



Northumberland

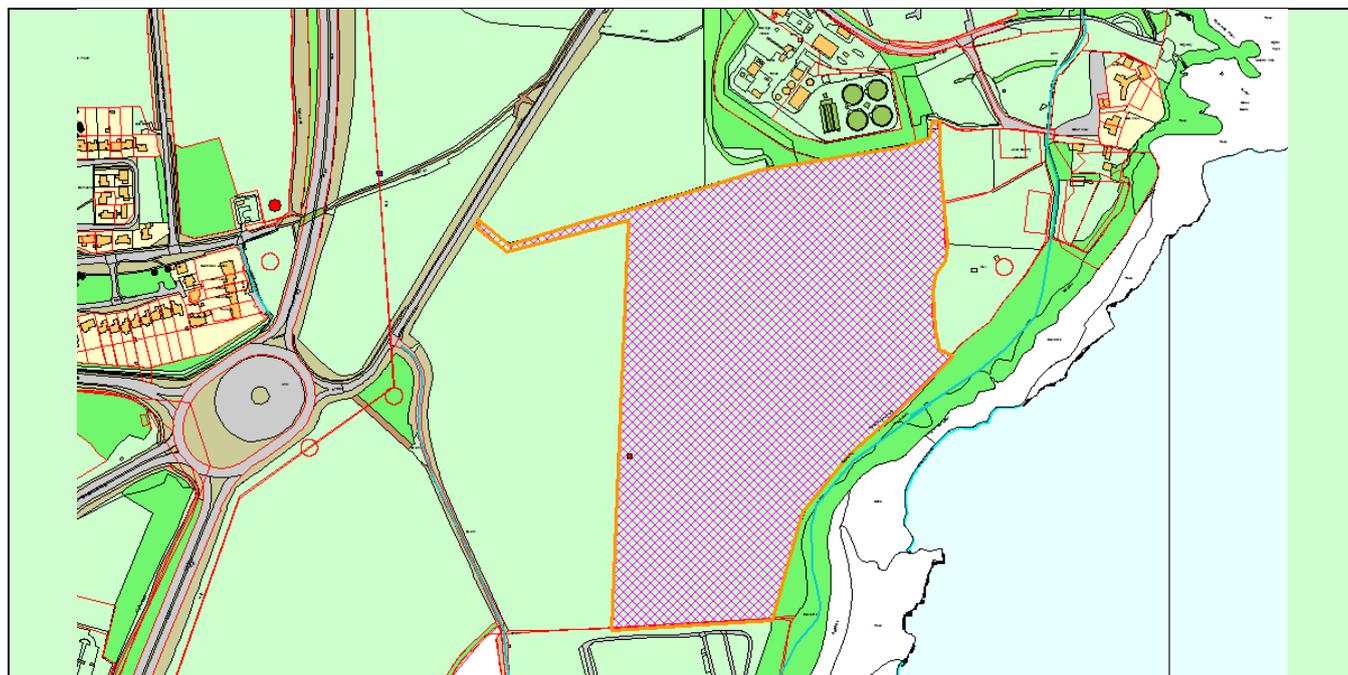
County Council

ASHINGTON AND BLYTH LOCAL AREA COUNCIL

14 OCTOBER 2020

Application No:	19/01442/FUL		
Proposal:	Change of use of agricultural land to static caravan / holiday park including the creation of 102 pitches, visitor reception, associated infrastructure, recreational area and wildlife corridor		
Site Address	Land North Of Sandy Bay Caravan Park, Newbiggin-By-The-Sea, Northumberland,		
Applicant:	Mr M Clippingdale C / O George F White	Agent:	Mr Craig Ross George F White 4-6 Market Street, Alnwick, NE66 1TL,
Ward	Newbiggin Central And East	Parish	Newbiggin By The Sea
Valid Date:	5 June 2019	Expiry Date:	16 October 2020
Case Officer Details:	Name: Mr Geoff Horsman Job Title: Senior Planning Officer Tel No: 01670 625553 Email: geoff.horsman@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



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1. Introduction

- 1.1 This application is being referred to the Ashington & Blyth Local Area Council (LAC) because the Planning Vice Chair of the LAC and the Director of Planning consider it should be decided by the LAC rather than under the Council's delegated powers.

