



Appeal Decision

Site visit made on 30 November 2022

by Phillip J G Ware BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2023

Appeal Ref: APP/P2935/W/22/3303503

Burgham Park Golf Club, Burgham, Felton NE65 9QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Cussins (North East) Ltd against the decision of Northumberland County Council.
 - The application Ref 20/02094/FUL, dated 1 July 2020, was refused by notice dated 8 March 2022.
 - The development proposed is the removal of the greenkeepers' compound and the construction of 48 dwellings (including 12 affordable houses), plus the upgrading of the access road, electric substation, SUDs, domestic package treatment works and domestic gas storage.
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Procedural matters

1. This proposal was originally for 56 dwellings. However the application was reduced whilst under consideration by the Council to 48 units. I have considered the proposal on that basis.
2. As a result of policy changes after the Council's decision, the appellant volunteered to increase the amount of affordable housing from 10 to 12 units.¹ The Council's position is that it would have been unreasonable for the authority to request this increase as part of the appeal, but has concluded a bilateral planning obligation which includes the higher figure.
3. After the site visit and the submission of the parties' cases an appeal decision was issued related to adjacent holiday homes.² The parties' views on this decision, which is discussed below, were sought and responses taken into account.

Decision

4. The appeal is allowed and planning permission is granted for the removal of the greenkeepers' compound and the construction of 48 dwellings (including 12 affordable houses), plus the upgrading of the access road, electric substation, SUDs, domestic package treatment works and domestic gas storage at Burgham Park Golf Club, Burgham, Felton NE65 9QP in accordance with the terms of the application, Ref 20/02094/FUL, dated 1 July 2020, subject to the conditions set out in the Annex to this decision.

¹ Policy HOU6 of the Northumberland Local Plan

² APP/P2935/W/22/3303390

Main issues

5. As mentioned above, the matter of affordable housing has been resolved between the parties by the submission of an executed planning obligation. The third reason for refusal, which related to this matter, is no longer being pursued by the authority.
6. The obligation also deals with contributions related to education, health and biodiversity. Accordingly reasons for refusal four, five and six are no longer being pursued.
7. The parties agree that the proposal is inappropriate development in the Green Belt, and that harm to the Green Belt should be afforded substantial weight in line with national policy. On that basis, the issues in dispute are:
 - The effect of the development on the openness of the Green Belt.
 - Whether the site is in a suitable location for new housing with regard to the spatial strategy of the development plan.
 - Whether a fallback position exists and the weight which should be accorded to it.
 - Whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

The site and its surroundings

8. The appeal site comprises two parcels of land totalling around 5 hectares, and comprises two fields separated by trees close to the centre of the golf course. Both areas are largely undeveloped except for the greenkeepers' storage building and hardstanding in the western parcel. Access to the combined area is by way of the golf course access road.
9. The eastern parcel area is reasonably contained by hedges and tree planting. This part of the land contains no structures but benefits from an implemented residential planning consent for 14 executive dwellings (discussed below). The western parcel is also bounded by hedges and tree planting on the perimeter. This land has an implemented permission for 50 holiday homes with 8 having been built to date (these are on land abutting but outside the appeal site, and will be discussed below).
10. The two parcels are bounded on three sides by the golf course itself, and on the fourth (east) side by an existing residential development. The wider area is overwhelmingly rural in nature, although there are some leisure uses identified by the parties.

Relevant planning history

11. The golf club and the appeal site have an extensive planning history, set out uncontroversially in various places – most usefully in the Council's Committee report.

12. As will be referenced below, planning permission has been granted for the expansion of the existing facilities at the golf club. However the key decisions are those which relate to the two parcels of the appeal site. It is agreed by all parties, including the organisation representing the owners/occupiers of the dwellings to the east, that both these permissions have been implemented:
- The western parcel has permission for 50 holiday homes, of which 8 have been constructed. (These are the properties which are outside the current appeal site and are the subject of the aforementioned recent appeal decision.)
 - The eastern parcel has permission for 14 permanent homes, the access to which has been constructed.

