



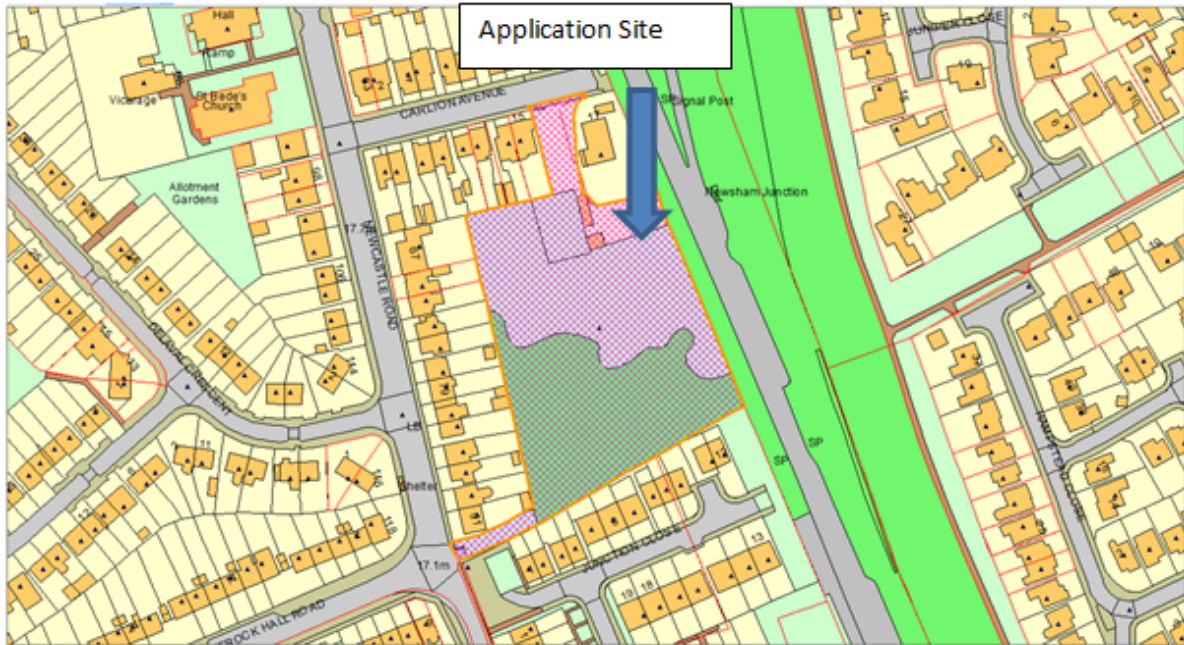
# Northumberland County Council

**Virtual  
Strategic**

**Planning Committee  
18th August 2020**

<b>Application No:</b>	20/01881//FUL		
<b>Proposal:</b>	Resubmission: Proposed development comprising of 27no. residential units with associated road and parking. Units consist of 2bed single storey bungalows, 2bed 2storey houses and 3bed 2storey houses.		
<b>Site Address</b>	Land South West Of 17 Carlton Avenue, Newcastle Road, Blyth, Northumberland		
<b>Applicant:</b>	Mr Jason Wylie Highway House, Saltmeadows Road/Albany Road, Gateshead, NE8 3AH	<b>Agent:</b>	Mrs Madeline Evans Office 1 , 11 New Quay, NORTH SHIELDS, NE29 6LQ
<b>Ward</b>	Newsham	<b>Parish</b>	Blyth
<b>Valid Date:</b>	22nd June 2020	<b>Expiry Date:</b>	21st September 2020
<b>Case Officer Details:</b>	Name: Mrs Judith Murphy Job Title: Principal Planning Officer Tel No: 01670 622640 Email: <a href="mailto:judith.murphy@northumberland.gov.uk">judith.murphy@northumberland.gov.uk</a>		

**Recommendation:** That this application be GRANTED permission with Unilateral Undertaking securing coastal mitigation and affordable housing tenure.



