

REFERENCE NUMBER: BHPD00227

DATE: 5th January 2020

Mr Geoff Horsman
Development Management
Northumberland County Council
County Hall
Morpeth
Northumberland
NE61 2EF

Dear Geoff,

Application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 27 of outline planning permission granted under application ref: 17/00499/OUT

Further to our recent discussions relating to, and following submission of, the reserved matters application in respect of the above outline planning permission, I now submit this application to vary Condition 27 of the original consent in line with our conversations.

The condition attached to the outline permission states:

No dwelling shall be constructed until an acoustic design scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that internal noise levels of 35dB LAeq 16 hours during the day and 30dB LAeq 8 hours and 45dB LAMax 8 hours during the night can be achieved in the main habitable rooms with windows open at the dwellings closest to the A1061. The scheme shall include internal room layouts to show that the main habitable rooms shall have access to a window which can be opened without causing the ingress of obtrusive noise above guidance levels. Thereafter, the approved acoustic design scheme shall be implemented in full before the occupation of the dwelling it relates to and retained in perpetuity.

Reason: To ensure a commensurate level of protection against obtrusive noise in accordance with Policy DC22 of the Blyth Valley Development Control Policies DPD and the National Planning Policy Framework.

Following the grant of outline permission, detailed technical design work has been progressed by the applicants Miller Homes (North East) Limited. Additional noise surveying has been undertaken which has highlighted difficulties in complying with the requirements of Condition 27. As written, the wording of Condition 27 is overly restrictive and incapable of being achieved within a significant number of properties on the southern portion of the application site.

The Noise Assessment submitted with the outline application made clear that, in order to achieve suitable internal noise levels, windows on affected properties would need to be closed. Further survey work has confirmed these conclusions and has also demonstrated that suitable internal noise levels which meet Acoustic Ventilation and Overhearing (AVO) Residential Design Guide January 2020 can be achieved for all properties through the use of System 3 Ventilation.

This application therefore seeks to vary the wording of Condition 27 to ensure that there is flexibility in achieving the most suitable acoustic mitigation strategy based on the detailed layout being brought forward as part of the reserved matters application. It is proposed that Condition 27 be reworded as follows in line with our recent discussions:

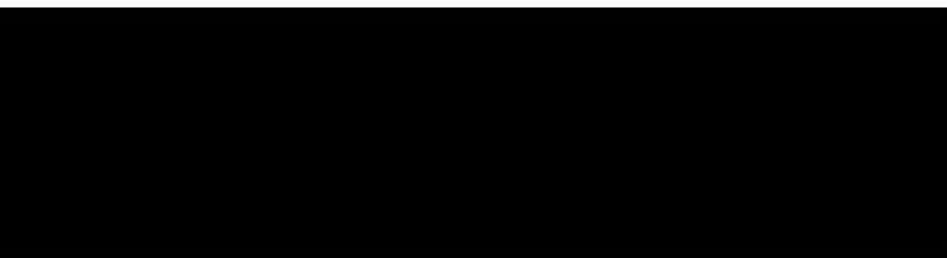
No dwelling shall be constructed until an acoustic design scheme in respect of that dwelling has been submitted to and approved in writing by the Local Planning Authority. In respect of any dwelling adjacent to the A1061, that scheme shall demonstrate that internal noise levels of 35dB LAeq 16 hours during the day and 30dB LAeq 8 hours and 45dB LAMax 8 hours during the night can be achieved in the main habitable rooms. Where these guideline annual average noise levels cannot be achieved with windows open, the scheme shall include details in respect of mitigation measures to ensure that such levels are achieved with windows closed and alternative means of ventilation. Thereafter, the approved acoustic design scheme shall be implemented in full before the occupation of the dwelling it relates to and retained in perpetuity.

Reason: To ensure a commensurate level of protection against obtrusive noise in accordance with Policy DC22 of the Blyth Valley Development Control Policies DPD and the National Planning Policy Framework.

The proposed rewording of Condition 27 of the outline consent will continue to protect future residents from adverse noise conditions whilst also enabling an appropriate scheme to be brought forward on the site without compromising the deliverability of this strategic housing site.

Payment of the appropriate fee of £234 has been made by our clients and we look forward to discussing the details of the application with you further. In the meantime, should you have any queries or require any additional information please do not hesitate to contact me directly.

Yours sincerely,



**Mark Ketley BA (Hons), Dip TP, MRTPI
Planning Director**