

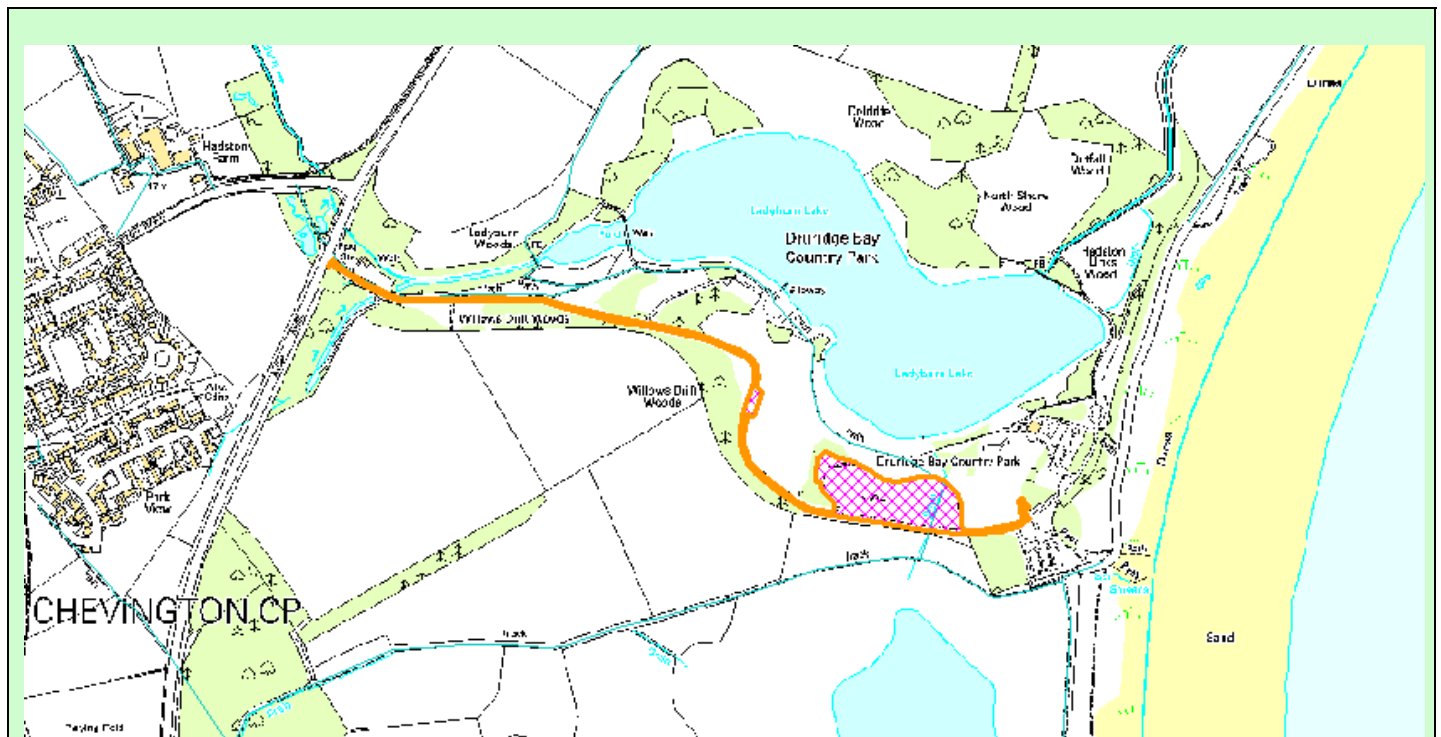


Northumberland County Council

North Northumberland Local Area Council 21st May 2019

Application No:	19/00520/CCD		
Proposal:	Proposed construction of 20 stone surfaced camping pitches; 7 grass tent pitches; vehicle access tracks; waste water disposal facility; small modular building; electricity hook up points		
Site Address	Land South Of Ladyburn Lake, Druridge Bay Country Park, Hadston, Northumberland NE61 5BX		
Applicant:	Mr Michael Jeffrey County Hall, Loansdean, Morpeth, Northumberland NE61 2EF	Agent:	None
Ward	Amble	Parish	East Chevington
Valid Date:	25 February 2019	Expiry Date:	22 April 2019
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application is being referred to the Local Area Council for a decision as it is an application by the County Council seeking planning permission for development on County Council owned land.

