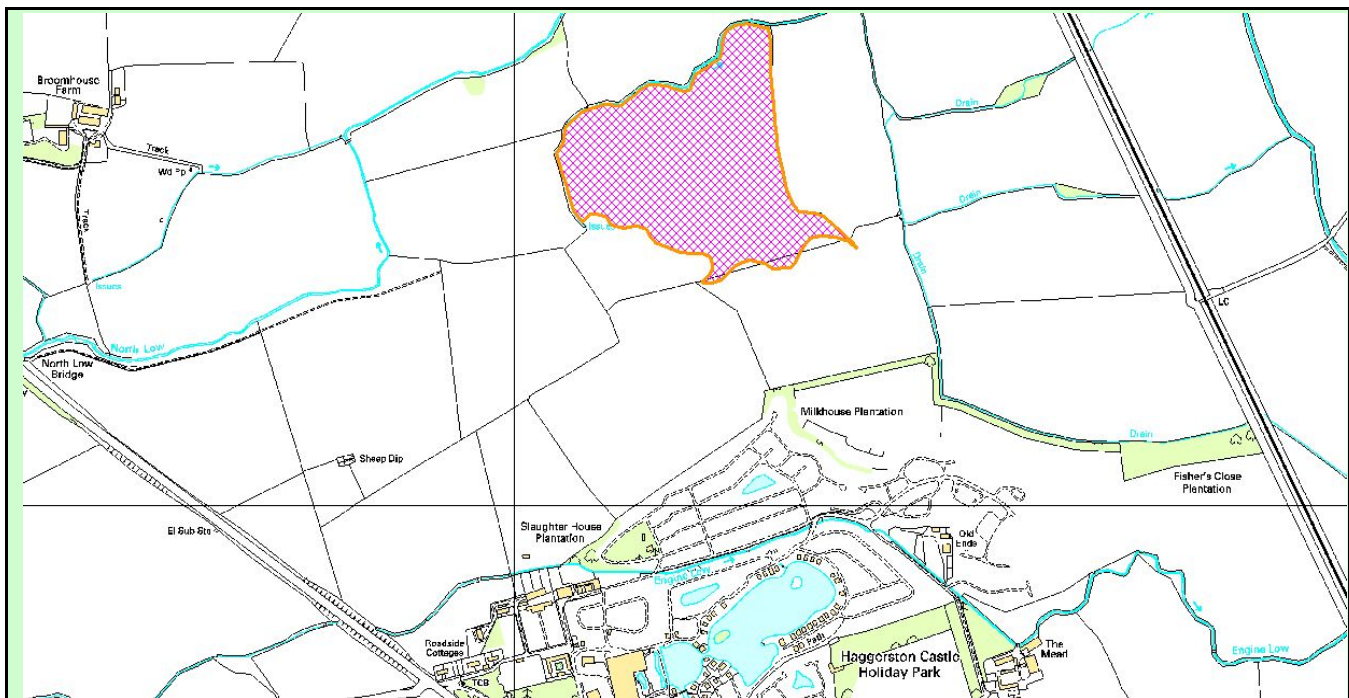


# Northumberland County Council

Strategic Planning Committee - 7 August 2018

<b>Application No:</b>	17/03252/FUL		
<b>Proposal:</b>	Installation of 120 hardstanding bases (for 120 static caravans) with associated car parking, new internal access road, footpaths, landscaping, creation of new lakes and adventure trails and infrastructure above and below ground - Amended 08/05/18		
<b>Site Address</b>	Land North Of Haggerston Castle Holiday Park, Berwick-Upon-Tweed, Northumberland,		
<b>Applicant:</b>	Haggerston Castle Limited c/o Lichfields	<b>Agent:</b>	Mr Ian Kettlewell 3rd Floor, St Nicholas Building, St Nicholas Street, Newcastle Upon Tyne NE1 1RF
<b>Ward</b>	Norham And Islandshires	<b>Parish</b>	Ancroft
<b>Valid Date:</b>	15 September 2017	<b>Expiry Date:</b>	17 August 2018
<b>Case Officer Details:</b>	Name: Mr Ragu Sittambalam Job Title: Planning Officer Tel No: 01670 622704 Email: Ragu.Sittambalam@northumberland.gov.uk		



## **1. Introduction**

- 1.1 This application is being reported to the Strategic Planning Committee as it is a major development of strategic importance.

The application is recommended for APPROVAL.

- 1.2 The application was amended as follows;

- 17/07/18 - Amendment to Description
- 08/05/18 - Submission of revised Flood Risk Assessment
- 10/04/18 - Submission of Water Quality Information
- 06/02/18 - Submission of Sustainable Drainage Assessment
- 26/01/18 - Submission of revised Flood Risk Assessment
- 09/01/18 - Submission of Archaeological Evaluation
- 21/12/17 - Submission of Flood Risk Assessment
- 27/11/17 - Submission of Technical Note for Transport Assessment
- 28/09/17 - Submission of Habitat Regulations Assessment

## **2. Description of the Proposals**

- 2.1 The application site is located within the grounds of Haggerston Castle Holiday Park, a large development comprising of holiday accommodation across 93ha of land of which 79ha is currently in use. The site comprised of 1270 pitches for holiday accommodation set around landscaped grounds. The Holiday Park is accessed directly off the A1 to the east side, north of Holy Island and 10km south of Berwick-Upon-Tweed. The land itself is unmanaged grassland of a relatively flat topography of 12.7ha in area.

- 2.2 The application seeks planning permission to install 120 hardstanding bases for static caravans along with associated works. The works would form three areas set around lakes interconnected by vehicular routes. The development would be set around larger landscaped grounds involving woodland planting, pedestrian routes and open space.

