1 of the emerging Northumberland Local Plan relates to promoting sustainable connections and similarly to Paragraph 100 of the NPPF, seeks to protect, enhance and support public rights of way.

7.57 A Public Right of Way runs in a north-south direction to the east of the site and connects the A698 (Rotary Way) to East Ord Road. The residential development is proposed to be accessed from the A698 (Rotary Way) via the Public Right of Way. The Council's Countryside Rights of Way (CSROW) team has been consulted on this application and they have no objection, in principle, to the application subject to the Parish of Ord Public Footpath No. 19 being protected throughout. The CSROW team note that the intended upgrade to the access from the A698 does not include a footway to the east to accommodate Public Footpath No. 19. They therefore advise that the developer should consider improving this section of the public footpath and ensure that this has a specification for an upgrade to an adoptable standard that is agreed by the Council's Development Management team. It is suggested that the developer contact the Council's CSROW Officer for this area to discuss any improvements or alignments.

7.58 The Council's CSROW team also advise that no action should be taken to disturb the path surface, without their prior consent as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided. Overall, the Council's CSROW team has no objection subject to the protection of the Public Footpath No.19 throughout and thus the proposed development would not adversely affect the Public Right of Way and would accord with Policy TRA 1 of the emerging Northumberland Local Plan and Paragraph 100 of the NPPF in this respect. The representations of objection have made comments in regard to impact on the Public Right of Way. These comments have been taken into account when compiling this section of the appraisal; however, following an assessment in consultation with

the Council's Countryside Rights of Way team, it is considered that the proposal as submitted, is acceptable in respect of its impact upon the Public Right of Way.

### Ecology

7.59 Chapter 15 of the NPPF seeks to conserve and enhance the natural environment. Policies F6 (special protection areas, special areas of conservation and Ramsar sites), F7 (national nature reserves and sites of special scientific interest), F10 (protected species) and F12 (trees and woodlands) of the Berwick Local Plan and Policies ENV 2 (biodiversity and geodiversity) and QOP 4 (trees and landscaping) are all relevant to this application and ultimately seek to protect designated ecological sites and protected species and seek to enhance the natural environment through appropriate landscaping and biodiversity enhancement measures.

7.60 The application site comprises of agricultural land on the edge of the built-up area of East Ord. The application site is within an Impact Risk Zone for a nearby Site of Special Scientific Interest (SSSI). An updated Preliminary Ecological Appraisal has been submitted to accompany this application. Natural England has been consulted on this application and has raised no objection to the proposals. The Council's Ecologist has also been consulted on this application and has also no objection; however, this is subject to conditions. The recommended conditions relate to the protection of protected species (including bats, badgers and hedgehogs), the protection of nesting birds, the submission of a tree and hedgerow protection plan, the submission of a landscape and ecological management plan, the management of biodiversity habitats and the provision of bird and bat boxes and features. Subject to accordance with the recommended conditions, the matters of layout and landscaping, for which the local planning authority's approval is sought, are considered to be acceptable in this respect and thus the proposal is in accordance with Policies F6, F7, F10 and F12 of the Berwick Local Plan, Policies ENV 2 and QOP 4 of the emerging Northumberland Local Plan and the principles of the NPPF.

### Drainage and Sewerage

7.61 Chapter 14 of the NPPF relates to meeting the challenge of climate change, flooding and coastal change. Paragraph 169 of the NPPF advises that *"major developments should incorporate sustainable drainage systems (SuDS) unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits".*

7.62 Policies WAT 2 (water supply and sewerage), WAT 3 (flooding) and WAT 4 (sustainable drainage systems) of the emerging Northumberland Local Plan are also relevant to this application and align with the principles for drainage and sewerage as set out within Chapter 14 of the NPPF.

7.63 Surface water and foul sewage from the proposed development would be disposed of by mains sewers. Therefore, the proposal would connect to the existing, public drainage system. The proposal also includes the incorporation of SuDS features.

7.64 Northumbrian Water has been consulted on this application and has no issues to raise with the application. However, Northumbrian Water recommend a condition relating to the implementation of the drainage scheme. It is acknowledged that Northumbrian Water's comments simply reflect the ability of their network to accept flows, if sewer connection is the only option.

7.65 The Council's Lead Local Flood Authority (LLFA) team has also been consulted on this application and has no objection subject to conditions and informatives. During the course of the application, the applicant has submitted additional information and revised plans to address the initial concerns raised by the Council's LLFA team. The recommended conditions relate to finished floor levels, plot drainage details, adoption and maintenance details of all SuDS features, surface water disposal details during the construction phase, the submission of a drainage verification report and the removal of permitted development rights to the rear gardens of Plots P1, P2, P5 and P6. The Council's LLFA team consider it is necessary for permitted development rights to be removed from the rear curtilages of the dwellings at Plots P1, P2, P5 and P6 because a private sewer runs through them, and it is therefore imperative that access to the private sewer is maintained at all times.