2.1 Description of the Proposals

2.1 The application proposes to create a formalised area for camping with tents, touring caravans and camper vans Druridge Bay Country Park. The site is located within the county of Northumberland, approximately 4.6km south of Amble 1.2.1 and approximately 1.7km east of Hadston. The site itself sits within Druridge Bay Country Park just north of the main vehicular route through the Country Park.

2.2 The application states that the proposed area is already utilised for camping on a number of occasions during the year and lies to the south of Ladyburn Lake, between the lake and the country park access road. The three grassed picnic areas appear as enclaves and as they are surrounded by scrub and coniferous woodland. The land is regularly mown semi-improved areas managed as amenity grassland with access from an existing formal one way secondary road.

2.3 The development will provide stone surfaced access tracks and 20 caravan/campervan pitches with electrical hook up points and nearby water standpipes. 7 grass tent pitches will also be available. A waste water cassette wash out facility will be provided nearby, as will a small modular building with facilities for washing dishes. The camping area will operate for a maximum of 7 months of the year between the beginning of April and the end of October.

2.4 The planning statement highlights that Druridge Bay Country Park was created in 1983 following the restoration and reclamation of an opencast mine. It officially opened to the public in 1986. From its opening, the site aims were to provide: an array of outdoor pursuits and activities for the wider public; a gateway to the wider countryside; provide an information centre and public facilities; and access to the wider Druridge Bay. The overarching aim was to promote enjoyment and greater awareness of the countryside in a safe, public environment.

2.5 One aspect specifically included in the formation of the country park was the provision for camping and picnicking. An area in the south east section of the park was set aside for this use with carefully planned tree planting creating sheltered bays, serviced with a stone track to allow vehicular access. To the present day, this area provides an ideal area for camping which is well screened from the rest of the park and sheltered from prevailing winds. However, due to the modern popularity of caravans/campervans, the current set aside area is no longer considered fit for purpose. In order to accommodate demand, it is proposed to carry out ground works to provide hard standing for caravans and campervans and additional service tracks to provide adequate access for vehicular movement within the camping areas.

3. Planning History

Description: Outline application for Diversion of Chevington Burn Relining & partial infilling of Coldrife Lake Formation of borrow pits Use of land for country park

Status: Approved

Reference Number: CM/80/D/494/A

Description: Details submitted pursuant to conditions of outline permission 80/D/494

Status: Approved

Reference Number: CM/80/D/494B

Description: Details of traffic movements submitted pursuant to condition no. 10 of planning permission 80/D/494 in respect of works to remodel country park

Status: Approved

Reference Number: C/86/D/002

Description: Temporary siting of 'portaloo' unit and steel clad office / secure store / wardens office

Status: Approved

Reference Number: C/86/D/280

Description: Incorporation of duneland into country park on 46 ha at Hauley, Togston and Hadston Links

Status: Approved

Reference Number: C/86/D/250

Description: Construction of public car park and boat storage compound, together with storage workshop building on 0.7 ha

Status: Approved

Reference Number: C/86/D/560

Description: Construction of a park centre building

Status: Approved

Reference Number: C/89/D/080

Description: Details of landscaping submitted pursuant to condition no. 3 of planning permission 86/D/560 in respect of park centre building

Status: Approved

Reference Number: C/91/D/513

Description: Development of car and coach park

Status: Approved

Reference Number: C/91/D/512

Description: Development of car park on C110

Status: Approved

Reference Number: C/86/A/211

Description: Incorporation of dune land into country park on 46 ha at Hauxley, Togston and Hadston Links

Status: Approved

Reference Number: C/E/D/111

Description: Park centre building

Status: REPLY

Reference Number: C/E/D/107

Description: Layout of car park and boat compound

Status: REPLY

Reference Number: C/09/00173/CCD

Description: Provision of a new changing and teaching block, storage compound footpath and floating jetty

Status: Approved

Reference Number: 11/02327/CCD

Description: Installation of photo voltaic panels on the building roof.

Status: Approved

Reference Number: 12/02620/CCD

Description: New build changing room block with teaching room, new storage area building, new storage compound area with 2no relocated containers. Access track down to lake edge and floating jetty on lake.