Relevant development plan policies

13. The development plan includes the Northumberland Local Plan (NLP) (adopted in 2022) and the Thirston Neighbourhood Development Plan 2020 – 2036 (TNDP) (made in 2021). The NLP was adopted after the Council's consideration of the application but, whilst obviously having full statutory weight and introducing new and amended policies, the adoption of the NLP has not fundamentally changed the issues in this case.
14. The site is located in the Green Belt in the NLP. (This resolves a question which I understand may have previously existed regarding the Green Belt boundary.) NLP policies STP 7 and STP 8 set out the strategic approach to the Green Belt, and reflect national policy. The policies deal with inappropriate development and safeguarding the countryside from encroachment. TNDP policy 2 also reflects national Green Belt policy.
15. In terms of the spatial strategy NLP policy STP 1 sets out the approach to the distribution of development across the county - focusing the majority of new development in the key settlements with smaller scale development allowed elsewhere. In the countryside, such as the appeal site, development will be restricted and only supported if it can be demonstrated that certain criteria can be met. These criteria refer, amongst other matters, to the expansion of existing businesses and support for rural tourism and leisure developments. (I will return to the potential relevance of this below.) TNDP policy 2 states that outside defined settlements, residential development will only be allowed where it complies with other policies.
16. In terms of affordable housing provision, as referenced above, NLP policy HOU 6 has increased the affordable housing requirement. Also, as set out above, this has been met by the submitted obligation.
17. The Council has also suggested that NLP policy HOU 3 (minimum housing requirements), HOU 7 (exception sites) and HOU 8 (isolated residential development) are breached. However these matters are not referenced in the reasons for refusal and do not directly bear on the issues in this case.

Green Belt policy

18. Green Belt policy is a most important issue in this appeal. The brevity of this section reflects the extent of the agreement between the parties, and does not reflect a diminution of the importance of the issue.

19. The proposed housing scheme is clearly inappropriate development in the Green Belt in terms of national and local policy. It is clear that such development should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt – and this includes ‘definitional harm.’ There would also be an effect on the openness of the Green Belt in both spatial and visual terms – brought about by the change from largely open land to a housing development. In terms of safeguarding the countryside from encroachment, it is also clear that the proposal would harm one of the purposes of designating Green Belts.
20. Overall, the definitional harm to the Green Belt, to which must be added the harm to openness and to one of the purposes of including land in the Green Belt, is a matter to which I give substantial weight. It would conflict with the relevant development plan policies summarised above.

The spatial strategy

21. There is no dispute that the appeal site is in the open countryside beyond settlement limits. The closest village is Longhorsley, around 3kms west of the site, and others at a slightly greater distance which are located east of the A1 (itself just under 1kms distant). Although there is a small residential enclave at the golf club, there are no facilities within that development, nor are there any at the golf club itself - aside obviously from the leisure use.
22. In that light there is an in principle objection to the proposal in relation to the broad spatial strategy of the development plan. I will return to the question of the fallback position later, but there are also some matters which, it is argued, reduce the effect of the policy conflict in principle.
23. Whilst the Council has accepted that residents of the proposed development are likely to use services in the surrounding villages, there is an issue related to the likely mode of transport. The appellant contends that the site is a sustainable location for local services and facilities, including those in Longhorsley, and that these are accessible from the site by non-car modes within industry-established acceptable distances.
24. I have no statistical evidence from the Council to counter this position. However the surrounding roads – especially that leading to the A1 and Longhorsley - have no footways and very limited lighting. For that reason, although I appreciate that walking or cycling to services is a possibility, I consider that the extent to which this would happen in practice is limited and that there is likely to be an over-reliance on private vehicles to access services and facilities. This argument by the appellant does not diminish the weight which I give to the fundamental policy conflict.
25. I will return below to the issue of the extent to which the proposal might support existing businesses and tourism/leisure developments. However at this stage it is worth noting that I do not consider that any of the potential exceptions to the general policy restraint apply in this case.
26. For these reasons, I conclude that the site is not in a suitable location for new housing with regard to the spatial strategy of the development plan. It therefore conflicts with NLP policy STP 1 and TNDP policy 2, which seek to direct development to locations where it can support and benefit from the use of existing local infrastructure and facilities.

Fallback – likelihood

27. In this case all parties agree that the planning permissions affecting the two parts of the current appeal site have been implemented. Given the existence of these permissions I will first consider whether there is a greater than theoretical possibility that these developments will take place. If there is such a possibility, or greater, then I will consider if the fallback would be significantly more harmful than the appeal scheme or whether the effect would be similar or less harmful in terms of Green Belt and spatial strategy issues.
28. Both of the extant permissions have been implemented and, especially in the case of the holiday home development of 8 units, considerable expense has been incurred. It is agreed that there are no planning or legal impediments to prevent the remainder of the developments being implemented. The appellant has stated that there has been a delay due to the pandemic and, whilst this may well be part of the explanation, I am not convinced that it wholly explains the delay.
29. If the current appeal were dismissed there are obviously a number of options open to the landowner and to the appellant – one of which would be to complete the approved developments. The landowner has stated that this would be the intention, and viability evidence has been submitted to suggest that this would be a realistic option. In addition, there are a number of references, in more general terms, to the demand for houses in the area.
30. Although I am conscious that residents of the development to the east have stated that there is no realistic prospect of the fallback position being delivered, there is no persuasive evidence to support this position.
31. Whilst I do not go as far as the appellant, who has stated that there is a high degree of certainty that the fallback position will be delivered in the event that this appeal is not allowed, that is not the test. I consider that there is more than a theoretical possibility, namely that there is a real possibility, of the consented schemes being built out. There is therefore a genuine fallback position in this case.

