

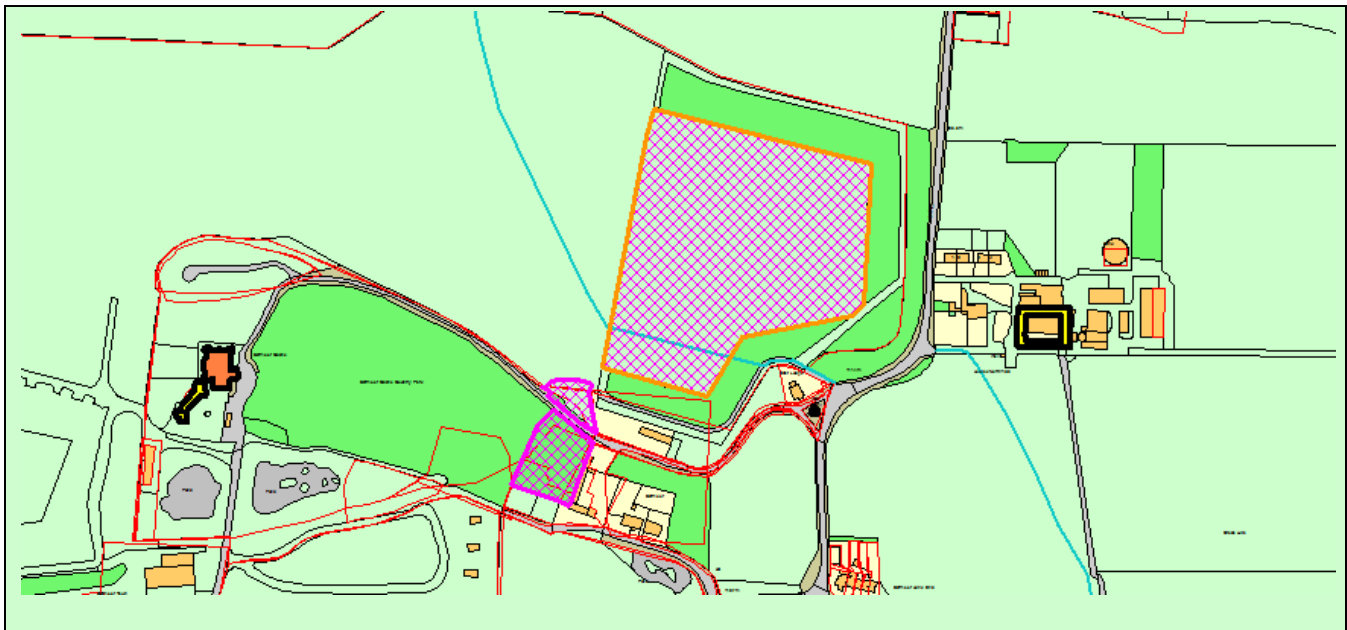


Northumberland County Council

North Northumberland Local Area Council 21st May 2019

Application No:	18/01719/FUL		
Proposal:	Change of use of land at 'Back Croft' to site 60 static holiday caravans as an extension to existing holiday park and, provision of wardens lodge, reduction in size and relocation of maintenance yard and building.		
Site Address	Caravan Park , Barmoor Castle Country Park, Barmoor Castle, Lowick TD15 2TR		
Applicant:	Mr Jamie Lamb Barmoor Castle, Lowick, TD15 2TR,	Agent:	Martin Taylor 65 Gresham Street, London, EC2V 7NQ,
Ward	Norham And Islandshires	Parish	Lowick
Valid Date:	31 May 2018	Expiry Date:	25 April 2019
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be approved, subject to conditions and Unilateral Undertaking for subscription to the Coastal Mitigation Service.



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1. Introduction.

1.1 Following inclusion on the Chair Referral List this application has been deemed appropriate for determination at North Northumberland Local Area Council Planning Committee.

2. Description of the Site and Proposal

2.1 The site to which the application relates is located on the western edge of the village Lowick. It is accessed from the B6353 and has road connections from the A1 and A697. The main towns within the area are Berwick-upon-Tweed 7.7 miles (3.1 km) North-West and Wooler 9.7 miles (3.92 km) South East. The Caravan Park has an area of approximately 80.93 ha (200 acres) and has planning consent for 231 holiday pitches across the park plus a maintenance building. The park has an 11 month holiday season and there are currently 149 pitches sited on the developed area.

2.2 The field subject to this application is located in the north-east corner of the estate, known as Back Croft and has an area of 3.7 ha (9.31 acres). The application site is screened by existing mature woodland.

