



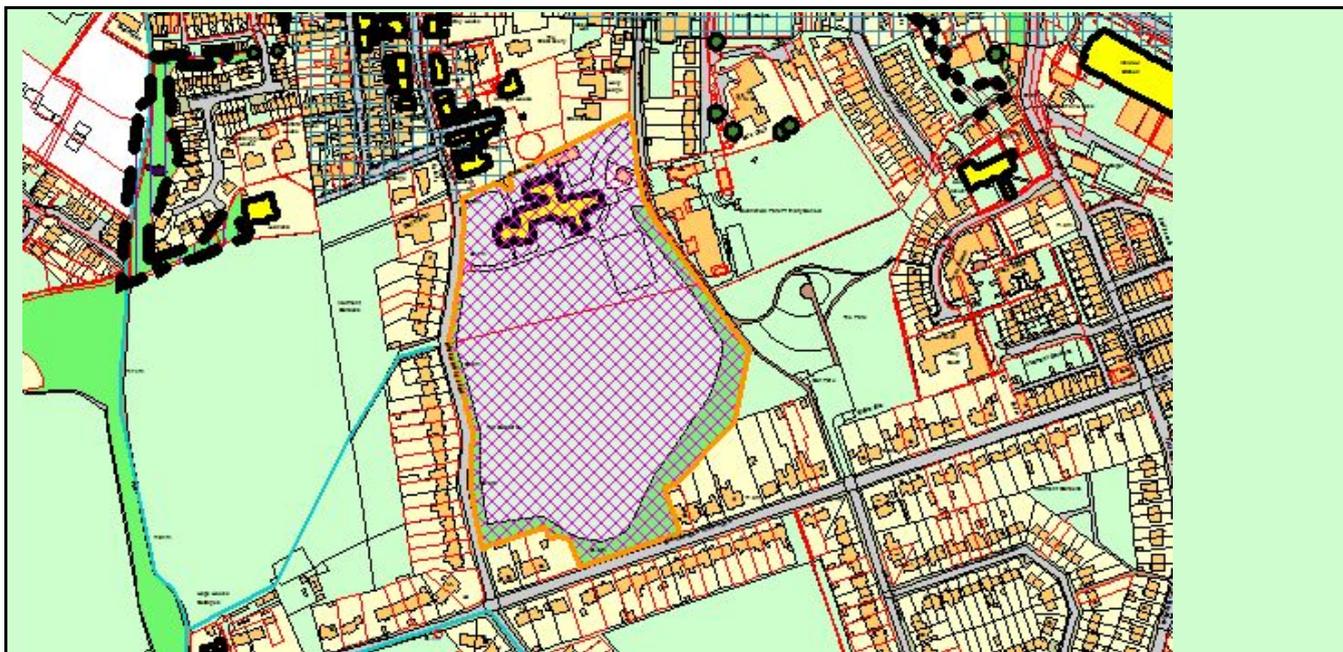
Northumberland County Council

Virtual Strategic Planning Committee 4th August 2020

Application No:	19/00500/FUL		
Proposal:	Conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access and drainage.		
Site Address	Alnwick The Dukes Middle School, The Dunterns, Alnwick, Northumberland NE66 1UN		
Applicant:	Mr Guy Munden Estates Office, Alnwick Castle, Alnwick, NE66 1NQ	Agent:	None
Ward	Alnwick	Parish	Alnwick
Valid Date:	20 February 2019	Expiry Date:	5th August 2020
Case Details:	Officer	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk	

Recommendation: That this application be GRANTED Subject to conditions and S106 including:

- Education Contribution (£306,000 (Primary Education £162,000, Secondary Education £144,000))
- Healthcare Contribution (£40,200)
- Affordable Housing Contribution (equivalent to 17% of the site following reduction for Vacant Building Credit)
- Coastal Mitigation Contribution (£58,800 (98 dwellings x £600))
- Replacement Playing Pitch (2.74 Hectares @ Greensfield)



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1. Introduction

1.1 On 12th May 2020 the Council's Cabinet and the Chief Executive agreed amendments to the constitution and governance measures in response to the coronavirus pandemic. As a result of these measures, this application has been reviewed by the Director of Planning and the Chair and Vice Chair of Strategic Planning Committee and it has been determined that the application should be determined by the Virtual Strategic Planning Committee as it is a major development of strategic importance.

2. Description of the Site and Proposal

2.1 The site to which the application relates is approximately 4.73ha hectares and is located on land to the south of Alnwick Town Centre. The existing site consists of the former Duke's School building and former playing field, which are now vacant due to the closure of the school in 2016. The site is bounded by: To the east is Swansfield Park Primary School, Swansfield Park and an area of new housing development; To the west is Hope House Lane which is lined with residential properties; To the south by Swansfield Park Road which is lined with residential properties, with the former Lindisfarne Middle School beyond; and, to the north by residential properties, including several Listed Buildings such as Hope House and KinCraig (Grade II), and several Grade II Listed Buildings clustered around South Street.

2.2 The site is currently accessed via The Avenue, with a former vehicle access leading from Hope House Lane along with a minor service vehicle access to the existing sub-station. The site has strong pedestrian connections to the whole of Alnwick, with the main Town Centre being approximately a 0.3 mile walk to the north, and Willowburn Retail and Leisure facilities approximately a 1 mile walk to the south.

2.2 The proposal is for the conversion of Duke's School to residential apartments (27no.), change of use and development of specialist elderly accommodation (49no. units), along with the development of residential dwellings (22no.). The development also includes an extensive area of landscaping between the Duke's School and development in the southern area of the grounds, equating to the creation of 1.9ha (4.9 acres) of publicly accessible open green space.

2.3 The total site area is approximately 4.73ha in size. The built area for development in the southern area measures 0.4ha. The area proposed for public open green space is approximately 1.9ha. There is approximately 2.4ha of other uses including the tree belt around the site boundaries, footpaths, private gardens, roads and car parking. Works will include a new vehicle access from Swansfield Park Road, along with an upgrading of the existing access from The Avenue. Car parking, gardens, drainage, and extensive landscaping of the newly formed public open green space will also be included. The proposal will include on-site affordable housing, this is detailed later in this report. Across the development, a wide range of housing mix and tenures will be provided, including specialist elderly accommodation, bungalows, housing and apartments:

- Retirement Living Block: 1-bed: 23no. apartments, 2-bed: 26no. apartments, Total: 49no. apartments

- Duke's School Conversion: 1-bed: 9no. apartments; 2-bed: 14no. apartments; 3-bed: 4no. apartments; Total: 27no. apartments
- Residential Housing: 2-bed bungalow: 5no. 2-bed house: 17no. Total: 22no. dwellings

3. Planning History

Reference Number: C/75/A/018

Description: Acquisition of 'Kincraig' as additional teaching accommodation

Status: PER

Reference Number: C/10/00148/CCD

Description: Construction of a bike shed at Dukes Middle School, Hope House Lane, Alnwick

Status: PER

Reference Number: 12/03257/LBC

Description: Upgrade structural reinforcement of fire escape 1 which is currently supported temporarily with scaffolding, provide additional railings and lighting to all fire escapes, replacement of existing external doors with FD30 rated fire doors, replacement of 2no. windows to fire escape 2 with emergency egress window and replacement of windows with fire rated glazing

Status: PER

Reference Number: 17/02422/LBC

Description: Listed Building Consent for retrospective installation of permasteel to all windows and doors (temporary) and 4 bastion cameras on stands.

Status: PER

Reference Number: 19/00501/LBC

Description: Listed Building Consent for conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access and drainage.

Status: PCO

Reference Number: A/ENQ/2008/0318

Description: Residential Development

Status: REPLY

Reference Number: A/ENQ/2006/0745

Description: Care Home and Housing

Status: REPLY

Reference Number: 19/00501/LBC

Description: Listed Building Consent for conversion of Duke's School to residential apartments (27no.), including demolition and rebuild of the modern rear extension, development of specialist elderly living accommodation (49no. apartments) and residential dwellings (22no.), creation of a landscaped open area, all ancillary works including car parking, access and drainage.

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Status: PCO

4. Consultee Responses

Alnwick Town Council	<p>Alnwick Town Council have carefully considered the application and in particular the benefits arising from the development of the former Middle School building and the provision of publicly accessible open green space.</p> <p>However for the reasons outlined below, The Town Council OBJECTS to this application as:</p> <p>a) It is contrary to Policies ENV2, ENV3 and HD5 of the Alnwick & Denwick Neighbourhood Plan (ADNP), which is the most recently made relevant plan. The ADNP designated the southern part of the site as Local Green Space. Although the plan accepted development on part of the school site, the designation of the southern end means this end cannot be developed unless 'very special circumstances' exist. The Town Council feels that the amount of development which results in the loss of about half the available green space and causes considerable ecological damage caused by fragmentation due to the removal of trees and the construction of a new entrance, coupled with in particular the unacceptable design (including inadequate car parking provision), size and scale of the McCarthy & Stone building, do not constitute the 'very special circumstances' envisaged in the plan.</p> <p>b) Insufficient details are given of the sustainable drainage system proposals.</p> <p>c) The future management arrangements for the open green parkland are unclear. The arrangement must ensure the open space is protected and that public accessibility multi-activity use is secured, in perpetuity. Transferring responsibility to NCC or ATC, with a commuted sum, could be an option.</p> <p>d) The footpath layout in the open green parkland does not coincide with likely pedestrian desire lines and a more appropriate layout could be designed.</p> <p>e) The Town Council would expect electric car charging points to be provided within the development</p> <p>The Town Council requests involvement in the Section 106 discussions as it wishes to make suggestions relating to improving adjacent footpaths and securing a contribution.</p>
Sport England	Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

	<p>Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.</p> <p>If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.</p> <p><i>Sport England have confirmed that they will not be in a position to lift their objection until a copy of the draft s106 is viewable post planning committee.</i></p>
Health Care CG	<p>We would request that a single payment of £40,200 is required from the developer as a Section 106 contribution to allow a smooth implementation of the required surgery capacity expansion, and this should be on completion of the first dwelling to ensure the new health capacity is in place as the houses and flats are occupied.</p>
Education - Schools	<p>No objection - Subject to S106 agreement based on</p> <ul style="list-style-type: none"> ● 27 residential apartments; ● 22 residential dwellings; and, ● a further 49 specialist elderly residential apartments. <p>The elderly residential apartments have been discounted from calculations below but would need to be reconsidered should any restrictions around this change:</p> <ul style="list-style-type: none"> ● Primary education contribution of £162,000 ● Secondary Education Contribution of £144,000 ● SEN Contribution of £0 <p>Total Education S106 contribution of £306,000</p>
Building Conservation	<p>Impact</p> <p>Building Conservation visited the site on two occasions in the summer of 2018 in the course of pre-application discussions. A further site visit has been undertaken on 1 April 2019 in the light of the current applications.</p> <p>The principal setting impact will be on the relationship of the former school building with the playing fields that have defined its curtilage since construction. The Heritage Impact Assessment (HIA) at 6.22 refers to the impact of the proposed retirement block and residential units as follows:</p> <p>“...the environment in which the school is experienced will become more urbanised as a result, though maintaining a degree of separation between the building and the proposed development will ensure that the listed building can continue to be experienced in a somewhat open setting. The effect on the significance of the school, through development within its setting, will be minor adverse.”</p> <p>We agree there will be harm to the setting of the listed school which we consider will fall to less than substantial harm within the terms of paragraph 196 of the NPPF.</p> <p>Conversion of the former school to residential apartments will inevitably result in change which in places will affect parts of the building that are of special architectural or historic interest. The impact of dividing the space into residential flats will introduce the need to intervene in fabric for services, fire separation, to minimise the transmission of noise and to</p>

control the loss of energy through elements of the building including walls, windows and roofs. These have the potential to impact on the significance of the listed building.