Fallback – Green Belt issues

32. I turn first to the consequences of this fallback position in relation to the Green Belt and the effect on openness/encroachment. The appellant has put forward figures showing a 5% reduction in the footprint of the development if the fallback position were to go ahead as opposed to the appeal scheme, and a 19.6% reduction in volume. (If the garages were excluded this figure is 28%.) The Council's position is that these reductions were not considered by Councillors to comprise a very special circumstance for allowing inappropriate development in the Green Belt.
33. Although these figures are only a start point, they are they only statistics before me. That said, I appreciate that the assessment of the impact of the fallback and current schemes is not a simple mathematical exercise. It involves land use issues and the pattern of development, amongst other matters.
34. The Council's position is that Councillors considered that the appeal scheme spreads further across the site, and would be more harmful to the openness and purposes of the Green Belt than the fallback scheme. I have to disagree.

In either case, bearing in mind that the approved holiday homes appear to all intents and purposes as permanent dwellings, both the fallback position and the current proposal would occupy the majority of the appeal site. However the current proposal would be an improvement on the approved scheme in that the development would be pulled back further from the boundaries, especially due to the rerouting of the road in the eastern parcel. In addition the current proposal incorporates larger areas of open space – particularly the western and central greens. I appreciate that domestic paraphernalia in garden spaces can increase the effect on openness – although to a very limited degree. However this would be offset by the current suggested condition limiting permitted development rights.

35. Overall, I conclude that the fallback schemes would cause greater harm to the Green Belt.

Fallback – spatial strategy

36. I have already concluded that the site is not in a suitable location for new housing with regard to the spatial strategy of the development plan. In my view there is a fundamental policy conflict caused by both the appeal scheme and, though they are obviously not before me for determination, the fallback proposals. The question is whether the fallback schemes are better, worse or the same in these terms than the appeal scheme.
37. The appellants have submitted survey data at existing well established sites in the local area which they claim to be comparable to the appeal location. The professional opinion submitted with this data states that the appeal proposal would generate fewer vehicles than the consented fallback schemes. The Council has criticised the extent to which the appellant's sites are genuinely comparable, but has only done so in very general terms, and not submitted any other data. Nor has any professional highway evidence been submitted by the Council.
38. I can understand the Council's criticism of the appellant's comparables, but in my experience other sites are very rarely exactly comparable, and in this case I do not consider the Council's general criticism to be enough to strike them out. The evidence and professional opinion in relation to this topic is heavily weighted in favour of the appellants and, in the absence of anything more from the Council, I consider the appeal scheme would more closely align with the objective of national policy which is to reduce private car journeys. The fallback position would cause greater harm to the spatial strategy.

Fallback – conclusion

39. The consented fallback schemes would not, leaving aside other material considerations, accord with local or national policy related to the main issues in this case. However a genuine fallback position exists and I have concluded that, in relation to both Green Belt and spatial strategy issues, those developments would result in more harm than the appeal scheme. I give this position substantial weight.

Other matters

40. I understand that the county has reached its housing target. However at both the local and national level it is clear that this is not a ceiling, and that there is a continuing demand for accommodation. Although outwardly similar, there is

a clear difference between holiday accommodation and permanent dwellings. In addition the appeal proposal is policy compliant in relation to the provision of affordable housing. I give the provision of permanent housing moderate weight.