2.3 The proposal to which the application relates to is for the use of land in the north-eastern corner of the estate, known as Back Croft, to accommodate a new area of development, with 60 holiday static caravans. The proposed development at Back Croft would be accessed from the internal access road behind Palm Lawn, with a tree-lined approach into the field. The park itself has two points of vehicular access from the B6353 road, the main site entrance (Flodden Gate) to the west and the second access point to the east which passes in front of East Lodge. Occupants of the caravans in Back Croft would continue to use the main access at Flodden Gate with the second access point only available for emergency use. The proposal also includes the removal of seven caravan units to the eastern portion of Palm Lawn. It is proposed for the vacant land to be used as a maintenance compound which will include a small maintenance shed. The position of the proposed building seeks to further acknowledge the sensitivities toward the setting of the designated assets and has, therefore, been located to the eastern boundary of the Country Park, guarded by the existing mature trees. As a result, this would remove 7no. lodges, one of which would be replaced as a second warden's lodge adjacent to the existing warden's lodge.

2.4 The proposed development is proposed, as shown on the plan, with cul-de-sac areas, landscape planting features within the layout, and creation of a pond feature within the development and also on the approach to Back Croft. Although the site is screened from public views outside the park, an additional planting belt is proposed along the western boundary of the development to give a better sense of enclosure.

2.5 Although full details are yet to be determined, it is understood that the proposed caravans would be approximately 12 metres long by 4 metres wide. Maximum height would be approximately 3.5 metres. The units are assumed to be a minimum of 500mm above ground level on level ground giving an overall estimated height of 4.0 metres. Spacing would be a minimum of 5 metres apart in accordance with the current site license. It is anticipated that the final design of the caravans would be subject to a discharge of condition application, should this application be approved by the committee.

3. Planning History

Reference Number: N/00/B/0219

Description: Extension to existing caravan park.

Status: PER

Reference Number: N/03/B/0930

Description: Variation of planning permission condition to enable the caravan site to be occupied from 9 february to 9 january inclusive, every year.

Status: PER

Reference Number: N/02/B/0175

Description: Change of use of land to provide site for 9 no. additional static caravans.

Status: PER

4. Consultee Responses

Lead Local Flood Authority (LLFA)	Following the submission of additional documentation the LLFA have removed their objection to the proposal, subject to the inclusion of specified documents on the approved plans condition, and two further conditions.
Building Conservation	<p>This further comment follows our earlier response dated 22 June 2018. The applicant has supplied a Heritage Statement as requested which was uploaded on 1 August 2018. We have now had the opportunity to study the HS and acknowledge its findings.</p> <p>Building Conservation does not wish to offer any further comment in relation to the proposal outlined above.</p>
Historic England	On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
Lowick Parish Council	Parish Councillors have discussed the above application and raised concerns about the lighting already in the Country Park and are not in favour of any further lighting being installed, the current lighting does not enhance the 'dark skies' of Northumberland Users of the Park still use the 'back' entrance rather than the entrance from the B6353, the owners should ensure that it is the entrance from this road that is used and accessible at all times A wood shown in the application does not belong to the applicants Parish Councillors would like the planning permission already granted to be withdrawn before the new application is considered.
Highways	No issues arise from the proposal
Countryside/ Rights Of Way	<p>The Countryside and Rights of Way Officer have no objection to the application on the condition that Public Footpath No.6 is protected throughout. The Countryside and Rights of Way Officer notes that our previous comments to accommodate the public right of way separately to the proposed development's main access road have been taken onboard. However, suitable provision would also be necessary to safely accommodate the public footpath where it is crossed by the proposed new access track, the developer would need to discuss any proposals with the council's Area Countryside Officer, prior to work commencing on site.</p> <p>Also, no action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.</p>
County Ecologist	Provided coastal mitigation is secured the County Ecologist raises no objections to the proposals on ecological grounds on condition that

	avoidance, mitigation and enhancement measures detailed in the condition recommended are carried out in full.
Natural England	No objection, subject to subscription to the Coastal Mitigation Service.
North Trees And Woodland Officer	No response received.
Public Protection	Falls below our risk appetite
Northumbrian Water Ltd	Having assessed the proposed development against the context outlined above NWL can confirm that at this stage they would have no comments to make, as no connections to the public sewerage network are proposed in the application documents.
Environment Agency	The Environment Agency have no objection to this proposal as submitted and offer an informative to be included in any grant of permission.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	7
Number of Objections	1
Number of Support	0
Number of General Comments	0

Notices

Site notice - Public Right of Way, 11th June 2018

Berwick Advertiser 14th June 2018

Summary of Responses:

1 No. Objection has been received from a neighbouring occupier. This cites the following issues:

- Access Issues; and,
- Traffic Impacts.

