

**DARLINGTON BOROUGH COUNCIL**

**PLANNING APPLICATIONS COMMITTEE**

**COMMITTEE DATE: 7 December 2022**

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**APPLICATION REF. NO:** 22/00135/FUL

**STATUTORY DECISION DATE:** 9<sup>th</sup> June 2022

**WARD/PARISH:** SADBERGE AND MIDDLETON ST GEORGE

**LOCATION:** West Newbiggin Farm Norton Back Lane  
SADBERGE DARLINGTON DL2 1SU

**DESCRIPTION:** Conversion, alteration and extensions of existing agricultural buildings to form 9 no. dwellings (2 no. 3 bed, 5 no. 4 bed, 2 no. 5 bed) including demolition of former piggeries and outbuildings, erection of 3 no. detached garage blocks, formation of hardstanding, landscaping and other associated works (Revised Scheme) (Additional LLFA info received 27th April 2022) (Nitrate assessment received 28th April 2022) (Amended remediation strategy received 4th May 2022)

**APPLICANT:** MR P TWIZELL

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**RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS** (see details below)

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**Application documents including application forms, submitted plans, supporting technical information, consultations responses and representations received, and other background papers are available on the Darlington Borough Council website via the following link:**  
<https://publicaccess.darlington.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R75CI6FPKW300>

**APPLICATION AND SITE DESCRIPTION**

1. West Newbiggin is a hamlet consisting of a range of dwellings and agricultural buildings. The application site lies 1.5km to the north east of Sadberge and is located off a minor road off Norton/Darlington Back Lane. The minor road has been recently upgraded with passing places put in by the applicant as part of planning conditions imposed on earlier applications

for the redevelopment of the site. There is a small watercourse to the north east of the site that runs into Billingham Beck.

2. West Newbiggin Farm is sited in the middle of the hamlet and consists of a mixture of agricultural sheds and a dwelling adjacent to the road. The site is located at the south western edge of the farm, away from regular farm activity. Present farming operations are concerned principally with high-end free-range egg production which takes place at a new base of operations created to the south east of the original farm complex in a modern housing and packing building.
3. The application site itself is part of the original farm complex which contains a mix of old agricultural buildings and the remains of more modern concrete buildings and structures last associated with the rearing of pigs on the farm. Given the move to free range egg production, these buildings now serve no practical agricultural purpose on the holding.
4. The site has been the subject of several previous applications for the conversion of the buildings, the details of which are contained within the following section of this report. The latest is 20/00636/FUL which was approved in March 2021. This included the following:
  - a variety of units based on the layouts of the existing buildings, including two 5 bedroomed units, three 4-bedroom units, two 3 bedroomed units and two 2-bedroom units.
  - Limited changes to the exterior of the majority of the buildings with window and door openings modelled largely to ensure the character of the building is not significantly altered.
  - The removal of the remains of the modern pig farming residuary, including the remains of pens, holding facilities, and loading ramps, including a significant amount of impervious concrete surfacing left from previous operations on the site.
  - Allocated parking for each new dwelling.
  - Associated landscaping.
5. This application seeks a revised scheme of the above permission. The application states that:

*‘The scheme provides the same number of dwellings but seeks to make greater use of outbuildings that were previously to have been demolished. Minor revisions are proposed to the surface water drainage scheme and additional information has now been included to cover matters that would have previously been covered by conditions, including design details and preliminary archaeology for the site’.*
6. The main changes are as follows:
  - The reduction in dwellings provided in the ‘main building’ from four to three (to provide units two, three and four) and the renumbering of the remaining units;
  - The conversion of a former piggery to the south of the site to a four-bed dwelling with rooms within the roof instead of garages;

- The extension of unit five (detached part of the main building group) to create an additional bedroom and an extended living area.
7. Also submitted as part of the application is additional detailing in respect of landscaping, passing places, archaeology and drainage, in order to address matters dealt with by conditions under the previous permission.

