



Appeal Decision

Site visit made on 19 November 2019

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 31 December 2019

Appeal Ref: APP/P2935/W/19/3231358

Stoney Hills, Greensfield, Alnwick, Northumberland

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Colin Barnes (The Northumberland Estates) against the decision of Northumberland County Council.
 - The application, ref. 18/01020/OUT, dated 19 March 2018, was refused by notice dated 21 December 2018.
 - The development proposed is an outline application (with layout) – 15 dwellings (100% Self Build Plots) and Landscaped area – Amended 18/09/18.
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Decision

1. The appeal is allowed and planning permission is granted for the outline application (with layout) – 15 dwellings (100% Self Build Plots) and Landscaped area – Amended 18/09/18; at Stoney Hills, Greensfield, Alnwick, Northumberland; in accordance with the terms of the application, Ref: 18/01020/OUT, dated 19 March 2018 subject to the conditions attached as an appendix to this Decision.

Application for Costs

2. An application for costs was made by Mr Colin Barnes (The Northumberland Estates) against Northumberland County Council. This application is the subject of a separate decision.

Preliminary Matters

3. It is noted that the original application form submitted on the appeal site sought consent for 19 dwellings. On 19 March 2018, notification was given from the appellant to the Council to amend the description and plans to seek planning consent for 15 dwellings. I have therefore amended the description of the appeal proposal in accordance with this amendment which is also reflected on the appellant's appeal form and the Council's Decision Notice. I will therefore make my decision based upon this new description of development.
4. The application was made in outline, with layout to be determined at this stage; and access, appearance, scale and landscaping as reserved matters. The Council made their decision based upon a Utilities Survey¹, Archaeological Geophysical

¹ Utility Survey 1 & 2, Drawing NoC279-002, Drawn by EH of Landform Surveys 26-09-17

Survey², Aboricultural Survey³; Planning Statement⁴; Design and Access Statement⁵, Drainage Strategy⁶; Environmental Risk Assessment⁷; a Flood Risk Assessment⁸, an Ecological Assessment⁹; and associated layout plan¹⁰. These reports, statements and plans reflect the description of the development. As the Council had regard to these in determining the application, I have dealt with the appeal on the same basis.

5. During the course of the appeal, the appellant submitted a Landscape and Visual Appraisal¹¹ which was not subject to consideration during the planning application and has sought that I consider this as part of the appeal. This further information provides additional clarification to a main issue and which does not result in changes to the scheme. Whilst the Council have had sight of the document, in their Statement of Case (SoC) they have chosen not to comment upon it. In accordance with the Wheatcroft Principles¹² the acceptance of this assessment would be appropriate and not deprive those who should have been consulted or the opportunity of such consultation. As such, I will accept this further information and will base my decision upon it.
6. Additionally, during the course of the appeal the appellant has submitted a signed Unilateral Undertaking¹³(UU) for the provision of planning obligations for affordable housing, coastal mitigation and education. Based on the Wheatcroft Principles, the UU does not change the scheme and gives certainty on the ability to meet specific obligations as defined by the development plan and which are used to assist in mitigating harm as a result of the proposal. The acceptance of this assessment would be appropriate and not deprive those who should have been consulted or the opportunity of such consultation. As such, I will accept this further information and will base my decision upon it.

Main Issues

7. The main issues are the effect of the proposed development upon:
 - the landscape character and appearance of the area;
 - Whether the proposed development would preserve the settings of the Grade II* and Grade II listed buildings within the environs of the site; and
 - Highway Safety.

² By Archaeological Services Durham University, Report 4497, Dated July 2017

³ By Stuart Johnson, Dated 09/06/2017

⁴ By Northumberland Estates, Dated February 2018

⁵ By Monument Design and Build, 02/2018

⁶ drainage strategy and drainage drawings from Wardell Armstrong: "Land off Alnwick Castle Golf Course; Residential development" reference 13194 and drawings "Drainage Strategy for residential scheme" Ref N13194T-007; "Drainage Strategy for whole site" Ref N13194T-013;

⁷ Phase 1: Desk Top Study Report, By GEO Environmental Engineering

⁸ By Wardell Armstrong, Dated January 2018

⁹ Ecological Appraisal, Penn Associates, February 2018; and Alnwick Golf Club Bat Survey Report, Site 2 (East Site) Penn Associates July 2018

¹⁰ General Arrangement (Residential Scheme) Drawing No.NT13914-011, Rev G, Drawn by PAG of Wardell Armstrong, Dated 07/02/2018.