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=P8KHWFGSGIG00>

6. Planning Policy

6.1 Development Plan Policy

Berwick upon Tweed Local Plan 1999 (Saved Policies 2007)

F31 - Social and Economic Welfare

M9 - Pedal Cyclists Policy

M14 - Car Parking Standards

F1 - Environmental Wealth

F4 - Intermediate Areas of Landscape Value

F9 - Wildlife

F10 - Protected Species

F30 - Planning Obligations

R9 - Camping and Caravanning

6.2 National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance (2019, as updated)

6.3 Emerging Plans/Policy

Northumberland Local Plan Regulation 19 Consultation (January 2019)
STP1, STP2, STP3, STP4, STP5, STP6, ECN1, ECN12, ECN13, ECN15, QOP1, QOP2, QOP4, QOP5, QOP6, TRA1, TRA2, TRA3, TRA4, ICT2, ENV1, ENV2, ENV3, ENV4, ENV7, WAT1, WAT2, WAT3, WAT4, POL2 and POL3.

6.4 Supporting Evidence Documents

Northumberland Landscape Character Assessment 2010

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are:

- Principle of Development;
- Landscape Impact;
- Design;
- Listed Buildings and Historic Environment;
- Impact on Amenity;
- Ecology;
- Highway & Transport Matters;
- Public Right of Way
- Other Matters

7.2 Planning applications should be determined in accordance with the development plan, unless other material considerations indicate otherwise. The adopted development plan in relation to this application is formed by the Berwick-upon-Tweed Borough Local Plan (Adopted 1999) (Saved Policies 2007). The NPPF is also a material consideration in the determination of planning applications. The development plan has therefore been used as the starting point for the assessment of the proposals submitted for consideration.

7.3 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the Framework's presumption in favour of sustainable development.

7.4 Paragraph 48 of the NPPF states that 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 emerging Northumberland Local Plan - Draft Plan for Regulation 19 Consultation was published in January 2019. The policies contained

within this document carry some weight in the determination of planning applications at this stage.

7.5 The Berwick-upon-Tweed Borough Local Plan policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.6 The NPPF provides specific policy guidance on development proposals and is a material consideration in the determination of such applications.

Principle of Development

7.7 Policy F1 of the BLP seeks to ensure that "*primary importance will be given to sustaining and enhancing the Borough's environmental wealth, including its landscape and coast*". It is considered that the proposal can in principle accord with this, and will not have an increased impact upon the landscape, however landscape matters are discussed later in this application.

7.8 F4 of the BLP is underpinned by F1 as an area based policy that supports development that: " *i) within or immediately adjoining an existing settlement; ii) it accords with its surroundings by virtue of its scale, density, height, massing, layout materials, hard and soft landscaping including indigenous species, means of enclosure and access; iii) it will not have a detrimental impact on long range views important to the character and quality of the landscape, including the national park, the tweed valley and kyloe hills and glendale areas of high landscape value, the north sea and coastal zone, and neighbouring landscapes including the Lammermuir and Eildon Hills in the Borders Region of Scotland; it relates to and accords with policies S4, W2, W4, W8, or C5, associated with agricultural developments or Policies R7 or R9; and, v) it accords with policies elsewhere within the plan.*". It is considered that the proposal complies with this policy and would be further assessed utilising policy R9 of the BLP.

7.9 Policy F31 alongside F1 allows weight to be given to proposals that enhance the quality of life of communities or to complement the range of social or economic functions which any of them performs. The proposal is considered to be compliant with these policies in this regard.

7.10 The proposal would be outside of a settlement but is subject to development plan policy that for the development of sites for holiday accommodation (R9), which would form the key planning policy in relation to this site.

7.11 R9 of the BLP sets out that "*the development of new sites, or the extension of existing sites, for touring caravans or camping, or static caravans, chalets, log-cabins or other purpose-built holiday accommodation, will be permitted provided that: i) The site is largely enclosed from the surrounding landscape by dense woodland and/or other landscape features; ii) it will be integrated successfully into the wider landscape, including heritage and nature conservation interests; iii) a high standard of amenity will be provided for visitors to the site, in terms of both the setting of the accommodation and/or pitches, and the external appearance accommodation where accommodation is provided; a management plan, to ensure that site amenity and the visual relationship between the site and its landscape setting will be maintained or enhanced, is agreed; v) it will not result in the*

irreversible loss of grade 1, 2 or 3a agricultural land, other than to accommodate any related facilities permitted as part of the development; vi) it will not adversely affect the amenity or services of adjoining communities; vii) the local road network can accommodate the additional traffic generated by the development; viii) In the Coastal Zone, Policy R12 will also apply; for the Riverside Holiday Park in Wooler, Policy R17 will also apply and in Berwick-upon-Tweed, Policy R23 will also apply; and, ix) it accords with Policies elsewhere in the plan. Where an extension to an existing site is proposed, either by area and/or the number of accommodation units, improvements to the amenity and layout of the existing site will be sought as appropriate. Planning conditions will be used to ensure that all accommodation is for holiday use, and not as principal residential accommodation.”