### **MAIN PLANNING ISSUES**

8. An extant planning permission is in place for the conversion of existing farm buildings to nine dwellings (07/01151/FUL), with conditions discharged and works carried out to implement the permission. The buildings have therefore previously been considered to be a sustainable re-use of buildings and this remains a fallback position. The relevant issues to be considered in the determination of this application are:
- (a) Impact on non-designated heritage assets.
  - (b) Impact on visual and residential amenity.
  - (c) Land contamination.
  - (d) Highway safety.
  - (e) Flooding and Drainage.
  - (f) Impact on ecology
  - (g) Nutrient Neutrality.

### **PLANNING POLICIES**

9. The proposal is outside of the development limits as identified as part of Policy H3 and therefore policy H7 is relevant. This seeks to limit new dwellings in the open countryside except in certain circumstances, one being where the development would re-use redundant or disused buildings and enhance its immediate setting. Whilst the previous application was approved under the old Local Plan, the requirements of H7 are very similar to those set out in the previous plan with the added requirement that it must enhance its immediate setting. It should also be noted that there is a fallback position for the development of the buildings for housing in terms of the 2007 permission which was lawfully commenced and it therefore extant. The consented 2020 scheme, which is very similar to the current proposal, was considered to provide enhancements to the site and therefore the proposal is considered to be acceptable in principle subject to consideration against the other relevant policies in the plan, which require:
- Proposals must demonstrate that the principles of good design have been followed against a set of criteria including that the proposal must reflect the local environment including layout and landscaping being developed to complement and enhance the ecological function of the local area, that the detailed design responds to the local context, the layout maximises opportunities for natural surveillance. Proposals must provide suitable access, parking and servicing. Every new dwelling which has a garage or dedicated marked out parking space within its curtilage must include an electric socket suitable for charging electric vehicles (Policy DC1 and IN4);

- All developments will be expected to be designed to mitigate and adapt to climate change (Policy DC2). The policy includes a set of criteria regarding flooding and drainage;
- On land affected by contamination, the applicant must demonstrate that the site is suitable for the proposed use and development will not result in unacceptable risks to human health or the environment; that new developments that could have an impact on pollution, should have mitigation impacts in place, not to have a negative impact on its surroundings new developments to safeguard the amenity of existing users of neighbouring land (Policy DC1 and DC4);
- Proposals which remove or harm the significance of non-designated heritage assets will only be permitted where the benefit is considered to outweigh the harm. Proposals should seek to avoid harm to those features, including setting, which contribute to the significance of a non-designated heritage asset through measures such as good design (Policy ENV1);
- (the character and distinctiveness of the rural area will be protected and improved by) protecting and enhancing the natural quality of the rural landscape, where appropriate reinstating traditional natural and built features (Policy ENV3);
- Developments will be expected to minimise the impact on, and provide net gains for, biodiversity, including establishing coherent and resilient ecological networks (Policy ENV7) with the relevant measures that should be applied for assessing this set out in Policy ENV8.

## **RESULTS OF TECHNICAL CONSULTATION**

10. No objections in principle have been raised by the Council's Highway Engineer and Environmental Health Officer, the Historic Environment Record Officer, or the Local Lead Flood Authority, subject to conditions. The Environment Agency has also raised no objections to the proposed development.

## **RESULTS OF PUBLICITY AND NOTIFICATION**

11. East and West Newbiggin Parish Meeting has objected to the application on the following grounds:

- Site is outside of development limits.
- Offers no affordable housing or Section 106 monies.
- Road unsuitable for increase in traffic.
- The agricultural field which runs alongside the narrow road has recently been ploughed in such a way that a dangerous drop of several feet exists to the side of the road and this drop is liable to cause damage to any car, passengers or pedestrians that inadvertently come off the road and land in the field. Cars have come off this road many times over the years.
- There has already been a heavy increase in the traffic on the Road since the original application in 2007 following the subsequent approval of a Commercial Chicken Farm which means that already additional Lorries and delivery wagons and cars are visiting

the farm and the road is under constant use and repair and will cause disturbance to any occupants of the new properties;

- Access on to Norton Back Lane from West Newbiggin still remains hazardous and any additional traffic from the proposed new housing site will primarily need to go through the village of Sadberge which will not be welcomed.
- Disposal of both surface and foul water remains a problem as there is no mains drainage and climate change continues to enhance the flood risk, individual residents have submitted pictures of flooding on the proposed site which need to be given due consideration.