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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 agreed that the application should be determined by the Virtual Strategic Planning Committee due to the level of public interest.

1.2 Planning permission is sought for the construction of 27 residential units with associated road and parking. All 27 units will be affordable.

## 2. Description of Proposals

2.1 The site lies within a predominantly residential area and is bounded to the north by Carlton Avenue, west by Newcastle Road, and Junction Close to the south. To the east lies a railway line with residential properties beyond.

2.2 The application proposes the construction of 27 affordable dwellings (8no. 2bed bungalows, 13no. 2bed 2 storey houses, 6no. 3bed 2 storey houses, 30% of which would be bungalows. The design of the proposed units is one of traditional elevational treatments that reflects modern needs, whilst complimenting the character of the surrounding area.

2.3 Vehicle and pedestrian access would be via Carlton Avenue (accessed off Newcastle Road) adjacent No. 17 which currently has a private driveway access

between No. 15 and 17 Carlton Avenue. The proposed development includes a fully adoptable road and pedestrian access would also be available from the southwest corner of the site off Newcastle Road.

2.4 As an established residential area, there are a range of retail and leisure facilities within walking distance, as well as a number of schools.

### 3. Planning History

119/04156/FUL - Approved. This decision issued in error is now quashed by the court following a Judicial Review process.

### 4. Consultee Responses

County Ecologist	No objection with ecological mitigation as proposed and contribution to the Coastal Mitigation Service
Northumbrian Water Ltd	No objections, subject to 1no. condition
Blyth Town Council	<p>The only road access to this site is via Carlton Avenue, which is a cul-de-sac. It is a narrow residential road, and regularly has vehicles parked outside of residents houses.</p> <p>The ingress/egress between Carlton Avenue and Newcastle Road already creates serious problems. Vehicles are regularly parked on both sides of Newcastle Road, which limits the visibility when exiting Carlton Avenue. The traffic is heavy on Newcastle Road, which is also bus route, and it is often difficult to find a gap in the traffic when leaving Carlton Avenue, especially when turning right towards Newsham.</p> <p>There are also several aggravating features. There is a nearby church and a doctors surgery and shops, which adds to parking and vehicle manoeuvres. There are two railway level crossings at either end of Newcastle Road and when the gates are closed to road traffic, there is a serious build-up of traffic. The rail line is currently mainly used for freight, but in future it will become a passenger route, with the gates possibly closed every ten minutes at peak times.</p> <p>The development of 27 residential properties will aggravate the traffic problems.</p> <p>A similar application was, we believe, refused several years ago on highways grounds and the traffic situation is worse now.</p>
Public Protection	No objection, subject to conditions
Highways	<p>Following the previous consultation (6th November 2019) with Highways Development Management, the applicant has submitted amended plans/ additional information.</p>

	The submissions have been reviewed and are considered to be acceptable.  The imposition of conditions and informatives as outlined will address any concerns with the development.
Lead Local Flood Authority (LLFA)	No objections, subject to conditions.
Environment Agency	No objection.
Affordable Housing	No objection, this is a Registered Provider supplying some much needed older person accommodation
Natural England	No objection subject to appropriate mitigation

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	74
Number of Objections	22
Number of Support	0
Number of General Comments	0

### Notices

Site notice not displayed due to lockdown restrictions, satisfied that full neighbour notification carried out.

Pres advert - News Post Leader 23rd June 2020

### Summary of Responses:

22 letters of representation were received all of which were objections. A letter was also received from Blyth Town Council objecting to the proposals.

The material points of objection are:

Highway safety

Access, egress via Newcastle Road and Carlton Avenue junction

Traffic generation and increase in rail freight services

Disruption through construction process

Loss of privacy and daylight

Loss of green space/space for habitat

Highways Agency should be consulted

Residents and children's safety will be compromised

Lack of amenities

Rail traffic causes tailbacks

Lack of parking

Church parking and traffic an existing problem

Increased risk of accidents

Protected open space in emerging local plan

Proposed public re-opening of Northumberland line will increase traffic

Two petitions have also been received containing 165 names in total. The reason for the petitions was to cite an objection was against the development of open space.