7.12 As expansion of an existing well-established business on land immediately adjacent to the current operations, within a development that is screened, is supported in principle. 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 the expansion of an existing business and in social terms would deliver holiday accommodation in an appropriate location, which would help to sustain the existing community and associated services, as well as being able to contribute to improvements to existing services. In terms of its environmental role there would not be any significant or unacceptable harmful impacts on the site and wider area and the development could be assimilated into this location, subject to further consideration of landscape later in this report.

7.13 The principle of development is therefore acceptable in accordance with the relevant policies in the development plan (formed by those saved in the BLP) and the NPPF.

7.14 Further to the above, the proposal is also considered to be in conformity with the relevant policies in the emerging Northumberland Local Plan (SPT1, STP2, STP3, STP4, STP5, STP6, ECN1, ECN12, ECN13 and ECN15)

Landscape Impact

7.15 Although final details of the proposal are yet to be determined the LVIA which accompanies the application has stated that the following has been considered. The proposed caravans would be approximately 12 metres long by 4 metres wide. Maximum height would be approximately 3.5 metres. The units are assumed to be a minimum of 500mm above ground level on level ground giving an overall estimate height of 4.0 metres. Spacing would be a minimum of 5 metres apart in accordance with the current site license. It is understood that the LVIA has been assessed on caravans fitting the scale set out above. Although this details the broad parameters of the proposed caravans, it is considered appropriate to recommend that, should permission be granted, conditions detailing the final design, including plans, elevations and site levels, are appended to any grant of permission. Appropriate conditions have been appended to this report. This is to ensure that the impact of final proposal complies with relevant policies such as those relating to landscape, heritage and design.

7.16 F1 and F4 of the BLP seek to sustain the environmental wealth (including the landscape of the former Berwick District), and further to this, F4 sets the context for consideration of applications within the Intermediate Areas of Landscape Value, in

which this application sits. Further context to this along with the Northumberland Landscape Character Assessment.

7.17 The site is currently open field uninterrupted by other built form. The appraisal of Landscape considers the physical mass and character impact of a development proposal. A Landscape and Visual Impact Assessment (LVIA) has been submitted with this application by the applicant, this was undertaken by Leeming Associates.

7.18 In terms of the Landscape Character Assessment 2011 the site is identified as being located in Landscape Character Type 16: Open Rolling Farmland Introduction. These landscapes are areas of “*gently rolling arable farmland, with scattered villages and occasional estates*”. This LCT is represented by three character areas: 16a Halidon, 16b Duddo and Lowick and 16c East Learmouth, with the proposal site being located in Landscape Character Area 3b.

7.19 The key characteristics of this Landscape Character Type are: Gently undulating farmland lying above the valleys of the River Tweed and River Till; Arable cultivation dominates the farmland with a strong pattern of enclosure and regular, medium sized fields; Scattered farmsteads, hamlets and small villages are dispersed throughout the landscape; Local influences of estates and planned villages such as Ford and Etal; The landscape has an open character and the regular landform and medium sized fields contribute a consistency across the area; and, Influences from a number of periods of history are evident from the route of the A697 along the Roman road, the Battle of Flodden Field, the planned villages of Ford and Etal, and estate landscapes such as Tillmouth Park.

7.20 Landscape Character Area 16b Duddo and Lowick rises steadily from the Tweed towards the sandstone hills. The topography is relatively varied. Around Duddo a more undulating landform predominates, with occasional rock outcrops. To the south, the land drops down to Ford, where the influence of the Ford Estate is clear. Ford Castle and the surrounding village are key historic attractions in the area. Other significant features include the stone circle at Duddo, and Barmoor Castle with its associated caravan park. An extension of the area forms the fringe of the Till valley. Around Lowick, the landform is flatter, with large, arable fields.

7.21 The assessment includes development guidelines regarding this landscape character type. This states “*the historic integrity of estate settlements such as Ford and Etal should be maintained. Development, including tourist-related development, which is sympathetic in style, and reflects local vernacular building types, will integrate most successfully with the existing villages.*”

7.22 The LVIA submitted by the applicant appraises the impact of the proposal in visual and landscape terms. This states the following in terms of the visual envelope around the site that:

The visual envelope around the Back Croft site is limited and contained due to the existing vegetation, planting on the existing caravan park development and local landform.

Views of the site from the north are limited by the woodland and local ridgelines in the landform. The mature belt of woodland adjacent to the B6525 to the east fully screens Back Croft. From the south the existing caravan park

planting block views. The most extensive views of the site are from the west and north-west from woodside and Bowsden West Farm due to the rising landform.

From within the site, with clear visibility, the mast at Allerdean Grange (to the north between Ancroft on the B6525 and the B6354) is visible. It was however assessed that the proposed Country Park extension would not affect the view from this long distant position which is over 2km away.

7.23 In terms of the Visual Impact Assessment from properties the LVIA states the following:

Within the visual envelope there are five locations (some of more than one property) with potential views to the Country Park extension into Back Croft.