¹¹ By Philip Barker of Glenkemp Landscape Architects, Dated June 2019

¹² Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]

¹³ Dated 4 September 2019 from George Dominic Percy to Northumberland County Council, Ref 18/01020/OUT

Reasons

Landscape, character and appearance

8. The appeal site is an undeveloped field that is located to the south of the Alnwick Town Centre, and is currently used for the grazing of horses. The site boundaries contain a stone wall/hedging and has a varied topography that has a variance of up to 15 metres from the rear of the site to the road edge along the eastern boundary. To the north-east and eastern part of the appeal site are a number of trees that are protected by a Tree Preservation Order (TPO).
9. I acknowledge comments provided by both parties regarding the surrounding residential development, where immediately opposite the road to the south-east, 271 dwellings are under construction and within the golf course to the north, an extant planning permission exists for a development of 10 dwellings. To the north of the site are a row of existing dwellings with part of the boundary of the appeal site being shared with the neighbouring golf course.
10. According to the LVIA, the appeal site falls within Landscape Character Type 38: Lowland Rolling Farmland where the landscapes which have been identified for management are agricultural and upland areas, and reflect the working rural landscapes of Northumberland. While they are often highly valued at a local level, these landscapes generally have a greater ability to absorb change, without significant detriment to their innate character.
11. Taking the above into account, the site does have a positive effect upon the landscape character and appearance of the area in this semi-rural location that is at the transition from a more urban to rural environment. The topography of the site with a large amount of trees to the eastern area and the boundary treatment of the site contributes positively to the character and appearance of the area and reinforces the semi-rural nature and identity of the appeal site.
12. I note comments from interested parties with regards to the topography of the site and the ability to see the site from a number of locations particularly from the south and east of the town. I also note that the application has been amended to reduce the area proposed for dwellings which allows for a greater landscaped and undeveloped area which lowers the density. This assists in minimising views of the site from and towards the greater landscape with only the upper parts of the proposed houses being visible from the south and east of the town. With further planting and landscaping as suggested in the appellant's documents, the proposed dwellings, whilst visible, would not be unduly prominent within the landscape and not experienced as a large mass of dwellings from a single viewpoint, but more like an organic extension to the existing built form within this semi-rural location.
13. In conclusion of this matter, whilst the proposal would cause an in principle change to the character and appearance of the site, the overall effect towards the greater landscape character of the area is within acceptable parameters, with the proposed layout and landscaping going some way in mitigating the effect of the development within the greater landscape.
14. Consequently the proposal would be in conformity with Policy S13 of Alnwick Core Strategy (CS) (which seeks to protect and enhance the distinctive landscape character of the district); Policy HD1 of the Alnwick and Denwick Neighbourhood Plan (NP)(which seeks that development be designed to avoid visual harm to landscape character and setting, and to avoid loss of landscape

features that contribute to local distinctiveness). It is noted that Paragraph 17 of the Framework is quoted in the decision notice which previously contained a set of planning principles. The Framework has since been updated and there is no longer this set of planning principles. However on assessment of the scheme against the relevant landscape orientated paragraphs of the Framework, I am satisfied that the proposed scheme would be compliant with these.