- 2.3 The site is subject to the following environmental constraints;

- Flood Zones 2 & 3 - Set around site edges
- Ridge & Furrow - On site
- Nothumberland Coast AONB (600m east)
- Grade II Listed Buildings (>700m south-west)
  - Pergola in the Italian Garden
  - Ice House
  - Tower at Haggerston Castle
  - Rotunda at Haggerston Castle
  - Stables at Haggerston Castle
  - Chapel House (The Priest House)
  - The Italian Garden Including Walls

- 2.4 There is a number of internationally and nationally important designated nature conservation sites are within 10km of the site;

#### Internationally Designated Sites

- Northumbria Coast Special Protection Area (SPA) / Ramsar sites;
- Northumberland Marine SPA;
- North Northumberland Dunes SAC; and
- Berwickshire and North Northumberland Coast SAC

#### Nationally Designated Sites

- Northumberland Shore SSSI;
- Howick to Seaton Point SSSI;
- Alnmouth Saltmarsh and Dunes SSSI;
- Warkworth Dunes & Saltmarsh SSSI; and
- Castle Point to Cullernose Point SSSI

### **3. Planning History**

**Reference Number:** 11/00239/FUL

**Description:** Installation of electric vehicle quick charging point

**Status:** Permitted

**Reference Number:** 11/02560/LBC

**Description:** Repair works in connection with a listed building and adjoining buildings. Works involve roof repairs, repair of windows and remedial works to masonry walls

**Status:** Permitted

**Reference Number:** 12/00114/DISCON

**Description:** Discharge of condition 4 on approved planning application 11/02560/LBC

**Status:** Permitted

**Reference Number:** 12/00139/DISCON

**Description:** Discharge of condition 4 of 11/02560/LBC

**Status:** Application Returned

**Reference Number:** 12/01989/LBC

**Description:** Repair Works to Roof and Windows. Remedial Works to Masonry Walls.

**Status:** Permitted

**Reference Number:** 12/03021/DISCON

**Description:** Discharge of condition 4 relating to planning permission 12/01989/LBC

**Status:** Permitted

**Reference Number:** 13/01157/VARYCO

**Description:** Application to replace and extant planning permission in order to extend the time for implementation relating to 10/B/0213 - Conversion and extension of stable block to spa complex

**Status:** Permitted

**Reference Number:** 13/01253/LBC

**Description:** Listed Building Consent - Conversion and extension of stable block to form spa complex

**Status:** Permitted

**Reference Number:** 13/01715/SCREEN

**Description:** Extend current facilities to provide further holiday units

**Status:** Screening Opinion Issued

**Reference Number:** 13/02154/FUL

**Description:** Proposed extension of existing Haggerston Castle Holiday Park to create additional holiday accommodation in the form of 122 Caravans; 6 Lodges; Provision of an owners club; 3 lakes; new internal access roads; play areas and associated landscaping;

**Status:** Permitted

**Reference Number:** 14/00532/DISCON

**Description:** Discharge of conditions 9, 10 and 12 of 13/02154/FUL (Proposed extension of existing Haggerston Castle Holiday Park to create additional holiday accommodation in the form of 122 Caravans; 6 Lodges; Provision of an owners club; 3 lakes; new internal access roads; play areas and associated landscaping)

**Status:** Permitted

**Reference Number:** 14/03172/FUL

**Description:** Proposed machine store to house equipment needed for upkeep of adjacent land

**Status:** Application Returned

**Reference Number:** 16/00007/LIC

**Description:** Premises licence

**Status:** No Objection

**Reference Number:** 16/01258/FUL

**Description:** Retrospective culverting of open feed to lake

**Status:** Permitted

**Reference Number:** 18/02223/FUL

**Description:** Replacement of existing roof

**Status:** Pending Consideration

**Reference Number:** 18/02224/LBC

**Description:** Listed building consent for replacement of existing roof

**Status:** Pending Consideration

**Reference Number:** N/10/B/0236

**Description:** Application for the storage of hazardous substances.

**Status:** Withdrawn

**Reference Number:** N/10/B/0213

**Description:** Extension of time limit on previous applications (N/07/B/0238 & N/07/B/0239 conversion and extension of stable block to form spa complex).

**Status:** Permitted

**Reference Number:** N/09/B/0379

**Description:** Proposed enclosure over existing external swimming pool.

**Status:** Permitted

**Reference Number:** N/09/B/0378

**Description:** Proposed enclosure over existing external swimming pool and associated.

**Status:** Permitted

**Reference Number:** N/09/B/0042

**Description:** Installation of freestanding adventure activity structure.

**Status:** Permitted

**Reference Number:** N/08/B/0260

**Description:** Erect extension and alterations to existing supermarket to form new coffee shop.

**Status:** Permitted

**Reference Number:** N/07/B/0826

**Description:** External works and alterations to existing facility and the erection of single storey extension to existing building for restaurant / bar.

**Status:** Permitted

**Reference Number:** N/07/B/0825

**Description:** External works and alterations to existing facility and the erection of single storey extension to existing building for restaurant / bar.

**Status:** Permitted

**Reference Number:** N/06/B/1128

**Description:** Erection of an Italian garden following demolition of 'modern' extension to summerhouse.

**Status:** Permitted

**Reference Number:** N/90/B/0256/P

**Description:** Temporary siting of toilet/shower unit.

**Status:** Permitted

**Reference Number:** N/99/B/0384

**Description:** Change existing chalet for new chalet to provide dialysis facility for kidney patients on holiday.

**Status:** Permitted

**Reference Number:** N/03/B/0622

**Description:** Erection of new reception/sales area, alterations to existing retail building and alterations to car parking and landscaping layout adjacent to main building complex.