Barmoor Castle and the Castle's former stables have no view of the proposed site due to orientation, the existing holiday accommodation and mature vegetation.

The remaining four locations do not experience any significant visual impact due to the young woodland on the north and south boundaries and existing hedge along the west boundary. It was assessed that these locations may have limited views of the roofs of the proposed caravans above the existing woodland planting and the proposed tree planting along the new access road. However this was not considered to present a significant change in views and therefore these locations were assessed as having no visual impact from the proposed Country Park extension into Back Croft.

7.24 In terms of the Visual Impact Assessment from properties the LVIA states the following:

Views from Public Rights of Way (footpaths and bridleways) within the visual envelope are affected to the north and in the immediate vicinity of the site.

Footpath number 229/006 from East Lodge to Barmoor Mill Farm, crosses the top of Back Croft and this section will experience a significant change in Character in a short section of the approximately 160 meters. The remainder of the path is unaffected due to the screening of the existing mature hedgerow along the west boundary of the site. The visual impact over the full length of the PRow is therefore minor and will not be reduced over time due to the proximity on the site.

Footpath routes along the valley floor (numbers 1, 8 (footpath and bridleway), 9 15 and 47) will not experience any visual impact despite their close proximity to the proposed site, due to the local valley undulations, woodland blocks and hedgerow vegetation.

Only one footpath nr.16 from Barmoor Mill to Bowsden has been assessed as experiencing minor negative impact from elevated views as the route ascends toward Bowsden. Units in the southern part of Back Croft will remain visible as the boundary woodland planting will be of limited effectiveness in mitigating these elevated views.

Bridleway (number 208/005) that climbs to the trig point above Bowsden West Farm is over 2km from the site and will not experience visual impact at this distance.

Views of the proposed site on Back Croft are limited to one section of highway adjacent to Bowsden West Farm to the north. Due to the distance there is no visual impact.

7.25 In terms of Visual Impact on Landscape Character the LVIA states the following:

The proposed development will not have a significant effect on the local landscape character due to the existing screen planting around the whole site boundary and local topography.

The proposed units are an extension to the existing Country Park, which is highly visible in some areas, and therefore will not introduce an element that is not already present in the landscape. The size of the extension is not considered to have a significant negative impact on the character of the immediate area.

7.26 The LVIA also states that *“The proposed extension to the existing caravan park would result in some seasonal alteration in the tranquility of the area due to the slight increase in the number of people. However, this would not be considered to be significant so as to negatively affect the character which attracts tourists to the location”*

7.27 The LVIA also states with regard to additional planting

Due to the limited visual impact of the proposed development on Back Croft, mitigation planting has not been proposed. The significant existing woodland planting along the north and south boundaries undertaken 10 years ago, in addition to mature woodland to the east and the mature hedgerow on the western boundary means that the site is very well screened.

The limited number of views, from elevated positions, on Public Rights of Way that do experience minor negative visual impact would not be significantly altered by additional planting.

7.28 The LVIA submitted provides the following summary/conclusion

There is very little visual impact of the proposed extension to the Barmoor Castle Country Park into Back Croft either from receptors or on the local landscape character because it is well screened by substantial mature vegetation. Where there are views, the presence of units already visible within the landscape does not make the introduction of the further units incongruous. There is therefore no significant adverse effect on the landscape.

7.29 F1 of the BLP states primary importance will be given to sustaining and enhancing the Borough's environmental wealth including its landscape and coast.

7.30 Following consideration of the above, the proposal will be compliant with policy F4 as the proposal will be located adjacent to the existing holiday park, it will be assimilated into the landscape by virtue of its design and the landscaping proposed as part of the scheme, will not have a detrimental impact on the long range views important to the character and quality of the landscape and complies with R9 (see below).

7.31 The proposal is considered to be compliant with policy R9 of the BLP in landscape terms as the proposal will be largely enclosed from the surrounding landscape, by both the existing landscaping in place, and that to be provided as part of the scheme, will be integrated successfully into the wider landscape, a management plan is being conditioned to ensure the long term relationship of the proposal with the landscape, it will not impact on the amenity of nearby users to an extent that would warrant refusal,

7.32 Paragraph 170 of the NPPF states that decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

7.33 The introduction of the development would serve as an extension to the existing site but would still be of a scale to potentially have a landscape impact.

7.34 In terms of the proposal's compliance it is considered that the proposal has been designed and situated in such a manner as to sit within the landscape, and will not have a significant impact on wider views towards the site. The design and situation of the proposal is considered to not have such an impact as to be considered worthy of the refusal of the application.

7.35 In terms of the policies of the emerging Northumberland Local Plan, policy QOP4 and ENV3 are relevant to this application with respect to landscape, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.36 Further to the above, the proposal is considered to comply with the relevant Development Plan policy, as well as other material considerations e.g. NPPF and the emerging Northumberland Local Plan.