Surrounding listings, including their setting

15. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) prescribes a duty upon a decision maker to give special regard to the desirability of preserving a building/structure or its setting or any features of special architectural or historic interest which it possesses'. It is also noted that paragraph 193 of the Framework notes 'that great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance.
16. The appeal site lies in close proximity to a number of historic buildings and structures, such as Camphill Cottage (Grade II) approximately 35 metres to the north; Greensfield Farmhouse with Attached Wall (Grade II) approximately 105 metres to the south; listed farm buildings south-west of Greensfield Farmhouse (Grade II) approximately 140 metres away; Hope House (Grade II) approximately 180 metres north; Camphill Column (Grade II*) approximately 230 metres west; and an Eyecatcher in Swansfield Park wall (Grade II) approximately 385 metres to the north-west of the appeal site. In considering the contribution of the appeal site to these listings, the most relevant listings where there is potential for harm arises from development within the setting of Camphill Column and Camphill Cottage.
17. It is also noted that the documents initially submitted with the application show no evidence of an assessment of surrounding heritage assets. As such, the heritage values which derive from tangible and intangible elements, associations and relationships that make up the significance of the listing, including their setting have not been undertaken in accordance with Paragraph 189 of the National Planning Policy Framework (the Framework). Whilst there is some mention of heritage assets in the LVIA which was submitted during the appeal, this does not represent a holistic approach to the assessment of heritage assets and their setting which goes beyond an assessment of views alone. As such the information submitted with regards to the historic environment is limited in aiding understanding of significance, or harm caused to this significance.
18. Camphill Column is a commemorative monument that is sited at one of the highest points in the surrounding area and is constructed upon an iron-age fort. Whilst there are trees surrounding, the monument has a commanding position above the surrounding countryside with panoramic views from and to the monument from the surrounding area and is visible depending upon foliage growth and the seasons of trees which surround the monument. Despite the trees surrounding the monument, there is a historic relationship of the land to this visual beacon which has been deliberately designed upon a raised hill fort to be a centrepiece for the historic parkland which once formed the Swansfield Estate, prior to the golf course. Historically the monument would have been within open countryside, which has been encroached upon from housing development, however the land immediately surrounding (which includes the appeal site) does contribute to the setting of the monument.

19. According to the Building Conservation Officer's response, Camphill Cottage may have been a gardener's cottage to the historic Swansfield Estate, with the building positioned to the edge of the parkland surrounding. Whilst the estate is no longer functioning as such, with a golf course now in place, there is a historic relationship and association of the cottage to its former form and function as part of a larger estate with the open fields surrounding contributing and still decipherable to the setting and significance of the cottage.
20. Whilst I acknowledge the Council's Conservation Officer comments that there is believed to be 'no harm,' I am not in agreement with this opinion. It is clear to me that the proposed development would cause the erosion of the open setting which contributes to both the significance of the Camphill Column and the Camphill Cottage causing some harm to the setting which contributes to the significance of these listings.
21. Consequently, it is clear to me that the proposal would fail to preserve the settings of the listed building and structure, contrary to the expectations of s66 of the Act and the desirability of which is judged a matter of considerable importance and weight by the Courts.
22. The harm to Camphill Column and Camphill Cottage as a result of development within their setting in this case would be towards the lower end of 'less than substantial,' harm within the meaning of the term in paragraph 196 of the Framework. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 196 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal. As per paragraph 193 of the Framework, this harm is afforded considerable importance and weight.
23. The public benefits of the scheme include the development of a small site; the delivery of self-build opportunities where there is little supply; the provision of family dwellings which would make a positive contribution to meeting housing need; the short term employment opportunities in the construction of the scheme; the socio-economic benefits that contribute to the local expenditure from future occupiers to the viability, services and facilities of Alnwick and surrounding villages; enhancements to biodiversity, landscape and ecology; as well as highways improvements to relieve poor road conditions. I afford these public benefits substantial and considerable importance and weight in this determination. I also note planning obligations towards coastal mitigation, affordable housing, and education which seek to make the development acceptable in planning terms.
24. Notwithstanding the considerable importance and weight that I have attributed to the failure to preserve the settings of the listed building and structure, when undertaking the heritage balance anticipated in paragraph 196 of the Framework I find that the public benefits arising from the proposed development would clearly and demonstrably outweigh the harm I have identified. This material considerations allow for determination other than in accordance with the Development Plan.
25. In conclusion on this matter, whilst I have identified harm to the heritage assets as a result of development within their setting, on balance and taking into account public benefits, the harm to the heritage assets would be clearly and demonstrably outweighed by the public benefits. The proposed scheme would therefore be acceptable, despite the failure of compliance with the duty under

S66 of the PLBCA and paragraph 193 of the Framework. It would therefore comply with Policy S15 of the Alnwick Core Strategy (where all development involving heritage assets and their settings will be required to preserve and where appropriate enhance); Policy HD5 of the NP (which amongst a number of design principles, seeks to enhance the quality of the surrounding suburban landscape and historic context, and enhance local character and distinctiveness) and Chapter 16 of the Framework.