2. Description of the Application Site & Proposal

- 2.1 The application site, which covers an area of 13 hectares, lies within an open countryside and coastal location to the immediate south of Newbiggin between the settlement and the Sandy Bay Holiday Park, which lies to the south of the site. It is currently agricultural land. The coast lies to the immediate east of the site and further agricultural land to the west. The site includes a strip of land connecting the site with the B1334 to the north west which it is proposed would be utilised to construct a new vehicle access to the proposed caravan/holiday park. Levels within the site fall gently from north west to south east
- 2.2 Although the site lies within open countryside there are no landscape or ecology designations covering the site itself and the site does not lie within the Green Belt. There are however a number of ecological designations adjacent to the site along the coast comprising the Northumbria Coast SPA, the Northumberland Marine SPA and the Northumberland Shore SSSI. Public footpaths/bridleways also lie to both the east and west of the site
- 2.3 Planning permission is sought for the change of use of agricultural land to a caravan/holiday park. The proposed park would accommodate 102 caravan pitches. A new access road is proposed to the park from the B1334. A reception building is also proposed within the park. This would have a floor space of 248 square metres and be 4.6 metres in height (2.4 metres to eaves) with a pitched roof. The building would accommodate a reception/office area and a gym/sauna. Other development proposed comprises internal site access roads and car parking areas, external storage areas and an outdoor gym. Additional soft landscaping is also proposed to soften the visual impact of the proposed development.

3. Planning History

None

4. Consultee Responses

Newbiggin Town Council	The Town Council welcome and support this application as a new asset of the Town which compliments regeneration plans for the south of the bay/Milburn Park area. They would like to see improvements to the public right of way/coastal path as a pedestrian and cycle link to bring the tourists from the development and the existing Sandy Bay caravan park into the town to support local businesses and encourage sustainability. They agree with the recommendations from the Flood and Coastal Erosion Management Team regarding the relocating of the caravans away from the roll back zone. They would like to see the width of the wildlife corridor increased further from 15m, as the natural environments of Newbiggin are a haven for a recorded 300
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	species of birds. They would welcome the opportunity to have discussions with the developer regarding the creation of links to encourage the tourists to access and use the facilities in the town.
Highways	No objection subject to conditions.
Highways England	No objection.
Lead Local Flood Authority & Coastal Erosion Team	No objection subject to conditions.
Ecology	No objection subject to conditions and the applicant entering into a Unilateral Undertaking to contribute to the Council's ecology coastal mitigation service.
Natural England	No objection subject to applicant entering into a Unilateral Undertaking to contribute to the Council's ecology coastal mitigation service.
Environment Agency	No objection.
Public Protection	No objection subject to conditions.
County Archaeologist	No objection subject to conditions.
Northumbrian Water	No objection subject to conditions.
Public Rights of Way	No objection subject to public footpath 71 which runs adjacent to the eastern boundary of the application site being safeguarded.
Marine Management Organisation	No response received.
Waste Management - South East	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	6
Number of Objections	0
Number of Support	97
Number of General Comments	0

Copies of all representations received are available for viewing on the Council's website.

Notices

General site notice – 18/07/2019

Summary of Responses:

97 representations of support received from the general public. Proposal supported for the following reasons:

1. Newbiggin and the south east of Northumberland is desperate for new investment, this will help the town and the local economy.
2. This development will bring direct and indirect benefits in terms of job creation either by working on the park or supplying to it or its visitors.
3. From the details it is clear the park has been designed to have a lot of open space and separation. It is not a compact row on row development and will appear attractive to those using the site and will have little impact on those passing the site.
4. There is a limited view of the site from the beach and those views there will not be spoilt as it will simply seem part of the existing caravan site.