**Status:** Permitted

**Reference Number:** N/99/B/0120

**Description:** Free standing totem pole sign with text and graphics on two faces.

**Status:** Permitted

**Reference Number:** N/00/B/0020

**Description:** Formation of ramp at main reception - external.

**Status:** Permitted

**Reference Number:** N/00/B/0044

**Description:** Formation of ramp at main reception - external.

**Status:** Permitted

**Reference Number:** N/96/B/0630/C

**Description:** Extension to 'leylands clubroom'-amended plans rec. 26.02.97.

**Status:** Permitted

**Reference Number:** N/96/B/0630/A

**Description:** Extension to 'leylands clubroom'-addition of transformer & switchgear rec. 08.01.97.

**Status:** Permitted

**Reference Number:** N/96/B/0671/P

**Description:** Taking off part of stone wall to terrace at base of tower.

**Status:** Permitted

**Reference Number:** N/96/B/0630/P

**Description:** Extension to 'leylands clubroom'.

**Status:** Permitted

**Reference Number:** N/98/B/0262/P

**Description:** Conversion of existing cellar area to amusement arcade.

**Status:** Permitted

**Reference Number:** N/92/B/0712/P

**Description:** Provision of indoor pool in castle club extension of castle club covered link to outdoor pool kitchen/ preparation facilities to tower terrace-revised plans rec.10.12.92 & 17.12.92 06 08a 09a 10a 11a & 12/3.

**Status:** Permitted

**Reference Number:** N/98/B/0263/P

**Description:** Formation of fire exit route.

**Status:** Permitted

**Reference Number:** N/06/B/0491

**Description:** Renewal of pp ref: 00/b/0405 for relocation of caravans & additional 9 hole golf.

**Status:** Permitted

#### 4. Consultee Responses

Ancroft Parish Council	No Objection;  Ancroft Parish Council have considered the above Planning Application and agreed to make no observations
County Archaeologist	No Objection;  The proposed development site is characterised by ridge and furrow earthworks and field boundaries of medieval / post-medieval date. These features should be regarded as 'undesigned heritage assets' in the context of the NPPF. LiDAR data together with targeted topographic survey undertaken during the assessment provides an appropriate archaeological record of these features proportionate to the significance of the heritage assets to be lost. There are no objections to the proposed development on archaeological grounds and no further archaeological work will be required in connection with the proposed development.  Having regard to the above there are no objections to the proposed development on archaeological grounds and no further archaeological work will be required.
County Ecologist	No Objection; Conditions & Obligations Required  The site of the proposed development is dominated by semi-improved grassland of modest ecological value, but does support a number of species of conservation concern, including, skylark, grey partridge, meadow pipit and brown hare. Mitigation has been proposed in the form of areas of wildflower grassland and a 3ha Ecological Enhancement Area  The applicants have agreed to pay the sum of £9039 to be spent on the conservation of farmland birds within the Northumberland Coast AONB, to be secured through a S.106 Agreement.  Contribution to the Coastal Mitigation Service enables a conclusion of no adverse effect on site integrity to be reached when a planning application is

	<p>subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is normally set at £600 per unit within 7km of the coast, secured by a S.106 agreement payable on first occupation. However, in this case it is appropriate to reduce the contribution by <math>\frac{1}{3}</math> to reflect the 2 month per year winter closure plus the occupancy rate, and by <math>\frac{1}{6}</math> in recognition of the extensive, high quality dog-walking provision on the site. Accordingly a contribution of £300 per unit (£36,000 in total) is required. A Habitats Regulations Assessment has been completed on this basis, which concludes that there will not be an adverse effect on the integrity of the Northumbria Coast SPA and Ramsar Site, Lindisfarne SPA and Ramsar Site or the North Northumberland Dunes SAC arising from increases in recreational disturbance.</p> <p>Discharge of treated effluent from the site also has the potential to affect European sites, specifically the Berwickshire and North Northumberland Coast SAC and Lindisfarne SPA and Ramsar Site. Extensive discussions have been held with the Environment Agency and Natural England concerning this issue and EA have undertaken some additional water quality monitoring to gather evidence concerning it. The 120 units will be served by the Caravan park's own treatment works. This system has plenty of capacity for the additional units and provides tertiary treatment in the form of reedbeds, ensuring that the additional load will not have an adverse effect on the integrity of these European sites. Sewage from the shared services on the site such as the restaurant go to a treatment plant maintained by Northumbrian Water Ltd. While this is close of capacity, bearing in mind the small additional load on the shared services Natural England has advised that the development will not have an adverse effect on the integrity of the European sites subject to the recommended condition.</p>
Highways	<p>No Objection;</p> <p>The proposed development resulting in 120 static caravans accords with the NPPF and the principle of development is acceptable to the Local Highway Authority. There are no amendments to the scheme required.</p> <p>As the development is accessed directly accessed off the A1 the application shall also be referred to Highway England for consideration. There are no County Road matters arising as a result of this development.</p>
Highways England	<p>No Objection;</p> <p>Highways Act Section 175B is not relevant to this application.</p> <p>This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.</p>
Natural England	<p>No Objection; Condition &amp; Obligation Required</p> <p>We consider that without appropriate mitigation the application would:</p> <p>o damage or destroy the interest features for which Lindisfarne Special Protection Area and Ramsar and Lindisfarne Site of Special Scientific Interest has been notified.</p>