Highway Safety

26. The main concerns raised as part of the Council's Decision Notice is that *'the scheme has failed to address concerns with regards to highways safety.'* The Council's Statement of Case does not provide additional clarification upon this reason for refusal, however the committee report notes that *'the existing highways arrangements already provided the through route into the site; some road widening was proposed. Possible additional congestion on local roads caused by this application, including Blakelaw Road, had to be considered but were not considered.'* I also note comments from the Town Council and interested parties regarding highways safety where there are concerns regarding safe and convenient pedestrian and cycle routes, and concerns with regards to Hope House Lane and footway and cycle routes which require extending given the use of the route by pupils of the Duchess Community High School.
27. It is noted that 'Access' is not for approval under this outline application and that at this stage it is only necessary to assess whether the principle of access to the site is achievable. The Council's Highways Officer has commented that the site in principle is able to be accessed, however requires additional works and land to facilitate footpath widening and extending and further discussions with regards to the alignment of the access roads within the estate and its connection to surrounding roads. It is also noted that the Highways Team comments that it is considered that the realigned carriageway of the U3124, and changes to Hope House Lane will improve forward visibility through the narrow section of road, thereby improving highway safety in comparison to the current arrangement. It is considered that these elements amongst others as outlined by the Highways Team are acceptable in principle and are suitable to be undertaken by condition within the reserved matters stage.
28. In conclusion on this matter, the proposal has addressed highway safety concerns raised by the scheme and is unlikely to produce any detrimental effects towards highway safety. The proposal would therefore be in conformity with S11 of the CS (where Criteria 1 seeks that proposals are in accordance with accessibility principles; Criteria 2 where traffic generated by the scheme would not result in damage towards road safety; and Criteria which seeks access improvements in connection with development are funded at the developer's expense. The scheme would also be compliant with Chapter 9 of the Framework.

Other Matters

29. I note comments from interested parties with regards to drainage and flood risk. A Drainage Strategy and Flood Risk Assessment has been submitted which has suitable measures for discharging foul and surface water, which is to a manhole which ultimately drains to the nearby Greenfields Development. Responses from utility companies have also stated that this is appropriate. Based on this, I am satisfied that drainage of the site is appropriate for the proposed scheme.

30. Turning to flooding, the appeal site is located within Flood Zone 1, which has the least likelihood of flooding. A Flood Risk Assessment has been submitted which demonstrates that the development of the subject site along with the drainage strategy should not increase the likelihood of flooding problems to the appeal site or to surrounding properties. The proposal would therefore be in compliance with Policy S3 of the CS which amongst others, seeks that the potential implications of flood risk have been assessed having regard to the relevant flood zones.
31. The Council has completed a Habitats Regulations Screening Assessment and Appropriate Assessment and conclude that the proposal will not have a significant effect on any sites protected under international legislation, or cause harm to any designated sites. This includes adequate mitigation to the coastal zone of influence in the form of financial contributions. 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. I have no reason to dispute these claims and am satisfied that the appeal scheme would be able to avoid harm towards biodiversity.
32. I note reference from an interested party to a planning appeal¹⁴ to the south of Camp Hill Cottage at the entrance to the golf course for 2 dwellings which was dismissed in 1991. Whilst I have considered and taken this appeal into account, a substantial time period has passed with the planning policy position and circumstances of planning, particularly around the provision of housing and sustainability having changed considerably. The existing appeal was made when these dwellings were considered to be within Open Countryside, however this position has changed given that a number of dwellings, including the appeal site in question have been developed. Given the substantial changes to policy since the time of this appeal, I do not find the situations of this current appeal and the historic appeal analogous and therefore only give limited weight to this appeal.
33. I note comments from the Town Council that the emerging Northumberland Local Plan which is at examination identifies a settlement boundary for Alnwick, and where the subject site is outside of this boundary. I have not been presented with this proposal map within the Emerging Local Plan (ELP). Despite this, it is not the purpose of a settlement boundary to prevent development outside of it and that the Framework encourages sustainable development which gives considerations to the social, environmental and economic functions. The appeal site when assessed against the framework and relevant development plan policy, is considered to be acceptable.
34. I also note comments from the Town Council that self-build sites have not been popular in Alnwick and that the sites would not be taken up. No evidence has been submitted which supports this opinion. The appellant states that enquiries for self-build plots have been received on a regular basis and that there is a lack of supply and that enquiries from estate agents in the area are evidence of this. This is also supported by original officer comments in the planning officer's report where self-build plots are seen as a *'housing offer that is not in large supply within Alnwick.'* As such, I have no reason to doubt the appellant's (and Council's) assumptions that there is a demand for self-build plots.