12. Three individual objections have been received from residents, and these raise the following issues:

- Experience of flooding in the area and no satisfactory plans for foul or surface water drainage within the proposals;
- As a result of a condition in the previous planning approval, passing places were put on the single-track lane. This has resulted in use of the track by people outside of the settlement;
- Increase in traffic, highway safety issues;
- Noise, dirt and disruption during construction;
- Potential of contamination of surface and waste water by nutrients;

## **PLANNING ISSUES/ANALYSIS**

### **(a) Impact on non-designated heritage assets**

13. The farm steading appears on the 1st edition OS map c. 1860 as a large complex of courtyard buildings with a clearly visible gin-gang on the south elevation. Due east of the farmstead is a feature noted as a "moat" on the OS from the 1st edition onwards (Durham HER H206, H207). It is possible that West Newbiggin farm is all that remains of a Medieval village. The Durham and Darlington Historic Landscape Characterisation (HLC) records the land around West Newbiggin as a former nucleated Medieval village.
14. It is unlikely that the brick-built farm and associated buildings is Medieval in date; however, the layout of the farm suggests that it is most likely 18th century - early 19th century in date. This was a period of incredible development in agricultural techniques to improve output, including the mechanisation of activities previously done by hand/animal power. Wealthy landowners invested heavily in these new techniques, adding gin-gangs, tramways, and other steam operated machinery to their farms. They rebuilt / re-organised them into the E-, or U-shaped courtyard arrangements that we often see remaining today.
15. The Historic Environment Record Officer considers that West Newbiggin was clearly a high-status farm and supports its conversion. Conditions attached to the previous permission (20/00636/FUL) required submission and agreement of details of building recording, so that

a record is made of the farm buildings before they are converted to residential use, and associated archiving carried out.

16. The application has now submitted a Written Scheme of Investigation to set out the process to be taken in the building recording and this has been agreed by the Historic Environment Record Officer. As the requirements of this previous condition in terms of submission and agreement of a WSI are now met, it is recommended that a planning condition be attached to any approval to require compliance with the WSI, and provision for archiving. Subject to this the proposal complies with Policy ENV1 in this regard.

**(b) Impact on Visual and Residential Amenity**

17. The development, being the conversion of existing buildings, will have limited impact on the visual amenities of the locality beyond site level, the buildings being in situ and visually related to buildings already located in this hamlet.
18. At site-level, they involve the retention of a group of interesting and varied buildings, all associated with the agricultural history of the site, all of which are verified as being structurally capable of conversion through submitted technical reports. Overall, the proposal, which seeks to bring together a comprehensive development of the site, will be a large improvement to the scheme granted in 2007 in terms of the visual relationship between buildings.
19. The majority of the development involves only limited changes to the exterior of buildings with window and door openings arranged to ensure that the character of the building is not significantly altered. The additional extensions to unit 5 are in keeping with the building in terms of scale, design and appearance. In the case of all units, the agricultural origins of the buildings are apparent in the design of the dwellings, which is considered a positive element of the overall scheme.
20. In addition, the re-development of the site will see the removal of the remains of the some of the modern pig farming elements, including the remains of pens, holding facilities and loading ramps, including a significant amount concrete surfacing which remains from the previous operations on the site. As a result, the scheme will result in a significant enhancement to the immediate setting of the buildings to be converted, which accords with the requirements of paragraph 80 of the NPPF.
21. Planning conditions were recommended to the 2020 permission to secure submission and agreement of details of external treatments, flues, vents and meter boxes, boundary treatment, and hard and soft landscaping. With the exception of windows and boundary treatment, the majority of these details have now been provided and are considered acceptable and in keeping with the character of the existing buildings and the overall site. It is recommended that final details of doors are required within the remaining condition as details of windows in terms of their construction, reveal and material, have not yet been agreed, and this detail is closely related. The landscaping scheme will further enhance the appearance of the site and consists of native hedgerow planting, shrubs and a total of 44

No. trees, grassland and wildflower grass planting. A planning condition is recommended to secure implementation of this, in accordance with the details submitted. Subject to this and the requirement for details of boundary treatment and windows and doors, the proposal accords with Policy DC1 and ENV1 in this regard.