	<p>In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:</p> <p>Further details of water management strategy across the Haggerston Castle Holiday Park Site, to be submitted and agreed.</p> <p>We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. The Local Planning Authority have suggested a condition which we're in agreement with.</p>
Northumberland Coast AONB Partnership	No Objection
Lead Local Flood Authority (LLFA)	<p>No Objection; Conditions Advised</p> <p>After reviewing the submitted sustainable drainage assessment by Weetwood (version 1.1) and the accompanying Microdrainage Calculations we are in a position to remove our objection to the planning application. We ask that the recommended conditions are appended to any granted planning permission.</p>
Northumbrian Water Ltd	<p>No Comment;</p> <p>In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.</p> <p>Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.</p>
Environment Agency	<p>No Objection; Conditions &amp; Informatives Advised</p> <p>We have reviewed the additional information submitted and we wish to withdraw our previous objection to the proposed development.</p> <p>We have no objections to the proposal as submitted, and consider the proposed development will be acceptable providing the recommended conditions are imposed on any grant of planning permission.</p>
Building Conservation	<p>Awaiting Response;</p> <p>Members will be updated at Committee.</p>

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	0
Number of Objections	0

Number of Support	0
Number of General Comments	0

## Notices

Site Notice: General site notice - 4<sup>th</sup> October 2017

Site Notice: Affecting setting of Listed Building - 27th July 2018

Press Notice: Berwick Advertiser - 28th September 2017

Press Notice: Berwick Advertiser - To be updated at Committee

## Summary of Responses:

None received.

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=OW3YG0QSJ8K00>

## **6. Planning Policy**

### 6.1 Development Plan Policy

BLP - Berwick-upon-Tweed Borough Local Plan (1999)

F1 Environmental Wealth  
F4 Intermediate Area of Landscape Value  
F6 Special Protection Areas, Special Areas of Conservation and Ramsar  
F10 Protected Species  
F30 Planning Obligation  
F31 Social and Economic Welfare  
M14 Car Parking Standards  
R2 Recreational Facilities  
R9 Camping and Caravanning  
W27 Haggerston Castle Holiday Park

### 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2018)

PPG - Planning Practice Guidance (2014)

### 6.3 Emerging Policy

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (2018)

## **7. Appraisal**

- 7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The

NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the saved policies of the Berwick-Upon-Tweed Borough Local Plan (1999).

The Northumberland Local Plan was published in draft for consultation on 04/07/18, in accordance with Paragraph 216 of the NPPF, the policies contained within the document at this stage carry minimal weight in the determination of planning applications.

7.2 The main issues in the consideration of this application are;

- Principle of Development
  - Sustainability
  - Tourism Development
  - Summary
- Visual Impact
  - Landscape
  - AONB
  - Design
- Amenity
- Heritage Assets
  - Archaeology
  - Listed Buildings
- Ecology
  - Coastal Mitigation
  - Species Mitigation
  - Water Treatment
- Transport
  - Highway Safety
  - Strategic Road Network
- Water Management
  - Surface Water
  - Foul Drainage
  - Flood Risk
- Procedural Matters

#### Principle of Development

##### *Sustainability*

7.3 The NPPF seeks to promote sustainable development with Paragraph 8 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element which are interdependent and need to be pursued in mutually supportive ways. The application is located within Haggerston Castle Holiday Park, a development of a large scale that is of significance to North Northumberland, providing economic and social benefits to the County. The site is located outwith a recognised settlement but is of a significant scale with a service provision available within the development.

7.4 *F1 of the BLP gives primary importance is given to development that sustains and enhances environmental wealth, including its landscape and coast, native biodiversity and human heritage.*

*F4 of the BLP supports that area in the Intermediate Areas of Landscape Value identified will be permitted provided that;*

*i) It is located within or immediately adjoining an existing settlement.*

7.5 The site is located outside of a settlement to which there is limited area based policy support however the application proposes to extend an existing development in an otherwise open countryside location.

#### *Tourism Development*

7.6 *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.*

*W27 of the BLP states that within the Intermediate Areas of Landscape Value, development at the Haggerston Castle Holiday Park within the existing site boundaries will be permitted provided that:*

*i) it will improve visitor services and facilities; and/or*

*ii) it will upgrade the environment and amenity of the site; and*

*iii) it accords with policies elsewhere within the plan.*

7.7 *Paragraph 83 of the NPPF states that planning policies and decisions should enable;*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses;*

*c) sustainable rural tourism and leisure developments which respect the character of the countryside*

7.8 There is allowance for development within the site boundaries of Haggerston Castle Holiday Park as per W27 although that land within the existing site boundaries has been subject to incremental increases over time. The land would immediately adjoin the holiday park and would supplement the business providing additional accommodation as well as environmental enhancements to contribute to the amenity of both the extension and the existing holiday park. There is support economically both from the development plan and nationally for the proposal which overall is considered substantive policy support.

#### *Summary*

- 7.9 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new 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 business and associated jobs/services, as well as being able to contribute to improvements to existing services. Its environmental role is subject to assessment of further considerations.
- 7.10 It is therefore considered that the principle of development is acceptable and in accordance with F1, F31 and W27 of the BLP and the NPPF.

### Visual Impact

#### *Landscape*

- 7.11 The site is open land with defined field boundaries with some planting to its edges alongside a northern extension to the Holiday Park, there is also an existing three belt to the east of the site. The appraisal of Landscape considers the physical mass and character impact of a development proposal; the application has been submitted with a Design & Access Statement which considers matters of landscape.
- 7.12 *R9 of the BLP supports 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 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.*
  - iv) a management to ensure that the site amenity and the visual relationship between the site and its landscape setting will be maintained or enhanced, is agreed.*
- 7.13 *Paragraph 127 of the NPPF states that Planning decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*
- 7.14 The development would serve as a further extension to the north of the Holiday Park sitting within land that is spatially constrained by existing landscape features and that is well related in terms of service infrastructure to the main holiday park. The proposal would involve the formation of three distinct areas around lakes with land movement to form bunds to assist with

screening. In addition, large areas of tree planting to the north, east and west would enclose the site further.