We note drawing 252-P1 proposes the introduction of double glazing to all parts except the Examination Hall. The process is described in the HIA as reglazing sashes while retaining frames. In this regard and on the particular circumstances of this case we consider the reglazing is in line with the principles set out in Historic England Guidance Historic Windows Their Care Repair and Upgrading (February 2017). However, the notes to 252-P1 do not cover the circumstances where certain number of windows have already been changed to upvc. This might be addressed through a window schedule. Addressing the harm caused by these inappropriate windows would modestly enhance the significance of the listed building.

The most significant part of the listed building is the Examination Hall - see HIA at 4.12. While there are descriptive references to work proposed in this important space and certain changes can be inferred from floor plans, some changes can only be properly evaluated through internal elevations at an appropriate scale.

Should the application be supported we suggest suitably worded conditions be imposed to control the following:

Listed Building

- Notwithstanding details in the application particulars of all construction materials for the proposed extensions to the listed building
- Notwithstanding details in the application full information regarding new windows and external doors in the extensions to include their design, materials and colours
- Joinery details at a scale of not less than 1:5 for all replacement windows, sashes, casements and doors in the historic fabric of the listed building;
- Before any work to existing windows a window schedule shall be submitted for the written approval of the LPA.
- A detailed methodology for the introduction of all new pipes, vents and ducts through the fabric of the building;
- A detailed methodology for the introduction of services, fire separation, noise and thermal upgrading throughout the listed building.
- Prior to work commencing in the Examination Hall the developer shall submit marked up elevations and floor plans of the interior at a scale of not less than 1:50. No work shall commence until the LPA gives written approval.

New building

- Notwithstanding details in the application particulars of all construction materials for the proposed buildings.
- Notwithstanding details in the application full information regarding windows and doors to include their design, materials and colours

Position

We agree in principle with the findings of the HIA in that the impact of the proposals on the listed building and its setting will be less than substantial harm within the terms of paragraph 196 of the NPPF. Under paragraph 196 harm may be balanced against the public benefits of a proposal which in this case include bringing an unused designated heritage asset back into

	<p>productive use. Harm to setting may to some extent be balanced against improved public access to the open space to be retained to the south of the school.</p> <p>The attention of the decision maker is drawn to section 193 of the NPPF where it is stated:</p> <p>“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”</p>
County Archaeologist	Based on the information submitted with this application I have no objections to the proposals from an archaeological perspective. The historic buildings have been subject to historic building recording as part of this application and below ground archaeological remains of low significance have been recorded to an appropriate level as part of the archaeological evaluation. As a result, no further archaeological recording work is required in connection with this application.
Historic England	On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
County Ecologist	No objection subject to coastal mitigation and conditions
Natural England	No response received.
North Trees And Woodland Officer	No response received.
Public Protection	<p>Public Health Protection maintains an objection to this proposal on the grounds of contaminated land.</p> <p>The applicant has not addressed the concerns previously raised in our memo ref: SRU127965 and SRU134516.</p> <p>The recently submitted Radon report states that protection will be required, however, this does not address the issues raised regarding ground gas protection.</p>
Highways	No objection, subject to conditions
Highways England	Offer no objection
Lead Local Flood Authority (LLFA)	The LLFA has no objections to application 19/00500/FUL subject to conditions and documents being added to the list of approved documents and drawings.
Strategic Estates	No response received.
National Amenity Societies	No response received.
Waste Management - North	No response received.
Open Spaces - North Area	No response received.
Northumbrian Water Ltd	No objection subject to Condition proposed.
Fire & Rescue Service	<p>Further to your request the Fire Service have no objection in principle to the above proposals.</p> <p>More detailed comment can be given once plans of the development have been finalised.</p>
Northumbria Ambulance Service	No response received.
Adult Services NCC	No response received.
Social Services	No response received.
North Trees And Woodland Officer	No response received.

Architectural Liaison Officer - Police	Thank you for sending us the above application which relates to the amended plans of the Dukes Middle School, Retirement Living Accommodation and residential dwellings. I have assessed the amended plans and noted changes to the boundary fences and addition of gates to the School Houses, I am satisfied that these changes will enhance the security of the development. With regards to the additional car parking spaces for residents of the retirement living block, I have noted the additional car parking spaces for staff and overflow.
The Coal Authority	<p>The application site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.</p> <p>In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.</p>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	83
Number of Objections	63
Number of Support	1
Number of General Comments	2

Notices

Site Notice Dep, affect LB & Con Area 27th March 2019
Northumberland Gazette 28th February 2019

Summary of Responses:

66 Representations have been received in relation to this application, the majority of which are objection letters, with some letters of support. Comments are generally supportive of the redevelopment of the listed buildings and publicly accessible green space within the scheme and objections relate to the following:

- Overall design of the new build elements;
- Massing of the new build elements;
- Scale of the new build elements;
- Contrary to the neighbourhood plan (lack of valid Very Special Circumstances);
- Impact on Biodiversity and Ecology;
- Light Pollution;
- No need for housing as specified;
- Loss of/Lack of Green Space;
- Highways and Transport Matters;
- Volume of dwellings on the site;
- Layout of the site;
- Removal of Trees;
- Impact on Community Infrastructure;
- Potential for Flood Risk increase; and,
- Impact on Amenity.

Some of the objections are from a resident action group named 'Dukes School Neighbourhood Residents Association (DSNRA)'. The Action group represents 70 members resident around the Dukes School site. Their representation raise the following matters:

- The application is contrary to the allocation in the Neighborhood Plan
- Local Green Space can only be developed in Very Special Circumstances;
- The group considers the proposal does not form Very Special Circumstances; Sufficient justification has not been submitted to argue the proposal is enabling development;
- Scale, mass and design of the retirement block will impact on homes in Swansfield Park Road and is insensitive to the heritage and landscape setting of the site; and,
- The group do not consider the positive benefits of the scheme outweigh the negative impacts.

Further to the above, Alnwick Rail Users Group have requested a s106 contribution to provide new parking facilities at Alnmouth Station, and conditions have also been suggested by objectors, should the application be permitted.

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=PMRRBTQSLZF00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy 2007 (ACS)

S1 Location and scale of new development

S2 The sequential approach to development

S3 Sustainability criteria

S4 The phased release of housing land

S5 Housing density

S6 Provision of affordable housing

S11 Locating development to maximise accessibility and minimise impact from travel

S12 Protecting and enhancing biodiversity and geodiversity

S13 Landscape character

S15 Protecting the built and historic environment

S16 General design principles

S19 Redevelopment of existing school sites

S20 Providing for open space, sport and recreation

S22 Energy efficiency

S23 Planning obligations

Alnwick District Wide Local Plan 1997 (Policies Saved through the ACS) (ADWLP)

BE8 Design in new residential developments and extensions (and Appendix A and B)

BE12 Protection of landscaped areas

TT5 Controlling car parking provision (and Appendix E)

CD18 Children's playspace

CD32 Controlling development that is detrimental to the environment and residential amenity

Alnwick and Denwick Neighbourhood Plan 'made' 2017 (ADNP)

H1 - Quantity of Housing

H2 - Location of Housing Development

H3 - Ensuring a Choice of Housing

H4 - Housing Design

CF5 - Future Development of the Middle Schools

TRA1 - Walking

TRA2 - Cycling

ENV1 - Providing New Green Space through Development

ENV2 - Protecting Green Space

ENV3 - Local Green Space

ENV6 - Protecting Trees

ENV7 - Landscaping of New Developments

ENV8 - Protecting Green Infrastructure

ENV9 - Sustainable Drainage Systems

ENV11 - Reducing Light Pollution

HD1 - Protecting Landscape Setting

HD2 - Heritage Assets at Risk

HD5 - Design in the Wider Town

6.2 National Planning Policy

National Planning Policy Framework (2019)

National Planning Practice Guidance (2014, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan Regulation 19 Version (Jan 2019) including minor modifications as submitted for examination (May 2019) (NLP)

STP1, STP2, STP3, STP4, STP5, STP6, HOU1, HOU2, HOU3, HOU5, HOU6, HOU9, HOU11, QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, TRA1, TRA2, TRA4, ICT2, ENV1, ENV2, ENV3, ENV4, ENV7, ENV9, WAT1, WAT2, WAT3, WAT4, WAT5, POL1, POL2, INF1, INF2, INF3, INF5 and INF6.

6.4 Other Documents and Strategies

National Design Guide 2019

7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick and Denwick Neighbourhood Plan 'made' version 2017, Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

7.3 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. As per Para 48 of the NPPF the amount of weight that can be given to the emerging Local Plan depends upon the stage of the plan, the level of unresolved objections and its consistency with the NPPF.

