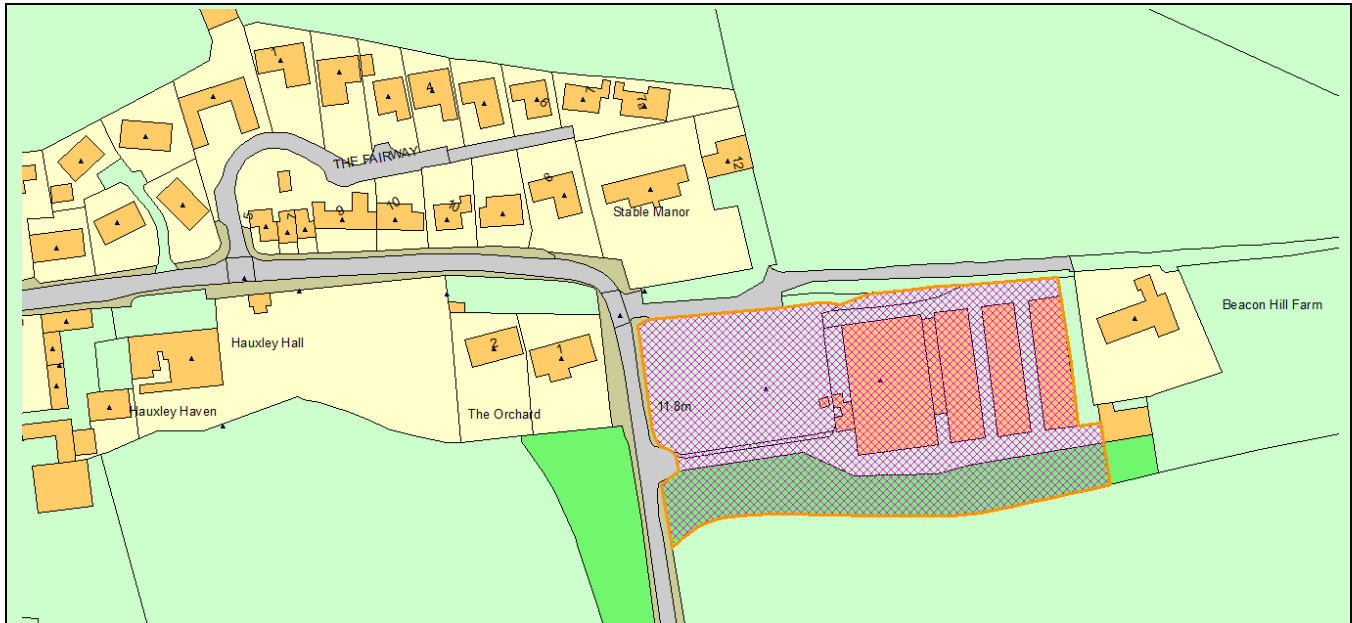




Northumberland County Council

North Northumberland Local Area Council
21st June 2018

Application No:	18/00006/FUL		
Proposal:	Proposed development of small caravan park to include 30 touring pitches, approximately 5 tent pitches, office/coffee shop and toilet/shower block – Amended 04/06/18		
Site Address	Land West Of Beacon Hill Farm, High Hauxley, Northumberland,		
Applicant:	Mr & Mrs Handyside Beacon Hill, Beacon Hill Farm Lane, High Hauxley, Northumberland NE65 0JT	Agent:	Mr Jon Tweddell Coble Quay, Amble, Northumberland, NE65 0FB
Ward	Amble	Parish	Hauxley
Valid Date:	3 January 2018	Expiry Date:	30 June 2018
Case Officer Details:	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: Ragu.Sittambalam@northumberland.gov.uk		



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1. Introduction

- 1.1 Under the provisions of the Council's current Scheme of Delegation, this application is recommended for refusal. A valid objection from has been received from High Hauxley Parish Council with the application called to be heard at committee by Cllr Clark. The previous submission was refused for a reason different to what has been proposed for this application and has received seventeen representations of support, which following review by the Head of Service and the Planning Chair of the North Northumberland Local Area Council; have confirmed that the application should be referred to Planning Committee for determination.