- 7.15 It is acknowledged that taken alongside existing extensions, there would be a deviation to the relatively well established overall form of the holiday park, however the existing features taken alongside the proposed landscaping measures which would involve significant tree planting to sit behind existing clusters particularly to the more sensitive northern boundary, would provide a strong level of screening, comparable to that of the existing landscape boundaries around the Holiday Park. Details of site levels and the requirement for a landscape management plan have been set out in a condition as set out in the recommendation.
- 7.16 From this the landscape impact is considered acceptable and in accordance with R9 of the BLP and the NPPF.

#### *AONB*

- 7.17 The site is located approximately 600m west of the Northumberland Coast Area of Outstanding Natural Beauty (AONB). Whilst not within the AONB, the scale of the development has potential to impact the landscape setting of it. Local authorities have a statutory duty under S.85 of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONBs in exercising or performing any of their functions. As such the application has been subject to consultation with Northumberland Coast AONB Partnership (NCAONB).
- 7.18 *Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by;*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*

- 7.19 Given the level of separation and proposed screening afforded by the proposal which would be similar to that of the main Holiday Park, the proposal is not considered to have an adverse impact on the landscape and scenic qualities of the AONB. NCAONB have raised no objection to the proposed extension but have set out the requirement for species mitigation which is set out within the Environment section of the report.

#### *Design*

- 7.20 The application proposes to site static units on concrete bases within a designed landscape. Design considers the appearance of the development independently and as part of the immediate streetscene.
- 7.21 *F4 of the BLP permits development that accord with its surroundings by virtue of its scale, density, height, massing, layout and materials, hard and soft landscaping including indigenous species, means of enclosure and access.*

*R9 of the BLP supports 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 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 of accommodation where accommodation is provided.*

7.22 *Paragraph 127 of the NPPF states that Planning decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*

7.23 The appearance of the static units would be in keeping with existing units within Haggerston, which given the proposed level of screening, is not considered necessary to require further details regarding appearance. The landscaping internally would again reflect the existing standard across the development with walkways, open space and wooded areas set in and around the three areas of accommodation.

7.24 From this, the design of the proposal is considered acceptable and in accordance with F4 of the BLP and the NPPF.

#### Amenity

7.25 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.

7.26 *R9 of the BLP supports 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 provided that;*

*vi) it will not adversely affect the amenity or service of adjoining communities.*

7.27 *Paragraph 127 of the NPPF states that planning decisions should;*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

7.28 Due to the relative isolation of Haggerston Holiday Park from other properties, the impact of the proposal is limited. Notwithstanding this, there is cognisance of the increasing size and operation at this location, however the scale of the

proposal is not considered to give rise to significant cumulative amenity impacts that would adversely impact the wider area.

- 7.29 The impact on amenity is considered acceptable and in accordance with the NPPF.

#### Heritage Assets

- 7.30 *Paragraph 184 of the NPPF sets out that Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation*

#### *Listed Buildings*

- 7.31 The application proposes large scale development that has the potential to impact the setting of Listed Buildings identified at the introduction of the report.
- 7.32 *Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses.*
- 7.33 *Paragraph 193 of the NPPF sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- 7.34 The site is separated from listed buildings by 700-800m as a minimum with the most noteworthy being Haggerston Tower which has a presence viewed in the wider area particularly from the A1. The site is located to the east where land levels drop and so is not readily visible in the Context of Haggerston Tower. There has been a proliferation of setting through the large scale of the Holiday Park which is afforded a significant level of screening through planting around its boundaries particularly to the northern edge. Whilst the scale of the proposal would be large, it would be read in the context of the existing as opposed to establishing a new feature that would affect setting.
- 7.35 From this there is considered to be some potential to affect the setting of Listed Buildings. Building Conservation have been consulted with an update to be provided to Members at the Committee meeting.

#### *Archaeology*

- 7.36 The proposed development site is characterised by ridge and furrow earthworks and field boundaries of medieval/post-medieval date. The



application has been submitted with an Archaeological Desk-based Assessment which has been reviewed by the County Archaeologist (CA).

- 7.37 *Paragraph 189 sets out that In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*
- 7.38 The CA have raised no objection to the proposal setting out that the existing recorded information shows that there were no significant unrecorded archaeological features identified within the site. Therefore no issues would arise from the site with no further work required.
- 7.39 From this the archaeological impact of the proposal is considered acceptable and in accordance with F1 of the BLP and the NPPF.

#### Ecology

- 7.40 Ecology considers the on-site impacts of new development; the site is dominated by semi-improved grassland of modest ecological value but supports species of conservation concern. The application has been submitted with an Ecological Appraisal and Habitats Regulation Assessment which has been subject to consultation with the County Ecologist (CE) who has reviewed the submission.
- 7.41 *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.*
- 7.42 *Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*
- 7.43 The CE has raised no objection to the proposal subject to conditions relating to the management of the ecological enhancement area proposed and working practices as set out in the submitted documents included within the recommendation. Notwithstanding this, there are further impacts which have been considered.

#### *Species Mitigation*

- 7.44 The site supports a number of species of conservation concern including skylark, grey partridge and meadow pipit CE has identified that there is some compensation has been provided in respect of habitat creation however it is not considered sufficient to fully mitigate impacts on nesting skylark as there is insufficient land available. In agreement with the applicant, a financial

contribution to the Northumberland Coast AONB Partnership to be spent on farmland bird conservation is required as off-site mitigation.