22. The spacious nature of the development, dictated by the existing buildings, ensures that there is an acceptable level of residential amenity for occupiers of the proposed scheme, as well as the occupiers of existing dwellings.
23. It is noted that the development will result in increased vehicular movements, however any noise arising from additional vehicular movements on this existing road will not be so significant as to justify refusal of planning permission on those grounds. In addition, whilst it is noted that there will be some disruption to residents during implementation of any scheme, which can be addressed through the requirement for submission and agreement of a Construction Management Plan and the standard restriction on construction hours, the scheme once completed will represent a more stable land-use for this range of vacant buildings.
24. A free-range poultry unit is situated some 150m to the south east of the application site (08/00857/FUL). This facility was granted after the 2007 residential conversion approval and the impact on residents, including the extant planning permission for the conversion of the subject buildings, was considered in determining the application. At the time the Environmental Health Officer did not consider that the proposed facility would raise amenity issues subject to being managed effectively, and as such a planning condition was imposed to deal with the management of odours and emissions. The Environmental Health Officer has raised no concerns in respect of the impact of the facility on the residential amenity of the occupiers of the converted buildings in the context of this current application.
25. Overall, subject to the compliance with the submitted Construction Management Plan and the standard restriction on hours of construction, the proposal is considered to be acceptable in respect of its impact on the residential amenity of existing and future occupiers and complies with Policy DC4 in this regard.

**(c) Land contamination**

26. The 2020 application was submitted together with a combined phase 1 and phase 2 (desktop study and site investigation) report prepared by Dunelm Geotechnical and Environmental dated September 2020. This report refers to a previous site investigation, also completed by Dunelm back in 2010, when a similar housing development application was submitted at the site. A copy of that 2010 report has also now been submitted in support of this application. Also submitted with the application is a letter report from 2010 on ground gas. This letter report has concluded that ground gas protection measures are not required as part of the development.

27. The results have shown that only very low levels of ground gas have been detected with minimal flow of gas. No viable source of ground gas to generate flow has been identified in the desk top study or site investigation. In this scenario the Environmental Health Officer accepts the conclusions of this report which have been repeated in the 2020 report that no specific gas protection measures are required as part of the development.
28. The reports have also identified that due to the past agricultural uses of the site chemical and physical contamination has been found. This includes elevated levels of asbestos (likely from the building materials used on site), lead and TPH exceedances.
29. This revised application includes revisions to the Remediation Strategy, and this makes clear that the hydrocarbon impacted soils identified will be removed from the site. As a result, the Environmental Health Officer is satisfied that should the application be approved, standard contaminated land planning conditions CL5 and CL6 be attached. These deal with construction / remediation works, implementation of the remediation strategy and Phase four verification works. Subject to these conditions, the proposal complies with policy DL1 and DC4 in this regard.

**(d) Highway Safety**

30. This new application is essentially a resubmission of the previous application, with the same number of dwellings proposed with very minor alterations to the design, the use of additional outbuildings previously to have been demolished and with additional design details accompanying the application. As such highway consultee comments remain largely the same as the previous application, which are that the proposal is acceptable on highway grounds and the minor intensification of use can be mitigated by the provision of an additional passing place to the access road.
31. This detail has been provided in support of this current application and a plan provided to show an additional passing place. The Highways Engineer has confirmed that the proposed additional passing place is logically placed and offers equidistant spacing from existing passing places. As such, the Highways Engineer is satisfied that the single passing place proposed would be sufficient, given that all passing places are now located at regular intervals. A planning condition is recommended to secure implementation of this prior to occupation.
32. Parking across the site is in line with Tees Valley Design Guide standards and therefore unlikely to cause any highway or neighbour amenity concerns through overspill parking or obstruction. Some dwellings are located a considerable distance from the adopted highway, therefore a bin store is provided within the maximum 25m walking distance of the highway for roadside collection. The internal layout of the site is sufficient to enable access by emergency vehicles including a fire appliance as the internal driveway is sufficient for a vehicle to get to within 45m of dwelling entrances.
33. In light of the new Local Plan, there is an additional requirement for an electric charging point to be installed prior to occupation for every new residential property which has a



garage or a dedicated parking space within its curtilage. As such it is recommended that a planning condition is included to secure submission and agreement of details and subsequent implementation of this.