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=PZ5Z88QSK8O00>

## **6. Planning Policy**

### 6.1 Development Plan Policy.

Blyth Valley District Local Plan (1999) (BVDLP)

H4 – Infill Sites

H15 - Affordable Housing: Controlling Occupancy

H21 – Design and Layout Principles for New Housing Areas

M8 - Car Parking

E18 – Visual Aspects of Open Spaces in the Built Environment

Blyth Valley Core Strategy (2007) (BVCS)

SS1- Integrated Regeneration and Spatial Strategy

SS2 - The Sequential Approach and Phasing

SS3 - Sustainability Criteria

Policy H1- Housing Provision;

Policy H2 - Efficient Use of Land;

Policy H3 - Housing Mix;

Policy A2 - Pedestrian/Cycle routes;

Policy C2 - Open Space strategic priorities – particularly criteria 6 regarding Green Corridors;

Policy ENV1 - Natural Environment & Resources.

Blyth Valley Development Control Policies Development Plan Document 2007(BVDPD).

DC1 General Development

DC2 Planning Obligations

DC5 Housing Windfall Sites

DC11 Sustainable Travel

DC14 Nature Conservation National Sites

DC16 Biodiversity

DC19 Drainage and Flood Risk

DC22 Noise Pollution

DC27 Design of New Developments

H21 Design and Layout Principles For New Housing

### 6.2 National Planning Policy.

National Planning Policy Framework NPPF (2019)

National Planning Policy Guidance NPPG (2019)

## 6.3 Other

### Northumberland Local Plan Publication Draft Plan (Regulation 19)

Policy STP 1 Spatial strategy (Strategic Policy)  
Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)  
Policy STP 3 Principles of sustainable development (Strategic Policy)  
Policy STP4 Climate change mitigation and adaptation (Strategic Policy)  
Policy STP5 Health and wellbeing (Strategic Policy)  
Policy STP6 Green infrastructure (Strategic Policy)  
Policy QOP 1 Design principles (Strategic Policy)  
Policy QOP 2 Good design and amenity  
Policy QOP 3 Public realm design principles  
Policy QOP 4 Landscaping and trees  
Policy QOP 5 Sustainable design and construction  
Policy QOP 6 Delivering well-designed places  
Policy HOU 2 Provision of new residential development (Strategic Policy)  
Policy HOU4 Housing development site allocations (Strategic Policy)  
Policy HOU 5 Housing types and mix  
Policy HOU 6 Affordable housing provision (Strategic Policy)  
Policy HOU 9 Residential development management  
Policy HOU 11Homes for older and vulnerable people (Strategic Policy)  
Policy TRA 1 Promoting sustainable connections (Strategic Policy)  
Policy TRA 2 The effects of development on the transport network  
Policy TRA 4 Parking provision in new development  
Policy TRA 5 Rail transport and safeguarding facilities  
Policy ENV 3 Landscape  
Policy WAT 3 Flooding  
Policy POL 2 Pollution and air, soil and water quality  
Policy INF1 Delivering development related infrastructure (Strategic Policy)  
Policy INF5 Open space and facilities for sport and recreation  
Policy INF 6 Planning obligations

## **7. Appraisal**

7.1 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant development plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues raised relate to:

Principle of development  
Affordable Housing  
Design  
Residential Amenity  
Ecology  
Highways and Movement  
Flooding and Drainage  
Public Protection

### **Principle of Development**

7.2 In assessing the acceptability of any proposal regard must be given to policies

contained within the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration. The Blyth Valley District Local Plan 1999, Blyth Valley Core Strategy 2007 and Blyth Valley DPD 2007 remain the development plan and the starting point for determining applications as set out in the NPPF.