7.4 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- The Principle of the Development;
- Development of the Former Duke's School Site;
- Local Green Space Allocation (*including Very Special Circumstances*);
- Playing Pitch;
- Heritage Matters (*including Public Benefits*);
- Housing Mix;
- Affordable Housing;
- Amenity Impacts (inc Noise);
- Landscape/Townscape Matters;
- Design and impact on the local area;
- Highway Safety and Transportation Matters;
- Flood Risk and Drainage;
- Ecology and Biodiversity Matters (*on and off site*);
- Arboricultural Matters (*trees*);
- Landscaping;
- Contamination;
- Planning Obligations (*including impact on Health and Education Infrastructure*)

Principle of development (on a mixed use site in Alnwick)

7.5 Policy S1 of the Alnwick Core Strategy (ACS) identifies Alnwick as a Main Rural Service Centre and a main focus for new development. These settlements offer the greatest range of housing, employment and service opportunities, have links to the transport network, public transport systems and serve wide rural hinterlands. ACS policy S2 provides for a sequential test for new development however, whilst the NPPF encourages the use of previously developed land it does not set a strict hierarchy therefore ACS policy S2 is afforded little weight in the determination of the application. ACS policy S3 outlines sustainability criteria that generally need to be satisfied before permission is granted for new development. It includes that the site should be accessible to homes, jobs, shops services, the transport network and modes of transport other than the private car; that there is adequate existing or planned capacity in the physical and community infrastructure and environmental needs can be mitigated; potential implications of flood risk have been assessed. It is considered that the proposal in principle, complies with these policies.

7.6 The ADNP forms part of the Development Plan for the site. Policy H1 states *“Housing sites will be brought forward over the plan period at a rate to provide around 1100 new dwellings between 2011 and 2031.”* and specifically The ADNP indicates a housing requirement, between 2014-31 of 987 dwellings (54 dwellings each year) taking into account dwellings constructed between 2011 and 2014. H2 states *“Housing provision will be made on the sites allocated on the Proposals Map and follow the guidelines in Table HSG2. In respect of the major greenfield allocations, (H2-1 and H2-2) planning applications should be accompanied by a master plan or development brief that demonstrates how the new development integrates with the town and respects the living conditions of existing residents on the urban edge.”*. Therefore the proposal will help contribute to the aims of this policy.

7.7 Emerging Planning Policy is also a Material Consideration in Planning Application. When assessing the proposal against the strategic policies in the emerging NLP Policy STP1 states *“The Main Towns of: Alnwick, Amble, Ashington, Bedlington/Bedlington Station, Berwick-upon-Tweed, Blyth, Cramlington, Haltwhistle, Hexham, Morpeth, Ponteland and Prudhoe will be the main focus for employment, housing, retail and services”* with Policy STP3 states *“In applying the presumption in favour of sustainable development in Northumberland, development proposals will be expected to deliver across the range of the economic, social and environmental factors,”* The proposal is considered to be in accordance with this policy as a location for housing within the existing built up area of Alnwick.

7.8 The proposal is considered to be in compliance *‘in principle’* with the relevant policies in the Development Plan and when balanced against the appropriate material considerations *‘in principle’* e.g. NPPF and the Emerging Northumberland Local Plan, where this can be given weight, as a site within the built up area of Alnwick.

Development of the Former Dukes School Site

7.9 The need for the redevelopment of the Dukes School site was envisaged when the Alnwick and Denwick Neighbourhood Plan was being prepared. This therefore includes the following policy.

7.10 Policy CF5 ‘Future Development of the Middle Schools’ states *“When Lindisfarne and Duke’s Middle Schools vacate their present sites, the land is allocated for a mix of residential use, community education, open space and recreational uses. Any proposals for the conversion, extension or alteration of the Duke’s School shall respect the architectural and historic character of the listed building and its setting. On the Lindisfarne site the facilities for community education and community sports should be retained and upgraded for ongoing community use or alternative equivalent or greater provision made within the site. Applications for the development of each of the sites should be accompanied by a master plan and/or a development brief that has emerged further to community engagement and consultation. Neither site will be exclusively developed for residential use. (See also policy ENV3.)”*

7.11 The proposal is a mix of residential, open space and recreational space, and has been master planned by the applicant and is therefore compliant with this policy

in general terms. The ability for the proposal to respect the architectural and historic character of the listed building and its setting is discussed within the heritage section of this report.

Local Green Space Allocation (from ANDP)

7.12 Part of the site is allocated as local green space in the ADNP and is therefore covered by Policy ENV3 which states that the Duke's School Playing field - southern section are designated as Local Green Space and goes on to state "*Within these areas development will not be permitted other than in very special circumstances*". Very Special Circumstances (VSCs) are not defined in the neighbourhood plan itself or in relation to Local Green Space within national policy and guidance.

7.13 VSCs should not be regarded simply as the benefits of the scheme but are the result of harm from a scheme being outweighed by circumstances in favour of the development. Determining the level of harm is therefore important in terms of weighing any 'benefits' in the planning balance. The harm in respect of this application is the loss of the Local Green Space as allocated within the Neighbourhood Plan. It should however be noted that this space is in private control and is not currently open to the public for community use.

7.14 Whether '*very special circumstances*' are considered to exist is a subjective matter and has been reviewed during the gestation period of the application. It is considered that the following form the Very Special Circumstances in the context of ADNP Policy ENV3 of the scheme:

- Development of the scheme to allow the long term usage of the former Dukes School Buildings (a grade II listed building) as a residential building (securing its future), whilst minimizing the level of harm to the setting of these (by locating the housing and retirement living elements of the proposal in such a manner as to lessen the impact potential on the setting of the listed buildings) - this is seen as a special opportunity to secure the future of the Dukes School Building, and therefore a special circumstance;
- The full replacement of the playing fields from the former Duke's School in their entirety within the Town of Alnwick - these are pitches which should this application not come to fruition would unlikely be provided within Alnwick and is therefore deemed to be a special circumstance;
- The opportunity to provide a mixed housing development (including affordable) within the built up area of Alnwick meeting a range of housing needs (including specific elderly persons provision and a range of affordable housing tenures), including apartments and houses - the opportunity to provide a mixture of properties of such a range of tenures is considered to be a special circumstance ;
- The development of the proposal as a holistically master planned scheme on this site is considered to be a very special circumstances, due to the limited amount of sites in the county for this type of development providing this kind of opportunity;
- An opportunity for approximately $\frac{1}{3}$ of the site to become informal open space (currently in private ownership and only privately accessible), with suitable protective measures in place to secure this. This is itself considered to be a special circumstance of the development of this site.

7.15 It is therefore deemed that the range of circumstances set out above are very special when considered cumulatively as this is an opportunity which it is considered could likely only be delivered on this site, in form similar to that proposed, with a similarly high level of design consideration, and will see both open space within the former Dukes School Site and off site playing pitch provision within Alnwick. It is therefore considered that a range of circumstances exist where the development of the element allocated as Local Green Space of this site is acceptable in policy terms, and will make a positive long term use for this site within the urban fabric of Alnwick.

7.16 Concerns have been raised by members of the public, Alnwick Town Council and the Dukes School Residents Association where they oppose the development on the Local Green Space and consider that the circumstances put forward by the applicant are not considered significant to be considered to be 'Very Special Circumstances'. However, due to the overriding benefits outlined above, Officers are of the opinion that the proposal is a good outcome for the new use of the site.

Protecting Green Space (from ADNP)

7.17 This policy (ENV2) covers the site not occupied by the former school buildings and associated hardstanding. ENV2 states "*Development that results in the loss of existing valued and valuable parks and gardens, or amenity green space will only be permitted when the development makes provision for alternative green space in the vicinity, which is equivalent or larger in size, and with an equivalent or greater level of accessibility and quality.*"

7.18 The Applicant has put the following case forward with regards to this policy.

"Policy ENV2 seek to protect green space by requiring development that results in a loss of green space to make alternative provision for green space in the vicinity, which is equivalent or larger in size, with an equivalent or greater level of accessibility and quality. The proposed development does not result in the loss of any public open green space (given its private ownership), and therefore is providing a net increase of 1.9ha of open green space that currently is not accessible. The proposed open green space will include an extensive area of public footpath connections to the surrounding area and be a high-quality landscaped area for public benefit. It is therefore considered that the proposed development meets the requirements of Policy ENV2".

7.19 It is considered by virtue of the open space within the scheme, which will be publicly accessible and the provision of replacement playing fields (2.74ha at the Greensfield Site) will satisfy the requirements of this proposal. To further iterate, the open space will be publicly accessible and the replacement pitches proposed at Greensfield will be available to local sports teams. These replacement pitches are to be secured by a legal agreement detailed elsewhere in this report, with the open space secured via this planning permission.

Playing Pitch Matters.

7.20 During the site's operation as a School, the grassed area was utilised as a School Playing Field, with Pitches marked out for various pitch based sports e.g. Rugby and Football. Therefore the proposal is subject to protection via Sport

England's Playing Fields Policy, Paragraph 97 of the NPPF, and Policy CF2 of the ADNP which states

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.”

NPPF

“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of: all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.”

Sport England Playing Field Policy 2018

“Existing sports and recreational buildings and land, including playing fields and children's play areas will be protected from loss to development unless the loss would be replaced by equivalent or better provision, in terms of quantity and quality, in a suitable location; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.” **ADNP Policy CF2 - Outdoor Sports and Leisure**

7.21 The proposed development will result in the complete loss of the site's existing playing field. Whilst open space is proposed within the new development, it would not meet the statutory definition of playing field and cannot be counted as such. The proposal results in the loss of 3.3Ha of playing field. In order for development to accord with Sport England playing field policy, it must be shown that there is an excess of playing field provision in the catchment (exception E1), or that it has (or will) be replaced on a like-for-like basis within the same area (exception E4).

7.22 The application has submitted a Planning Statement in support of the application. Paragraphs 4.14 -4.22 deal with the loss of playing field. In paragraph's 4.16 – 4.19 the applicant argues that exception E1 is met because;

- It cannot be concluded there is an under-supply of playing field provision because the 2011 Playing Pitch Strategy is out of date; and
- There is no robust strategic evidence to suggest that the site is required for sport and recreation provision; and
- Since the school use ceased in 2016, the site has been in private ownership and makes no contribution to the supply of playing field within Alnwick

7.23 Sport England disagrees with the applicants arguments here. To prove that exception E1 pertains to a development it is necessary for an applicant to demonstrate through robust and up-to-date assessment, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

7.24 Figures from the emerging Playing Pitch Strategy show, firstly there is an under-supply of playing pitches and therefore it cannot be shown that there is a surplus of playing field provision. Secondly the playing field that would be lost to development is of a size that could accommodate pitches of the size for which there is proven shortage across this part of Northumberland. Indeed the only reason that the playing field is not being utilised for sport is because it is now in private ownership and unavailable to the public.