¹⁴ Appeal Ref: T/APP/Q2908/A/91/178358/P3

35. Interested parties have expressed concern with regards to the type of dwellings proposed and whether there would be an ability for young families and single persons to buy and stay in Alnwick and whether affordable housing would be in accordance with planning policy. The proposed development does provide an off-site contribution for affordable housing provision which is aimed towards first home buyers and groups as suggested, and that adherence with planning policy would be part of reserved matters discussion.
36. There is discussion from the Town Council with regards to trees proposed to be removed and resultant impacts towards tranquillity. The County Ecologist had reviewed submitted information which concerned the felling of two trees along the north-western boundary and a single tree to the southern boundary. Neither of the trees are protected by way of a TPO and are not of a quality to warrant retention (one being dead). Subsequent removal of the trees and an acceptable landscaping scheme with re-planting is considered appropriate and would be in compliance with Policy ENV6 of the NP which seeks that development is not permitted where it would result in the loss of trees with good Aboricultural and amenity value.
37. There is discussion from interested parties with regards to windfall sites and that they consider that the NP seeks that this is 3 dwellings per annum. Whilst Section 4.3 in the accompanying text may mention that estimates for windfall sites are based on an average of 3 dwellings per annum, this is not a policy requirement as implied by these statements. As also specified by the Glossary of the NP, a windfall site *'typically are very small sites such as a subdivision of a larger plot or on occasion a larger site...'*. It is clear to me that the NP is not restricting development of windfall sites to 3 dwellings per year and as such would be in compliance with the housing policies of the NP.
38. A geophysical survey was conducted on the appeal site and concluded that, based on previous work in the vicinity of the proposed development area, there is the possibility that archaeology such as cut features, ditches and pits could be present on the site. The Council's Archaeological team gave further advice with regards to further archaeological investigation. No archaeological features or deposits of significance were revealed during the trial trenching. Based on the results of the programme of archaeological trial trenching, it can be concluded that the proposed development is unlikely to impact on significant archaeological remains.
39. It is noted that the site is adjacent a golf course and that the future occupiers may encounter stray golf balls entering their properties as a result. Having considered this, it is considered that this issue can be satisfactorily mitigated so that future occupiers or the operation of the golf course is not impacted by the proposed development. This mitigation is suitable to be resolved during the reserved matters stage.

Conclusion and Conditions

40. I conclude that the scheme would be compliant with the development plan, when considered as a whole. There are consequently no material considerations that warrant a decision other than in accordance with the development plan.
41. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed in the annex accompanying this decision.

Planning Obligations

42. As mentioned previously, a signed UU has been submitted with the appeal documents that agrees to the payment of an off-site affordable housing contribution (prior to occupation of the eighth dwelling); an education contribution (prior to the occupation of the eighth dwelling); and a habitat mitigation contribution (prior to the occupation of the first dwelling).
43. Whilst it is noted that the UU does not set ratios or percentage figures, the document states that it will provide contributions towards education, habitat mitigation and education. In relation to Affordable Housing, Policy S6 of the CS seeks that a contribution is made for developments over 10 dwellings and that the provision be in line with current housing need. The Council's Affordable Housing Officer has based a figure of 15% in line with evidence from the 2015 SHMA which at the date of Council's Statement was £101,250.
44. In relation to the education contribution, information from the Council's Education team highlights that there are capacity issues at both primary and secondary schools within the catchment of the appeal site. The proposed development according to the Education Team is likely to yield 4 additional primary school pupils and 2 secondary school pupils with a contribution of £120,000 requested.
45. Turning to habitat mitigation, the appeal site is within the coastal zone of influence, where there is consideration of the impact caused by increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species and recreational pressures towards grasslands, many of which are protected under national and international legislation. 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 warden activity by the Council. According to the appeal documents, the applicant has agreed to pay £9,000 (based upon £600 per unit) towards mitigation of the effects of the proposed use upon national and international designated sites.
46. Taking the above into account, I am satisfied that each of the financial contributions specified would be necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.