The above is a summary of the comments. The full written text is available on our website at:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PQXLOKQSFVY00>

6. Planning Policy

6.1 Development Plan Policy

Wansbeck District Local Plan

- GP1 - Location of development
- GP4 - Accessibility
- GP5 - Landscape character
- GP8 - Protection of Coastal Zone
- GP10 - Protection of sites of national importance to nature conservation
- GP13 - Biodiversity and wildlife networks
- GP20 - Protection of archaeological sites
- GP22 - Flood risk and erosion
- GP30 - Visual impact of development
- GP31 - Standards of urban design
- GP32 - Standards of landscape treatment
- GP35 - Crime prevention
- T2 - Provision for buses
- T3 - Provision for cyclists
- T4 - Provision for walking
- T5 - Access for people with reduced mobility
- T6 - Traffic implications of new development
- T7 - Parking provision in new development
- REC9 - Provision for new holiday caravan sites
- CF6 - Water supply and drainage

CF7 - Planning conditions and obligations

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance (NPPG) (2020)

6.3 Other Documents/Strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19) including proposed minor modifications (NLP)

STP 1 – Spatial strategy (Strategic Policy)
STP 2 – Presumption in favour of sustainable development (Strategic Policy)
STP 3 – Principles of sustainable development (Strategic Policy)
ECN 1 – Planning strategy for the economy (Strategic Policy)
ECN 15 -Tourism and visitor development
QOP 1 – Design principles (Strategic Policy)
QOP 2 – Good design and amenity
QOP 4 – Landscaping and trees
QOP 5 – Sustainable design and construction
QOP 6 – Delivering well-designed places
TRA 1 – Promoting sustainable connections (Strategic Policy)
TRA 2 – The effects of development on the transport network
TRA 4 – Parking provision in new development
ENV 1 – Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 – Biodiversity and geodiversity
ENV 3 – Landscape
ENV7 – Historic environment and heritage assets
WAT 3 – Flooding
WAT 4 – Sustainable Drainage Systems
POL 1 – Unstable and contaminated land
POL 2 – Pollution and air, soil and water quality
POL 3 – Agricultural land quality
INF 6 – Planning obligations

Wansbeck Design Guide SPD
Northumberland Landscape Character Assessment

7. Appraisal

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

- Principle of development
- Economic Benefits
- Landscape and visual impact
- Ecology
- Transportation matters
- Flooding/drainage and coastal erosion

- Contamination & ground stability
- Archaeology

7.2 The development proposed is a Schedule 2 development by virtue of Category 12(e) (permanent camp sites and caravan sites) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Given this and the scale of the proposed development, officers have adopted a Screening Opinion under delegated powers which concludes that Environmental Impact Assessment under the Regulations is not required.

Principle of Development

- 7.3 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.
- 7.4 The development plan comprises the Wansbeck District Local Plan (2007). This document is the starting point for determining applications as set out in the NPPF. However, the NPPF advises that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.
- 7.5 In accordance with the NPPF weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The latest version of the NLP was submitted to the Secretary of State for examination in May 2019 and the examination in public into the Plan is currently in progress. Relevant policies in this document are a material consideration in determining this application and it is considered that such policies can be afforded some weight at this time.
- 7.6 In terms of the principle of development key WDLP Policies are GP1C and REC9.
- 7.7 For the purposes of Policy GP1C the site lies outside of a settlement boundary on greenfield land and therefore development would only be acceptable if it required a countryside location and no suitable previously developed sites were available.
- 7.8 Policy REC9 states that proposals for new static holiday caravan sites, touring caravan sites, holiday chalet or cabin developments and camping sites will only be permitted in locations such as this if the development would not be visually intrusive and it would not harm the character or appearance of the countryside or coastline.
- 7.9 In terms of Policy GP1C It is accepted that development such as that proposed does require a countryside location given that tourist caravan parks in the main do not lie within existing settlement boundaries.
- 7.10 Furthermore, although the site lies outside of the settlement boundaries of Ashington and Newbiggin this in itself would not preclude development as more up-to-date planning policy in the NPPF does not seek to in and of itself resist development such as that proposed in open countryside locations. The key test rather is whether or not the proposal constitutes sustainable development.