The application is recommended for REFUSAL.

- 1.2 The application is a resubmission of 16/02282/FUL, which was refused on the following grounds;

Insufficient information has been provided to demonstrate that the principle of appropriate surface water drainage of the site can be successfully achieved for the proposed development to ensure that the proposed development does not increase the risk of flooding elsewhere. The proposal is contrary to paragraphs 17, 103 of the NPPF, section 16 paragraph 45 of the Planning Practice Guidance - Flood Risk and Coastal Change, Section 21 paragraphs 50, 79, 80 and 82 of the Planning Practice Guidance - Flood Risk and Coastal Change and Policies S3 and S16 of the Alnwick District Council Core Strategy Development Plan Document.

The development proposal of this application remains the same in terms of type, amount and site boundary.

- 1.3 The site is subject to an ongoing appeal of 16/02282/FUL under Planning Inspectorate reference APP/P2935/W/18/3199765. The technical issue that the appeal is based on has been resolved as part of this application. It should therefore be drawn to Members attention that whilst this application may be refused; the proposal could still be allowed by the Planning Inspectorate.

- 1.4 The application was amended as follows;

- 04/06/18 - Submission of further drainage information.
- 18/03/18 - Submission of additional drainage information.

2. Description of the Proposals

- 2.1 The application site is located to the eastern edge of High Hauxley, a small village 2.2 miles south-east of Amble. The site is set outside the main envelope of residential development but is bound by dwellings to the north, east and west. The land itself is accessed to the east side of Hauxley Lane; the main thoroughfare running through the village and is fairly well screened through existing trees and hedgerows that sit along the site boundaries. The land is the site of a former turkey farm, with a range of agricultural buildings that have been now demolished with a single remaining structure that is used

ancillary to the adjacent cottage to the east, what is left are areas of hard standing with some vegetation around it. Whilst large in size, the site is only partially visible from the south but given the relatively flat topography is limited to views of the remaining building which again is partially screened by existing planting.

2.2 The application seeks planning permission to allow the siting of up to 30 no. touring caravans pitched and 5 no. tent pitches, the works would comprise of the following;

- Extend the service road into an open area divided into two, where touring stances would be arranged around new hedgerow planting with an open turning space within the two areas.
- Form overnight parking immediately adjacent the access which would sit next to a stone built single storey reception building (l:9.1m x w:12.0m) of a mono-pitch form. The reception building would be set to the south side of the service road to the west of the site.
- The service road would run the width of the site toward a single storey stone built amenity block (l:9.1m x w:15.7m) of a mono-pitch form. The amenity block would be located to the south side of the service road to south-east corner of the site.

2.3 The application site is subject to the following constraints;

- Coal Advice Area - Low Risk
- Impact Risk Zone - SSSI
- Grade II Listed Building - Garden Wall to East of Hauxley Hall with Attached Summerhouse (65m west)

The setting of the listed building is not considered to be affected in this application.

3. Planning History

Reference Number: 15/00040/FUL

Description: Development of small caravan park to include 30 touring pitches, approximately 5 tent pitches, office/coffee shop and toilet/shower block. Proposed change of use of existing agricultural building to storage (Use Class B8).

Status: Withdrawn

Reference Number: 16/02282/FUL

Description: Development of small caravan park to include 30 touring pitches, approximately 5 tent pitches, office/coffee shop and toilet/shower block