- 7.3 Policy SS1 of the Core Strategy states that the majority of new housing, employment, retail and other significant development will be directed towards the main towns of Blyth and Cramlington. In this regard, the siting for the proposed development is in line with this policy.
- 7.4 Policy DC1 of the BVDPD outlines that development proposals should be situated within settlement boundaries as identified upon the BVDLP proposals map. The application site is clearly shown as being located within the defined settlement boundary for Blyth.
- 7.5 Saved Policy H4 supports housing development on small sites which are within the settlement limits defined and between or immediately adjoining other residential property (subject to site specific considerations).
- 7.6 Paragraph 59 of the NPPF is supportive of the proposal, stating the Government's objective to significantly boost the supply of homes. The fact that the proposal is meeting an identified need for affordable housing is also favourable. Paragraph 68 also stresses the importance of the contribution that small and medium sized sites can make to meeting the housing requirement of an area.
- 7.7 With regard to the draft local plan, the land is proposed as protected open space. It should be noted that the local plan is not yet an adopted document and, as such, the policies within can only be afforded some weight.
- 7.8 Policy HOU 5 of the draft local plan provides support for the proposal, stating that a range of good quality homes, including affordable homes, will be delivered, with proposals that meet identified needs looked on favourably.
- 7.9 Policy INF5 of the draft local plan states that development which would result in the loss of open space not shown on the Policies Map that contributes to the character and visual amenity of an area will not be supported unless it can be demonstrated that the benefits of development clearly outweigh the loss.
- 7.10 In this case, the proposal has been carefully considered against this policy with regards to balancing the benefits of the proposal against the loss on the protected open space.
- 7.11 The proposal is quite unique in its intention to develop a 100% affordable housing scheme. There are very few schemes of this nature submitted to the Council. Notwithstanding this, it is accepted that under the draft local plan, the proposal is contrary to policy INF5, as there remain unresolved objections to this policy, which is a material consideration. The deliberations of the proposal therefore fall to the benefits of the proposal, and if these are considered to outweigh the loss of the proposed protected open space

- 7.12 In terms of affordable housing, the 100% affordable scheme would very clearly more than satisfy the Strategic Housing Market Assessment's (SHMA) evidenced needs, which equate to 17% proportion of the Local Plans overall minimum housing requirement.
- 7.13 The application site is currently undesignated 'white' land in the 'saved' development plan and, as such, its potential development would not be contrary to the adopted development plan. As stated, however, the proposal would be contrary to the intended land designation within the local plan. Nevertheless, the provision of a 100% affordable housing scheme in a built up area of generally low viability for affordable housing development is a very positive aspect that is regarded as being beneficial for the area.
- 7.14 Overall, and in taking a balanced view of the benefits of the proposal when weighed against the loss of the intended protected open space, the principle of development on the site is considered to be acceptable and the site would be a suitable location for new development, subject to other elements of the development being acceptable

### **Affordable Housing**

- 7.15 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.
- 7.16 The proposed housing mix is welcomed and acceptable given the range of dwellings proposed.
- 7.17 Paragraphs 62 and 64 of the NPPF advise that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities. Where major development is proposed, planning policies and decisions should normally expect at least 17% of the homes to be available for affordable home ownership.
- 7.18 This site has been the subject of discussions between the developer, Housing Enabling and Adult Services - the initial proposal was for an extra care scheme. Whilst Adult Services support an extra care scheme in Blyth, this site was felt to be a fringe location and too constrained for that use. Bungalows were suggested. The proposal includes 8 bungalows and two and three bed family housing. While it would have been beneficial to have a greater number of bungalows in the mix, it is noted from the application that there are viability issues and more bungalows would undoubtedly further impact this.
- 7.19 The Housing Enabling team has been consulted and commented that the proposed mix is acceptable and is more than compliant with a 17% AH requirement. A mix of affordable tenures would be positive, however any mix



from 100% affordable rent would be acceptable and would be welcomed in this location. This delivery of 27 affordable housing units is strongly supported and the proposed affordable housing scheme would be acceptable with the details secured via a s106 agreement.

### **Design and the Impact on the Character of the Area**

7.20 The Government attaches great importance to the design of the built environment with part 12 of the NPPF recognising that good design is a key aspect of sustainable development which is indivisible from good planning.