- 7.11 The agricultural land to be lost to development is Grade 3 and therefore not considered to be of high quality. As such there would be no objections in principle to the loss of such agricultural land.
- 7.12 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.13 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.
- 7.14 Whether the presumption in favour of sustainable development is successful in this case is dependent on an assessment of whether the proposed development of the site would be sustainable in terms of its economic, social and environmental roles. The following sections assess the key issues in relation to the economic, social and environmental roles of the scheme as well as identifying its potential impacts and benefits in planning terms.

Economic Benefits

- 7.15 NPPF paragraph 80 states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.16 Paragraph 83 states that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- 7.17 Paragraph 84 further advises that planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).
- 7.18 The above is reflected in NLP Policy ECN1 which further identifies the visitor economy as a sector to be supported and promoted in the County.
- 7.19 The applicant has submitted an Economic Assessment in support of their application. This predicts that based upon average occupancy across each year of just over 50% that the proposed caravan park would generate around £4.15 million of visitor expenditure per annum.

- 7.20 The Assessment envisages that this level of expenditure would create at least 15 full-time equivalent FTE new jobs within the proposed development and a further 17 FTE jobs would be created or supported off-site through supplies/services purchased by the site operator and the direct expenditure of visitors on items such as food/drink, transport and attraction entrance fees.
- 7.21 In terms of construction the Assessment advises that the investment required to construct the proposed caravan park would total around £8.6 million comprising £2.5 million for ground works on site and around £6.1 million for construction of the 102 caravans. The applicant owns a construction company and proposes that his company will undertake the ground works and construction of around 40% of the caravans using his company's local labour force. An existing vacant industrial unit owned by the applicant on the nearby North Seaton Industrial Estate would be used as a base for the manufacture of those caravans. The remaining 60% of caravans would be manufactured by other north east companies. It is envisaged that at least 15 FTE construction jobs per annum would be created or supported by the proposed development with further construction jobs created/supported in future years as caravans are replaced on a periodic basis.
- 7.22 The Applicant's Assessment also identifies that the area around the application site has levels of deprivation and unemployment above the County and national average and therefore is an area where development that generates economic benefit is to be particularly encouraged.
- 7.23 Officers generally concur with the evidence presented in the applicant's Economic Assessment, although the £4.15 million per annum visitor expenditure is considered to be on the optimistic side as it is based on an average occupancy of 6 persons per caravan which is considered to be high. In terms of employment generated off-site and during construction it is not clear how much of this will be new employment as opposed to current jobs in existing companies being supported, although both are clearly beneficial in economic terms albeit to differing degrees. A detailed breakdown has not been provided of the £2.5 million ground works costs referenced and therefore it is unclear as to how that figure has been arrived at.
- 7.24 In their totality the economic benefits arising whilst not insignificant are relatively small scale and in this regard there are other sites elsewhere within the south east of the County that have the potential to accommodate larger amounts of holiday accommodation in less sensitive locations in terms of landscape and visual impact. For example, Strategic Planning Committee granted planning permission in 2019 for a 950 pitch holiday park to the north west of Widdrington on the former Steadsburn Opencast Mine site and this approved scheme is currently progressing with the applicant currently working with officers to secure discharge of pre-commencement conditions attached to their planning permission. It is envisaged that this scheme will generate in excess of 100 new jobs.
- 7.25 Nevertheless it is apparent overall that the proposed development would generate economic benefits in an identified growth sector and within an area of the County with above average deprivation and unemployment. Officers are also conscious of the current economic difficulties related to the COVID 19 pandemic. Furthermore, the applicant has advised that they intend to progress implementation of the proposed development swiftly if planning permission was granted.