Status: Refused

4. Consultee Responses

Hauxley Parish Council	Objects;
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	<p>With reference to planning application 18/00006/FUL the Parish Council feels that with such a strong reaction from a majority of the residents of Hauxley over the proposed caravan park, the matter should be put forward to the planning committee for their consideration. We would strongly recommend a site visit be arranged by the councillors of the planning committee, which would clearly demonstrate the real concerns that residents have raised over issues of safety, traffic problems, impact on the village and flooding as well as numerous others.</p> <p>This is the third time this caravan park has been proposed and each time the reaction against it, from residents who live in the village and will be directly affected on a day to day basis, has grown. We feel that it is time to have these views of the majority of the residents in the village put before the planning committee, and the committee have the opportunity to see for themselves the proposed site.</p>
Highways Development Management	<p>No Objection; Conditions & Informatives Advised</p> <p>The development is acceptable in principle. The existing access will be utilised. It will need to be upgraded in accordance with NCC Type C specifications except the radii of the access will need to be a minimum of 10m to accommodate the larger touring caravans. The vehicle access to the site will be the sole vehicle access and egress for the site. A small highway improvement scheme will need to be put in place to fix the overrun damage on the highway verge (both sides) from the access to the site up to the bend in the road (north side of the site). The internal road width should be a minimum of 6m which is what it is shown as on the site layout plan.</p> <p>Parking within the site has been shown on the site layout plan. It shows one car parking space per touring pitch spot which is acceptable. There is also car parking outside the reception building which is also acceptable. There is an overnight parking provision close to the access which is long and wide enough to hold one family vehicle with a caravan attached to the rear.</p> <p>No cycle parking/storage has been shown within submitted information or plans. We highly recommend a form of cycle parking as it supports sustainable modes and the site is approximately 550m away from National Cycle Route 1.</p> <p>Refuse storage has been shown on the site layout plans and are in acceptable locations. No details have been submitted in regards to refuse collection or strategy. These details will need to be submitted as part of the condition which will be attached. Having assessed the plans further reasonable conclusions can be in regards to vehicle tracking as there is room at each refuse store for the large vehicle to turn without obstruction.</p>
County Ecologist	<p>No Objection; Obligation & Conditions Advised</p> <p>A number of internationally and nationally important designated nature conservation sites are present within 10km of the site.</p> <p>The internationally designated sites are; Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC.</p>

	<p>The nationally designated sites are:Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernoise Point SSSI</p> <p>The county council as a competent authority is required to undertake a habitat regulations assessment of the development, to assess if the development is likely to have a significant effect on the conservation objectives of the European sites. If the development is found to have a likely significant effect an appropriate assessment of the development is required in order to ascertain if the development adversely affects the integrity of the European site.</p> <p>The LPA is introducing a coastal mitigation scheme, whereby developers can pay a contribution of £600 per unit into a strategic mitigation project as an alternative to developing their own mitigation. The mitigation scheme would then fund coastal wardening, habitat creation and green space provision and therefore ensure that the development has no likely significant effect to the designated sites. There may be instances in which it is appropriate to reduce the contribution, in this case the contribution would be scaled to the predicted occupancy of the site.</p> <p>I note and welcome that the applicant has provided information which aims to assess the impact of the proposal upon the above sites and has provided a proposed mitigation measures document.</p>
Natural England	<p>No Objection; Obligation Advised</p> <p>We consider that without appropriate mitigation the application would damage or destroy the interest features for which the following sites are notified:</p> <ul style="list-style-type: none"> ● Northumbria Coast Special Protection Area (SPA) and Ramsar, ● North Northumberland Dunes Special Area of Conservation (SAC) ● Berwickshire and North Northumberland Coast Special Area of Conservation (SAC) ● Northumberland Shore Site of Special Scientific Interest (SSSI) ● Howick to Seaton Point Site of Special Scientific Interest (SSSI) ● Alnmouth Saltmarsh and Dunes Site of Special Scientific Interest (SSSI) ● Walkworth Dunes and Saltmarsh Site of Special Scientific Interest (SSSI) ● Castle Point to Cullernose Point Site of Special Scientific Interest (SSSI). <p>Appropriate strategies should be secured to ensure Likely Significant Effects created through recreational disturbance are mitigated against. This is likely to involve a suite of mitigation which includes a strategic solution covering the site as part of an area context and may any other initiatives such as connections to existing footpath and walkways, public information and the provision of dog waste bins. The developer should liase with the Local Planning Authority to discuss the next steps in providing appropriate mitigation on a strategic level basis and any other provisions as may be necessary.</p> <p>We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.</p>
Public Health Protection (PHP)	No Objection; Conditions Advised