41. There is also an economic benefit in relation to construction jobs and the increased spend in the local area. However nothing has been put before me to quantify that matter. Nevertheless the economic benefits of the appeal scheme do attract some very limited weight.
42. The current appeal is stated to provide a greater financial return to the landowner compared to the fallback position. However I do not have data to support this. The appeal proposal is not being put before me as enabling development, however it has been stated that the proceeds of the land sale would fund the approved improvements to the club. There is no mechanism before me to ensure that would happen, and I cannot give this matter any weight.
43. There have been several development proposals at the wider Burgham Park Golf Club site, aimed at securing its future. Whilst I acknowledge that the Framework seeks to build and support a competitive economy and prosperous rural economy, there is no substantive evidence or mechanism before me which would explain how the proposed development would reinvest in the golf club, and provide benefits to the tourist related economy.
44. Finally I have already referred to the appeal decision related to the change of use of the constructed holiday homes adjacent to the western parcel of the current appeal site. In that case the Inspector dismissed the proposed conversion of the properties to permanent residential accommodation. However I do not know what evidence was submitted in that case, and most tellingly any fallback position would have presumably been the continuation of the approved use of the dwellings as holiday homes. That is very different to the position before me.

Conditions and planning obligation

45. The conditions set out below, and the reasons for each condition, have been agreed by the parties. Aside from minor typographical changes and amendments in the light of national guidance, I agree with the conditions, which are necessary in the light of local and national policy.
46. The s106 bilateral obligation, as referenced above, covers a number of matters. In the light of NLP policy HOU 6 the obligation provides for a policy compliant level of affordable dwellings. It also, in line with NLP policy INF 6, it deals with contributions towards education, health facilities and biodiversity. I am satisfied that these provisions are necessary to make the development acceptable in planning terms. The Obligation meets the policy in the National Planning Policy Framework and the tests in the Community Infrastructure Levy Regulations.

Planning balance and conclusion

47. Although I have found that the proposal is not in accord with Green Belt and spatial policy, there is a fallback position in this case to which I attach considerable weight and which would lead to greater harm than the appeal scheme. This clearly outweighs the policy conflict.

48. For the reasons given above I conclude that the appeal should be allowed.

P. J. G. Ware
Inspector

Richborough Estates

Annex – Conditions

Burgham Park Gold Club, Burgham, Felton, NE65 9QP

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on the following plans and documents:

Planning Layout 2006.01 Rev Q
Planning Layout Coloured 2006.01 Rev Q
Location Plan 2006.02 A
Proposed External Materials Plan 2006.03 Rev H
Street Scenes 2006.04 Rev E
Design and Access Statement – Version 5
Tree Survey Plan - Figure 2 862-02 -
Tree Constraints Plan Figure 3 62-03 -
Tree Protection Plan - Figure 4 862-04 - D
Planting and Management Plan 862-06 - E
Tree Survey Report 862 R02
Design Rationale Document - 6
Easement Plan 2006.EP D
Swept Path Analysis 137-CUS-SPA-001 P2
Flood Risk Assessment and Drainage Strategy 20011-01-FRA&DS P4 dated 26th October
Addendum to Flood Risk Assessment and Drainage Strategy: 27 October 20011-R1-FRA -
SUDS Sections 20011 – DS11 P1
Drainage Strategy 2011 – DS01 P6
Sections to Proposed Bund 20011 – 222 P1
Sections to Proposed Ditch 20011 – 221 P2
Contributing Area to Proposed Culvert 20011 – 202 P1
Proposed Levels Sheet 1 20011 – 01 P5
Proposed Levels Sheet 2 20011 – 02 P5
Proposed Levels Sheet 3 20011 – 03 P5
Proposed Levels Sheet 4 20011 – 04 P5
Access Road Proposed Drainage Sheet 1021 P1
Access Road Proposed Drainage Sheet 2 1022 P1
Access Road Proposed Drainage Sheet 3 1023 P1
Watercourse Survey 1927 V2
Bulk Earthworks As Shown PRELIMINARY 20011 91 P4
Details of sewerage treatment plant (14 documents) uploaded 5/1/22, as received 22/12/21
Access Road Proposed Levels Sheet 1 1:200 PRELIMINARY 20011 1011 P1
Access Road Proposed Levels Sheet 2 1:200 PRELIMINARY 20011 1012 P1
Access Road Proposed Levels Sheet 3 1:200 PRELIMINARY 20011 1013 P1
Overland Flow Paths Proposed 1:500 PRELIMINARY 20011 211 P3

Burgham - Traffic Calming proposal 21 12 21 2006.01 N
Single Garage 2006.G.01
Double Garage 2006.G.03
Daisy- 2006.h301.01 - A
Lily - H402 2006.H402.AS -Rev B; H402 2006.H402.OP -Rev B
Jasmine H404 2006.H404.AS - Rev B; H404 2006.H404.OP - Rev B
Lavender H405 2006.H405.AS - A; H405 2006.H405.OP - A
Orchid H501 2006.H501.AS - H501 2006.H501.OP -
Violet H502 2006.H502.01 - A; H502 2006.H502.02 - A; H502
2006.H502.03 - A; H502 2006.H502.04 - A
Rose H504 2006.H504.AS - A; H504 2006.H504.OP - A
Proposed Substation Plan and Elevation CUS-137-SS01 P1

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

3. Construction work or deliveries associated with the development hereby approved shall only take place between the hours of 0800 to 1800 hours Monday to Friday and 0800 to 1300 Saturday, with no activity on Sundays or Bank Holidays.