Planning conditions

47. I refer to the conditions specified by the Council in their Statement of Case, if the appeal was to be allowed and have considered them in accordance with the Planning Practice Guidance.
48. Suggested Conditions 1, 2, 3 and 4 which seek time periods for the decision and the approval of reserved matters are necessary for the avoidance of doubt and in the interests of proper planning. The approval of the layout plan is also necessary.
49. Suggested Condition 5 seeks the submission of a Design Strategy Document to achieve a satisfactory form of development which is to be submitted prior to the submission of reserved matters. I also note comments from the appellant who has reservations regarding this condition in that planning policies such as Policy HD5 of the CS and the NP are adequate to suggesting design principles and that there is no requirement in this policy regarding the need for a design guide. I

also note that this is a self-build site and that in these instances there typically is a greater variance in style, design, layout of individual plots, setbacks, height etc. A design guide would be a useful tool to guide occupants to the specific considerations of this particular site and would be necessary in order to achieve the local distinctiveness and character required. I agree with the appellant that the requirement for the document prior to the submission of the reserved matters is onerous, and that such a document should be part of the approval of 'appearance' as part of the reserved matters. This condition has therefore been amended accordingly.

50. Suggested Condition 6 seeks that the implementation of the enhancements to biodiversity as suggested by the Ecological Appraisal and Bat Survey Report. This condition is considered necessary in mitigating potential harm caused by the scheme. The suggested condition specifies that the biodiversity enhancement and landscaping plan be submitted prior to development and that works are in accordance with an agreed program of delivery are also considered appropriate.
51. Suggested Condition 7 seeks that measures regarding tree protection are implemented which is considered to be necessary.
52. Suggested Condition 8 repeats the requirements of Suggested Condition 6 which requires mitigation and enhancement measures identified in the Ecological Appraisal and Bat Survey. As such, this condition is a duplication and is not necessary and is adequately dealt with by another condition. This condition is therefore deleted.
53. Suggested Condition 9 seeks to restrict site clearance of vegetation between 1 March and 31 August to safeguard any breeding species. This requirement is not specified within the mitigation measures of the ecological appraisal or bat survey, and as such is necessary to be included.
54. Suggested Condition 10 is necessary in that it seeks 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.
55. Suggested Condition 11 is necessary in that it seeks to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties. Suggested Condition 12 repeats this requirement and is therefore deleted. However elements of this condition have been incorporated into Suggested Condition 11.
56. Suggested Condition 13 seeks that further measures are taken if contamination is encountered during construction, which is considered necessary.
57. Suggested Condition 14 seeks the approval of mitigation measures are undertaken to prevent stray golf balls from causing harm to persons or property of the proposed development. These measures are necessary in order to ensure safety of the occupants of the proposed development and to ensure the operation of the golf course is not inhibited adversely by the occupation of the proposed development.
58. A construction management plan as stated by Suggested Condition 15 is considered necessary in order to prevent nuisance towards existing occupiers and road users, and in the interests of residential amenity and highway safety.