34. Overall, given that the principle of the residential conversions is already well established as part of an earlier consent, and the limited additional traffic generation, the Highways Engineer has raised no objections to the proposal subject to the condition specified above, together with a planning condition requiring compliance with the submitted Construction Management Plan. Also recommended is a planning condition in respect of the provision of EV charging points. Subject to this, the proposal complies with policy DC1 and IN4 in this regard.

**(e) Flooding and Drainage**

35. The site lies within Flood Zone 1 and is not at risk of fluvial flooding (flooding by rivers or water courses). A Flood Risk Assessment and Drainage Strategy undertaken by RAB Consultants (October 2020) to demonstrate that the development is safe from flooding and will not increase the risk of flooding elsewhere was submitted in support of the 2020 application. Also submitted in support of this application is a revised drainage strategy and report undertaken by M Design Consultants (December 2021).
36. The report concludes that the development is not at risk of fluvial flooding and sets out a range of measures to ensure that the surface water risk to buildings is managed. It also sets out a drainage strategy that comprises an attenuation basin designed to manage runoff safely and sustainably from the proposed impermeable areas on the site. This will have the effect of significantly reducing the net overall runoff from the site. Overall, it concludes that the proposed development is appropriate for the level of flood risk within the site and is not expected to increase the risk of flooding elsewhere. The submission includes a drainage design and attenuation calculations. The applicant is to investigate the use of SuDs techniques such as permeable paving and permeable construction for the driveways and the possibility of using soakaways. This would all be confirmed at the detailed design stage once further work has taken place to establish the opportunities on site.
37. The Local Lead Flood Authority (LLFA) has been consulted due to the scale of the development. The LLFA has confirmed that the applicant has provided sufficient information to satisfy the Local Lead Flood Authority that a surface water runoff solution can be achieved without increasing existing flood risk to the site or the surrounding area. However, the applicant has not provided a detailed design for the management of surface water runoff from the proposed development and this information should be secured by condition. Subject to this condition, the proposal complies with Policy DC2 in this regard.
38. In terms of foul drainage, the nearest available sewer is approximately 1,300 metres west of the application site and it is therefore not feasible to arrange connection to a public sewer. A Foul Drainage Assessment was submitted in support of the application, and this proposes individual package treatment plants (PTP) with each property responsible for their

own PTP. The Environment Agency has raised no objections. Ultimately, this issue will be dealt with as part of an eventual Building Regulations application.

**(f) Impact on Ecology**

39. The amended proposals do not alter the position in terms of impact on ecology as set out in the Ecological survey and subsequent bat surveys that were submitted in support of the 2020 application, and it is recommended that the same conditions are repeated to ensure delivery of the mitigation, compensation and enhancement measures agreed as part of this previous application.

**(g) Nutrient neutrality**

40. Natural England together with the Department for Levelling Up, Housing and Communities (DLUCH) announced on 16<sup>th</sup> March 2022 that the administrative area of Darlington Borough Council is now located within the catchment area of the Teesmouth and Cleveland Coast Special Protection Area. Under the Habitats Regulations, those planning authorities falling within the catchment area must carefully consider the nutrients impacts of any projects, including new development proposals, on habitat sites and whether those impacts may have an adverse effect on the integrity of the site that requires mitigation.

41. This impacts on all planning applications, both existing and proposed, which relate to primarily all types of overnight accommodation, such as new dwellings, care homes, student accommodation, holiday accommodation etc. and impacts all developments for one dwelling upwards. It also affects other applications where development may impact upon water quality, including those seeking to discharge planning conditions relating to foul and surface water drainage for a range of development proposals.

42. The local planning authority, in consultation with Natural England, has arrived at a view that the proposed development would not be within scope for the following reasons and can therefore be determined without the need for any further mitigation:

- The site has an existing commenced permission for 9 dwellings, and this becomes the existing land use of the site. The land use and number of dwellings would be unchanged. Therefore, this would not result in an increase in an increase in nutrient loads entering the catchment.