Reason: In the interests of amenity of nearby and new residents.

4. Notwithstanding the description of the materials in the application or on any plans, prior to the construction of any external elevations above damp proof course level, a schedule of the materials to be used on the external elevations (including walls, roofs, windows) of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: In the interest of the appearance of the development.

5. No landscaping works shall commence until a detailed landscaping scheme, showing both hard and soft landscaping proposals (the detailed landscape planting plan must include the planting of locally native trees and shrubs) has been submitted to and approved in writing by the Local Planning Authority. This shall include a replacement tree planting schedule showing type and location of replacement trees and a fully detailed planting schedule setting out species, numbers, densities and locations, the provision of screen walls or fences, the mounding of earth, the creation of an area of hardstanding, pathways etc., areas to be seeded with grass and other works or proposals for improving the appearance of the development. The scheme shall be carried out in accordance with the approved drawings before the end of the year in which the development starts, or within such other time as may be agreed with the Local Planning Authority in writing beforehand. The landscaped areas shall be subsequently maintained to ensure rapid and complete establishment of the agreed scheme, including watering, weeding and the replacement of any plants which fail.

Reason: To ensure an appropriate landscaping scheme is implemented and maintained in the interests of the appearance of the development.

6. Before the occupation of any dwelling full details regarding the location and specification of an onsite play area and a timetable for its provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the play area shall be implemented in full accordance with the approved timetable, and it shall be maintained so it does not all within a state of disrepair.

Reason: To achieve appropriate provision for on-site play provision.

7. No removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.

Reason: To protect nesting birds,

8. All garden boundary fences or walls will include a gap at the base measuring a minimum 13cm x 13cm to allow continued access through the site for hedgehog.

Reason: To maintain the population of a priority species.

9. All trees and hedgerows not identified to be removed shall be protected throughout construction against potential damage by barrier fencing and/or ground protection, before any materials or machinery are brought onto the site, and before any development or stripping of soil commences, in accordance with the recommendations in the approved tree report and tree protection plan and BS5837: 2012, 'Trees in Relation to Design, Demolition and Construction.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

10. All trees and hedgerows close to the eastern boundary of the site, which fall within the boundary of the houses at Burgham Park but could still be impacted upon by the development, shall also be protected throughout construction against potential damage by barrier fencing and/or ground protection sited in the application site, before any materials or machinery are brought onto the site, and before any development or stripping of soil commences, in accordance with BS5837: 2012, 'Trees in Relation to Design, Demolition and Construction.

Reason: To maintain and protect the existing landscape.

11. No dwelling hereby approved shall be occupied unless and until a detailed Open Space Management and Maintenance Scheme for the maintenance and management of all areas of open space (excluding private gardens) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full upon the substantial completion of the landscaping works. Details to be submitted shall include;

- Details of landscape management and maintenance plans
- Details of planting, grass cutting, weeding and pruning
- Inspection, repair and maintenance of all hard landscaping and structures
- Management, monitoring and operational restrictions
- Maintenance and planting replacement programme for the establishment period of landscaping
- Establish a procedure that would be implemented in the event of any tree (or item of soft landscaping) being removed, uprooted/ destroyed or dying which shall ensure that any soft landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with soft landscaping of a similar size and species to that which it is replacing.

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

Reason: To ensure appropriate maintenance and management of open space.

12. Any trees or hedges not identified for removal shall not be removed.

Reason: To maintain and protect the existing landscape and biodiversity.

13. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any subsequent Order amending, revoking or re-enacting that Order), no extensions, porches, dormer windows, roof lights or free standing buildings or structures shall be added to or constructed within the curtilage of the dwelling house hereby permitted without the prior grant of planning permission from the Local Planning Authority.

Reason: To protect the openness of the Green Belt.

14. Prior to the construction of any external elevations above damp proof course level, full details of the solar panels and solar heat boosters to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with these approved details for each house before it is occupied.

Reason: To help promote sustainable development.