59. Off-site highways improvements as stated by Suggested Condition 16 are a requirement for the scheme and are necessary in order to mitigate impacts caused by the development towards the surrounding highway network.
60. Suggested Condition 17 seeks details of adoptable streets and associated engineering, drainage, street lighting and construction details. These matters are considered to be approvable under the reserved matter of 'access' and therefore is not required. This condition is therefore deleted.
61. Suggested Condition 18 seeks details of car parking, including garages associated with each plot. Whilst the general principles in terms of size of spaces and possibly location would be able to be approved at the reserved matters stage, given the self-build nature of the site, it would not be possible to understand the appearance of garages given that this would come at a later date during approval of house design. The principles of car parking size could however be added to the design guide as part of the previous condition. As such this condition has been deleted and incorporated into the design guide condition.
62. Suggested Conditions 19 is similar to the considerations above in that this type of detail is perhaps more relevant to the specifics of each self-build plot, where general principles could however be adapted. As per above, this condition is deleted and better incorporated into the design guide.
63. Suggested Condition 20 also cannot be fully approved within the reserved matters stage until details come forward with regards to the respective self-build plots. A refuse strategy as a set of principles is however best incorporated into the design guide as per above, and as such this suggested condition has been deleted and has been incorporated into the design guide condition.
64. Suggested conditions 21, 22, 23, 24, and 25 all deal with approval of matters related to drainage, foul and surface water discharge and Sustainable Urban Drainage Systems. These conditions are considered necessary in order to ensure the effective functioning, storage, treatment and disposal of water from the development.

J Somers

INSPECTOR

Annexe: Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. The development hereby permitted at outline stage shall be in accordance with the approved site boundary. The approved plan for this development is:-
 - 1724-SBP-01A - Location Plan - Self Build Plots.
3. Application for the approval of all the reserved matters shall be made to the Local Planning Authority for each plot before the expiration of three years from the date of this permission. Notwithstanding details contained within the approved plans, approval of the details of;
 - a) Access;
 - b) Appearance;
 - c) Landscaping; and
 - d) Scale

Hereinafter called the reserved matters shall be obtained from the Local Planning Authority.

4. The development Layout hereby permitted as a Reserved Matter shall be in complete accordance with the approved plan. The approved plan is:-
 - NT13194-011 Rev G - General Arrangement (Residential Scheme)

For the avoidance of doubt, the Layout elements of the approved plan is only applicable in respect of this condition.

5. As part of the approval of 'appearance' in the reserved matters stage, a Design Strategy Document shall be submitted to and approved in writing by the Local Planning Authority. The document shall:
 - a) Make clear reference to the location of the site as within but on the edge of Alnwick, the local built vernacular including regard for the provisions within the Alnwick & Denwick Neighbourhood Plan;
 - b) The document shall provide specific guidance on the scale of the new dwellings;
 - c) The palette of materials for the site;
 - d) Design features and detailing including information regarding form;
 - e) Landscaping principles for boundary treatments within the site;
 - f) Car parking dimensions and sizes;
 - g) Cycle storage;
 - h) Refuse storage and facilities strategy

The development shall thereafter be carried out in accordance with the principles of the approved document.

6. No development will take place until a biodiversity enhancement and landscaping plan for the whole site to include;
 - a) mitigation and enhancement measures as detailed in the reports Land to South of Alnwick Golf Course, Alnwick, Northumberland June 2017 (Stuart Johnson) Alnwick Golf Club Preliminary Ecological Appraisal, Penn Associates February 2018 and Alnwick Golf Club Bat Survey Report, Site 2 (East Site) Penn Associates July 2018;

- b) This will include in-built bird/bat provision at a ratio of one item per dwelling, and details of bat boxes to be placed in trees around the site; and
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the program of delivery.

- 7. No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless an 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.
- 8. No buildings shall be constructed until a validation and verification report for ground gas protection detailing;
 - a) the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the standard CS2 as required in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings);
 - b) 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); and a
 - c) Programme of delivery.

Has been submitted to and approved in writing by the Local Planning Authority. The protected measures and validation shall be implemented in accordance with the approved programme of delivery.

- 9. 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.
- 10. Prior to occupation of the first dwelling, full details of the scheme to protect the proposed dwellings from golf balls emanating and straying from the golf course/driving range to include;
 - a) Details of the proposed mitigation measures;
 - b) Size and location of the mitigation;
 - c) Details of maintenance;
 - d) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented in accordance with the program of delivery.