	<p>The applicant is seeking to develop the former farm into a camping and caravan park. Officers have not visited the site in connection with this application but are aware of its previous use as a Turkey Farm. From the information provided, it appears that there were a number of sheds on site which may have contained asbestos sheeting, and these sheds fell into a state of poor repair. As such it is possible that asbestos contamination may be present on site.</p> <p>In order to bring forward the development the applicant will need to assess the potential for contamination to be present. As this development is for a commercial caravan park use, the risk is deemed to be low and can be controlled via conditions relating to contaminated land.</p>
Lead Local Flood Authority (LLFA)	<p>No Objection; Condition & Informative Advised</p> <p>After reviewing the submitted documents we have no objection to the proposed development. We recommend that a condition relating to the disposal of surface water is appended to any granted planning permission.</p>
Environment Agency (EA) 3 rd Consultation	Awaiting Response; Update to be given at Committee.
Environment Agency (EA) 2 nd Consultation	<p>Objects;</p> <p>We Object to the application as submitted because the risks to water quality from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to water quality can be satisfactorily managed. We recommend that planning permission should be refused on this basis.</p> <p>The applicant has failed to provide the following information:</p> <ol style="list-style-type: none"> 1. Ground percolation test results; 2. A site plan of where the package treatment and drainage field, and cesspit will be sited; 3. Accurate flows for the system and the cesspit; and 4. The supporting information indicates that roads or footpaths may be located over the drainage field. Footpath and roads can result in ground compaction and affect the infiltration rate of the proposed package treatment plant. Therefore, footpaths and road ways should be removed from the proposed drainage area.
Environment Agency (EA) 1 st Consultation	<p>Objects;</p> <p>We object to the proposed development as submitted because it involves the use of a non-mains foul drainage system in a publicly sewered area, but inadequate justification has been provided for this method of foul sewage disposal.</p> <p>The installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.</p>
Northumbrian Water Ltd (NWL)	<p>No Comment;</p> <p>Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make,</p>

	as no connections to the public sewerage network are proposed in the application documents. Should the drainage proposal change for this application, we would request re-consultation.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	28
Number of Objections	42
Number of Support	17
Number of General Comments	1

Notices

General site notice, 26th January 2018
No Press Notice Required.

Summary of Responses:

During the consultation period 42 objections and 1 representation raised the following issues;

- Not in character with the village.
- Visual/landscape impact.
- Scale of proposed development.
- Not relative to the scale of the village.
- Impact on residential amenity.
- Noise pollution.
- Light pollution.
- Highway safety due to access and visibility.
- Pedestrian safety.
- Ecological impact.
- Surface water drainage / Flood risk issues.
- Proposed disposal of foul waste.
- No services within the village.

17 representations of support were also received on the following grounds;

- There is a need for this type of development in the area.
- Development would help to promote tourism.
- Application has addressed the previous reason for refusal.
- Contribution to local economy.
- Would lead to an improvement of the site visually.
- Improved provisions within the settlement.

The following issues were raised but are not planning issues and so have not been considered further;

- Consideration of touring caravans in a negative manner.

- Issues of asbestos disposal.
- Agent's relation to a Council employee.
- Issues of littering.
- Possible impact on road surface.
- Need for the development.
- Application should be considered as a 'major' application.
- Application refers to 'small' in the description.
- Site is located within an Area of Outstanding Natural Beauty (AONB)
- Whether the proposed cafe is needed.