Design

7.37 Design considers the appearance of the development independently and as part of the immediate area.

7.38 F4 of the BLP permits development that accords with its surroundings by virtue of its scale, density, height, massing, layout, materials, hard and soft landscaping including indigenous species, means of enclosure and access.

7.39 R9 of the BLP deals with new holiday accommodation, permitting development "*provided that; iii) a high standard of amenity will be provided for visitors to the site, in terms of both the setting of the accommodation and/or pitches and the external appearance where accommodation is provided.*"

7.40 Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in developments.

7.41 Paragraph 60 of the NPPF states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation. It is however proposer to seek to promote or reinforce local distinctiveness.

7.42 In terms of the policies of the emerging Northumberland Local Plan, policy QOP1, QOP2, QOP3, QOP4, QOP5 and QOP6 are relevant to this application with respect to design matters, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.43 Matters of design are in-part limited given the type of development proposed. It is considered given the appearance and setting of existing units set around Barmoor Castle Country Park it's reasonable to assume that the appearance of the development would not have an adverse impact on the immediate area. Further control will be ensured through conditions appended to this report in relation to the final design of the caravans to be included in the site. It is recommended that these are included in any grant of permission in relation to this proposal.

Listed Buildings & Historic Environment

7.44 Barmoor Castle Country Park lies approximately one mile west of the village of Lowick. Within the site ownership is Barmoor Castle, a grade II* listed building dating from 1801 and the grade II listed stable block. There are further entries on the historic environment register (HER) within the site. There are a number of heritage assets in the wider setting of Barmoor Country Park the closest of which is the grade II listed Barmoor War Memorial.

7.45 Given the proximity of Listed Buildings to the site, the application is subject to consultation with Building Conservation (BC) and Historic England to assess the effect on setting of Listed Buildings.

7.46 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which advise that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving any listed building and its setting or any features of special architectural or historic interest which it possesses.

7.47 Paragraph 132 of the NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The more important the asset, the greater the weight should be.

7.48 Historic England and the Council's Building Conservation Officer have been consulted on this application and Building Conservation have commented that they acknowledge the findings of the Heritage Statement Submitted by the applicant and that they do not wish to offer any further comment in relation to the proposal. The conclusion of the heritage statement states the following.

Through the detailed understanding of the history of the Site and assessment of significance to inform, the heritage impact of the proposed scheme has been robustly considered. In summary, the assessment has concluded that the proposed development to introduce an additional 60no. static caravan

units will preserve the setting and, therefore, the significance of the identified heritage assets and will result in no harm to the nearby designated assets.

Overall, we are of the view that the degree of impact arising from the scheme will be negligible, in line with the test of NPPF paragraphs 132- 134 and the local planning policies of Northumberland Council. On this basis, it is considered that there should be no objection to the proposed development in heritage terms.

7.49 Given the comments of the Building Conservation officer and the comments also received from Historic England, it is considered that the impact of the proposal on this historic environment will be negligible. It is therefore considered that the proposal would be in conformity with the relevant policies in the development plan (F1 of the BLP), and the relevant elements of the NPPF and the emerging Northumberland Local Plan.

7.50 With specific reference to the policies of the emerging Northumberland Local Plan, policy ENV7 are relevant to this application with respect to the historic environment, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.51 Further control will be ensured through conditions appended to this report in relation to the final design of the caravans to be included in the site. It is recommended that these are included in any grant of permission in relation to this proposal.

Amenity

7.52 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, and also issues which may occur from within the proposal site itself. Given the final design is not currently available, an assessment of this has been made on the basis of the broad scale of the proposal which is set out in Chapter 2 and earlier in Chapter 7 of this report. Further control will be ensured through conditions to be appended to this application in relation to the final design of the caravans to be included in the site, it is recommended that these are included within any grant of permission and are appended to this report.

7.53 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.

7.54 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the caravans proposed, which ensure that residential amenity is protected. In the context of the above, the proposals are not considered to be in conflict with Chapter 12 of the NPPF. Further detail will be required regarding the specifics of the caravans to be included on the site. This further control will be ensured through conditions appended to this report in relation to the final design of the caravans to be included in the site. It

is recommended that these are included in any grant of permission in relation to this proposal.

7.55 Given the site's relative isolation from other properties/buildings and its current use, the proposed development would have a minimal impact on amenity.

7.56 In terms of the policies of the emerging Northumberland Local Plan, policy QOP2 is relevant to this application with respect to the impact on amenity, it is considered that this proposal, subject to conditions, is compliant with this policy.

7.57 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan.

Ecology

7.58 This site lies within close proximity to a number of ecologically sensitive designated sites. Given the nature of the site, 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 residential development having potential to affect them. The application has therefore been subject to consultation with the County Ecologist and Natural England.