Status: Approved

Reference Number: 12/03645/DISCON

Description: Discharge of conditions 5 and 6 relating to planning permission 12/02620/CCD (New build changing room block with teaching room, new storage area building, new storage compound area with 2 no. relocated containers. Access track down to lake edge and floating jetty on lake)

Status: Approved

Reference Number: 18/01289/CCD

Description: Extension to cafe area and internal alterations to form showers within toilet area

Status: Approved

Reference Number: CM/20070185

Description: Provision of storage container for storing windsurfing equipment and area in front to be covered in stone

Status: Approved

Reference Number: CM/80/D/494

Description: Outline application for Diversion of Chevington Burn Relining & partial infilling of Coldrife Lake Formation of borrow pits Use of land for country park

Status: Approved

Reference Number: CM/80/D/494/A

Description: Details submitted pursuant to conditions of outline permission 80/D/494

Status: Approved

Reference Number: CM/80/D/494B

Description: Details of traffic movements submitted pursuant to condition no. 10 of planning permission 80/D/494 in respect of works to remodel country park

Status: Approved

Reference Number: C/03/00273/CCM

Description: Sewage treatment unit and associated works

Status: Approved

Reference Number: 18/02855/CCD

Description: Provision of hardstanding for caravans/camper vans and creation of an area for camping

Status: Withdrawn

4. Consultee Responses

Public Protection	No objections
East Chevington Parish Council	East Chevington Parish Council object to this application on the basis that there are already enough facilities in the area, including an open application at a site in Widdrington for 200+ caravans. This application is simply commercialisation of public land, and will change the nature of the Country Park, as well as increasing traffic in the area.
County Ecologist	No objections subject to conditions and contribution to 106 coastal mitigation scheme
The Coal Authority	No objections
Natural England	No objections subject to conditions and contribution to 106 coastal mitigation scheme
Environment Agency	No objections
Highways	No objections
Countryside/ Rights Of Way	No objections
Tourism, Leisure & Culture	Support application
Lead Local Flood Authority (LLFA)	No objections subject to conditions
Strategic Estates	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	23
Number of Objections	35
Number of Support	3
Number of General Comments	0

Notices

Site notice - Public Right of Way 19th March 2019

Morpeth Herald 7th March 2019

Summary of Responses:

Objections from local residents have concerns relating to:

- Detrimental impact to undeveloped landscape and setting of the lake;
- Impact to Country Park and high landscape value
- Maintenance issues
- impact to wildlife - birds, bats, pond life
- Increased traffic and noise
- Anti-social behaviour
- Increased litter
- loss of green space
- no requirement for caravan site in the area

Supporting comments include the benefits to tourism.

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=PMUXCUQS0L100>

6. Planning Policy

Development Plan Policy

Castle Morpeth District Local Plan
 Policy C12 – Wildlife Corridor
 Policy C10 – Site of Local Conservation Interest
 Policy C9 – Local Nature Reserve
 Policy C8 – Site of Special Scientific Interest
 Policy C3 – Area of High Landscape Value
 Policy E12 - Caravans and Camping Sites

National Planning Policy

National Planning Policy Framework (2019)
 National Planning Practice Guidance (2018, as updated)

Emerging Policy

Northumberland Local Plan Publication Draft Plan (Regulation 19)
 Policy STP 1 Spatial strategy (Strategic Policy)
 Policy STP 2 Presumption in favour of sustainable development (Strategic Policy)
 Policy STP 3 Principles of sustainable development (Strategic Policy)
 Policy QOP 1 Design principles (Strategic Policy)
 Policy QOP 2 Good design and amenity
 Policy QOP 4 Landscaping and trees
 Policy QOP 5 Sustainable design and construction
 Policy QOP 6 Delivering well-designed places
 Policy TRA 1 Promoting sustainable connections (Strategic Policy)
 Policy TRA 2 The effects of development on the transport network
 Policy TRA 4 Parking provision in new development
 Policy ENV 1 Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
 Policy ENV 2 Biodiversity and geodiversity 1
 Policy WAT 1 Water quality

Policy WAT 2 Water supply and sewerage
Policy POL 1 Unstable and contaminated land
Policy POL 2 Pollution and air, soil and water quality
Policy ECN 15 Tourism