15. Every house or parking area for that house, shall have an electric vehicle charging point.

Reason: To help promote sustainable development and in the interests of reducing carbon emissions.

17. All felling operations shall be implemented in accordance with both BS 3998: 'Recommendations for Tree Work' and the 'Guide to Good Climbing Practice' 2005 Edition, Arboricultural Association

Reason: To maintain and protect the existing landscape and biodiversity.

18. If during redevelopment contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority – the written method statement must be written by a competent person. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition. "Competent Person" has the same definition as defined within the National Planning Policy Framework (NPPF) 2019.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised.

19. No building shall be constructed above damp proof course level 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 aforementioned report must also detail to the Local Planning Authority's satisfaction how the annulus of service ducts will be sealed to prevent gas ingress into the living space of the dwelling. Furthermore, 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 health & amenity of the occupants of the properties.

20. No building shall be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 19 which has been approved in writing by the LPA.

Reason: In order to protect the amenity of the occupants of the properties.

21. A programme of archaeological work is required in accordance with NCC in accordance with the following requirements:

- Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 01/10/11). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.
- No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.
- The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason. The site is of archaeological interest.

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

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

23. Prior to first occupation details of the new culvert and associated headwalls shall be submitted to and agreed with the Local Planning Authority and be implemented forthwith in perpetuity.

Reason: To minimise the risk of flooding.

24. 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.

25. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer, or a suitably qualified professional must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems for the dwelling to be occupied 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; and
- Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non technical standards.

26. Development work likely to affect great crested newts shall not in any circumstances commence unless the local planning authority has been provided with either: a) licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or b) a copy of the countersigned District Level Licencing agreement with Natural England (Impact Assessment and Conservation Payment Certificate document); or c) written justification by a suitably qualified ecologist confirming why a licence is no longer required.'

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

27. Prior to the first occupation of the approved development, a Car Park Management Plan shall be submitted to the Local Planning Authority for approval in writing. The plan should describe how parking will be distributed and managed on the site and the location of On-Street electric vehicle charging points.

Reason: To ensure suitable arrangements for car parking as part of the development.

28. No dwelling shall be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before each dwelling is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development.

29. Prior to occupation details of Electric Vehicle Charging shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is occupied. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of sustainable development.

30. Development shall not commence until a Construction Method Statement, together with a supporting plan 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. The Construction Method Statement and plan shall, where applicable, provide for:
- details of temporary traffic management measures, temporary access, routes and vehicles;
 - vehicle cleaning facilities;
 - the parking of vehicles of site operatives and visitors; iv. the loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development.

Reason: To prevent nuisance to local residents and in the interests of highway safety.

31. The development shall not be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.

Reason: To ensure sufficient and suitable facilities are provided for the storage and collection of household waste.

32. Notwithstanding any approved details, before the foul drainage system (package treatment plant) is installed, details of the chemical dosing agent to be used in the package treatment plant, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Natural England. The selected chemical should be assessed to have no significant ecological impact. The development shall then be carried out in accordance with these agreed details and at all times.

Reason: In order to reduce ecological impacts resulting from the chemical being released into the watercourse.

33. The selected package treatment system should be installed and managed as set out in the supplied documents, as listed in the approved plans (condition 2) including the guidelines for the system, environment protection measures, monitoring and maintenance requirements. Evidence of a service contract with a certified maintenance provider must be submitted to and approved by the Local Planning Authority prior to first occupation of the development to ensure the long-term efficiency of the proposed system.

Reason: In order to reduce ecological impacts from the use of the package treatment plant.

34. Prior to first use of the package treatment system a monitoring plan for the receiving watercourse to ensure that the effects are as predicted in the 'Watercourse Survey' by OS Ecology Ltd dated December 2021 and are not likely to impact on the River Coquet SSSI, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Natural England. The development shall then be carried out in full accordance with these agreed details and at all times.

Reason: In order to reduce ecological impacts from the use of the package treatment plant on the natural environment and statutory nature conservation sites.

35. Prior to the commencement of development details of screening to be located along the eastern boundary of the site and around the homes, shall be submitted to and approved in writing with the Local Planning Authority. The screening shall then be erected in accordance with these approved details during any time any works are being carried out around that area.

Reason: To protect residential amenity.

36. All ecological measures and/or works shall be carried out in accordance with the details contained in the Planting and Management Plan (DWG. No. 862-06 E, AJT Environmental Consultants dated 30/06/20)

Reason: To provide mitigation and enhancement for biodiversity.