7.21 High quality design supports the creation of good places and has a positive impact on health and wellbeing. The highest standards of design can be achieved to create new vibrant places which are distinctive, safe and pleasant, easy to move around, welcoming, adaptable and sustainable. Good design should:

- demonstrate an understanding of the unique characteristics of a place and the context within which it is located;
- demonstrate an understanding of the historical development of the site;
- reinforce its surroundings by conserving and enhancing the character and appearance of the landscape and townscape;
- provide appropriate densities depending on their existing characteristics; and
- incorporate and use features worthy of retention, including natural features, buildings and views.

7.22 The recently published National Design Guide focuses on 10 characteristics set out detailed and measurable criteria for good design.

#### *Context and Identity*

7.23 The proposed scheme seeks to provide an attractive development which will sit comfortably within the local context and character of the area. The majority of surrounding properties are brick and pebble dash render. The proposal would create a courtyard development with a mix of brick colours and concrete roof tiles being in keeping with the character and identity of this part of Blyth. The scale of the buildings is appropriate with the proposals reflecting the urban context within which it would sit.

#### *Public Spaces and Movement*

7.24 The development will be based along the internal road, but loosely based around a courtyard format. An internal road will allow all residents to access parking along with shared surfaces which will not only naturally reduce speed but to allow for a social space for residents. An additional public footpath, designed to adoptable standards would allow easy and safe pedestrian access to the site.

7.25 The site has good access to existing local services; located 320m to the local convenience store and pharmacy and 800m to local primary school. The site is within a 0.6 mile walk to South Newsham and 2m to Blyth town Centre.

- 7.26 The design proposal would create a landscape infrastructure that is safe, secure and welcoming residential environment whilst integrating the development within both the existing landscape fabric and the surrounding built form.
- 7.27 Overall the proposals are considered acceptable in terms of their impact on the character and appearance of the area. The proposals do not represent over development of the site providing an appropriate residential layout that would be in line with the policies contained within the Local Plan, the Northumberland Local Plan - Publication Draft Plan (Regulation 19), the National Design Guidance and the NPPF.

### **Residential Amenity**

- 7.28 The Government attaches great importance to the design of the built environment and, through the NPPF, recognises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

7.29 There are a number of residential properties immediately adjacent to the site. A development of this scale may also have wider effects on amenity, which has also been considered.

7.30 There would be a change to the character of the area with new housing, residents and increased traffic and use of the site. However, this is not considered to be of such a scale that would be to the detriment of residential amenity.

7.31 Privacy distances for the development meet spacing standards outlined in local policy. Concern has been raised in the objections received about loss of privacy, however, the layout is such that while it is acknowledged an area of currently open space will be built upon, all privacy to neighbouring properties will be maintained as the 20m separation distances will be met.

7.32 Taking this into account, the proposals would not have an overall adverse impact on the living conditions of the existing residents. As such, in the context of the NPPF and local plan policies, the proposals are considered to comply.

### **Highways**

7.33 Paragraph 109 of the NPPF states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Further criteria is set out at paragraph 110 in terms of achieving safe and sustainable development, whilst paragraph 111 requires travel plans and transport statements/assessments to be submitted for developments that will generate significant amounts of movement.

7.34 The Council's Highway Authority has assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. Following assessment of the application documents the Highway Authority raised an objection. The applicant has since submitted amended plans and this objection has been removed. On this basis, the proposal is considered to be acceptable from a highway perspective subject to conditions with the proposals raising no significant issues of increase in traffic or road safety.

7.35 The majority of the objections received have fundamentally related to the additional traffic that the proposed development will attract, parking concerns and safety among a few listed at the head of the report.

7.36 These concerns have not been ignored and have been fully accounted for in the assessment of this application. The Highways Authority have looked closely at the scheme and did raise some initial concerns. These were addressed by the applicant and through the submission of amended plans, the proposals can now be supported.