7. Appraisal

7.1 The main issues for consideration include:

- Principle of development
- Design
- Amenity
- Ecology
- Highway Safety
- Drainage

7.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The saved Policies of the Castle Morpeth District Local Plan (CMLP) comprise the development plan whilst the NPPF is a material consideration

7.3 Paragraph 11 of the NPPF provides guidance on how applications should be determined by stating that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 NPPF Paragraph 8 provides the key starting point against which the sustainability of a development proposal should be assessed. This identifies three objectives in respect of sustainable development, an economic objective, a social objective and an environmental objective. Paragraph 8 advises that these three objectives of sustainable development are interdependent and should not be considered in isolation.

7.5 The latest version of the Northumberland Local Plan Publication Draft Plan (Regulation 19) (NLP) was published in January 2019. Relevant policies in this document are a material consideration in determining this application but it is considered that such policies can be afforded some weight at this time due to the early stage that this plan is at in its journey towards adoption.

7.6 CMLP Policies C1 states that development in the open countryside beyond settlement boundaries will not be permitted unless certain exceptional circumstances criteria are satisfied that includes policy E12.

Policy E12 states that:

“PROPOSALS FOR NEW AND EXTENSIONS TO EXISTING STATIC CARAVAN SITES, AND FOR THE DEVELOPMENT OF SITES FOR TOURING CARAVANS AND CAMPSITES WILL NOT BE PERMITTED IN THE GREEN BELT. ELSEWHERE PROPOSALS WILL BE PERMITTED WHERE ALL OF THE FOLLOWING CRITERIA ARE SATISFIED:

- i) THERE SHOULD BE NO DETRIMENTAL EFFECT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE, PARTICULARLY IN AREAS OF HIGH LANDSCAPE VALUE;*
- ii) THERE WOULD BE NO ADVERSE IMPACT ON A SIGNIFICANT AREA OF BEST AND MOST VERSATILE AGRICULTURAL LAND, OR ON FARM STRUCTURE;* *iii) THERE WOULD BE NO ADVERSE IMPACT ON THE LOCAL COMMUNITY, AND WHERE ASSOCIATED WITH A SETTLEMENT, THE PROPOSAL SHOULD BE WELL RELATED TO ITS CHARACTER IN TERMS OF SCALE AND SITING;*
- iv) ANY ADDITIONAL TRAFFIC GENERATED BY THE PROPOSAL SHOULD BE CAPABLE OF BEING ACCOMMODATED ON THE EXISTING ROAD NETWORK;*
- v) THERE WOULD BE NO ADVERSE IMPACT ON SITES OF HERITAGE OR NATURE CONSERVATION VALUE. PROPOSALS TO SIGNIFICANTLY INCREASE THE NUMBER OF UNITS WITHIN A SITE OR TO EXTEND A SITE'S BUSINESS SEASON WILL BE RIGOROUSLY ASSESSED AGAINST THE ISSUE OF AMENITY AND QUALITY OF LIFE OF LOCAL COMMUNITIES”.*

7.7 The preamble of Policy E12 highlights that “the impact of touring caravans and tents on the landscape is generally not as significant as much larger static caravans and the associated facilities are less extensive. Often a secluded rural site within easy reach of the main highway network to provide easy access may prove appropriate”.

7.8 The proposal accords with the principle aim of this policy as the small scale provision of touring caravans and tents is within an accessible secluded site with a less intensive impact to the surrounding landscape. The application is for the implementation of hardstanding for formal plots and there are no permanent structures proposed with touring caravans introducing a temporary short term use. Nevertheless, it is still accepted that by formalising an undeveloped area for touring caravans and tents, that the proposed use has the potential to impact the immediate landscape and wider open countryside, which is part of the assessment within Policy E12.

7.9 A Landscape and Visual Appraisal has been submitted with the application to assess the impact of the development will have on the landscape and the character of the park. This appraisal concluded that:

“Due to the limited impact on landscape features and elements which contribute to the Area of High Landscape Value designation, there will be no perceptible change in the character of this area. Furthermore it is anticipated that through sensitive design of the layout of the proposed camping and washout area development, and the landscape spaces and boundary treatments within and around them, the scheme could be successfully integrated into the existing environment and Country Park character with limited adverse effects.”