7.66 Conditions on the outline permission, as well as conditions in respect of the reserved matters, as recommended by the Council's LLFA team and Northumbrian Water, can ensure that appropriate drainage arrangements are in place. Subject to accordance with the recommended conditions, the matters of layout and landscaping, for which the local planning authority's approval is sought, are considered to be acceptable in this respect and thus the proposal is in accordance with Policies WAT 2, WAT 3 and WAT 4 of the emerging Northumberland Local Plan and the principles of Chapter 14 of the NPPF.

### Other Matters

7.67 Some of the consultees have requested that conditions from the outline application are carried over to this reserved matters application. This is not necessary as the conditions from the outline continue to apply to the proposal as a whole. The conditions as set out on the outline application continue to apply to this development/proposal.

### Equality Duty

7.68 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

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

## Human Rights Act Implications

7.70 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.

7.71 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.

7.72 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 main planning considerations in determining this application have been set out and considered above indicating accordance with the relevant development plan policies. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local planning policies and the NPPF on the matters of relevance in this application.

8.2 The technical issues affecting the proposal have been suitably addressed subject to conditions set out in the recommendation.

8.3 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval subject to conditions is recommended.

## **9. Recommendation**

That this application be GRANTED permission subject to the conditions set out below:

Conditions/Reason

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

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

02. The development hereby permitted shall, except where modified by conditions elsewhere in this permission, not be carried out other than in complete accordance with the following approved plans:

- Location Plan, Drawing No: P03 Revision: C
- Planning – Site Sections, Drawing No: P04 Revision A
- Site Sections Sheet 3, Drawing No: SK33 Revision: P2
- Proposed Drainage Plan, Drawing No: DS01 Revision: P7
- Drainage Contributing Areas, Drawing No: DS02 Revision: P6
- Preliminary Engineering Layout, Drawing No: SK11 Revision: P4
- Planning – Site Layout, Drawing No: P01 Revision: S
- Landscape Layout, Drawing No: 1616 / 01 Revision: J
- Materials and Enclosures Layout, Drawing No: P02 Revision: J
- Site Access Proposals, Drawing No: 21-027/001 Revision: A
- Site Access 11.6m Refuse Vehicle Swept Path, Drawing No: 21-027/TK04
- Technical Note 01 – November 2021 produced by Milestone Transport Planning Ltd, Ref: 21-027-N
- Technical Note 02 – November 2021 produced by Milestone Transport Planning Ltd, Ref: 21-027-N
- Stage 1 Road Safety Audit Report Revision A produced by Novo 55 Consulting Ltd
- Transport Statement April 2021 produced by Milestone Transport Planning Ltd Ref: 21-027-N
- Drainage Statement produced by Coast Consulting Engineers Ltd, Report No: 20176-RDS1-Drainage Statement Revision: P8
- Drainage Statement Addendum by Coast Consulting Engineers Ltd, Report No: 20176-RDS2-Drainage Statement Revision: P1
- Additional Drainage Information (received on: 14<sup>th</sup> September 2021)
- Microdrainage Data dated 15/04/2021 (received on: 26<sup>th</sup> May 2021)
- Hazardous Ground Gas Assessment produced by Coast Consulting Engineers Ltd Ref: 20176 – East Ord Date: 4<sup>th</sup> May 2021
- East Ord, Berwick-upon-Tweed, Northumberland - Updated Preliminary Ecological Appraisal Revision A January 2021 produced by Brindley Associates Ltd Ref: 1616
- House Type CT3 – Planning Plans, Drawing No: CT3 – 001 Revision: C
- House Type CT3 – Planning Elevations, Drawing No: CT3 – 002 Revision: D
- Ground Floor Setting Out, Drawing No: PEONY/S/AS/04 Revision: A
- Setting Out – First Floor, Drawing No: PEONY/S/AS/05 Revision: A
- Front Elevation, Drawing No: PEONY/S/AS/06 Revision: A
- Rear Elevation, Drawing No: PEONY/S/AS/07 Revision: A
- Gable Elevation, Drawing No: PEONY/S/AS/08 Revision: A
- House Type 02 – Planning Plans, Drawing No: 02-001 Revision: I

- House Type 02 – Planning Elevations, Drawing No: 02-002 Revision: I
- House Type 07 – Planning Plans, Drawing No: 07-01 Revision: J
- House Type 07 – Planning Elevations, Drawing No: 07-02 Revision: I
- House Type 08 B – Planning Plans, Drawing No: 08B – 001 Revision: A
- House Type 08 B – Planning Elevations, Drawing No: 08B – 002 Revision: A
- House Type 12 B – Planning Plans, Drawing No: 12B – 001 Revision: A
- House Type 12 B – Planning Elevations, Drawing No: 12B – 002 Revision: A
- House Type 15 B – Planning Plans, Drawing No: 15B – 001 Revision: A
- House Type 15 B – Planning Elevations, Drawing No: 15B – 002 Revision: A
- House Type CT1 – Planning Plans, Drawing No: CT1 – 001 Revision: C
- House Type CT1 – Planning Elevations, Drawing No: CT1 – 002 Revision: E
- House Type CT2 – Planning Plans, Drawing No: CT2 – 001 Revision: E
- House Type CT2 – Planning Elevations, Drawing No: CT2 – 002 Revision: G

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

03. Notwithstanding any description of the materials within the application, no development shall commence above damp proof course level until precise details, to include samples of the materials, to be used in the construction of the external walls and roofs of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in complete accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development from the outset in accordance with Policies F1 and F5 of the Berwick Local Plan and the principles of Chapter 12 of the National Planning Policy Framework.