7.26 Having regard to all of the above and in accordance with NPPF paragraph 80 significant weight should be afforded to economic benefits in the planning balance.

Landscape and visual impact

7.27 As stated earlier in this report Local Plan Policy REC9 states that proposals for new static holiday caravan sites, touring caravan sites, holiday chalet or cabin developments and camping sites will only be permitted in locations such as this if the development would not be visually intrusive and it would not harm the character or appearance of the countryside or coastline. This reflects advice in NPPF paragraphs 83 and 84 which, whilst supporting rural economic development, do stress the need for proposals to respect local character.

7.28 Local Plan Policy GP5 states that development must respect the character of the District's landscape. Proposals will be assessed in terms of the siting, scale and design of buildings and materials and the effect on distant views. Development which would have an adverse effect on the character or appearance of those areas which contribute most to the quality and distinctiveness of the local landscape will not be permitted. Such areas include the coast.

7.29 Policy GP30 further states that all proposed development will be assessed in terms of its visual impact. Developments which in visual terms would cause significant harm to the character and quality of the surrounding environment will be refused.

7.30 NPPF paragraph 170 further advises that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside and maintaining the character of undeveloped coast.

7.31 NLP Policy ENV3 reflects the above Local Plan and NPPF policy.

7.32 In terms of the Wansbeck Design Guide, this document's Core Design Policy CD1 states that development proposals will be expected to contribute to the creation of high quality sustainable environments which enhance and complement the natural and built assets of Wansbeck. This will be achieved in a number of ways including through the protection and enhancement of rural open spaces. The Guide then offers advice in respect of a number of defined character areas. The application site lies within the 'Rural' Character Area. In respect of this character area the Guide states that in some areas rural character and quality has been affected by new residential and commercial development on the urban fringe. New development in or adjacent to rural areas should therefore be carefully designed to minimise the negative visual impact on the countryside. In terms of capitalising on natural assets the Guide identifies the coastline as one of Wansbeck's most significant natural assets and states that it must be ensured that rural areas of Wansbeck link physically and visually well with these important character areas. In this regard the application site lies immediately adjacent to part of the Coast Character Area. In the development of Wansbeck's coast the Guide states that a balance must be struck that allows some buildings to benefit from seaward views whilst not damaging the character of the coastline in general.

7.33 For the purposes of the Northumberland Landscape Character Assessment the site lies within the Developed Coast Landscape Character Type and within the Blyth & Wansbeck Estuaries Landscape Character Area (LCA). The overall quality of this LCA is considered to be low in comparative terms although the NLCA does seek to promote

the restoration and enhancement of landscapes such as this. Key qualities are identified as open coastal views, a dynamic seascape environment and ecological interest.