7.10 The appraisal has conducted a thorough assessment of the visual impact and whilst it is acknowledged that the site will be visible from certain vantage points within the Country Park, it is reasonable to consider that the impact to the wider area is not significant due to the small scale of the site in context with the Country Park and the proposed numbers of 20 touring caravan plots provided. The existing site also mitigates the impact to the surrounding area and has been selected due to the enclosed planting and vegetation that was planned as part of the Parks creation. This site is considered to have a low impact on the character, views, and landscape of the wider park and also the least disruption with a road network already in place and no vegetation clearance required.

7.11 The submitted planning statement highlights that the main objective of country parks nationwide is to provide a place for recreation and a link between the 'urban' and 'rural'. Recreation has been the key aim of Druridge Bay Country Park since its creation. Alongside general day-to-day visitor activities, there are many organised events in the park, including: a weekly parkrun; regular running events; watersports; vintage car rallies and an annual music festival. A number of organised, formal events throughout the year include overnight camping. The prevalence of camping in the park for formal events, means that the character and purpose of the park will not be compromised and the proposed use is consistent with the recreational character of the Country Park. Furthermore, the provision of a formalised area for camping will reduce the prevalence of unauthorised camping in other areas of the park and nearby Coastal areas.

7.12 Paragraph 83 of the NPPF supports a prosperous rural economy and aims to ensure planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. In addition Policy ECN 15 of the NLP promotes destinations for tourists and visitors for cycling and walking holidays, landscape and nature based tourism whilst recognising the need to sustain and conserve the environment. It further states that new sites for camping, caravans and chalets will be supported outside the two AONBs and the World Heritage Site, provided the development is adequately screened, taking into account long range views.

7.13 The Council's Tourism, Leisure and Culture Team has been consulted and state that tourism is rapidly elevating in significance within Northumberland and is confirmed as being a critical part of our economic well being and facilitator of goods and services which can be enjoyed by our residents as well as our visitors.

7.14 Statistical research indicates year on year increases in the performance of the county visitor economy. In 2017, almost £925 million was spent in Northumberland by 10.27 million visitors. This equates to an 8.6% elevation in economic value and 5.7% surge in visitors over 2016 and this trend has been consistent since 2013. The visitor economy now also provides over 14,800 direct and indirect full time jobs across the county. To achieve the ambition of sustained growth, the county tourism providers and stakeholders are encouraged to adopt strategies which will include:

- Encouraging more visits and especially longer ones.
- Extending the season with visits taking place across the whole year and not just in the summer.
- Encouraging visitors to spend more locally through encouraging them to see, experience and take part in more of the opportunities Northumberland has to offer.

- Creating a local culture, which values and welcomes visitors, where everyone living, working, visiting and investing in Northumberland can act as an advocate and ambassador for the county.
- Continually driving up the quality of the county's tourism offer through demonstrating and promoting excellence and supporting businesses and organisations to grow and compete effectively with others.

7.15 This proposal would contribute significantly to achieving these objectives and will also add to wider benefits for the county, i.e.

- Raising the profile of the county as a great place to work, live, visit and invest.
- Helping to create attractive places and experiences for local people to enjoy.
- Helping to sustain and develop services and opportunities for local people.

7.16 Additionally, it is considered that this particular scheme would service an existing gap in provisions and experiences for visitors, most notably those who are making their way along the coastal trails as part of a walking or cycling holiday. No such provision currently exists within the southern part of the county. Northumberland County Council's tourism development section is therefore, supportive of this application from a Tourism perspective in this location of the County.

7.17 The proposal would retain and enhance the vegetation on site and provide adequate access and parking. The application would therefore accord with the remaining criteria of Policy E12. These issues will also be appraised further in the relevant sections of the report.

7.18 It is considered that the proposed use for touring caravans and tents is acceptable in principle. The minor scale of the development site and enclosed vegetation would ensure that the impact to the landscape is not significant. It is also considered that the tourism benefits to this area of Northumberland also override the low impact to the local landscape in this area of Northumberland. The application is therefore in accordance with Policy C1, E12 and the NPPF.