7.59 F6 of the BLP only permits development that would not adversely affect the integrity of the internationally important nature conservation interest of the site, either directly or indirectly. Where such development does proceed, it may be subject to Planning Conditions and Obligations to secure all compensatory measures necessary.

7.60 F10 of the BLP permits development with conditions or binding agreements to secure the protection of species and compliance with any statutory species-protection provisions which apply.

7.61 Paragraph 118 of the NPPF states that local planning authorities should aim to conserve and enhance biodiversity based on detailed principles.

7.62 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. The application should be accompanied by an ecology report, landscaping plan and arboricultural survey dependant on whether works to trees are proposed.

7.63 Natural England and the County Ecologist have been consulted in relation to this application, and have no objection, subject to conditions relating to the Coastal Mitigation Service, in order to mitigate for off site ecological issues.

7.64 In dealing with the off-site issues 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

affected 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.

7.65 This 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.

7.66 To address this issue, new accommodation that falls within minor development are subject to a £600 charge per unit to go toward coastal mitigation. However given that the proposal would not be for permanent residential accommodation the amount payable would be subject to the proportion of the year that it would be occupied (eg. For 6 month occupation the figure payable would be £600 x 0.5). The applicant has agreed to subscribe to this scheme via a unilateral undertaking.

7.67 In addition to the above, the County Ecologist has raised no objection on issues relating to on-site impacts, subject to conditions. Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with the relevant policies in the development plan and the relevant elements of the NPPF and is therefore considered to be acceptable in terms of the impact the proposal has on ecology, subject to the attachment of conditions to a grant of permission in relation to the site.

7.68 In terms of the policies of the emerging Northumberland Local Plan, policy ENV1 and ENV2 are relevant to this application with respect to Ecology matters, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.69 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan.

Highway Safety

7.70 In addressing highway safety, on and off-site issues are considered in consultation with Highways Development Management (HDM).

7.71 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.72 The council's Highway Development Management Team, has been consulted and cited that the proposal is acceptable and have not required any further conditions to be appended to any grant of permission.

7.73 In terms of the policies of the emerging Northumberland Local Plan, policy TRA1, TRA2, and TRA4 are relevant to this application with respect to Highways &

Transport matters, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.74 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan.

Public Right of Way

7.75 The site is crossed by a public right of way and is therefore subject to consultation with the Council's Rights of Way team.

7.76 Paragraph 75 of the NPPF states that planning policies should protect and enhance public rights of way and access. Countryside Rights of Way have raised no objection on the basis that the Public Right of Way is not disturbed throughout the course of the development.

7.77 Following the receipt of amended plans the initial concerns of the Countryside/Rights of Way Officer have been overcome in terms of the co-location of the footpath and the main road way through the site. The Countryside/Rights of Way officer no longer have an objection to the application on the condition that Public Footpath No.6 is protected throughout, they have also added that no action should be taken to disturb the path surface, without prior permission from NCC as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided. A suitable condition is appended to this report ensuring the protection of the route.

7.78 In terms of the policies of the emerging Northumberland Local Plan, policy TRA1 is relevant to this application with respect to the matters in relation to the Public Right of Way, it is considered that this proposal, subject to conditions, is compliant with these policies.

7.79 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF and those in the emerging Northumberland Local Plan.

Other Matters

7.80 As mentioned earlier in the report in each topic section where relevant, as typical with a number of Caravan Park Applications within the county, the full details of the models of caravan have not been included with the application. This is understood to be due to this being left to customers at a later date. For the purposes of this application, it has been assumed that the lodges/caravans will be similar to others at the Barmoor Castle Country Park, and in line with the dimensions as set out in the applicant's documentation. This explains that the caravans are to be approximately 12 metres long by 4 metres wide. Maximum height would be approximately 3.5 metres. The units are assumed to be a minimum of 500mm above ground level on level ground giving an overall estimate height of 4.0 metres. Spacing would be a minimum of 5 metres apart in accordance with the current site license. It is recommended that the final design, size and massing of the proposed caravans is

subject to a further planning application to ensure that these are in line with the assessment made in this report.

7.81 Parts of the site have a condition limiting the times of the year in which the park can be used, however, it is considered that condition 7 appended to this report, is a more appropriate condition to restrict occupancy, which provides more flexibility in terms of occupancy for the operator.

Equality Duty

7.82 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

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

Human Rights Act Implications

7.84 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.

7.85 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.

7.86 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 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF), and the Emerging Northumberland Local Plan, where this can be apportioned weight in the determination of planning applications, 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 The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.