- 7.34 In order to comprehensively assess the landscape and visual impact of the proposals, the applicant has submitted with their application a Landscape and Visual Impact Assessment (LVIA). This assesses the qualities of the landscape within the application site and seeks to determine the impact of the proposed development on such qualities. The LVIA also assesses the visual effects of the proposed development from a number of short and longer range viewpoints at various locations around the site.
- 7.35 In terms of landscape effects this states that the site itself is currently open farmland situated north of Sandy Bay Holiday Park. There are no special landscape features within the site such as hedgerows, field patterns or veteran trees and the setting contains many urban elements including infrastructure and large pylons, lending an urban fringe quality in some respects, which lowers the value of the landscape receptor. However, the site is very open in character, has coastal views and is typical of open coastal farmland which increases its susceptibility to change. It is also next to an area protected at International level for its birdlife. It is considered that the proposed development will not bring about unacceptable changes or effects to the National or Local Character Areas. The study concluded that there would be medium adverse effects on the local landscape character, however the proposal would not be out of character with the local context, and would be physically reversible with relatively little change to the baseline.
- 7.36 With regard to visual effects the applicant's LVIA states that noticeable changes would possibly be the loss of farmland; the addition of internal road networks, connecting to B1334 and loss of roadside vegetation for sightlines; a visitor reception, tennis courts and park facilities building. The buildings proposed are all single storey, and therefore the majority of the viewpoints have a moderate visual effect. Additionally, a buffer zone and erosion zone is to be established parallel to the cliff edge, helpfully resulting in the proposed caravans being set well back from the cliff edge which also allows 'breathing space' for the coastal path which follows the grassy edge of the existing arable field. In summary, of the seventeen viewpoints assessed, seven viewpoints were found to have no view, two were predicted to have minor effects, three had moderate/ minor effects (one of these having the potential to lessen to no effect), three had moderate effects and two had substantial/ moderate effects with one of these potentially lessening to moderate residual effects over time. The other viewpoint with substantial/moderate effects was taken at close proximity to the proposed development (within the site boundary) and it is inevitable that effects are greater with any development when seen at close range. In all cases the effects would be adverse in comparison to the baseline, but not incongruous in this seaside location adjacent to a similar static caravan development. The majority of effects arising from the development are physically reversible due to the nature of static caravans.
- 7.37 The Council have also commissioned an external landscape architect to provide an opinion on the contents of the applicant's LVIA and provide a further opinion on the landscape and visual effects of the proposed development. That external consultant concludes that the proposed development is in some landscape and visual respects contrary to Policies GP5, GP30 and REC9 of the Local Plan. In terms of Policy GP5 they consider the harm arising is in relation to the development density, cliff top location and locally adverse effects on the coastline resulting from a loss of openness. The proposals are contrary to Policy GP30 due to locally adverse visual effects. In

terms of Policy REC9 harm arises in relation to the locally visually intrusive nature of the proposed development and it is considered that the proposed development would introduce localised adverse effects in relation to the character of the countryside/coastline.

- 7.38 In terms of landscape effects they further advise that at a site level the proposed development would introduce fundamental change as a consequence of the change from an open agricultural landscape to an area comprising a range of built development and associated infrastructure. At a site level this will introduce substantial/moderate effects (using the LVIA methodology) reducing to moderate at a distance of around 250-750 metres from the site boundary. Generally, they accept that landscape elements within the site are not of an intrinsically high value. However, the applicant's LVIA does not fully consider the characteristic openness of the site area, how this will be fundamentally changed and the importance of this open character in relation to providing physical and visual separation between the southern edge of Newbiggin and Sandy Bay Holiday Park.
- 7.39 Moving onto visual effects they advise in summary that the England Coast Path Route to the east would be affected and users would experience adverse, substantial to substantial/moderate visual effects for a section of around 750m. Users of the B1334 (pedestrians, vehicular users and cyclists) would also experience adverse visual effects between Newbiggin and the North Seaton roundabout which could be up to substantial/moderate. Other parts of the public rights of way network will also experience adverse visual effects.
- 7.40 Having considered both the applicant's LVIA and the opinions of the external landscape architect commissioned by the Council, officers consider the proposed development to be significantly harmful in landscape and visual terms. The site is currently agricultural land with a very open character and provides a landscape buffer between Newbiggin and the existing Sandy Bay Caravan Park. There are also public rights of way near to the site with clear views of the site from these. It is considered that the proposed development would compromise to a significant extent the open character of the site and views in this regard of the site and coast from the nearby public rights of way and result in the removal of the existing landscape buffer between Newbiggin and the Sandy Bay caravan park
- 7.41 The applicant has submitted a Landscape Strategy Plan which seeks to mitigate the landscape and visual harm arising from the proposed development through a relatively informal layout of caravan pitches and the provision of some additional screen planting to the site boundaries. However, this would not substantially screen views of the development and the introduction of substantial screen planting in itself would conflict with the established open character of the site.
- 7.42 Whilst neighbouring built development in Newbiggin to the north and within the Sandy Bay Holiday Park to the south is visible from the public rights of way near the site, views of such built development are not substantive. In particular, views of Newbiggin to the north are well screened by tree planting and the Sandy Bay Holiday Park to the south is partially screened from view when travelling south down the public rights of way by virtue of the topography of the land which falls away in a southerly direction.
- 7.43 Overall therefore it is considered that the landscape and visual harm arising would be significant and contrary to Policies GP5, GP30 and REC9 of the Wansbeck Local Plan, the Wansbeck Design Guide and the NPPF.