Visual and Residential Amenity

7.19 The site and Druridge Bay Country Park are located within an Area of High Landscape Value. Areas of High Landscape Value are important in terms of their special character and greater than average visual quality. They are defined as having regard to the incidence of vegetation cover (trees and other flora), water, topography, dunes and beaches, moorland, farmland and country estates as landscape elements. In addition to Policy E12, Policy C3 of the CMLP states that:

“THE COUNCIL HAS IDENTIFIED AREAS OF HIGH LANDSCAPE VALUE AND WILL NOT PERMIT DEVELOPMENT WHICH WILL HAVE A DETRIMENTAL EFFECT ON SUCH AREAS. THEY ARE DEFINED ON THE PROPOSALS MAP AND INSETS AND ARE AS FOLLOWS :- i) SECTIONS OF THE WANSBECK VALLEY AND ITS TRIBUTARIES WITHIN AND TO THE EAST AND WEST OF MORPETH, TOGETHER WITH HOWBURN WOOD. ii) SECTIONS OF THE RIVERS BLYTH AND PONT. iii) THOSE PARTS OF THE TYNE AND COQUET VALLEYS WHICH LIE WITHIN THE PLAN AREA. iv) THE COASTAL AREA OF DRURIDGE BAY”.

7.20 The submitted Landscape and Visual Appraisal confirms that based on the Northumberland Landscape Character Assessment, the main site lies within the Landscape Character Type *Coal Field Farmland and Coastal Coalfields*. The location for the proposed washout area and the eastern half of the site sits just within the Landscape Character *Broad Bays and Dunes*. The appraisal further identifies the landscape within the Country Park:

“Druridge Bay Country Park was a result of the restoration of a valley, hills and mounds, formed by the works of an old opencast coal mine. The landscape within the Country Park is designed with blocks of predominantly coniferous plantation woodland juxtaposed with areas of open grass and meadow. Built form within the park is concentrated along the southern edge of the lake. Localised variations in topography and organic swathes of coniferous planting are used to integrate and these elements highlight recreational within the park to create an interesting and varied landscape”.

7.21 The main change in relation to the landscape character is that within the site itself which would change from an area of scrub with pockets of grassed areas used for picnicking and seasonal informal camping to hard-standing to support touring caravans and tents. The loss of vegetation would be limited with only moderate trimming of shrub and scrub required. It is considered that the change in character will be minor, with the existing enclosed areas of grass and woodland vegetation being retained

7.22 The application highlights that Druridge Bay Country Park is a designed recreational site created to facilitate outdoor recreational activities. Due to the existing character of the park and areas immediately adjacent to the sites, there will be no negative effects on the landscape character of the study area due to the localised landscape impacts of the proposed development and the enclosure of the sites by surrounding woodland and topography. The Landscape and Visual Appraisal, found that there are no mid-distance and long views into the site from the wider landscape beyond the Park. Mid to long distance views such as those from the wider footpaths in all directions, are anticipated to continue to have no views of the development due to the localised topography and existing-intervening vegetation cover.

7.23 The receptors most affected are those in close proximity to the site and within the Country Park, in particular along the footpath as it passes in close proximity to the site from the north and some views within approximately 1km. It is accepted that in particular, the site would be visible at a distance from vantage points across the lake from the north and elevated views from View Point Car Park, to the west of the Country Park. It is considered however, that the development would not be introducing features into views which are uncharacteristic to the recreational use of the area and existing car park. The caravans, vehicles and tents would not dominate the skyline or obscure any valuable views. The use of the site would not be overly prominent or significantly impose upon the character of the Country Park. The majority of these effects will be limited to gaps in existing vegetation and the proposed plans have confirmed to retain the existing vegetation and carefully introduce woodland and scrub to screen and filter the caravans and vehicles from immediate and long range views.

7.24 In terms of design features, the proposed wash room will incorporate timber cladding in order to enhance the external appearance which will be more appropriate than the initial standard portacabin design.

7.25 There are no immediate residential areas near the site and it is not considered that the proposal would have a detriment to residential amenity given the distance to the nearest settlement. There has also been no objection from Public Protection in relation to any potential noise or disturbance.