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

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=P1XG6RQSLFX00>

6. Planning Policy

6.1 Development Plan Policy

ALP - Alnwick District Wide Local Plan (1997)

BE8 Design in New Residential Developments and Extensions
 Appendix A Design and Layout of New Dwellings
 T4 Criterial Based Policy to Assess Static and Touring Caravan Developments
 TT5 Controlling Car Parking Provision (and Appendix E)
 Appendix E Car Parking Standards for Development
 CD32 Controlling Development that is Detrimental to the Environment and Residential Amenity

ACS - Alnwick Core Strategy (2007)

S1 Location and Scale of New Development
 S2 The Sequential Approach to Development
 S3 Sustainability Criteria
 S10 Tourism Development
 S12 Protecting and Enhancing Biodiversity and Geodiversity
 S13 Landscape Character
 S14 Tourism Development
 S16 General Design Principles

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2012)

NPPG - National Planning Practice Guidance (updated 2014)

6.3 Other Documents/Strategies

Alnwick Landscape Character Assessment Supplementary Planning Document

7. Appraisal

1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).
2. The main issues in the consideration of this application are;
 - Principle of Development
 - Visual Impact
 - Landscape
 - Design
 - Amenity
 - Environment
 - Contaminated Land
 - Ecology
 - Coastal Mitigation
 - Highway Safety
 - Water Management
 - Procedural Matters
 - Parish Council Issues

Principle of Development

- 7.3 The NPPF seeks to promote sustainable development with paragraph 7 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element. The site is located immediately adjacent the village, bound by existing residential development to the north, east and west.
- 7.4 *S1 of the ACS sets out the hierarchy of settlements to inform the location and scale of development in the former Alnwick District. The location and scale of new development should accord with the settlement hierarchy and reflect the services present, accessibility and character of each settlement.*

S10 of the ACS states that new built cultural and tourism development must be in or adjacent to the rural service centres, sustainable village centres and local needs centres and provide a high quality development, which assists rural regeneration.
- 7.5 *Paragraph 28 of the NPPF promotes a strong rural economy, whereby local and neighbourhood plans should;*
 - *support the sustainable growth and expansion of all types of businesses and enterprise in rural areas.*
 - *promote the development and diversification of agricultural and other land-based rural businesses.*

- 7.6 The site is located within High Hauxley, a 'Local Needs Centre' where there is a minimal service base. High Hauxley is accessible to Amble (2.2 miles north), with a strong service base. S1 states that within Local Needs Centres, development is restricted to those that satisfy local needs only; however development for tourism proposals are subject to assessment against S10 which allows new built tourism development adjacent to local needs centres as long as they provide a high quality development which assists rural regeneration. In addition the NPPF supports the sustainable growth and expansion of all types of businesses and enterprise in rural areas.
- 7.7 *S2 of the ACS sets out a sequential approach for development where weight is given to previously developed land or buildings before other suitable sites within the built up area of settlements.*
- 7.8 *S3 of the ACS sets out sustainability criteria stipulating that development must satisfy the criteria with exceptions to compensate for sustainability shortcomings through condition/legal agreement but also states that it may be necessary to allow development which does not meet one or more of the criteria. These include that the development is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car, and there is adequate existing or planned capacity in the physical and community infrastructure, or that additional capacity can be provided, as well as matters of environmental impacts.*
- 7.9 Limited weight can be attached to S2 as the NPPF does not require a sequential test for this development type. The site would conform to the sustainability criteria of S3 that would contribute to other settlements in relatively close proximity that allow for access of services.
- 7.10 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new a new business venture with on-site facilities and in social terms would deliver tourism development in an appropriate location, which would help to sustain the existing and nearby community and associated services, as well as being able to contribute to improvements to existing services. Its environmental role is subject to further consideration of landscape and design of the development.
- 7.11 The principle of development is therefore considered acceptable and in accordance with S1, S3, and S10 of the ACS and the NPPF.

Visual Impact

Landscape

- 7.12 The site is open land with large areas of hardstanding associated with the former use of the site. The visibility and prominence of the site is limited due to its topography along with established trees/hedgerows. The appraisal of Landscape considers the physical mass and character impact of a development proposal.