7.25 Clearly therefore exception E1 does not pertain to this development.

7.26 Sport England's response relates specifically to the proposal's impact on the playing field. As stated earlier in this response, whilst open space is proposed within the new development, it would not meet the statutory definition of playing field and cannot be counted as such. Moreover Sport England do not accept that there was a net gain playing field created in the development of the Duchess Community High School.

7.27 NLP policy INF 5 seeks to prevent the loss of land or buildings used for recreational use or the loss of Protected Open Space (shown on the policies map). Paragraph 83 of the NPPF states that planning policies and decisions should seek the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Paragraph 97 seeks to retain existing sports buildings and land, including playing fields, unless they are proven (assessment) to be no longer required or, the loss would be replaced by equivalent or better in terms of quantity and quality or, its for alternative sports and recreational provision.

7.28 The Development Management Procedure Order sets out within Schedule 4 (z) that the following development is subject to consultation with Sport England as a statutory consultee where an application;

- i) is likely to prejudice the use, or lead to the loss of use of land being used as a playing field; or
- ii) is on land which has been -
 - (aa) used as a playing field at any time in the last 5 years before the making of the relevant application and which remains undeveloped; or
 - (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

7.29 The bringing forward of the site for a mixed use development means that there is a potential loss of playing fields within Alnwick. The applicant is proposing as part of the proposal that a new site is provided at a location adjacent to the Alnwick Juniors Pitches in the Willowburn Area of Alnwick on land owned by the applicant currently in agricultural use. The size of the proposed replacement pitches will be 2.74ha, which will be equivalent to the size of the green space within the current Dukes School site (inclusive of the tree canopy).

7.30 A legal agreement has been drafted between the LPA and the applicant (including consultation with Sport England), this includes the following heads of terms in relation to pitch replacement

- 2.74ha of rugby or football pitches
- Must be of a standard set out in 'Natural Turf for Sport' (Sport England).

- Parking associated with the proposal.

Appropriate triggers would be inserted into the legal agreement to ensure this is secured in an appropriate time frame.

7.31 Subject to completion of such a legal agreement the proposal is considered to accord with relevant sections of the development plan in relation to playing pitch provision, taking into account relevant material considerations and the provisions and intentions of the NPPF; and emerging Local Plan, where this can be given weight. The applicant has agreed to this contribution in a draft s106 agreement.

Impact on Heritage Assets

7.32 The NPPF, ADLP and the NCS seek to protect heritage assets within the plan area. The site includes the listed buildings of the former Dukes Middle School and is adjacent to the Conservation Area Boundary to the north of the site. In terms of significance the following is important to note:

7.33 The Duke's School is a grade II listed building dating from 1904 built in ashlar with a slate roof. There are some later additions dating to c1960 which are not considered to be of intrinsic significance although legally they are part of the listed building. There are some later structures adjacent but not attached to the main school dating from c1960. Their dates preclude them from being considered curtilage listed. The site is out with the Alnwick Conservation Area. The development has the potential to impact on the setting of the listed school, the Alnwick Conservation Area and certain listed buildings within it.

7.34 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.

7.35 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.36 The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.37 Policy S15 of the ACS is the most relevant policy in relation to the Historic Environment in the former Alnwick District Area, and Policies HD2 and HD5 from the ADNP covering specifically the Alnwick, Denwick and Denwick (detached) parishes with NPPF Chapter 16 providing the national context.

7.38 HD2 of the ADNP *“Where a development proposal helps to secure a sustainable future for a heritage asset at risk, or threatened by decay and under use, this will be a factor in its favour. Such proposals are encouraged.”*

7.39 The National Planning Policy Framework (NPPF) is a material Planning consideration in the assessment of the application. Paragraph 192 of the NPPF states that, in determining applications, Local Planning Authorities should take account of a number of criteria, in particular the desirability of sustaining and enhancing the significance of heritage assets. Paragraphs 193-196 of the NPPF introduce the concept that harm can be caused by development that affects the setting and significance of heritage assets. The degrees of harm are defined as ‘total loss’, ‘substantial harm’, or ‘less than substantial harm’ and introduces the need to balance any harm against the benefits of the development.

7.40 The proposal has been examined by both the Building Conservation Officer and the County Archaeologist. The Building Conservation Officer has considered the application to form less than substantial harm (further commentary below) and the County Archaeologist has no objection and has offered the commentary below, subject to conditions, these conditions have been appended to this report.

7.41 The County Archaeologist has commented *“The proposed development site includes an area to the south of the school which has been the subject of a desk-based assessment and subsequent geophysical survey. The desk-based assessment has identified the potential for prehistoric activity on the site. The geophysical survey identified ridge and furrow across much of the undeveloped parts of the site, some evidence of lateral drainage and areas of made-ground and disturbance at the eastern and western edges of the site. A programme of trial trenching was undertaken in 2018 which revealed medieval and later ridge and furrow and a re-cut and backfilled former field boundary which was excavated and recorded in two trenches.”*

7.42 Further to this they have also added *“The pre-application consultation (planning ref: 18/00596/PREAPP) included a Heritage Statement which provides a general summary of the significance of the listed building and a programme of historic building recording which provided a photographic record of the much of the building and a description of the buildings. I identified a number of issues that needed to be addressed or clarified in my response dated 29/8/18. I have looked at the submitted drawings and documents in detail. It is apparent that most of the proposals have been amended in order to maintain historic features and with them, our understanding of the circulation spaces and use of the school buildings. The historic building recording has also been amended to include recording of all of the buildings as identified in my pre-app response.*

The archaeological evaluation has demonstrated that the only archaeological remains in this area relate to medieval and later ridge and furrow and a re-used and backfilled field boundary which has been excavated in two of the trial trenches. As the orientation and profile of the ditch and the ridge and furrow have been recorded in the trial trenches and the evaluation has demonstrated that the archaeological potential for this area is low, I have concluded that no further archaeological work is required in connection with the groundworks in this area.”

7.43 The County Archaeologist drew the following conclusion *“Based on the information submitted with this application I have no objections to the proposals from an archaeological perspective. The historic buildings have been subject to historic building recording as part of this application and below ground archaeological remains of low significance have been recorded to an appropriate level as part of the*

archaeological evaluation. As a result, no further archaeological recording work is required in connection with this application.”

7.44 The proposal is therefore deemed to be acceptable from an Archaeological perspective according with relevant heritage policy and legislation in relation to Archaeological matters.

7.45 The Building Conservation Officer has provided the following comments *“We agree in principle with the findings of the HIA in that the impact of the proposals on the listed building and its setting will be less than substantial harm within the terms of paragraph 196 of the NPPF. Under paragraph 196 harm may be balanced against the public benefits of a proposal which in this case include bringing an unused designated heritage asset back into productive use. Harm to setting may to some extent be balanced against improved public access to the open space to be retained to the south of the school.”*

7.46 The attention of the decision maker is drawn to section 193 of the NPPF where it is stated: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

7.47 Therefore the level of harm identified within the scheme (*less than substantial harm*) must be weighed up against the public benefits of the scheme. This is undertaken later in the scheme once all of the public benefits have been identified.

7.48 A number of public benefits of the scheme have been identified. These include, but are not limited to:

- The proposed development has been prepared in a holistic manner through a Masterplan for the delivery of the whole site, including the conversion of the Duke’s School alongside the new development. This is a positive approach to planning and encouraged to ensure that the site is delivered in a holistic manner and all necessary and appropriate mitigation and public benefits are secured.
- The proposed development that it will bring a currently vacant Grade II Listed Building back into use and prevent it from falling into a further state of disrepair.
- The existing site is a private area that is closed to the public, with limited views into the site from all directions. The proposed development will bring a large proportion of the site into a functioning use as a public open green space, accessible from all directions with views of the open area and Duke’s School.
- The proposed development would deliver a high quality green parkland area. Green Space will be secured by a Landscape Management Plan, including the management of the boundary tree planting.
- The provision of on site affordable housing on the site in line with the existing policy requirements.
- The replacement provision of the playing pitches from the Dukes School Site to a new site adjacent to existing sports facilities at Greensfield.

- The securing of other planning obligations (e.g. Health Care, Education, CMS) associated with the delivery of the accompanying application 19/00500/FUL

7.49 It is considered that these public benefits as set out above, outweigh the level of harm identified by the Building Conservation Officer and comply with the relevant provisions of the development plan (both ACS and the ADNP) in relation to heritage assets, when balanced with the provisions of the NPPF.

7.50 The proposal is considered to accord with the provisions of ACS policy 15, ADNP policy HD4 & HD5 and the provisions and intentions of the NPPF; and the emerging Local Plan, where this can be given weight.

Housing Mix

7.51 Planning Policies regularly require a mix of housing to be developed, this is in the interest of meeting differing housing needs across society. Policy H3 of the ADNP goes into specific local detail; with the National Design Guide providing national guidance on this.

7.52 Policy H3 of the Neighbourhood Plan is relevant to this, this states *“On sites over 0.25 hectares in size residential developments will be required to provide a mix of formats and sizes of dwellings to ensure a range of housing choice is available to meet housing need. On larger sites over 1 hectare a mix of tenures will also be required to cater for different needs including market housing and affordable housing. An exception to these requirements will only be permitted where the intention is to meet a specific housing need which requires a particular type or tenure of housing and which is supported by clear and recent evidence.”*

7.53 Policy HOU 5 of the NLP is also relevant to this matter *“This states “A range of good quality, energy-efficient homes, including affordable homes, will be provided to deliver a more balanced mix of tenures and housing types and sizes, alongside supported specialist housing for older and vulnerable people”.*

7.54 The National Design Guide States *“Well-designed neighbourhoods provide a variety and choice of home to suit all needs and ages. This includes people who require affordable housing or other rental homes, families, extended families, older people, students, and people with physical disabilities or mental health needs.”*

7.55 The proposal includes a large mix of dwellings types, houses, apartments, affordable and market homes, specialist elderly accommodation, family houses/apartments and smaller apartments for smaller households; and is therefore deemed to be in conformity with relevant policy e.g. Development Plan and guidance and other relevant material considerations; where these can be given weight.