Ecology

7.44 Policy GP13 of the Local Plan seeks to promote biodiversity as does NLP Policy ENV2.

7.45 NPPF paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted;
- c) Development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) Opportunities to incorporate biodiversity improvements in and around developments should be encouraged.

7.46 Paragraph 177 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

7.47 The Council's ecologist and Natural England have scrutinised ecology survey and assessment documentation provided by the applicant which looks at the ecological value of the application site itself and the impacts of the proposed development on this and adjacent designated sites. Having done this, they raise no objections subject to conditions and the applicant entering into a Unilateral Undertaking to contribute £35,129 to the Council's ecology coastal mitigation service. Planning conditions would cover such matters as limiting noisy activities on site during the wintering bird season, preparation and implementation of a landscape and ecological management plan and the implementation of agreed mitigation measures.

7.48 The applicant has agreed to enter into such an undertaking and completion of this is currently being progressed with the Council's legal team.

7.49 Subject to such an undertaking being entered into the proposals are considered acceptable on ecology ground subject to conditions.

Transportation matters

7.50 The NPPF advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. NLP Policy TRA2 reflects this national policy.

7.51 The Council as Local Highway Authority have assessed the proposal based on information submitted, as well as on-site observations, local and national policy requirements and other material considerations. A review of the information provided

has been undertaken and it is considered that the proposals are acceptable subject to conditions.

- 7.52 In this regard the proposed new priority junction access from the B1344 incorporating a ghost right turn is considered acceptable in highway safety terms with a Stage 1 Road safety Audit of this having been undertaken in assessing the application.
- 7.53 In terms of parking, 28 car parking spaces including disabled parking and a covered cycle parking area are proposed for staff and visitors adjacent to the reception building and each caravan pitch would also have hard surfacing capable of accommodating 2 cars.
- 7.54 The proposals provide good access for pedestrians and cyclists from the proposed caravan park to the B1344. A 3 metre wide footpath/cycleway would also be provided on the B1344 as part of the proposed access providing linkage with existing bus stops and pedestrian/cycle routes.
- 7.55 Overall the proposals are acceptable in transportation terms.

Flooding/drainage and coastal erosion

- 7.56 Local Plan Policy GP22 states that developers are required to consider the risk to their development from flooding and erosion.
- 7.57 The NPPF advises that development should be directed towards areas at lowest risk from flooding and that Local Planning Authorities should ensure that development does not increase flood risk elsewhere.
- 7.58 Such advice is re-iterated in NLP Policy WAT 3 whilst Policy WAT 4 promotes the use of sustainable drainage.
- 7.59 The site lies within Flood Zone 1 and is therefore considered to be at low risk of fluvial flooding. Investigation of ground conditions has demonstrated that it would be acceptable to drain surface water from proposed hard surfaced areas via soakaways. Foul drainage would be disposed of via mains sewers.
- 7.60 In terms of coastal erosion all pitches and built development would be sited at least 60 metres from the coastal cliffs to the east of the site which is well in excess of the usual 30 metre erosion line buffer zone.
- 7.61 After reviewing the submitted information the Council's LLFA team raise no objections subject to conditions regarding the details of the surface water drainage system and its future maintenance together with surface water drainage arrangements during construction works.

Contamination & ground stability

- 7.62 Wansbeck District Local Plan Policies GP22a and GP29 require that consideration be given matters of ground contamination and ground stability related to the historic use of sites and coal mining legacy matters. NLP Policies POL 1 and POL 2 reflect existing Local Plan policies in this regard.