- 7.13 *S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district.*
- 7.14 *T4 of the ALP states that applications for caravan developments will be determined against criteria including the extent of visual and environmental impact; suitability of colouring of units and landscaping of the site; impacts on the amenity or services enjoyed by neighbouring residents; and whether water supply, sewerage and refuse disposal can be provided.*
- 7.15 In terms of physical form, the application proposes to consolidate the site through ancillary works to allow for the touring stances and tent pitches set around two areas with associated landscaping to form the plots, providing some screening along the southern boundary. The scale of the amenity block and reception building would be limited in size so as not to have a significant visual impact through their mass which again is offset through pockets of trees. The imposition of physical mass associated with the development is considered acceptable.
- 7.16 *S16 of the ACS states that all development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials. Proposals should take full account of the need to protect and enhance the local environment.*
- 7.17 *Paragraph 17 of the NPPF sets out its core planning principles to be applied in plan-making and decision-taking, taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.*
- 7.18 It is with regard to this aspect that the application is considered to fail. The introduction of a touring caravan site immediately adjacent to a historic rural village of approximately forty residential properties of substantial construction in a settlement of a relatively small scale (recognised through High Hauxley's classification within the spatial hierarchy of S1 of the ACS) is considered to have a negative impact. Notwithstanding the physical intervention; development of the site to form permanent built form could be of a design and scale to retain the character of the village and maintain continuity as a development type alongside the wider context. However the infrequent occupancy of tent pitches, nature of touring caravans and being of up to thirty in number, would not be in keeping with the village nor would it be considered to reinforce local character and distinctiveness.
- 7.19 Therefore whilst the principle of tourism accommodation is accepted in this location; the type, scale and tenure of development put forward is considered to be incongruous with the size and rural nature of High Hauxley. The impact on local character and distinctiveness is considered significant to warrant refusal, conflicting with S16 of the ACS and the NPPF.

Design

- 7.20 7.25 Design considers the appearance of the development independently and as part of the immediate streetscene. Objections on this ground have been considered in the appraisal.
- 7.21 *S16 of ACS sets out that all development will be expected to achieve a high standard of design reflecting local character and distinctiveness in traditional or contemporary design and materials.*
- 7.22 *T4 of the ALP states that touring caravan development will be assessed on the extent to which the siting of the development would minimise its visual impact.*
- 7.23 Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in developments.
- 7.24 Due to the nature of the development to allow for touring caravans and that the site is relatively well screened, the visual impact of the site would ultimately vary dependant on the level of occupation. Where there is scope for assessment is with service buildings would be single storey, stone built structures of a mono-pitch form. Their relative scale and footprint is such that it would appear in keeping with the village through the use of stone but of a contemporary appearance through the form and design. Roofing materials could be controlled by condition to ensure that this aspect is suitably addressed.
- 7.25 Overall the design of the proposal is considered acceptable and in accordance with design elements of S16 from the ACS, T4 of the ALP and the NPPF.

Amenity

- 7.26 The assessment of amenity seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use. Objections received on this issue have been taken into account within the appraisal.
- 7.27 *T4 of the ALP states that touring caravan development will be assessed on whether the siting and scale of the development would adversely affect the amenities or services enjoyed by those living in nearby residential development.*
- 7.28 *Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.*
- 7.29 *Paragraph 17 of the NPPF sets out its core planning principles, to underpin both plan-making and decision-taking. One of these principles is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

- 7.30 The proposed development would be well enclosed and partially separated from properties in the immediate vicinity, whilst the physical mass of the proposal would be unlikely to cause an adverse impact on amenity the main issue would be from the proposed use which has been highlighted in neighbour representations. The application has been subject to consultation with Public Health Protection who has raised no issues arising from the use however this would not circumvent potential issues of statutory nuisance from arising which would be subject to legislation outside of the planning process. Notwithstanding this, the contained nature of the site means that on-site effects on amenity would not adversely affect the wider area significantly.
- 7.31 The impact on amenity is therefore considered acceptable and in accordance with CD32 and T4 of the ALP and the NPPF.