7.26 Overall, due to the nature and scale of the development and retained and proposed vegetation, there would be limited impact on landscape features and the Area of High Landscape Value. The scale of the site is minor in context with the wider landscape and consistent with the recreational use of the Country Park. In addition, adequate mitigation has been proposed in the form of additional planting. It is therefore considered that there would be no detrimental impact on visual amenity and the application would be in accordance with Policy E12 and C3 of the Local Plan.

Ecology

7.27 The National Planning Policy Framework (NPPF) makes it clear that aside from purely mitigating against the harm that a development may cause to biodiversity the definition of sustainable development includes biodiversity enhancement. Without any information provided about what biodiversity is supported at the site it is not possible to assess if the development may be delivering biodiversity enhancement and according with the NPPF.

7.28 In addition to criterion v) of Policy E12, Policy C10 of the Local Plan states:

“THE COUNCIL WILL NOT PERMIT DEVELOPMENT WHICH WOULD AFFECT THE INTEGRITY OF SITES OF LOCAL CONSERVATION INTEREST UNLESS IT CAN BE DEMONSTRATED THAT THE BENEFITS FROM THE PROPOSED DEVELOPMENT OUTWEIGH THE NEED TO SAFEGUARD THE INTRINSIC NATURE CONSERVATION VALUE OF THE SITE”.

7.29 The application documents and ecological survey report indicate that the proposed locations for the tent and caravan pitches are regularly mown semi-improved areas managed as amenity grassland, most of which is already in use seasonally for events and informal camping and related activities. The open grassed areas are surrounded by scrub and coniferous woodland.

7.30 An area of managed grassland (mown twice yearly) lies between the sites and the Ladyburn Lake approx. 100m to the north and part of the proposal is to modify the management of this area as a more species rich meadow by means of sowing a suitable seed mixture from a local source and managing it effectively as a diverse meadow. Some minor pruning and shrub removal works are likely to be required to the edges of the scrubby areas to accommodate the pitches.

7.31 Great crested newts are recorded in the general area but not in the main lake at the Country Park and, although it is likely that newts and other amphibians will utilise the scrubby areas and woodland in the park during the terrestrial phase of

their life cycle, the risk of encountering the mown grassed areas during works is low.

7.32 Bats are recorded in the park and are likely to use the area for foraging though no roosts would be affected by the proposals. Similarly terrestrial animals such as hedgehog are also likely to be present and are likely to commute and forage across the site from time to time.

7.33 The developer has agreed to contribute to the Coastal Mitigation Service. This will ensure that adequate mitigation will be provided to address increased recreational disturbance and damage within the coastal designated sites and so will enable the Council to reach a conclusion that there will be no adverse effect on site integrity in respect of this issue when undertaking the Habitats Regulations Assessment for this development. The contribution is to be secured through the S.106 agreement, payable on first occupation. If the scheme is too small to have a S.106 agreement, the contribution can be secured through a Unilateral Undertaking, but in that case it should be payable prior to commencement.

7.34 There has been no objections to the proposals on ecological grounds from the County Ecologist or Natural England in relation to impact to designated sites. This is subject to avoidance, mitigation and enhancement measures carried out in full and secured via conditions. The application is considered to be in accordance with Policy E12, C10 and the NPPF. Whilst limited weight can be given to the Northumberland Local Plan (NLP) the proposal would accord with Policy ENV2 which seeks to protect and enhance biodiversity and geodiversity.

Highways

7.35 The development site is located down a private access road off the A1068 which leads to the Country Park Visitor Centre. Having caravans/campervans utilising the main access point of the A1068 is acceptable as there is a ghost right hand turn lane along with a wide access which can accommodate large vehicles turning into and out of the access with minimal conflict.

7.36 The site internally is not classified as adopted highway. The two access points have been looked at on site and are considered acceptable for the location of the development site. On entering this access it is noted that that the track is essentially single track and this cannot be improved without large amount of works either side of the track to eradicate the existing ditches. It was noted that the access track operates as a one way system with suitably placed signage including no entry signs at the Western Access point. It is concluded that the proposed development is considered suitable and acceptable in highway terms.