**THE PUBLIC SECTOR EQUALITY DUTY**

43. In considering this application, the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

**CONCLUSION AND RECOMMENDATION**

44. An extant planning permission is in place for the conversion of existing farm buildings to nine dwellings (07/01151/FUL), with conditions discharged and works carried out to implement the permission, which remains a fallback position to which significant weight can be attached. The current proposal does not seek to increase the number of dwellings on the site but proposes to make greater use of outbuildings that were previously to have been demolished, with some minor revisions proposed to the surface water drainage scheme and additional information provided to cover matters that would have previously been covered by conditions, including design details and preliminary archaeology for the site.
45. As set out in the report, the proposed development complies with the relevant policies in the development plan and involves the conversion of buildings which are structurally sound and capable of conversion, whilst not detracting from the character of the buildings or that of their setting. The proposal would result in a significant enhancement to the immediate setting of the buildings to be converted and complies with paragraph 80 of the NPPF. Subject to the proposed conditions the development would be acceptable in respect of highway safety, ecology and residential and visual amenity.

**THAT PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. A3 (Standard 3-year time limit)
2. PL (Accordance with Plan)
  - 3807/1 Landscape plan
  - L019038 - 101 REV E Proposed site layout plan (roof plans)
  - L019038 - 102 REV E Proposed site layout plan (ground floor)
  - L019038 - 105 REV B Proposed floor plans units 2, 3 and 4
  - L019038 - 106 REV A Proposed elevations sheet 1 of 2
  - L019038 - 107 REV A Proposed elevations sheet 2 of 2
  - L019038 - 108 REV B Proposed floor plans unit 5
  - L019038 - 109 REV B Proposed elevations unit 5
  - L019038 - 110 REV B Proposed floor plans unit 6 and 7
  - L019038 - 111 REV A Proposed elevations units 6 and 7
  - L019038 - 112 REV D Proposed floor plans unit 8
  - L019038 - 113 REV C Proposed elevations unit 8
  - L019038 - 119 REV A Proposed floor plans unit 2
  - L019038 - 120 REV A Proposed floor plans unit 3
  - L019038 - 121 REV A Proposed floor plans unit 4
  - L019038 - 126 Proposed bin storage arrangements
  - L019038 -103 REV A Proposed floor plans and elevations unit 1
  - L019038 -114 REV A Proposed floor plans unit 9
  - L019038 -115 REV A Proposed elevations unit 9
  - L019038-104 Proposed elevations
  - L019038-118 Garage block proposed
  - L019038-128 Site plan

3. No construction or demolition activities, including the use of plant and machinery, as well as deliveries to and from the site, shall take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-14.00 Saturday with no activities on Sunday or Bank/Public Holidays without the prior written permission of the Local Planning Authority.

REASON – In the interests of residential amenity.

4. The development shall be carried out in full accordance with the submitted Construction Management Plan except in respect of hours of construction of demolition activities and deliveries (including the use of plant and machinery) which shall be in accordance with Condition 3 (above).

REASON – In the interests of highway safety and residential amenity.

5. The development hereby approved shall not be commenced on site, until a scheme for the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details;

- I. Detailed design of the surface water management system;
- II. A build program and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. Details of adoption responsibilities.

REASON: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy DC2 and the National Planning Policy Framework.

6. The development permitted by this planning permission shall only be carried out in accordance with the approved Proposed Drainage Strategy Rev B Dated 02nd December 2021 and the following mitigation measures;

- Surface Water Discharge to be restricted to 5 l/s
- 500m<sup>3</sup> of storage provided.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

7. The buildings hereby approved shall not be brought into use until:-
  - I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building;
  - II. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development.

REASON: To reduce flood risk and ensure satisfactory long-term maintenance are in place for the lifetime of the development.

8. The landscaping scheme (drawing number 3807/1) shall be fully implemented concurrently with the carrying out of the development, or within such extended period as may be agreed in writing by the Local Planning Authority, and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.

REASON – To ensure a satisfactory appearance of the site and in the interests of the visual amenities of the area.

9. The bin storage facilities for the dwellings hereby approved as set out in Drawing number L019038 - 126 shall be provided in accordance with the approved details, prior to the occupation of the development hereby approved.