Environment

Contaminated Land

- 7.32 As a site of former agricultural buildings associated with turkey farming that are now demolished. The application has been subject to assessment by the Council's Public Health Protection team (PHP). No documents have been submitted in respect of this issue. Objections raised regarding this issue have been addressed below.
- 7.33 *Paragraph 120 of the NPPF states that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the landowner.*
- 7.34 PHP has advised that whilst there would appear to be potential for contamination on site, that given the proposed use and works involved that this aspect of the proposal could be adequately managed by conditions to secure a contaminated land assessment and measures to be undertaken in the event that contamination is found.
- 7.35 It is therefore considered that mitigation of contamination issues can be successfully undertaken, in accordance with the NPPF

Ecology

- 7.36 The application is located on the edge of a built area bordering onto open countryside beyond. Notwithstanding the previous use, there are considered to be potential on-site ecological impacts arising from the development. In addition, the site is located within close proximity to a number of designated sites with the proposal as holiday accommodation having potential to affect them. The application has been submitted with an Ecology Survey which has been subject to assessment in consultation with the County Ecologist and

Natural England. Objections on ecological grounds are considered within this section.

- 7.37 *S3 of the ACS sets out sustainability criteria one of which is that there would be no significant adverse effects the natural resources, environment, biodiversity and geodiversity of the district.*
- 7.38 *S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district.*
- 7.39 The County Ecologist has raised no objection on issues relating to on-site impacts subject to conditions. As set out within the Coastal Mitigation section of the appraisal, the applicant has agreed to enter into a legal agreement with the Local Planning Authority to pay into the Council's Coastal Mitigation Service which would mitigate the off-site impacts associated with the proposal.
- 7.40 Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF.

Coastal Mitigation

- 7.41 The site lies within 10km of Northumbria Coast Special Protection Area (SPA) / Ramsar sites, Northumberland Marine SPA, North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC which are internationally designated sites as well as further nationally designated sites which are; Northumberland Shore SSSI, Howick to Seaton Point SSSI, Alnmouth Saltmarsh and Dunes SSSI, Warkworth Dunes & Saltmarsh SSSI, Castle Point to Cullernose Point SSSI.
- 7.42 When developers apply for planning permission for new residential or tourism development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects.
- 7.43 *S23 of the ACS sets out that where a planning obligation is necessary to make an application acceptable in planning terms, the district council will request a developer to sign a legal agreement to provide in kind and / or make a contribution towards the provision or improvement of physical or social infrastructure or local environmental improvements necessitated by the development or to provide affordable housing to meet housing need.*
- 7.44 *Paragraph 119 of the NPPF sets out that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.*

- 7.45 There is consideration of increasing levels of recreational disturbance such as off-lead dog-walking affecting bird species which are the interest features of the range of sites on the coast which are protected under national and international legislation. Recreational pressure is also adversely affecting dune grasslands which are also protected under national and international legislation, especially through the spread of the non-native pirri-pirri bur. The Local Planning Authority has legal duties to ensure that the capacity of these protected areas to support features for which they were designated is not compromised.
- 7.46 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.
- 7.47 The applicant has agreed to pay a contribution of £300 per touring stance for coastal wardening work (based on a 6-month occupancy), secured by s106 legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation, and has similarly concluded that there will be no significant harm to any SSSIs. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation.
- 7.48 From this, the off-site ecological impacts of the development on designated sites can be suitably addressed.

Highway Safety

- 7.49 In addressing highway safety, on and off-site issues are considered in consultation with Highways Development Management (HDM). The application has set out that the existing access would be upgraded and used as the sole means of access into the development with overnight parking, spaces for each stance and large open turning areas within the site. There are on-site issues in terms of the highways requirements for the properties and off-site impacts through the provision of a safe means of access for vehicles, pedestrians and the delivery of appropriate off-site works. Objections made in respect of highway safety have been addressed below.
- 7.50 *S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.*
- 7.51 *T4 of the ALP states that touring caravan development will be assessed on the extent to which the road network would be capable of supporting the potential traffic generated.*
- 7.52 *Paragraph 32 of the NPPF sets out the considerations of decisions with regard to highways impacts, stating that development should only be*

prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.53 HDM has reviewed the application setting out in their response that there are no objections in principle subject to the access being upgraded and that the frontage is set back from the carriageway to allow for sufficient visibility. As part of the off-site works required, there would be the need for the 30 mph signage to be moved to manage vehicle speeds to ensure safe access and egress along with localised road widening to address overrun damage to both sides of the highway verge which would facilitate the passing of two vehicles along the highway. HDM have raised no issues over highway capacity and increased levels of traffic that would significantly affect the development proposal from a highway safety point of view.