7.37 Car parking has not been shown definitively on the submitted drawing, however it is envisaged that there will be at least one space per 'square' on the plan. There are also public parking provisions throughout the Country Park which can be utilised. The Highways Authority has been consulted and has no objections to the application and it is therefore in accordance with the NPPF. Whilst limited weight can be given to the Northumberland Local Plan (NLP) the proposal would accord with Policies TRA 2 and TRA 4 which look at the effects of the development on the transport network and parking provision in new development.

Coal Mining Legacy

7.38 The application site falls within the defined Development High Risk Area. The Coal Authority records indicate recorded coal mining at shallow depth beneath the application site. When considering the nature and scale of this proposed development and on the basis no substantial foundations or earthworks are required as part of development activities; The Coal Authority in this particular case does not object to this planning application. The scheme is therefore in accordance with the NPPF.

Drainage

7.39 It is proposed to increase the impermeable area on site to 0.304ha, this area covers the caravan's footprint and associated access paths and roads on site. The proposed drainage will be directed to be within permeable surfaces on site before being released into the ditches on site, runoff will be slowed through structures before discharging into the ditch network that conveys water into Ladyburn Lake. The Lead Local Flood Authority has been consulted and has no objections to the scheme subject to conditions relating to further information for surface water management and SuDS adoption. Northumbrian Water have also accepted that the proposed Package Treatment Plant for foul drainage can discharge into their network. Overall, The application is in accordance with the NPPF as there would be no increased risk to flooding or pollution to the water network.

Other issues

7.40 The application has highlighted that waste bins would provided on site and be incorporated in the current waste disposal strategy. Anti-social behavior is not a material planning consideration but the opening times would still apply and the main gate would be locked at night. Overnight visitors would have to comply with a code of conduct and enforced like other camp sites nationwide.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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 whilst having regard to the appropriate local plan policies. 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.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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. The development hereby approved shall be carried out in complete accordance with the approved plans. These plans are:

Location Plan 1:5000
Drainage Layout Plan OA-181000-002
Catchment Layout Plan OA-181000-001
Modular Building - Elevations and Floor Plan - Solus SL082VAR2
Landscape Strategy 1139-200
Proposed General Layout 201801 001 T3

Ecological Assessment
Drainage Strategy
Greenfield Runoff Rates
SuDS Storage Report

Reason: For the avoidance of doubt and in the interests of proper planning.

03. No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report (Ecological Assessment Druridge Bay Country Park Camp Site - October 2018, Northumberland County Council, Version v.02, Dated: 23.1.19) including, but not restricted to, adherence to timing restrictions; adherence to precautionary working methods and Ecology Method Statement; adherence to external lighting recommendations in accordance with Bats & Lighting in the UK Bat Conservation Trust/Institution of Lighting Engineers, 2008; any deep (in excess of 300mm) excavations left open overnight to be either securely covered 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; a method statement/management plan for the long-term management of the 0.4ha of grassland to the north of the site (as specified) and to include the sowing of wildflower seeds of local provenance shall be submitted to and agreed in writing with the LPA before first occupation of the site; an updating ecological survey to be carried out in the event that works do not commence before the end of October 2021 with the results of that survey together with any necessary modifications to avoidance, mitigation or enhancement measures to be forwarded to and agreed in writing with the LPA before works commence.

Reason: To maintain the favourable conservation status of protected species.

04. No removal of vegetation or pruning of trees or shrubs 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.

Reason: To protect nesting birds, all species of which are protected by law.

05. No development shall be carried out other than in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

06. The development hereby permitted shall not be commenced until such time as a scheme for surface water management, including a timetable for the

implementation of the scheme, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall adhere to the principles outlined in 'Drainage Strategy: Land South Of Ladyburn Lake Druridge Bay, Country Park' and on drawing number OA-181000 002 Rev - 'Drainage Layout Plan'. The development shall thereafter be carried out in accordance with the agreed details and timetable.

Reason: To ensure the effective disposal of surface water runoff from the development.

07. 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.

08. 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.

09. Notwithstanding the details within the application, the modular building should include external timber cladding. No development shall be commenced until precise details, to include samples, of the materials to be used in the construction of the external walls and roof of the building have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and 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 the NPPF.

Informatives

01. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action. Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

02. The risk of encountering bats, great crested newts, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works.

Great crested newts and all species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as great crested newt, bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

Date of Report: 25.04.2019

Background Papers: Planning application file(s) 19/00520/CCD