REASON - In the interests of highway safety and residential amenity.

10. Prior to the occupation of the development hereby approved, details of the type and location of an Electric Socket suitable for charging electric vehicles for each property with a dedicated garage or parking space, shall be submitted to and approved by the Local Planning Authority . Thereafter the development shall be undertaken in accordance with the approved details prior to the occupation of the dwellings and maintained as such thereafter.

REASON - To accord with Policy IN4 of the Local Plan.

11. The vehicle passing place on Drawing number L019038 - 127 - REV B “Road Through West Newbiggin” shall be completed in accordance with the approved details prior to the occupation of the first dwelling and shall be retained as such thereafter.

REASONS - In the interests of highway safety.

12. Any contamination not considered in the Phase 3 Remediation and Verification Strategy but identified during subsequent construction/remediation works shall be reported in writing within a reasonable timescale to the Local Planning Authority. The contamination shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

13. The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a "suitably competent person(s)" and in accordance with the agreed Phase 3 Remediation and Verification Strategy. No alterations to the agreed Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority.

A Phase 4 Verification and Completion Report shall be compiled and reported by a "suitably competent person(s)", documenting the purpose, objectives, investigation and risk assessment findings, remediation methodologies, validation results and post remediation monitoring carried out to demonstrate the completeness and effectiveness of all agreed remediation works conducted. The Phase 4 Verification and Completion Report shall be submitted and agreed in writing with the Local Planning Authority within 2-months of completion of the development or at a time agreed unless the Local Planning Authority dispenses with the requirement specifically and in writing.

The development site or agreed phase of development site, shall not be occupied until all of the approved investigation, risk assessment, remediation and verification requirements relevant to the site (or part thereof) have been completed, reported and approved in writing by the Local Planning Authority.

REASON - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled. To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risks to receptors, in accordance with the National Planning Policy Framework.

14. The development shall not be occupied until the post-investigation assessment has been completed in accordance with the approved Written Scheme of Investigation 'West Newbiggin Farm Sadberge: Historic Building Recording, Written Schedule of Investigation BRP 21/5a August 2021 (Revised November 2022) (The Bamburgh

Research Project Limited). The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

REASON - To comply with Policy ENV1 and paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

15. Notwithstanding any details referred to in the submitted plans, prior to the commencement of works relating to each requisite element of the development the following details shall be submitted to and approved by the Local Planning Authority:-

- i. External materials;
- ii. Doors;
- iii. Fences, walls and gates;

The development shall not be carried out otherwise than in accordance with the approved details.

REASON- To ensure a satisfactory appearance of the development ,in the interests of visual amenity.

16. Notwithstanding any details referred to in the submitted plans, prior to the insertion of windows, detailed plans showing the constructional details and materials of all window frames to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross-sectional detailing, including means of opening, and external reveal. The window frames shall be installed in accordance with the approved detailed plans and thereafter be so maintained.

REASON - In order to ensure a satisfactory appearance to the development, in the interests of visual amenity.

17. No demolition or rebuilding work additional to that specified in the structural reports carried out by The Home Engineers (September 2020) and the submitted application shall be carried out in undertaking the development hereby permitted without the prior written approval of the Local Planning Authority.

REASON – In order that the Local Planning Authority can retain control over the development in the interests of the visual amenities of the locality.

18. The development shall not be carried out otherwise than in accordance with the mitigation, compensation and enhancement measures set out in the submitted Ecological Impact Assessment 'West Newbiggin Farm PP-19-09' (Naturally Wild July 2020).

REASON - To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, Policy CS15 of the Core Strategy.'

## INFORMATIVES

Prior to the commencement of the development the applicant is advised that contact be made with the Assistant Director: Highways, Design and Projects (contact Mrs. P. McGuckin 01325 406651) to discuss naming and numbering of the development.

### **Non-mains foul drainage**

**Advice to applicant** The applicant proposes to install a new package treatment plant, discharging to the water course. The applicant should ensure the plant is of adequate size to comfortably treat the foul drainage produced by all proposed properties.

**Environmental permit - advice to applicant** The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk). The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.