7.54 The impact on highway safety is considered acceptable and in accordance with the NPPF

Water Management

7.55 The application is for not for major development however the Lead Local Flood Authority (LLFA) has taken an interest due to legacy issues of surface water drainage which was the basis for the previously refused application. Northumbrian Water (NWL) has also been consulted however no means of mains drainage has been proposed. In addition the Environment Agency (EA) has been consulted as non-mains foul drainage has been proposed. There will be on-site impacts through the introduction of built form and off-site impacts in terms of water displacement. Objections on this ground have been addressed in this section.

7.56 *T4 of the ALP states that applications for new touring caravan developments will be assessed against whether water supply, sewerage and refuse disposal can be provided for.*

7.57 *Paragraph 94 of the NPPF states that Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply demand considerations.*

7.58 Surface water drainage has been proposed by soakaway to which the LLFA have raised no objection subject to a condition to secure details of surface water drainage prior to commencement.

7.59 The EA has objected to the proposal requiring further information regarding financial/practicality issues which is necessary to allow a means of non-mains drainage in this location. The applicant has submitted information with the application and is in ongoing discussions with the EA. An update will be provided to Members at committee but at the time of writing, forms a reason for refusal.

7.60 It is therefore considered that whilst surface water management can successfully be undertaken on site, the application has not demonstrated that

a non-mains foul drainage system is acceptable and is therefore contrary to T4 of the ALP and the NPPF.

Procedural Matters

Equality Duty

- 7.61 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

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

Human Rights Act Implications

- 7.63 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.
- 7.64 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.

Parish Council Issues

- 7.65 Hauxley Parish Council raised issues in their objection most of which has been addressed within the body of the appraisal. A committee site visit has not been carried out on the basis that the recommendation is for refusal.

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 A s106 Legal Agreement has been agreed by the applicant to secure the following;

- Coastal mitigation strategy/contribution (£9,000)

Should Members be minded to overturn officer recommendation, this aspect should be resolved prior to determination.

8.3 Notwithstanding the above and the sustainability of the site; the application proposes an inappropriate form of development that would deviate from the character of the area through the introduction of development of a size and type that would not be akin to a rural village. Therefore whilst holiday accommodation in this location would be acceptable in-principle, the development put forward is not considered compatible with the locale.

8.4 Insufficient information in respect of non-mains drainage has been submitted with the applicant being given a considerable amount of time to resolve the issue with the Environment Agency who have objected to the application as a statutory consultee.

8.5 The application therefore conflicts with development plan and national policy and is therefore recommended for refusal

9. Recommendation

That this application be REFUSED for the following:

Reasons

01. Adverse Impact on Character

The application presents development that would not reflect the local character or distinctiveness of High Hauxley; a historic small rural village comprising only of residential dwellings. The proposed touring caravan site would be of an incongruous form and scale that would have an adverse impact on the setting of a historic rural village. The application therefore conflicts with Policy S16 of the Alnwick LDF Core Strategy and the National Planning Policy Framework.

02. Insufficient Foul Drainage Information

Insufficient information has been provided in respect of foul drainage to justify the reason for not connecting to mains drainage with particular regard to risks to water quality from the proposed development. The application is therefore considered to conflict with Policy T4 of the Alnwick District Wide Local Plan, the National Planning Policy Framework and Planning Practice Guidance which stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer.

Date of Report: 06.06.2018

Background Papers: Planning application file(s) 18/00006/FUL