Affordable housing

7.56 This application as *‘major development’* is deemed appropriate to contribute to the affordable housing delivered in the county. Policy in relation to this is set by the ACS (policy S6) and the NPPF, with evidence about up to date requirements taken from the evidence base of the emerging Local Plan. The current requirement, based on evidence from the most recent SHMA is that a contribution equivalent to 17% of the site should be provided,

7.57 Policy S6 of the ACS seeks an appropriate level of affordable housing provision on all sites of 10 units or more or with an area of 0.33 hectares or in Alnwick; the proportion of affordable housing and its type sought on each site will depend on the assessment of affordable housing need in the housing market area and in the local area.

7.58 Paragraph 50 of 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.

7.59 Following this, although the proposal does not propose the level of affordable housing set out in the ACS policy S6, this is satisfactory given current national policy in the NPPF, and the up to date evidence considered at the point of preparing this report. It is deemed that the proposal is in compliance with the appropriate elements of the development plan and the relevant elements of the NPPF.

7.60 The appropriate policy in the emerging NLP in relation to this matter is Policy HOU6. In line with paragraph 48 of the NPPF only some weight can be given to this policy, however the evidence which backs this policy up can be given weight in the decision making process, this is where the 17% request for Affordable Housing is sought from.

7.61 Furthermore, officers have taken into account the nature of the site and Government policy guidance on applying vacant building credit. Paragraph 63 of the NPPF sets out when affordable housing contributions should not be sought on development. This includes that *“to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount”*.

7.62 The National Planning Practice Guidance also states that *“where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought”*.

7.63 The Housing Enabling Officers have applied the relevant calculation in terms of the vacant building credit. For this scale of development and applying the 17% affordable housing target the normal provision to be sought would be 17 units. However, when applying the vacant building credit in this case the level of contribution sought would equate to 11 units.

7.64 The mix and tenure of affordable homes on development sites should reflect our current housing needs evidence base. Sources are:

1. The 2018 Strategic Housing Market Assessment Update;
2. Homefinder statistics;
3. Information from other registered affordable home providers;
4. Information from Neighbourhood Plans; and,
5. Information from Local Housing Need Assessments where applicable.

7.65 The Northumberland SHMA Update (June 2018) provides detailed market analysis of housing needs at the County level, and across local Housing market sub-areas. It also provides up-to-date evidence of affordable housing need in Northumberland.

7.66 The SHMA identifies an annual net shortfall in affordable housing across Northumberland of 151 dwellings per annum over the period 2017 to 2022, and recommends that, overall, 50% of affordable homes are provided for rent, and 50% provided as affordable home ownership products. The NPPF also states that 10% of all units on site must be for home ownership.

7.67 Homefinder data for Alnwick and the surrounding parishes indicates that there is a demand for older person properties within Alnwick. The average time on the register is 4.2 years with 62% (162) of applicants in Band 2R or above. There is a specific need for ground floor accommodation with 30% (49) of all applicants in need of ground floor accommodation. Out of 162 applicants 39.5% (64) are already in RSL properties however 65% (42) of are Band 2R or higher.

7.68 There were 25 properties advertised with an average of 9.8 bids per property which shows demand for older person properties. Bungalows were in high demand with only 6 advertised with 52.6% (130) of all bids for these properties.

7.69 An RP has shown interest in the 5 x 2 bed bungalows and 2 bedroom units which are in high demand for the area. RP sources consider that apartments/flats are already in over supply and with potentially high service charges it would be less desirable for affordable rent, and shared ownership.

7.70 In order to meet the affordable housing identified in the SHMA, a minimum of 17% of homes on new permissions are expected to be provided as affordable housing products.

7.71 The site is a mixture of older person and specialist care units with a small number of residential units close to Alnwick Town Centre which is a suitable place for this type of development. It is split into 3 sections The School, Retirement Living and residential which will provide 98 units of which the Planning Statement indicates some will be for affordable homes.

7.72 There is no specific number of units proposed for affordable homes but the SHMA evidence base requires a 17% contribution on site. This would mean that 17 affordable units are required with 10 DMV and 7 units for affordable rent/shared ownership. It is deemed that having DMV's within the retirement block could prove a challenge if the service charge is high as previous developments have proven that flats with large service charges do discourage potential buyers.

7.73 Northumberland County Council Adult Social Services have identified a need for sheltered units and other supported accommodation within Alnwick and this development will assist in this need. However existing sheltered schemes need to be taken into consideration with the size of the proposed development as it could have an impact on existing RP stock.

7.74 The site delivers 98 units of which 11 are required to be affordable homes (following the reduction in requirement due to Vacant Building Credit). Following discussions with the developer it has been agreed that a contribution of 11 units, of which 6 units are affordable rent ('house type 2' 2-bed bungalows (x5) and a 'house type 1' 2-bed house (x1)) and 5 DMV units ('house type 1' 2-bed house (x3) and the 'house type 1A' 2-bed house (x2)).

7.75 The Housing Enabling Team has agreed to support the proposal on this basis, with the details secured via a s106 legal agreement. This will include provision for an affordable housing scheme to be agreed in full detail.

7.76 Subject to completion of such a legal agreement the proposal is considered to accord with ADNP policy H3 and other relevant sections of the development plan, taking into account relevant material considerations and the provisions and intentions of the NPPF; where these can be given weight. The applicant has agreed to this contribution in a draft s106 agreement.

Impact on neighbour amenity (including Noise Matters)

7.77 NPPF Paragraph 127 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development. The relevant local policy in relation to this is B8 of the ADWLP, and accompanying Appendix A (design and layout of new dwellings).

7.78 In the context of the above, the proposals are not considered to be in conflict with paragraph 127 of the NPPF.

7.79 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.

7.80 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the dwellings proposed, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF.

7.81 In terms of the policies of the emerging Northumberland Local Plan, policy QOP2 is relevant to this application with respect to the impact on amenity, it is considered that this proposal, subject to conditions, is compliant with this policy.

7.82 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan; where these can be given weight.

7.83 Concerns have been raised regarding the impact of the scheme on nearby occupiers, particularly in relation to the impact of the sheltered elderly care element of the scheme on occupiers of Swansfield Park Road. However, it is considered that the impact the proposal may have on these occupiers is not sufficient enough as to warrant refusal.

Landscape/Townscape Matters

7.84 The site is located within the town of Alnwick, so the matters to be considered in relation to landscape are minimal, with the proposal appearing within the town from long range views and viewpoints, with the proposal being more related to townscape matters in terms of its contextual appearance. The proposal is therefore deemed to be in compliance with Landscape policies such as S13 in the ACS. This is therefore appraised in Townscape terms as such within this section.

7.85 Policy HD1 of the ADNP is relevant to this section of the report *“Development proposed in the Parishes of Alnwick and Denwick will be expected to be designed to avoid: visual harm to the landscape character and setting of town and village; the loss of landscape features that contribute to local distinctiveness or historic elements that contribute to landscape character and quality and to the health and well-being of residents and visitors. Development proposals that would have an effect on the important views identified in Table HD1 should demonstrate that they do not harm the distinctive landscape or historic character of Alnwick.”*

7.86 Policies STP3, HOU9, QOP1, QOP2, QOP6, ENV1, ENV3, ENV7, ENV9 are relevant to matters relating to townscape and the context in which a proposal will be viewed.

7.87 The National Design Guide (September 2019) (NDG) is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to townscape, these would be 'Context', 'Identity' and 'Built Form'.

7.88 The first of the ten characteristics is 'Context'. The NDG clarifies that *“Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones”*. It is considered that this proposal enhances the positive qualities of the heritage assets in question, with the proposal ensuring the conservation of the heritage asset (the former Dukes School Building), providing a new permanent use for the building. Although there is some harm to the structure and the setting. It is deemed acceptable from a contextual perspective as this will improve the site from its current position as a closed school with an inaccessible playing field, and provide a well considered mixed use site with a large area of open space and a mix of dwelling types and tenures in the site, complementing the mix in the surrounding area.

7.89 'Identity' is also a key characteristic. It is considered that well designed new development is influenced by an appreciation and understanding of vernacular, local or regional character, including existing built form, landscape and local architectural precedents; the characteristics of the existing built form; the element of a place or local places that make it distinctive; and other features of the context that are particular to the area. Further to this the NDG states *“well designed places are visually attractive and aim to delight their occupants and passers by. They cater for a*

diverse range of residents and other users. All design approaches and architectural styles are visually attractive when designed well” and goes further to state “Well designed places appeal to all our senses. The way a place looks, feels, sounds and even smells, affects its enduring distinctiveness, attractiveness and beauty”. Further to the points above the proposal is deemed to fit with the identity of the surrounding area as the proposal

7.90 *‘Built Form’ is a further key characteristic relevant to this section. The NDG states “Well designed new development makes efficient use of land with an amount and mi of development an open space that optimises density. It also relates well to and enhances the existing character and context. Built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context. The appropriate density will result from the context accessibility, the proposed building types, form and character of the development.”*

7.91 Whilst the proposal fits with the landscape character, being in an urban location, townscape is a greater consideration. With regards to compliance with this the applicant has stated the following in their planning statement *“A Landscape and Visual Impact Assessment and accompanying Landscape Strategy Plan has been prepared by Glen Kemp Landscape Architects. An Arboricultural Impact Assessment has been prepared by All About Trees. To facilitate the proposed development and establish a higher level of arboricultural management for the site it will be necessary to remove some of the existing trees. This has been included within the Landscape Assessment, and a series of mitigation measures identified. The proposed development has been largely designed by Landscape and Heritage considerations, with a sensitive approach to development avoiding any potentially adverse landscape and visual effects. The Landscape Strategy for the proposed development protects the boundary tree planting, enhances the setting of the Listed Building, provides an extensive (1.9ha) and accessible open green space, and enhances the site’s biodiversity. As demonstrated by the Landscape Masterplan, the proposed Landscaping provides the opportunity to create an open and accessible green space, a huge net improvement from the existing state of the site as a private space with no public access permitted. The site will provide a sensitively landscaped and managed parkland area, accessible to future residents of the development and for use by residents of the wider area as a green space connecting the centre of Alnwick to the residential areas in this part of the town.”*

7.92 The appropriate policy in the emerging NLP in relation to this matter are Policies ENV1 and ENV3 . It is considered the proposal site complies with these policies as the proposal will not have a negative impact on the landscape or the landscape character and will not be visible from long range views towards the site or Alnwick itself.