7.37 Again, the existing residents upset at the introduction of this new housing is fully understood. However, in highway terms, the development can be accommodated safely through the road layout, parking provision and with full compliance with the conditions listed later in the report. The recommendation would not be to support this scheme if there was any doubt that the proposal could not be delivered in such a way that does not put health and safety at risk.

### **Ecological Impacts**

7.38 In line with the requirements of Section 15 of the NPPF, which seeks to conserve and enhance the natural environment development proposals will be assessed in terms of their potential impact on the nature conservation interests of the site and on any habitats/species present. Development which would adversely affect protected species or their habitats will not be permitted unless it can be demonstrated that the reasons for the proposed development outweigh any adverse effect on the species or their habitat.

7.39 Paragraph 175 of the NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken.

7.40 Paragraph 177 states that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

7.41 LPAs also have a duty to have regard for the European legislation so that any effects on great crested newts must be considered as early as possible in the planning process. Great crested newts and their habitats (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) (with additional/complementary protection under the Countryside and Rights of Way Act, 2000; the Natural Environment and Rural Communities Act (NERC, 2006); and the

Conservation of Habitats and Species Regulations (2017)). Furthermore, planning authorities are competent authorities under the Habitats and Species Regulations (2017) and therefore have legislative duties to fulfil with respect to these species, to ensure that they are protected and their conservation status is maintained.

7.42 Almost the entire coastline in Northumberland is included in a range of designated sites which are protected under national legislation (Sites of Special Scientific Interest) and international legislation (Special Protection Areas designated under the EU Habitats Directive and Wetlands of International Importance designated under the Ramsar Convention). When determining planning applications that could have impacts on these sites, the Council has a range of legal duties that it must fulfil. Briefly, these amount to ensuring that the capacity of the protected area to support the features for which it was designated is not reduced or compromised by the proposed development being considered. The financial contribution required is set out later in the report but would be £600 for each additional dwelling proposed, to which the applicant has agreed.

7.43 As such, and in terms of Ecology, the proposal meets the objectives of Chapter 15 of the NPPF and the relevant policies of the development plan.

### **Flooding and Drainage**

7.44 The Council's Lead Local Flood Authority (LLFA) has been consulted on this application and initial concerns have been addressed. The LLFA has no objection subject to conditions. The recommended condition relates to the submission of a scheme for the disposal of surface water to ensure surface water is effectively disposed of. It is considered that the proposed development would not give rise to any greater risk of flooding at the site or elsewhere, and in this respect the proposal would be in accordance with Policy D19 of the Blyth Valley Development Control Policies Development Plan Document and Policy WAT 3 of the Northumberland Local Plan (Publication Draft Plan).

### **Public Health**

7.45 The NPPF Part 15, Paragraph 178 states that decisions should ensure that: a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.46 In principle the Public Health Protection Unit does not object to this proposal subject to the measures detailed in the application documents being implemented as stated, and subject to a number of conditions in relation to ground gas and contaminated land.

### **Planning Obligations**

7.47 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.

### *Ecology*

7.48 The application site is recognised as being situated within the 0-7km coastal mitigation zone in regards to coastal mitigation contributions and therefore inline with the local authority's regulations in regards to contributions for minor development, a £600 contribution per unit is sought. This results in a total contribution of £16,200 towards coastal mitigation to be secured via a S106 agreement.

### *7.49 Affordable Housing*

The affordable housing provision is to be secured through a S106 agreement. Members will be updated as to the tenure split at the committee meeting.

### *Equality Duty*

- 7.50 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*

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

### *Human Rights Act Implications*

- 7.52 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.
- 7.53 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.

7.54 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 proposed development is deemed acceptable. The principle of residential development is acceptable in this location and it is considered that the proposals would have no adverse impact on landscape, residential amenity, public safety, highway safety, ecology and flood risk management.

8.2 The application should be granted subject to the planning conditions and the conclusion of an appropriate Unilateral Undertaking to secure £16,200 towards Coastal Mitigation, and tenure of affordable housing.