- 7.45 *F30 of the BLP seeks where necessary to secure a planning obligation to ensure that due regard is given to the environment and the interests of the local community. Developers will be required to provide appropriate infrastructure, or other consequential educational, social, recreational, sporting or community facilities and nature conservation benefits commensurate with the scale of the development.*
- 7.46 The funding for this has been calculated on the basis of the payment that DEFRA makes to farmers for the provision of skylark plots (£18 per ha.). This adds up to £229 for the 12.7ha. If this were to be paid annually for 25 years with an inflationary increase of 3% per annum; a total of £9039 would be realised.
- 7.47 This obligation has been agreed by the applicant and would be secured by legal agreement as set out in the recommendation. The impact on designated species would be suitably mitigated in accordance with F10 of the BLP and the NPPF.

#### *Coastal Mitigation*

- 7.48 When developers apply for planning permission for new residential or tourism development within the coastal zone of influence, the local planning authority, as competent authority, is required to fulfil its obligations under the Wildlife and Countryside Act (for SSSIs) and the Conservation of Habitats and Species Regulations (for SPAs, SACs and Ramsar Sites), by ensuring that the development will not have adverse impacts on designated sites, either alone or in combination with other projects. The County Ecologist has been consulted in conjunction with Natural England.
- 7.49 *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.*
- 7.50 *Paragraph 175 of the NPPF states that in determining planning applications, local planning authorities should apply the following principles;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- 7.51 *Paragraph 176 of the NPPF affords the same protection as habitat sites to;*

*a) potential Special Protection Areas and possible Special Areas of Conservation;*

*b) listed or proposed Ramsar sites; and*

*c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

- 7.52 *Paragraph 177 of the NPPF states that the presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.*
- 7.53 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.
- 7.54 The impact from new development cumulatively across the stretch of the Northumberland Coast is considered significant. To address this, developments within 10km of protected sites along the coastal zone are required to demonstrate that adequate mitigation for increasing recreational pressure can be provided, either through their own schemes or by funding relevant coastal wardening activity by the Council.
- 7.55 The applicant has agreed to pay £36,000 toward the Council's coastal mitigation scheme based on £300 per unit which is an adjusted figure based on the projected occupancy (£600 standard charge) to be secured by legal agreement. From this, the Council has completed a Habitats Regulations Assessment concluding that this proposal will not have a significant effect on any sites protected under international legislation, and has similarly concluded that there will be no significant harm to any designated sites. Natural England has concurred with these conclusions, and therefore the Council is able to demonstrate compliance with its obligations under national and international nature conservation legislation. From this, the off-site ecological impacts of the development can be suitably addressed.

#### *Water Treatment*

- 7.56 The discharge of treated effluent from the site as potential to affect designated European sites. Over the course of the application, there have been discussions with the Environment Agency and Natural England with the former undertaking water quality monitoring to gather evidence on the issue. The proposal would be served by the existing treatment works for Haggerston Holiday Park which has been demonstrated to have sufficient capacity to accommodate additional loading and is operating without adverse effect to designated sites.

7.57 However sewage from shared services such as the restaurant is dealt with by treatment plant maintained by Northumbrian Water which is close to capacity. Northumbrian Water have raised no issues in respect of this, with it falling as a separate matter outside of the planning process. The Environment Agency are agreed that the current system within the site is capable of dealing with the proposed development. The additional loading to Northumbrian Water treatment plant is not considered to be significant but to further investigate this issue and ensure that the cumulative impacts of the development would not result in an adverse impact on European designated sites, a condition as agreed by the County Ecologist and Natural England has been applied to secure details of the issues, mitigation required and when it will be delivered which has been agreed with the applicant prior to the preparation of this report.

7.58 The issues from water treatment off-site have been suitably addressed in accordance with F6 of the BLP.

#### Transport

7.59 The site would be served from the internal road network benefitting from an access from the A1 to enter the Holiday Park. The application has been submitted with a transport assessment.

7.60 *R9 of the BLP supports 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 provided that;*

*vii) the local road network can accommodate the additional traffic generated by the development*

7.61 *Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

#### *Highway Safety*

7.62 The application has been reviewed by Highways Development Management who have set out that the access will remain as existing from the A1, that there are currently 1,270 pitches currently in use and that the development would result in 29 additional vehicular trips in the AM peak hour and 26 trips in the PM peak hour on peak changeover day can be expected as a result of development. The conclusion is that due to the primary connection to the strategic road network, there are no County road matters.

7.63 No objections have been raised subject to the stance of Highways England being sought.

#### *Strategic Road Network*

- 7.64 Haggerston Castle Holiday Park sits alongside the A1 (at single carriageway) to the east benefitting from a dedicated turn. Given the scale of the proposal and the most direct join to the A1, the application has been subject to consultation with Highways England (HEN).
- 7.65 Highways England have reviewed the application and raised no objection. From this it is considered that the impact on the strategic road network would be acceptable. The highways impact of the proposal is therefore considered acceptable in accordance with R9 of the BLP and the NPPF.

### Water Management

- 7.66 The application is for major development located in Flood Zone 1 which is subject to consultation with the Lead Local Flood Authority (LLFA) and Environment Agency (EA) due to the size of the site. Northumbrian Water (NWL) has also been consulted as a mains connection is proposed. The application has been submitted with a Flood Risk Assessment (FRA) which sets out details of drainage and flood risk.