7.63 The application site is agricultural land with the proposed holiday park use considered to be low risk in terms of ground contamination matters. In terms of coal mining legacy matters the site lies within the south east Northumberland coal field but is not within a Coal Authority Development High Risk area.

7.64 Bearing in mind the above, the Council's Public Protection team raise no objection subject to conditions regarding further investigation re ground contamination with suitable remediation being undertaken should any contamination be identified. A condition is also suggested to ensure that a void is provided between the floors of caravans and ground level to safeguard against ground gas.

Archaeology

7.65 In accordance with Local Plan Policy GP20, NLP Policy ENV7 and the NPPF the applicant has undertaken trial trenching on the application site to investigate the potential for archaeological remains. The findings of such work have been assessed by the Council's archaeologist who raises no objections subject to a condition requiring the carrying out of some further archaeological work to areas of potential interest and appropriate recording of finds in those areas.

Equality Duty

7.66 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

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

Human Rights Act Implications

7.68 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.69 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights

legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.70 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 Overall in terms of the planning balance it is apparent that the proposed development would generate economic benefits to the local area by further enhancing the tourism sector, providing direct employment and added value to the local economy whilst also helping to support existing local businesses through increased patronage from holiday park guests. In accordance with NPPF paragraph 80, significant weight needs to be given to such economic benefit.

8.2 However, the site is also considered to occupy a locally sensitive location in landscape and visual terms. It provides a landscaped buffer between the settlement of Newbiggin and the existing Sandy Bay Caravan Park. The site is also highly visible from the public realm given its open character and the presence of public rights of way near the site. Those using the public rights of way to the west and north west have clear views of the coast across the application site. It is considered that the proposed development would compromise to a significant extent the open character of the site and views in this regard of the site and coast from the nearby public rights of way and result in the removal of the existing landscape buffer between Newbiggin and the Sandy Bay caravan park. It is not considered that the proposed landscape strategy plan provided by the applicant would sufficiently mitigate the harm arising and that the potential for landscape mitigation is constrained by the open character of the site. It is considered that the landscape and visual harm arising would be significant and contrary to Policies GP5, GP30 and REC9 of the Wansbeck Local Plan, the Wansbeck Design Guide and the NPPF.

8.3 As advised in this report the proposals are considered acceptable subject to conditions in respect of transportation matters, flooding/drainage/coastal erosion, ground conditions and archaeology. In terms of ecology the proposals are likewise acceptable subject to conditions and the applicant entering into a Unilateral Undertaking to contribute to the Council's ecology coastal mitigation service. The applicant is willing to enter into such an undertaking and work is ongoing with the Council's legal team to complete this. As such these matters are considered as neutral when weighed in the planning balance.

8.4 In determining therefore whether or not the proposal amounts to sustainable development the benefits of the proposal in economic terms need to be balanced against the landscape and visual harm arising. In this regard officers consider that whilst significant weight should be afforded to the economic benefits of the proposed development these benefits are nevertheless relatively small scale and there are other sites elsewhere within the south east of the County that have the potential to accommodate larger amounts of holiday accommodation in less sensitive locations in terms of landscape and visual impact. In terms of this application site it is considered

that the landscape and visual harm arising would be significant and that this harm is not outweighed by the economic benefits of the proposal and therefore it is considered that the application should not be supported.

9. Recommendation

That this application be REFUSED permission for the following reason:

1. The proposed development by virtue of its siting and scale would compromise the open landscape character of the site, would result in the substantial loss to built development of an existing landscape buffer between the town of Newbiggin and the Sandy Bay Holiday Park and would appear as visually intrusive in the landscape particularly in terms of views from nearby public rights of way. Overall this would result in significant landscape and visual harm to the locality contrary to Policies GP5, GP30 and REC9 of the Wansbeck District Local Plan, the Wansbeck Design Guide and the NPPF and it is not considered that the significant landscape and visual harm arising would be outweighed by the economic benefits of the proposed development.

Date of Report: 29/09/2020

Background Papers: Planning application file(s) 19/01442/FUL