- 11. Development shall not commence until a Construction Method Statement where applicable, to provide for:
 - a) details of temporary traffic management measures, temporary access, routes and vehicles, accommodation works for layby and recycling facility adjacent to Denwick Lane;
 - b) vehicle cleaning facilities;

- c) the parking of vehicles of site operatives and visitors;
- d) the loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development
- f) measures to control the emission of dust and dirt;

Has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period.

12. Notwithstanding the details provided, no dwelling shall be occupied on the development area unless schemes to provide:
- a) Realignment and widening of carriageway on Hope House Lane, U3124; installation of 'Stop and Go' priority system on Hope House Lane; together with drainage, street lighting, road markings, signage and associated works;
 - b) Widening and resurfacing of existing footway on Hope House Lane and provision of new footway connecting to the existing footway network at Meadow Riggs estate road junction, together with drainage, street lighting and associated works;
 - c) Construction of site access/junction to Hope House Lane, together with associated works;
 - d) Pedestrian connectivity improvements from the site to existing/approved infrastructure on the eastern / south east boundary of the site, together with associated works; and
 - e) Program of delivery.

Have been submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be implemented in accordance with the program of delivery.

13. No development, including demolition works shall be commenced on site or site huts, machinery or materials brought onto the site, before adequate measures have been taken to prevent damage to those trees/hedgerows that are to be retained. Measures to protect those trees/hedgerows must include:
- a) Root Protection Areas for each hedgerow/tree/group of trees must be defined in accordance with BS5837:2012 – Trees in Relation to Design, Demolition and Construction. Recommendations, shown on the site layout drawing and approved by the Local Planning Authority.
 - b) Temporary protective fencing, of a type and form agreed in writing with the Local Planning Authority must be erected around each hedgerow, tree or group of trees. The fencing must be at least 1.25 metres high and erected to encompass the whole of the Root Protection Areas for each hedgerow/tree/group of trees.
 - c) No excavations, site works or trenching shall take place, no soil, waste or deleterious materials shall be deposited and no site huts, vehicles, machinery, fuel, construction materials or equipment shall be sited within the Root Protection Areas for any hedgerow/tree/group of trees without the prior written consent of the Local Planning Authority.
 - d) No burning of any materials shall take place within 10 metres of the furthest extent of any hedgerow or the crown spread of any tree/group of trees to be retained.
 - e) There shall be no alteration of soil levels within the Root Protection Areas of any hedgerow/tree/group of trees to be retained.

14. Prior to occupation of development, details of;
- a) Surface water drainage to manage run-off from private land to the adoptable highway elements of the estate;
 - b) Maintenance details; and
 - c) Programme of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the programme of delivery before the development is occupied and thereafter maintained in accordance with the approved details.

15. Development shall be implemented in line with the drainage scheme contained within the submitted document entitled;

- 'Proposed drainage plan' dated 19/03/18

The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 8904.

16. Prior to commencement of development, details to include;
- a) Measures for the disposal of surface water from the development through the construction phase.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be adhered to throughout the construction phase until such time that the approved surface water drainage scheme (of this permission) has been fully implemented.

17. Prior to commencement of development a scheme to dispose of surface water from the development shall
- a) Restrict discharge from the development to Qbar for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by LLFA and the local planning authority;
 - b) Adhere to the principles as set out in the drainage strategy and drainage drawings from Wardell Armstrong: "Land off Alnwick Castle Golf Course; Residential development" reference 13194 and drawings "Drainage Strategy for residential scheme" Ref N13194T-007 "Drainage Strategy for whole site" Ref N13194T-013;
 - c) Provide attenuation on site for the 1 in 100 year plus climate change event;
 - d) A management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public body or statutory undertaker, or the other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime; and
 - e) Program of delivery.

Shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the program of delivery.

18. Prior to first occupation an assessment into the structural integrity of the proposed SuDS basin shall be undertaken. This assessment shall;
- a) Ensure the structural integrity of the drainage system and any adjacent structures or infrastructure;

- b) Anticipate loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance; c) The pond will be located outside of floodzones 2 and 3 and include mitigation measures to prevent fluvial flood water entry if bordering the floodzones;
- d) Provide long and cross sectional drawings; and
- e) Set out the program of delivery

To be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the program of delivery and retained thereafter.

Richborough Estates