### *Surface Water*

- 7.67 The application proposes surface water drainage via pond/lake as sustainable drainage features within the site. The application has been submitted with a Sustainable Drainage Assessment which has been subject to consultation with the Lead Local Flood Authority (LLFA).
- 7.68 *Paragraph 165 of the NPPF states that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*
- a) take account of advice from the lead local flood authority;*
  - b) have appropriate proposed minimum operational standards;*
  - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
  - d) where possible, provide multifunctional benefits.*

- 7.69 The LLFA have reviewed the application raising no objection subject to conditions to secure details of the implementation, maintenance and management of sustainable drainage systems. From this it is considered that surface water drainage can be managed on site in accordance with the NPPF.

### *Foul Drainage*

- 7.70 The application proposes foul drainage by an existing sewage treatment plant that serves Haggerston Castle Holiday Park. As non-mains drainage on a large site, the application has been subject to consultation with the Environment Agency (EA).
- 7.71 The EA have raised no objection in respect of the foul drainage given the information submitted to show that there is no capacity or operational issues. Therefore it is considered that foul drainage can be suitably undertaken on site.

### *Flood Risk*

- 7.72 The site is within Flood Zone 1 but borders onto Flood Zones 2 and 3. The application has been submitted with a Flood Risk Assessment which has been assessed by the EA.
- 7.73 *Paragraph 55 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*
- 7.74 The EA have raised no objection subject to a condition to secure the provision and management of a ten metre wide buffer zone alongside the watercourse spanning the circumference of the exposed site edges to exclude development in this area and ensure that it is available over the longer term as a flood mitigation measure.
- 7.75 The flood risk associated with the development has been addressed in accordance with the NPPF.

### Procedural Matters

#### *Equality Duty*

- 7.76 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*

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

#### *Human Rights Act Implications*

- 7.78 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.

- 7.79 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.
- 7.80 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 Neighbourhood Plan and Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) (2018) 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.
- 8.3 A legal agreement to secure the obligations/contributions is set out in the recommendation.

## 9. Recommendation

That Members authorise the Head of Service to GRANT planning permission subject to the:-

- expiry of statutory publicity period and providing no new planning issues are raised;
- a Legal Agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure the following obligations:
  - Coastal mitigation contribution of £36,000 (£300 per unit);
  - Northumberland Coast AONB Partnership contribution of £9039; and

The following conditions;

### Conditions

#### 01. Time to Commence Development

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. Approved Plans

Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plan number;

1. 853/57/7 - Location Plan
2. 853/57/5 Rev C - General Arrangement
3. MP01 Rev A - Masterplan for Northern Land
4. 1001 - Detailed Landscape Proposals
5. 1002 - Detailed Landscape Proposals
6. 1003 - Detailed Landscape Proposals
7. 1004 - Detailed Landscape Proposals

Reason: To ensure the development is carried out in accordance with the approved plans

### **Development Management**

#### 03. 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.

04. 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.

05. 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.

**County Ecologist / Natural England**

06. Details of Water Management (off-site) to be Submitted

Notwithstanding details contained within the approved documents, prior to the development hereby approved being brought into use, a scheme of water management within the Haggerston Castle Holiday Park which is required as a result of the development hereby approved, to include;

- a) Details of existing issues with surface/foul water disposal;
- b) Mitigation measures and/or proposed improvements (if necessary); and
- c) Programme of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the programme of delivery and retained thereafter.

Reason: To manage the impact on protected and designated sites of ecological importance in accordance with Policy F6 of the Berwick-Upon-Tweed Local Plan and the National Planning Policy Framework.

### **County Ecologist**

#### 07. Details of Habitat Creation & Long-Term Management Plan to be Submitted

Prior to commencement of the development hereby approved, a habitat creation and long-term management plan to include;

- a) Information for areas entitled 'Proposed Wildflower Grassland' and 'Ecological Enhancement Area' as set out on drawing no. MP01 'Masterplan for Northern Land'; and
- b) Programme of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in accordance with the programme of delivery.

Reason: To maintain populations of Species of Principal Importance in England

#### 08. Works in Accordance with Mitigation Recommendations

All development shall be undertaken in full accordance with the mitigation and monitoring work set out in Section 4.2 Mitigation Recommendations of the report entitled Haggerston Castle Holiday Park Proposed Development in the North Field - Badger Report (Peter Tattersfield Consultant Ecologists, August 2017).

Reason: To ensure the protection of species protected by law.

### **Environment Agency**

#### 09. Details of Buffer Zone to be Submitted

Prior to commencement of development, a scheme for the provision and management of a 10 metre wide buffer zone alongside the watercourse to include;

- a) Plans showing the extent and layout of the buffer zone;
- b) Details of any proposed planting scheme (for example, native species);
- c) Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan;
- d) Details of any proposed built development (lighting domestic gardens and formal landscaping), footpaths, fencing, lighting etc;
- e) Programme of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for the buffer zone shall be implemented in accordance with the programme of delivery and retained thereafter. Any subsequent amendments shall be agreed in writing with the local planning authority.

Reasons: Development that encroaches on watercourses a potentially severe impact on their ecological value. Insert site specific examples, e.g. artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat.

### **Lead Local Flood Authority**

#### 10. In Accordance with Flood risk Assessment (FRA)

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Weetwood FRA dated 8 May 2018 and the following mitigation measures detailed within the FRA:

- a) Finished floor levels of the proposed caravans should be set at a minimum of 5.65 mAOD.
- b) All caravans must be anchored down to prevent displacement during a potential flood event.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the National Planning Policy Framework.

#### 11. Details of Adoption & Maintenance of Sustainable Drainage Systems (SuDS) to be Submitted

Prior to first occupation details of SuDS management to include details of;

- a) The adoption of all SuDS features;
- b) Maintenance schedule and log; and
- c) Programme of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme for SuDS management shall be implemented in accordance with the programme of delivery and the approved details.