## **9. Recommendation**

That this application be GRANTED permission subject to the completion of the S106 in relation to the coastal mitigation financial contribution and securing the tenure of the affordable housing, and subject to the following conditions:

### Conditions/Reason

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

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

02. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy DC1 of the Blyth Valley DCPD.

03. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the following plans:

Proposed Site Plan REV P01.17  
Location Plan REV P01.03  
Proposed Boundary and Key Plan REV P01.06  
Landscape Masterplan N887-ONE-ID-L-0001 REV P05  
Refuse Vehicle Swept Paths Rcd 12 February 2020  
Refuse Vehicle Swept Paths 2 Rcd 12 February 2020  
Vehicle Swept Paths 2 - Rcd 17 February 2020

GA Elevation 2B/4P & 3B/5P Terrace REV P01.02 5.11.18  
GA Elevations 2B4P Terrace (4) REV P01.02 12.9.19  
GA Elevations 2B4P Terrace (3) REV P01.02 12.9.19  
GA Elevations Bungalow Corner Terrace REV P01.02 9.12.19  
GA Elevations Narrow Bungalow Terrace REV P01.02 12.9.19  
GA Elevation Bungalow Wide Frontage Detached REV P01.02 9/12/19  
GA Wide Frontage Bungalow Elevations REV P01.02 12.9.19  
GA Floor Plan Bungalow Corner Terrace REV P01.01 12.9.19  
GA Plan Narrow Bungalow Terrace REV P01.01 12.9.19  
GA Floor Plan Bungalow Wide Frontage Detached REV P01.01 09.20.19 (as shown on plan)  
GA Wide Frontage Bungalow Ground Floor Plan REV P01-01 12.9.19  
GA Plan 2B/4P & 3B/5P Terrace REV P01.02 20.09.19  
GA Plan 2B4P Terrace (4) REV P01.02 12.9.19  
GA Plans 2B4P Terrace (3) REV P01.01 12.09.19  
Proposed Site Elevations REV P01.02 09.20.19 (as shown on plan)  
Materials Schedule RES731 submitted 29 July 2020

Approved Documents:

MD1376/rep/001 Rev B FLOOD RISK & DRAINAGE ASSESSMENT CARLTON AVENUE, BLYTH Produced by M Design  
Preliminary Site Strategy MD1376 /0100 Rev C dated 10.12.2019

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

04. No external refuse or refuse containers 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.

05. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been 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.

06. Development shall not commence until a Demolition and Construction Method Statement together with a 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;
- 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.

07. Prior to occupation, details of surface water drainage to manage run off from private land 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.

08. The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

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

09. 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.

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.

10. 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.

11. Notwithstanding the details submitted, Plots 8-20 shall not be occupied until a 3.0m wide pedestrian connection between the development and the roundabout junction with the B1523 / C407 has been constructed in accordance with details, including lighting, drainage and signage, which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of pedestrian safety, amenity and encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.



12. Notwithstanding the details submitted, the development shall not be occupied until a means of vehicular access has been constructed to accord with NCC Type 'C' construction specification in accordance with the approved plans.

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

13. The development shall not be/ No dwelling shall be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been hard surfaced, sealed and marked out in parking bays/ 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 and saved Policy DC1 of the Blyth Valley DCPD.

14. 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 and saved Policies ^IN; of the Local Plan.

15. Prior to the first occupation 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.

16. 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.

17. 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 comprised 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.

18. The scheme shall investigate connecting into the unadopted surface water sewer connecting into the Northumbrian Water network at Manhole 2301. In the Event the scheme can not connect into the unadopted surface water sewer the scheme shall discharge into manhole 2301 as shown on Drainage drawing MD1376/0100 Rev C "Primlimary Site Strategy" Produced by M Design dated 10.12.2019. The scheme shall discharge at a rate no greater than 5l/s.

Reason: To ensure the site can effectively drain.