7.93 Concerns have been raised by representors in terms of the massing of the proposal and therefore its likely impact on townscape, however this differs from the opinion of officers, when considering the impact of the proposal in townscape terms.

Design and impact on the local area (inc Density)

7.94 The NPPF, ADNP and ACS seek to ensure that development is sited appropriately, without an unacceptable, adverse impact on the local environment. The NPPF’s presumption in favour of sustainable development is based on securing

a balance between its economic, social and environmental dimensions. The site is set within/adjacent to existing urban development; any new development will be viewed in the context of the existing built form, which will help visually assimilate new development into its surroundings. The visual change of the built form is not considered to have such an adverse, visual impact on the local area as to justify refusal, indeed this is considered to be an improvement on the existing position of the site as a vacant possession of the applicant. The layout, dwelling mix and design of the proposal is considered to be appropriate, and well considered for the site in general design and amenity terms.

7.95 General design matters are covered locally by S16, this states that all development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials.

7.96 Design in the context of the Neighbourhood Plan is set by policy H4. This states *“New housing, including conversions and the development of individual plots in the plan area, will be required to demonstrate that a high standard of design will be achieved. Design and Access Statements (to be submitted with planning applications for new housing in all cases) and master plans and development briefs where appropriate should demonstrate that they have given consideration to Building for Life 12 and the Lifetime Homes Standard (or their successor documents).”*

7.97 Matters of housing density are dealt with by Policy S5 of the ACS. The density of the site is approximately 23 dph, although this does not directly accord with the figure of 30dph set out in S5, this does make provision for site specific requirements such as preserving or enhancing the character of an area. It is therefore deemed the proposal would comply with policy S5, and this is considered suitable in this location within the Town given the proposal includes a large element of apartments/flats and open space as well as houses. This lower density also helps to reduce any potential impact on neighbour amenity.

7.98 Policy HD5 of the ADNP looks at Design in the Wider Town, this states the following *“Design in the Wider Town Outside the historic core of the town new development (including extensions, alterations and changes of use to existing buildings) is encouraged to take the following design principles into account: a) Footprint: expected to respect the density and grain of the surrounding distinctive suburban townscape; b) Design: expected to make a positive contribution to local character and distinctiveness whilst not discouraging appropriate innovation; c) Quality: expected to respect and enhance the quality of the surrounding suburban townscape and any historic content, in design, materials, detailing and finishes; d) Use: expected to be appropriate to the surrounding urban area and to function well not just in the short term but over the life-time of the development; e) Size and scale: expected to respond positively to local character; f) Materials: expected to be sympathetic to the local materials that are traditional in the surrounding suburban townscape; g) Landscape and open space: expected to enhance local character and distinctiveness and create attractive places to live, work or pass through; h) Access and safety: expected to create a safe and accessible environment where crime and disorder does not undermine local quality of life and community.”*

7.99 The NPPF and both the ACS and NCS seek to ensure good design in all development. The proposal seeks to provide a housing development of 98no. dwellings with a housing density broadly consistent with its surroundings and with an

appropriate level of external amenity space and parking, considered appropriate for this type of development in this setting, it is therefore reasonable to conclude that the development can accord with the design principles of ACS policies BE8 and S16, policy H4 of the ADNP and the provisions and intentions of the NPPF.

7.100 The appropriate policy in the emerging NLP in relation to this matter are Policies QOP1, QOP2, QOP3, QOP4, QOP5, QOP6, which relate to design matters, however weight at this stage can only be apportioned in line with paragraph 48 of the NPPF.

7.101 As mentioned above, concerns have been raised by representors in relation to the massing of the proposal particularly the retirement living block and therefore its potential to impact negatively on their amenity. It is however considered that the design of the proposal has been well thought out, with satisfactory separation distances, with the tree belt around the site also helping to protect amenity, and it is not considered that any amenity issues that may exist are not significant enough as to warrant refusal of the application on these grounds.

Highway Safety & Transport Matters

7.102 TRA1 of the ADNP states *“Proposals for development will be required to have safe and convenient pedestrian access. The enhancement of provision for walking including public rights of way will be supported.”*

7.103 TRA2 of the ADNP states *“Proposals for major development will be required to have safe and convenient cycle access. The enhancement of provision for cycling including existing cycle routes will be supported”*

7.104 ENV11 of the ADNP states *“All street lighting in new developments should be designed to be dimmable, capable of part-night operation and to minimise upward light. Where floodlighting is subject to planning permission it will only be permitted where the developer can robustly justify why it is necessary. In rural parts of the plan area, all new street lighting and lighting within new developments should be set at the lowest intensity compatible with community safety in order to preserve dark skies.”*

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

7.106 Policy S11 of the ACS is the key policy in relation to accessibility and maximising accessibility and minimising the impact from travel, and therefore the key local policy in determining whether the proposal is acceptable from a highways standpoint, alongside relevant national policy. Due to the scale of the proposal it is not deemed appropriate to require a transport statement/assessment. In terms of accessibility,

7.107 When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.

7.108 The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle of residential development on this site.

7.109 It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable albeit for specific concerns and comments regarding the access arrangements and internal layout of the site.

7.110 Discussions have been held, and revised plans have been received, amending the scheme in accordance with the previously raised concerns. There are however minor changes to the scheme that will be required, but these can now be secured by condition.

7.111 The proposal has been fully examined by the Highway Authority and Highways England. Following the submission of additional details neither has objection to the principle of development, subject to conditions., and amended plans at reserved matters stage. These conditions have been examined and are considered acceptable.

7.112 Subject to the imposition of the highway conditions on any grant of consent, it is considered that there would be no grounds to refuse the application in relation to highway safety and the proposal would accord with ACS Policy S11.

7.113 The imposition of conditions and informatives with regards to street lighting, refuse storage, car and cycle parking, adoptable roads/footways, travel plan statement, surface water drainage, highway works and the impacts during the construction phase will address any concerns with the proposed development. Appropriate Highways conditions have been appended to this report.

7.114 Concerns have been raised by representors, however it is considered that the proposal's impact on highway and transport matters is not significant enough as to warrant the refusal of the application.

7.115 The appropriate policy in the emerging NLP in relation to this matter are Policies TRA1, TRA2, TRA4 and TRA5, with weight being apportioned in line with paragraph 48 of the NPPF.

Drainage, foul sewage and flood risk

7.116 The relevant local plan policy is policy CD37 of the ADWLP and S3 and S16 of the ACS, with Chapter 14 of the NPPF forming the national planning policy context, and Chapter 11 'Water Environment' of the emerging Northumberland Local Plan also being relevant to this section.

7.117 Policy ENV9 of the ADNP also states *"All proposals for major development should incorporate Sustainable Drainage Systems (SuDS), unless it is clearly demonstrated the SuDS are not appropriate. Where SuDS are provided, arrangements must be put in place for their whole lifetime management and maintenance."*

7.118 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Drainage and Water Matters, these would be 'Resilience', and 'Resources'.

7.119 Consultation has taken place in relation to drainage and foul sewage with Northumbrian Water (NWL) and the council's Lead Local Flood Authority Officer (LLFA).

7.120 Initially the LLFA raised some concerns over the proposed development from a flood risk and drainage perspective. However, following the submission of further information these concerns have been overcome, subject to the conditions appended to this report. There are no other objections from the relevant bodies in relation to this matter

7.121 Concerns have been raised by representors, however it is considered that the drainage impact of the proposal is not significant enough as to warrant the refusal of the application. Further to this, the proposal seeks to introduce a range of drainage solutions e.g. SUDs

7.122 The appropriate policy in the emerging NLP in relation to this matter is Policy WAT3 and WAT4. These have been given appropriate weight with regards to paragraph 48 of the NPPF.

7.123 The proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, where these can be apportioned weight.

Ecology and Biodiversity Matters

On-Site Ecological Matters

7.124 NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 175 requires Local Planning Authorities to encourage opportunities to incorporate biodiversity in and around developments.

7.125 The application is located on the edge of a built area bordering onto open countryside beyond. The site is located within close proximity to a number of designated sites and Local Wildlife Site with the proposal as residential development having potential to affect them. The application has been submitted with an Ecology Survey which has been subject to assessment in consultation with the County Ecologist and Natural England.

7.126 S3 of the ACS sets out sustainability criteria one of which is that there would be no significant adverse effects on the natural resources, environment, biodiversity and geodiversity of the district.

7.127 S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.

7.128 Policy ENV4 of the ADNP *“In considering development proposals where exceptionally loss of biodiversity is unavoidable, provision should be made for creation of equivalent areas of habitat in the vicinity of the site, which are equal in size to, or larger than those lost”*

7.129 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be *‘Nature’*, *‘Context’*, and *‘Resources’*..

7.130 The County Ecologist has raised no objection on issues relating to on-site impacts subject to signing up to the Coastal Mitigation Scheme to cater for off site matters. As set out within the Coastal Mitigation section of the appraisal (see below), the applicant has agreed to enter into a legal agreement with the Local Planning Authority to pay into the Council's Coastal Mitigation Service which would mitigate the off-site impacts associated with the proposal. Suitable Conditions have been suggested by the County Ecologist, these have been appended to this recommendation report.

7.131 Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF, and other material considerations e.g. NDG.

7.132 The appropriate policy in the emerging NLP in relation to this matter is Policies ENV1 and ENV2 weight has been apportioned with regards to these policies in line with paragraph 48 of the NPPF.

Off-Site Ecological Matters (Coastal Mitigation)

7.133 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC which are internationally designated sites as well as further nationally designated sites which are; Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernose Point SSSI.

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

7.135 S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.

7.136 There is consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. Recreational pressure is also adversely affecting dune grasslands which are also protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.

7.137 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.

7.138 The applicant has agreed to pay a contribution of £600 per residential dwelling for coastal wardening work, secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation, and has similarly concluded that there will be no significant harm to any SSSIs. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.

7.139 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed.

Arboricultural Issues (Trees)

7.140 Policy ENV6 of the ADNP states *“Development that damages or results in the loss of ancient trees will not be permitted. Development that damages or results in the loss of trees of good arboricultural and amenity value and which does not replace them with equivalent trees will not be permitted. Proposals affecting ancient trees or trees of good arboricultural and amenity value should be accompanied by a tree survey that establishes the health and longevity of any affected trees and proposals should be designed to retain ancient trees or retain or replace trees of arboricultural and amenity value with equivalent trees.”*

7.141 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be ‘Nature’ ‘Context’, and ‘Resilience’. The proposal makes good use of the trees and landscaping within the site, both as a design feature and to protect the amenity, and enhance the enjoyment of the site, only removing trees where they are necessary to provide benefit to the acceptability of the scheme e.g. to make provision for the SUDs basin. Concerns have been raised by representors, however as any removal trees to enable the scheme has been justified in terms of delivering the proposal, it is not considered that this would be an appropriate reason for the refusal of the application.