04. All habitat which will be managed for biodiversity including all areas of Proposed wildflower meadows (MG5) will be located outside of the curtilages of the houses, protected by fencing and managed to provide optimum biodiversity habitat. The managed biodiversity habitat will be in accordance with "Landscape Layout" Plan, Drawing No: 1616/01 Revision: J.

Reason: To ensure this planning application results in biodiversity net gain for the lifetime of the development in line with the requirements of the National Planning Policy Framework.

05. A scheme for the provision of bird and bat boxes/features integrated into the fabric of the buildings shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall detail the location, height, orientation, numbers and specification of bird nesting provision. Integrated bird and bat nesting features at a ratio of one per dwelling (total = 40) shall be installed. This should include swift bricks in groups of four to the northern elevation positioned away from windows.

Thereafter, the bird/bat boxes shall be installed in accordance with the approved details during the course of construction and retained as such in perpetuity.

Reason: To protect and enhance the biodiversity of the site in accordance with the aims of the National Planning Policy Framework.

06. All garden boundaries will include a gap at the base measuring 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species, in accordance with Policy F10 of the Berwick Local Plan.

07. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance the natural environment for the duration of the development in accordance with the aims of the National Planning Policy Framework.

08. An updating ecological appraisal survey shall be carried out in the event that development works do not commence before the end of April 2024 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the Local Planning Authority before development works commence.

Reason: To maintain the favourable conservation status of protected species, in accordance with Policy F10 of the Berwick Local Plan.

09. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Statement revision P8" dated "3<sup>rd</sup> February 2021" and received on "4<sup>th</sup> February 2022". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 0700 and ensure that surface water discharges to the combined sewer at manhole 0700. The surface water discharge rate shall not exceed the available capacity of 4.5 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the aims of the National Planning Policy Framework.

10. All finished floor levels within the development shall be set at least 150mm above the proposed ground level.

Reason: To provide protection to all plots from overland surface water in accordance with the aims of the National Planning Policy Framework.

11. Prior to the commencement of development, plot drainage details for all plots shall be submitted to and approved in writing by the Local Planning Authority. Plot drainage in this definition is extended to any back inlet gullies, linear drainage around the curtilage of the dwelling and filter drains within gardens.

Reason: To ensure that any overland surface water flows are intercepted and conveyed away from any dwelling offering suitable protection in accordance with the aims of the National Planning Policy Framework.

12. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer, or a suitably qualified professional, must be submitted to and approved in writing by the Local Planning Authority, to demonstrate that all sustainable drainage systems (SuDS) have been constructed as per the agreed scheme. This verification report shall include:

- As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc).
- Construction details (component drawings, materials, vegetation).
- Health and Safety file.
- Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards in accordance with the aims of the National Planning Policy Framework.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other subsequent order, no alterations, boundary treatments, hard surfaces or outbuildings/structures shall be constructed within the rear curtilages of the dwellings at Plots P1, P2, P5 and P6 hereby permitted, without the prior granting of planning permission from the Local Planning Authority.

Reason: To ensure access is maintained at all times to the private sewer which runs through the rear gardens of Plots P1, P2, P5 and P6.

14. The development shall not be occupied until details of the vehicular access have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter, the vehicular access shall be retained in accordance with the approved details.

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

15. Details of the Public Footpath works shall be submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until the highway works have been constructed in accordance with the approved plans/details.



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

16. The garages within the hereby approved residential scheme shall be used solely for the purposes of vehicle parking and shall be retained as such in perpetuity.

Reason: To ensure adequate car parking is provided for the residential development, in accordance with the aims of the National Planning Policy Framework.

17. Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the charging of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the aims of the National Planning Policy Framework.

18. Prior to commencement of development a scheme to dispose of surface water from the development shall be submitted to and approved by the Local Planning Authority. This scheme shall be in accordance with the Surface Water Drainage Strategy by Coast Consulting referenced 20176-RDS1 – Drainage Statement Rev P8 and “Drainage Statement Addendum” – 20176-RDS2 – Drainage Statement Rev P1. The scheme shall include updated detail on surface water drainage around the highway entrance and shall thereafter be carried out in accordance with the agreed details.

Reason: To ensure the effective drainage of surface water from the development, not increasing the risk of flooding elsewhere, in accordance with the aims of the National Planning Policy Framework.

## **Informatives**

1. The Parish of Ord Public Footpath No.19 shall be protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
2. The culverting of any watercourse or alternations of any existing culverted watercourse will require the prior written consent of Northumberland County Council, under the Land Drainage Act (1991). Please contact the FCERM team (fcerm@northumberland.gov.uk) for further information.

**Date of Report:** 09.03.2022

**Background Papers:** Planning application file(s) 21/02169/REM