19. No development will take place unless in accordance with the mitigation and precautionary working methods found in the reports Preliminary Ecological Appraisal, Carlton Avenue, Blyth October 2019 and Great Crested Newt Survey Carlton Avenue, Blyth April 2020, (Econorth). Including;

- Retain linear woodland and dense scrub features within the new development where possible, to maintain habitat connectivity within the local area.
- The small pile of paving slabs / rubble highlighted in the Preliminary Ecological Appraisal will be dismantled by hand and outside of the winter period, to remove any residual risk of harm to hibernating amphibians.
- Should any amphibians (with the exception of great crested newts) be found during the works, these will be moved to a suitable vegetated area to the site boundaries, which will not be subject to further disturbance. In the unlikely event great crested newts are identified at any time during the works, site operations will cease immediately and a Suitably Qualified Ecologist (SQE) will be contacted for advice on how to proceed
- Works will proceed to a precautionary method statement produced by a SQE, to ensure site personnel are aware of the measures to be implemented to ensure protected and notable species are not adversely affected.
- In the event works on site do not commence within 2 years of the date of the most recent field survey (15th April 2020), works will not begin until the great crested newt surveys have been repeated, to ensure the situation has not changed and no further mitigation / licensing measures are required
- No fires will be lit as part of the works
- No works will be undertaken overnight, or within 1 hour of sunset or sunrise, to minimise the risk of disturbing nocturnal species such as bats
- All scrub and trees will be checked by an SQE prior to removal where works are to happen within the active bird nesting season (March - September inclusive). This also encompasses the active period for invertebrates highlighted for their protection status during the desk study, and these should be visually searched for during nesting bird checks.
- Where any trenches / excavations greater than 0.5m deep are created these will be closed overnight. Any trenches / excavations less than 0.5m deep which cannot be closed overnight will have one side cut at no more than a 45° angle, or a plank large enough for a person to walk up will be installed overnight to provide any wildlife which may fall in with an escape route. All such excavations will be checked for wildlife prior to the recommencement of works each morning.
- The margin of semi-improved woodland along the eastern boundary is adjacent to the train line and is likely to contribute to a linear commuting feature for bats and a wildlife corridor for other native species, therefore this area of woodland must be retained.

- It is recommended that any other trees and areas of woodland are retained or replanted on site where possible. Where this is not possible, any trees removed will be replaced with a mixture of native trees. Beneficial native trees include willows *Salix* sp., oaks *Quercus* sp., and native cherry *Prunus* sp.

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

20. No development shall commence until the applicant has submitted an amended landscaping plan to the LPA for approval in writing. This will include only native plants or those found on the RHS Plants for Pollinators list, as well as tree protection measures, hedgehog gaps in external and internal fences and in-built bat or bird roosting/nesting features as recommended in the report Preliminary Ecological Appraisal, Carlton Avenue, Blyth (October 2019, Econorth). The plans will be implemented in full as approved.

Reason: to maintain and enhance the biodiversity value of the site in accordance with the NPPF.

21. 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: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

22. The development shall not be brought into use until the applicant has submitted a validation and verification report to the approved methodology in Condition 21, which has been approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties.

23. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

b) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters as recommended by the Phase 1 report (Phase 1: Desk Top Study

& Coal Mining Risk Assessment Report produced by Arc Environmental, Project No: 19-601 and dated 24th August 2019.). It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.

c) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

Reason: To ensure that any contaminants within the site are dealt with in an appropriate manner to afford protection to the public, the buildings and the environment.

24. Two full copies of a full closure (Verification Report) report shall be submitted to and approved by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s) approved under Condition 23. Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully completed.

Reason: To ensure that any contaminants within the site are dealt with in an appropriate manner to afford protection to the public, the buildings and the environment.

25. If during redevelopment contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the 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.

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.

26. During the construction period, there should be no noisy activity from mobile plant, pneumatic equipment, power tools etc. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800  
Saturday 0800 to 1300

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

27. Deliveries to and collections from the construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00  
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

**Date of Report: 30th July 2020**

**Background Papers:** Planning application file(s) 19/04156/FUL