7.142 Therefore from an Arboricultural perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the

NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Landscaping

7.143 Policy EN7 of the ADNP states *“Major development should include as part of planning applications full landscaping and tree planting proposals to add to the distinctive character of the plan area, including off site structural landscaping where the development is on the urban edge and where a common owner makes this possible. Proposals should consider micro climate and specify a diverse range of species, flowering and fruiting at different periods, which enhance wildlife habitats and contribute to national and local biodiversity targets”*

7.144 The NDG is also relevant to this element of the report. In terms of the Ten Characteristics most relevant to Ecological Matters, these would be ‘Nature’ and ‘Context’

7.145 *Consideration of these aspects have been, in part, considered by the County Ecologist in their ecological appraisal of the proposal. However, this has been given further consideration by the case officer. The proposal intends to retain the majority of the trees and landscaping features present on the site, only removing aspects which are necessary for the implementation of the proposal and those which are of ill health. The landscaping proposals are shown in full in the Landscaping Plans (which form part of the ‘approved plans’ for the site (as detailed in condition 2).*

7.146 It is considered that the landscaping proposed as part of the development relates well to the site and its surroundings, helps to provide wildlife biodiversity as well as helping to maximise the resilience of the proposal.

7.147 Therefore from a landscaping perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Contamination

7.148 Paragraph 178 of the NPPF states *“Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

7.149 Policy S3 of the ACS is relevant to this area as this explains that a number of sustainability criteria must be met, some of these relate to Land Contamination and Land Stability matters,

7.150 Policies POL1 are POL2 from the emerging NLP are relevant to this element of the brief.

7.151 Public Protection have provided comment on the proposal and have advised that Public Health Protection had previously objected to a lack of ground gas information. It is however considered by planning officers that these concerns can be overcome with satisfactorily worded conditions as appended to this report.

7.152 Therefore from a Contamination perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and with those in the Emerging Local Plan, and other material considerations where these can be apportioned weight.

Further Planning Obligations (including impact on Health and Education Infrastructure)

7.153 When considering the use of a planning obligation under Section 106 of the Town & Country Planning Act regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

7.154 Matters relating to planning obligations relating to Affordable Housing Contributions and Playing Pitch Provision are dealt with elsewhere in this report.

Education Contribution

7.155 It is noted that the NPPF at Paragraph 94 gives great weight the need to create, expand or alter schools and goes onto states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities.

7.156 The Primary School in the catchment area is Swansfield Park Primary School, Alnwick. As at School Census October 2019, the school had 320 pupils on roll, with a total capacity of 315, and is therefore 102% full. Therefore, this falls above the Council's 95% full threshold for an assessment of the impact of the 9 additional places that would be generated at the school.

7.157 The secondary school within the catchment area is Duchess High School, Alnwick the school has a capacity of places; there are currently 1215 students on roll in Years 7-11 as at the School Census October 2019 and therefore the school is 97% full in those year groups. Therefore, this falls above the Council's 95% full threshold for an assessment of the impact of the 6 additional places that would be generated in these year groups.

Healthcare Contribution

7.158 The National Planning Practice Guidance sets out that the healthcare infrastructure implications of any relevant proposed local development can be considered in determining planning applications.

7.159 The NHS Northumberland Clinical Commissioning Group has advised the practices in Alnwick are already experiencing space constraints for its existing patients and are already exploring ways to expand the existing surgery, but to date no funding has been available.

7.160 In this case, a single payment of £40,200 is required from the developer as a Section 106 contribution to allow a smooth implementation of the required surgery capacity expansion, and this should be on completion of the first dwelling to ensure the new health capacity is in place as the houses are occupied.

Overall Comment Regarding S106 Contributions

7.161 Subject to completion of such a legal agreement the proposal is considered to accord with relevant sections of the development plan, taking into account relevant material considerations and the provisions and intentions of the NPPF. The applicant has agreed to this contribution in a draft s106 agreement.

Climate Change (including Sustainable Design and Construction)

7.162 It is important that any development takes into account the effects of climate change and seeks to mitigate these. NPPF paragraph 150 states that to ensure that risks from climate change can be managed, suitable adaptation measures should be adopted, including through the inclusion of green infrastructure and the use of renewable and low carbon energy where appropriate. Policy STP4 of the emerging Northumberland Local Plan requires proposals to mitigate climate change and contribute to meeting targets to reduce greenhouse gas emissions. Policy STP4 goes on to states that two elements which are taken into consideration are building designs which reduce energy consumption, and the incorporation of decentralised, renewable and low carbon energy in the design and construction of the development. The introduction of a major scheme such as this within the urban fabric and context of Alnwick has significant benefits environmentally and in sustainability terms when compared with schemes on the settlement edge or outwith large settlements. These include but are not limited to increased access to sustainable transport modes e.g. bus, walk, cycle; as well as reduced reliance on the private car for a larger number of the residents of Alnwick. Further to this, a proposal such as this benefits from being in location with green infrastructure already in place on the site and as a more compact development (due to the inclusion of apartments), there are sustainability benefits when compared with a scheme composed entirely of dwellings in terms of the overall land take of the scheme, which would likely be of a lower density.

7.163 In addition, the design and access statement of the scheme confirms that the detailed proposals will be designed to the current building regulations, adopting a 'fabric first' approach to help reduce capital and operational costs, improve energy efficiency and reduce carbon emissions.

7.164 The development will include, A site waste management plan for the site to ensure that recycling is maximised and waste to landfill is minimised will be developed. Low capacity WCs, fittings and flow restrictors within units to ensure a high level of water efficiency. The inclusion of dedicated drying areas and lines to enable residents to dry washing without the use of electricity.

7.165 In terms of further site wide matters, a Home User Guide will be distributed by the applicant, for all new homes providing details of environmental features of the homes and features of the surrounding area which will enable residents to live sustainability e.g be made aware of and choose green transport options.

7.167 Further to the above, it is considered that the proposal satisfies the relevant requirements in terms of climate change matters, when considering the policies of the development plan, and material considerations e.g. NPPF and the Emerging Local Plan, where these can be apportioned weight.

Equality Duty

7.168 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

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

Human Rights Act Implications

7.170 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.

7.171 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.

7.172 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 stating the level of accordance with relevant Development Plan Policy (ACS, ADNP and saved ADWLP policies). The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF), and those of the emerging Northumberland Local Plan.

8.2 In terms of the development plan, the proposal will meet many of the strategic requirements in the ACS as well as helping to contribute to the objectives of this plan and the ADNP which also forms part of the development plan for the site . The scheme would also provide a range of benefits including regeneration to Alnwick (and the former Duke's School Site), provision of playing pitches to replace those on the school site, help to enhance the town's role, as well as adding to (and complementing) the housing offer (and mix) available in the town. Further to this the proposal has been well considered, masterplanned, with a high standard of design, and designed in such a manner as to enable a positive recommendation for the scheme.

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

8.4 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 subject to the following conditions and S106 including:

- Education Contribution (£306,000 (Primary Education £162,000, Secondary Education £144,000))
- Healthcare Contribution (£40,200)
- Affordable Housing Contribution (equivalent to 17% of the site following reduction for Vacant Building Credit)
- Coastal Mitigation Contribution (£58,800 (98 dwellings x £600))
- Replacement Playing Pitch (2.74 Hectares @ Greensfield)

Conditions/Reason

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

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

2. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plan:

- Site Location Plan - Red Line Boundary Dwg No. SP01(A) Date 01/03/18 Rev A dated 5/2/19;
- Application Form as Submitted [As uploaded to DMS 11th Feb 2019];
- Boundary Treatment Plan Dwg No. 131-P9 Dec '18 [As uploaded to DMS 11th May 2020];
- Schematic Engineering Layout Dwg No. D900 Date 26.09.18 Rev M (Dated 01.04.20) [As uploaded to DMS 20 April 20] ;
- Tree Protection Plan Dwg Ref AIA TPP Dated 04.03.20 Rev B [As uploaded to DMS 16th March 2020];
- Arboricultural Method Statement - Tree Protection Plan Dwg. Ref. AMS-TPP Dated 04.03.20;
- RL Block Site Layout Dwg No. 113/P4 Dated Dec '18 Rev P4 28/02/20 [As uploaded to DMS 2nd March 20];
- Almshouses Court Site Layout Dwg 114-P6 Dated Dec '18 Rev P6 dated Dec '18 Rev P6 dated 28/2/20 [As uploaded to DMS 2nd March 20];
- The School Site Layout Dwg. 112-P5 Dec 18 Rev P5 Dated 18/06/19 [As uploaded to DMS 20 June 2019] ;
- Vehicular Access Proposals (North) Dwg No. 135-P5 Dated Dec '18 Rev P5 dated 18/06/19 [As uploaded to DMS 20 June 2019];
- Access on "Hope House Lane" Dwg No. 002 Date 01/04/19 Rev P [As uploaded to DMS 20 June '19];
- Vehicular Access Proposals (South) Dwg No. 134/P4 Date Dec '18 Rev P4 Dated 10/05/19 [As uploaded to DMS 17th May '19];
- Proposed Site Sections Dwg No. 121/P2 Dated Dec '18 Rev P2 7/1/19;
- Existing and Proposed Wall Elevations Access Point Dwg 133-P2 Dec '18 Rev P2 22/01/19;
- Duke's School (Listed Building) Overall Demolished Plan Dwg No. 201/P1 Dec '18 Rev P1;
- Duke's School (Listed Building) Proposed Ground Floor Plan Dwg No. 211/P1 Dec '18 P1 Dated 14/12/18;
- Duke's School (Listed Building) Propose Ground Floor Plan Dwg No. 212/P1 Dec '18 P1 Dated 14/12/18;
- Duke's School (Listed Building) Proposed First Floor Plan Dwg No. 231/P1 Dec '18 P1 Dated 14/12/18;
- Duke's School (Listed Building) Proposed Second Floor Plan Dwg No. 214/P1 Dec '18 P1 Dated 14/12/18;
- Duke's School (Listed Building) Proposed Roof Plan Dwg No. 215/P1 Dec '18 P1 Dated 14/12/18;
- Duke's School (Listed Building) Proposed Elevations Dwg No. 221/P1 Dec '18 P1 Dated 14/12/18;
- Duke's School (Listed Building) Proposed Elevations Dwg No. 231/P1 Dec '18 P1 Dated 19/12/18;