9. Recommendation

That this application be approved subject to a unilateral undertaking to the Coastal Mitigation Service and the following conditions:

Conditions

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plans and documents:

- Masterplan Proposals Job 1335/2 Date 03/03/17 Rev E (Date 21.03.19)
- Back Croft Proposals Job 1335/4 Date 14/06/17 Rev A (Date 21/03/19)
- GVA revised drainage strategy dated 20 FEB 2019
- GVA revised drainage strategy dated 6 Dec 2018
- GVA Microdrainage calculations dated 11 Dec 2019
- GVA drawing number 01B814763 outline drainage strategy dated 6/12/201

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

03. Prior to the siting of the lodges/caravans hereby approved detailed floor, elevation and roof plans of the lodges/caravans shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of Local Plan Policy R9

04. Prior to the siting of the lodges/caravans precise details, to include samples, of the materials to be used in the construction of the external walls and / or roofs of the lodges/caravans have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and/or external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of Local Plan Policy R9.

05. No caravan/lodge shall be placed on the land unless it is of a specification, colour and materials as identified in a scheme of details to be submitted to and approved in writing by the Local Planning Authority. The caravans/lodges shall thereafter continue to be sited in accordance with the approved scheme of details.

Reason: To retain control over the external appearance of the development in the interests of amenity and in accordance with the provisions of Local Plan Policy R9.

06. Details of Site Levels to be Submitted

Notwithstanding details contained within the approved documents, prior to the construction of the development hereby approved, site levels to include;

- a) Existing site levels;
- b) Proposed site levels; and,
- c) Proposed finished hardstanding levels

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be constructed in accordance with the approved levels.

Reason: To ensure that the development is delivered in accordance with the submitted documents in the interests of visual and residential amenity in accordance with Policy F4 of the Berwick-Upon-Tweed Borough Local Plan.

07. Occupancy of Development

The accommodation hereby approved shall be occupied for holiday purposes only, and no unit shall be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is retained for holiday use in accordance with the details submitted with the application.

08. Lighting Strategy to be Submitted

Prior to occupation of the development hereby approved, a lighting strategy to include;

- a) Details of external lighting;
- b) Hours of illumination; and,
- c) Program of delivery.

Shall be submitted to and approved by the Local Planning Authority. The lighting strategy shall be implemented in accordance with the program of delivery.

Reason: To ensure that the development does not contribute to light pollution in an area of intrinsically dark skies, in accordance with the National Planning Policy Framework.

09. Public Footpath No.6 is protected throughout.

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order), the following works shall not be carried out without the prior permission of the Local Planning Authority.

a) The construction of any fences, walls or means of enclosure around the holiday lodges/caravans hereby approved.

Reason: In the interest of the visual amenity of the area.

10. Number of Caravans on the Site

No more than a total of 60 static caravans or lodges shall be placed on the site covered by this application at any one time.

Reason: To control the scale of the development in the open countryside in accordance with Local Plan Policy R9.

11. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

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

12. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:
As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc);
Construction details (component drawings, materials, vegetation);
Health and Safety file;
Details of ownership organisation/adoption details.

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

13. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Barmoor Castle, Berwick-Upon-Tweed Ecological Assessment. Tyler Grange. November 2017') and this condition, including, but not restricted to:

1. Prior to development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the LPA. This shall include: Root protection zones for trees, woodland and hedges to be retained in accordance with the guidance given in BS5837; Any deep (in excess of 300mm) excavations left open overnight to be either securely covered, fenced or provided with an earth or timber ramp not less than 300mm wide and no steeper than 45 degrees to provide an escape route for ground animals that might otherwise become entrapped; Adherence to the amphibian method statement; No removal of vegetation or felling of trees shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed; and, The CEMP will be fully implemented as approved.
2. Production and implementation of a landscaping plan (including long-term management) To comprise species native to Northumberland. To be submitted to and agreed in writing by the LPA prior to construction commencing and fully implemented as approved.
3. Installation of a minimum of 4No. bird boxes and 4No. bat boxes to be positioned on existing trees. Types, numbers and positions to be submitted to and agreed in writing with the LPA prior to construction commencing and fully implemented as approved.
4. All external lighting to be directional to avoid light spill along the woodland edges, through adherence to the guidelines in 'Bats & Lighting in the UK', Bat Conservation Trust/Institution of Lighting Engineers, 2009"

Reason: To ensure the protection of protected species and to conserve and enhance the natural and local environment in accordance with Chapter 15 of the NPPF and meet the requirements of the habitats regulations.

14. Details of Landscape Management to be Submitted

Notwithstanding details contained within the approved documents, prior to the development hereby approved being brought into use, details of landscape management to landscaping features around the edge of the site to include:

- a) Consolidated landscaping plans;
- b) Details of management; and
- c) Timescale of landscape management.

Shall be submitted to and approved in writing by the Local Planning Authority. The management of landscaping shall be carried out in accordance with the approved details.

Reason: To manage the visual impact of the proposal against the open countryside in accordance with Policy R9 of the Berwick-Upon-Tweed Borough Local Plan.

Date of Report: 01.05.2019

Background Papers: Planning application file(s) 18/01719/FUL