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

#### 12. Details of Surface Water Drainage via Sustainable Drainage to be Submitted

Development shall not commence until details of the implementation, maintenance and management of a scheme for surface water management using a sustainable drainage has been provided. The scheme shall be in broad accordance with drawing Number 100 Rev P2 "Indicative Drainage Strategy Layout" and designed to dispose and attenuate surface water up to the 1 in 100 year plus climate change event from

the development and shall limit discharge from the development to 10.2l/s, for all design event. The scheme shall include;

- a) Full details of the SuDS ponds, including plan and cross-sectional drawings, inlets and outlets;
- b) A health and safety assessment for all SuDS features incorporated within the development; and
- c) Programme of delivery.

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

Reason: To ensure the effective disposal of surface water from the development in accordance with the National Planning Policy Framework

## **Informatives**

### **1. Flood Risk Permit**

A flood risk permit will be required from the Environment Agency for any work within 16m of a tidally influenced main river and within the floodplain (flood zone 3) of a main river.

### **2. Nutrient Investigation**

The Environment Agency has been investigating the causes of high levels of nutrients and their impact on protected habitats of coastal waters around Lindisfarne Site of Special Scientific Interest. Currently Holy Island and Budle Bay waterbody (which the South Low flows into) is failing Water Framework Directive for macroalgae and Dissolved Inorganic Nitrogen. Macroalgae is an opportunistic species, and can be used as a biological indicator of nutrient enrichment or eutrophication. It should be noted that the current nutrient investigation currently being undertaken by the Environment Agency covers the entire area of the Lindisfarne National Nature Reserve, including Budle Bay.

To understand the sources of nutrients, the Environment Agency has been collecting water quality samples from all riverine sources onto the coastal area and undertaken modelling. The modelling has not yet been finalised. However, the model suggests that the South Low is the main contributor in terms of nutrients within the catchment. However, the model is unable to identify the sources of the nutrients within the catchment.

The Environment Agency would welcome and support projects and/or the delivery of measures which seek to improve the water quality discharging from the existing sewage treatment plant. This will help to reduce the nutrient content of the discharge and increase habitat for nature and wildlife.

The Water Environment Grant (WEG) is a new scheme under the Rural Development Program for England (RDPE) that is going to be available for funding projects to improve the water environment. This new grant seeks to

deliver water environment improvements that benefit the rural community and economy. Applications for this fund will be available from the end of March 2018 (6 week application window). For further information, please contact Heather Harrison (Northumberland, Till and Tweed Catchment Coordinator) at [heather.harrison@environmentagency.gov.uk](mailto:heather.harrison@environmentagency.gov.uk)

### 3. Lake/Pond Creation

The development seeks to create lakes with native aquatic species. We are broadly supportive of this. However, we request that consideration be given to landscaping and the provision of water vole habitat.

In order to minimise the spread of non-native invasive species, we would recommend that the applicant use native species of local provenance. Under the Wildlife and Countryside Act (1981) it is an offence to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 to the Act.

Furthermore, the Environment Agency would welcome discussions with the applicant to discuss the creation and establishment of these new water features in order to maximise opportunities for wildlife and Water Framework Directive.

### 4. Pollution Prevention and Biosecurity

Biosecurity measures need to be in place for the duration of the works and strictly adhered to by all site operatives. As a minimum the Check Clean and Dry campaign should be followed. Further information on biosecurity can be found at the following link

<https://secure.fera.defra.gov.uk/nonnativespecies/checkcleandry/index.cfm>

1. Check your equipment and clothing for live organisms - particularly in areas that are damp or hard to inspect.

2. Clean and wash all equipment, footwear and clothing thoroughly. If you do come across any organisms, leave them at the water body where you found them.

3. Dry all equipment and clothing - some species can live for many days in moist conditions. Make sure you don't transfer water elsewhere

### 5. Access & Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### 6. Fish Stock

The supporting documents do not indicate whether the lakes will be stocked with fish. If fish is to be stocked in the proposed lakes, the applicant will need to take into consideration the Salmon and Freshwater Fisheries Act 1975.

Under Section 30 of the Salmon and Freshwater Fisheries Act 1975 you are likely to require written consent obtained from the Environment Agency to stock your fishery and need to be registered with CEFAS (Centre for Environment, Fisheries and Aquaculture Science) This is to prevent the spread of fish diseases and to minimise damage to fisheries or the environment that may be caused by unregulated or inappropriate fish movements. Application forms can be found on [www.efishbusiness.co.uk](http://www.efishbusiness.co.uk). It should be noted that the connectivity of the pond to the watercourse may have an impact on the permit.

The Fisheries, Recreation and Biodiversity team can be contacted for further advice via our National Customer Contact Centre (enquiries@environment-agency.gov.uk, telephone: 08708 506 506).

A series of fisheries advisory publications can also be downloaded free from our website <http://www.environment-agency.gov.uk>. The Institute of Fisheries Management is another good source of information <http://www.ifm.org.uk/>. Angling is a popular sport amongst the disabled and fisheries can be designed to be accessible to all. Further information is available from the British Disabled Angling Association <http://www.bdaa.co.uk/>.

## 7. Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

## 8. Ancient Woodland & Veteran Trees

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

## 9. Water Resources Licences

The creation of the three water bodies will require a water resources licence from the Environment Agency. The proposed development may require a combination of abstraction, impoundment and transfer licences.

It is recommended a pre-application is submitted to the Environment Agency's National Permitting Service so that the right advice can be given in relation to the timescales for obtaining the licences. Further information can be found at <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence>

**Date of Report:** 24.07.2018

**Background Papers:** Planning application file(s) 17/03252/FUL