- Duke's School (Listed Building) School Lower Ground Demolition Plan Dwg No. 241/P1 July 2018 Rev P1 Dated 14/12/18;
- Duke's School (Listed Building) School GF Demolition Plan Dwg No. 242/P1 Date July 2018 P1 Dated 14/12/18;
- Duke's School (Listed Building) School FF Demolition Plan Dwg No. 243/P1 July '18 Rev P1 Dated 14/12/18;
- Duke's School (Listed Building) School SF Demolition Plan Dwg No. 244/P1 Date July '18 Rev P1 14.12.18;
- Duke's School (Listed Building) School Roof Demolition Plan Dwg No. 245/P1 Date July '18 Rev P1 Dated 14.12.18;
- Duke's School (Listed Building) School Elevations Demolished Drawings Dwg. 246/P1 Date Nov '18 Rev P1 14.12.18;
- Fire Strategy Plans Dwg No. 251/P1 Date August '18 Rev P1 Dated 14.12.18;
- Window Proposals Plan Dwg No. 252/P1 Dated Nov '18 Rev P1 Dated 14.12.18;
- Proposed Lower Ground Floor Plan Dwg No. 311 Date Oct '18 Rev P1;
- Proposed Ground Floor Plan Dwg No. 312 Date Oct '18 Rev P1 Dated 19.12.18;
- Proposed First Floor Plan Dwg No. 313 Date Oct 2018 Rev P1 Dated 19.12.18;
- Proposed Roof Plan Dwg No.314 Dated 19/12/18 Rev P1 19/12/18;
- Retirement Living - Elevations - Sheet 1 Dwg No.321 - PL1 Dated 14.12.18;
- Retirement Living - Elevations - Sheet 2 Dwg No.322 - PL1 Dated 14.12.18;
- Proposed Sections Dwg No.330 Date 19.12.18 Rev P1 Dated 19.12.18;
- House Type Booklet - Duke's School Site, Alnwick Dwg No.401 Date January '19 Rev P2 (Job No. N81 2658) [As uploaded to DMS 11th Feb '19];
- Proposed Streetscenes (Housetype 1 + 2) Dwg No. 402-P1 Date Nov '18
- Proposed Streetscenes (Housetype 3) Dwg No. 403 P1 Nov '18;
- MICRO DRAINAGE Calculations Produced By RWO associates dated 01.04.2020
- Flood Risk and Drainage Assessment Former Dukes School Alnwick 18041/FRA/RS/1 Rev 4 produced by RWO associates dated 16/04/2020

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

3. The development shall not be occupied until a scheme for parking management measures, including School Keep Clear restriction/prohibition of parking, on The Avenue, have been implemented, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

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

4. Development shall not commence until details of the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is brought into use.

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

5. The development shall not be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

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

6. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

7. The development shall not be occupied until the vehicular accesses to the site from The Avenue and Swansfield Park Road, have been constructed, in accordance with Type 'C' of Northumberland County Council specifications and the accesses from Hope House Lane have been upgraded and resurfaced in accordance with Type 'B'.

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

8. No residential unit shall be occupied unless works to provide dropped kerb crossing points and footway resurfacing and alterations to existing accesses along Hope House Lane, reinstatement of kerbs and footway at redundant access on The Avenue and footway resurfacing along Swansfield Park Road within 20m either side of new site access, have been completed, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

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

9 Notwithstanding the details provided, the development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

10. Prior to occupation, details of surface water drainage to manage run off from private land onto the highway have been submitted to and approved by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

11. No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

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

12. No development shall commence until details of proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reasons: To ensure estate streets serving the development are completed in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

13. No development shall commence until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the amenities of the locality and users of the highway in accordance with the National Planning Policy Framework.

14. Development shall not commence until a Demolition and Construction Method Statement, together with supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition/ construction period. The Demolition and Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials; and,
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

15. Prior to commencement details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

16 Prior to commencement details of the SuDS Basin Maintenance Track shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase by providing access to the basin for maintenance

17. Prior to the first use of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems 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.

18. Prior to first occupation an assessment into the structural integrity of the proposed SuDS basins shall be undertaken. This assessment shall ensure the structural integrity of the drainage system and any adjacent structures or infrastructure under anticipate loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance.

Reason: To ensure the basin is structurally secure, limiting the possibility of any breaching.

19. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the development's lifetime.

20. Prior to construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

21. The actions to carry out this development would be unlawful if not carried out under a Natural England European Protected Species Mitigation Licence. As such, the following condition would be required, as specified in BS 42020:2013 Biodiversity - Code of Practice for Planning and Development. No development shall commence until the LPA has been provided either

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specific development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity /development will require a licence.

Reason: to maintain the favourable conservation status of a European Protected Species and to ensure that the development can legally commence.

22. No development shall take place unless in accordance with the (bat) mitigation detailed within the report Proposed Development at The Duke's School, Alnwick Ecological Assessment Report. BSG Ecology, January 2019 (revised June 2019) , including, but not restricted to adherence to timing constraints and working methods; retention of external roasts on Building 1, and provision of boxes during construction. Only Bitumen type 1F roofing felt with a hessian matrix will be installed in roofs used by bats.

Reason: To maintain the favourable conservation status of protected species.

23. Nest sites for swift will be marked up and retained during construction, with details of how the species will be accommodated during construction (e.g. by timing restrictions) forwarded to the LPA for approval in writing prior to development commencing. Alternative nesting provision for house martin will also be included. The mitigation will be fully implemented as approved.

Reason: to maintain nesting sites for swift and housemartin, amber listed birds of conservation concern.

24. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 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. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

Reason: To protect nesting birds, all species of which are protected by law.

25. No tree works on site will commence unless in strict accordance with the measures in the report Arboricultural Impact Assessment , and associated Tree Protection Plan and Arboricultural Method Statement. (May 2019, All About Trees). A checking survey should be completed prior to the commencement of works affecting trees within the Site to determine whether any red squirrel dreys or bat roosts are present. If red squirrels are found to be present within the Site the qualified ecologist will liaise with the contractor to ensure that measures are adopted to avoid impacts on red squirrels and bats.

Reason: to maintain the landscape and biodiversity value of the site and avoid harm to protected species.

26. Any trenches or deep excavations are covered at the end of each working day or ramps installed to provide exit routes for any animals that fall in.

Reason: to ensure that protected species are not harmed during construction.

27. Prior to development reaching damp-proof course level a Biodiversity Enhancement Plan will be provided to the LPA for approval in writing, and should include clearly marked-up plans showing:

- 4 bat boxes (2FR Schwegler Bat Tube or equivalent) incorporated into gable ends on the east and west elevations of new buildings in the southern part of the Site;
- Gaps in all external and internal boundaries measuring 13cm x 13cm at the base of fences or walls to allow movement through the site by hedgehog;
- Detailed planting and management scheme for the Landscape Strategy including creation of species rich native grassland (use locally sourced Northumberland Meadow Mix) and planting of wildflowers and native scrub planting;
- Details of SUDS design and planting, maximising biodiversity gain;
- Position of 14 bat boxes (2FR Schwegler Bat Tube or equivalent) incorporated into gable ends on the east and west elevations of new buildings in the southern part of the Site;
- Position of 52 swift bricks incorporated into new buildings within the southern part of the Site, in clusters of 4 per building on northern elevations away from windows, facing onto greenspace within the Site; and,
- Position and design of two habitat piles within areas of woodland in the south of the site to provide additional opportunities for shelter for hedgehog.

The approved plan will be fully implemented as approved.

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

28. Prior to the commencement of development above damp proof course level and notwithstanding the approved details in the application particulars of all construction materials for the new buildings within the scheme shall be submitted to, and approved in writing by the Local Planning Authority. Samples of the proposed materials shall be made available on site for inspection and retrained for the duration of the works. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

29. Prior to the installation of the windows, window frames, doors and door frames within the new build elements of the scheme, details (including plans, elevations) regarding windows, window frames, doors and door frames shall be submitted and approved in writing by the LPA. This should include details relating to their design, materials and colour. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

Reason: To ensure the Historic Significance of the Listed Property is conserved and enhanced, in line with the NPPF.

30. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no;

- o Extensions;
- o Outbuildings;
- o Porches;
- o Roof Openings;
- o Cladding/Rendering; or
- o Roof extensions.

Shall be added to or constructed within the curtilage of the resulting property hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: In the interests of visual and residential amenity and in accordance with Policy S15 of the Alnwick Core Strategy, Saved Policy B8 of the Alnwick District Wide Local Plan and Associated Appendices A 'Design and Layout of New Dwellings, and Appendix B 'Extensions to Existing Dwellings', and the National Planning Policy Framework.

31. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases)

Reason: To ensure that risks from contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

32. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

Informatives

1. You should note that under the Highways Act 1980 vehicle crossing points are required. These works should be carried out before first use of the development. To arrange the installation of a vehicle crossing point (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: northernareahighways@northumberland.gov.uk
2. You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at: northernareahighways@northumberland.gov.uk
3. You are advised to contact the Council's Highway Development Management team at highwaysplanning@northumberland.gov.uk concerning the need for a Section 38 Agreement of the Highway Act 1980 relating to the dedication of the turning head /vehicular access with The Avenue as new adoptable highway.
4. You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.
5. You should note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey contact Highway Development Management at highwaysplanning@northumberland.gov.uk
6. You are advised to contact the Council's Traffic Management Section at highwaysprogramme@northumberland.gov.uk before and during the construction period in respect of the Traffic Regulation Order requirements on The Avenue.
7. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.
8. You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.
9. The applicant is advised that to discharge condition [insert] the Local Planning Authority requires a copy of a completed agreement between the applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes. You can contact Highway Development Management at highwaysplanning@northumberland.gov.uk .
10. The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to

the Local Planning Authority to discharge condition [insert] of this permission. You can contact the Highway Development Management at highwaysplanning@northumberland.gov.uk.

11. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway

Date of Report:

Background Papers: Planning application file(s) 19/00500/FUL