

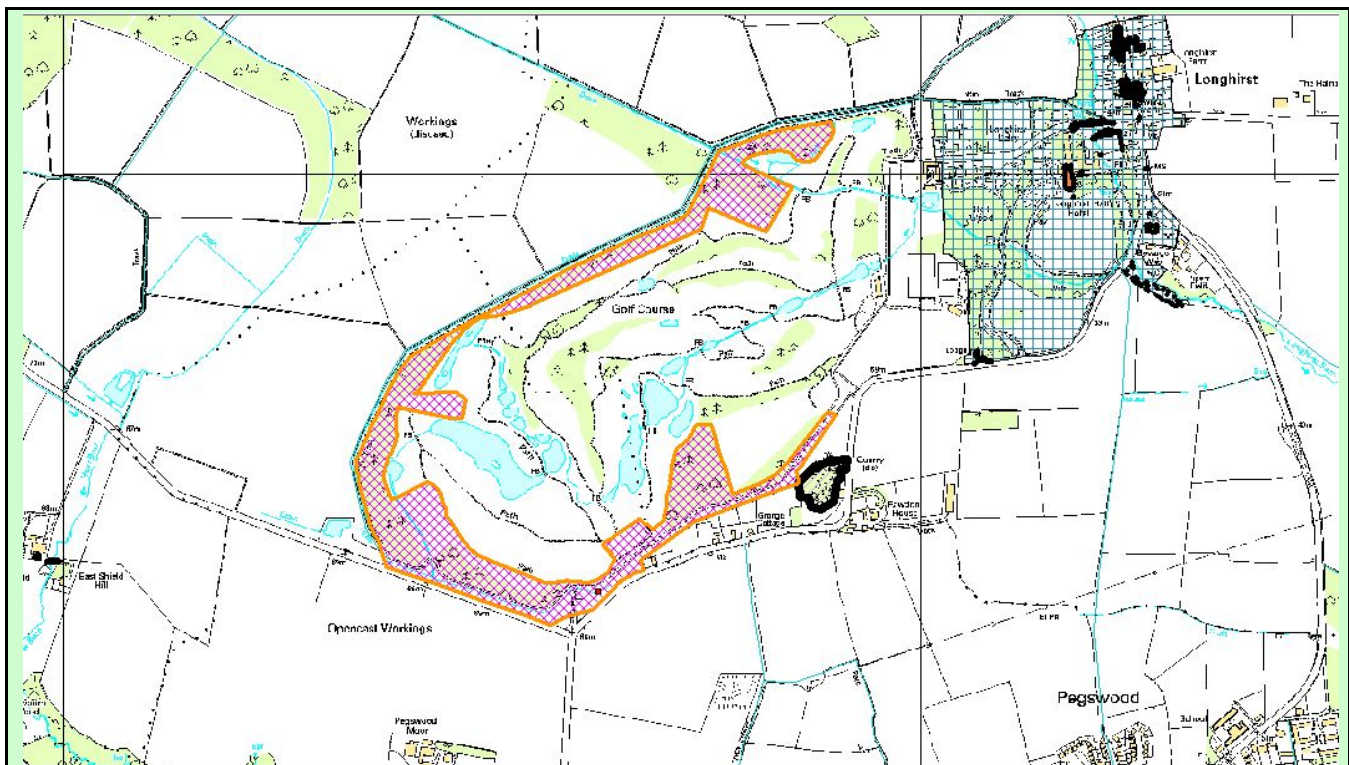


Northumberland County Council

Strategic Planning Committee

2 October 2018

Application No:	18/00964/FUL		
Proposal:	Change of use of land to accommodate 150 holiday lodges and operational development of internal roads and pitches along with new site access.		
Site Address	Land At South Of Longhirst Golf Club, Longhirst, Northumberland,		
Applicant:	Mr Graham Chambers Longhirst Hall Golf Course, John Dobson Drive, Longhirst, NE61 3LL	Agent:	Mr Barry Poole 16 Cresswell Drive, Red House Farm South , Gosforth , Newcastle Upon Tyne NE32 SX
Ward	Pegswood	Parish	Pegswood
Valid Date:	19 March 2018	Expiry Date:	18 June 2018
Case Officer Details:	Name: Miss Joanne Wood Job Title: Planning Officer Tel No: 01670 625551 Email: joanne.wood@northumberland.gov.uk		



This material has been reproduced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright (Not to Scale)

RECOMMENDATION: REFUSE PLANNING PERMISSION FOR REASONS GIVEN.

1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, where applications raise significant planning issues and objection from a Town or Parish Council, they are referred to the Head of Planning Services for consideration as to whether the application should be referred to a Planning Committee for determination. The matter has been duly considered under these provisions at which time it was confirmed that the application should be determined by a Planning Committee as the scheme is a major development in the open countryside and Green Belt, raising strategic planning policy issues.

2. Description of the Proposals

2.1 The application seeks full planning permission for the change of use of land at Longhirst Golf Club to accommodate 150 holiday lodges.

2.2 The application site comprises a strip of land of varying widths around the periphery of the golf course. The site is located around 700 metres at its nearest point south-west of Longhirst, 800 metres to the north-west of Pegswood, 850 metres to the north of the settlement edge of Morpeth, and 1.7 km south-east of Hebron. The application site is 190 metres west of the Grade II listed South Lodge, 590 metres south-west at its nearest point to the Grade II* listed Longhirst Hall and 700 metres south-west of the Grade II listed St John's Church. The site is also 155 metres west of the Longhirst Conservation Area boundary.

2.3 There are 13 dwellings located in the immediate area or directly adjacent to the application site, including one under construction on Hebron Road at Beechcroft; a group of four to the south of the site and fronting the B1337; and a group of eight properties to the south-east at Fawdon House Farm and Fawdon Bank. There are also larger groups of properties located a further distance to the north-east of the site in the grounds of Longhirst Hall and in the village of Longhirst. To the east of the golf course and clubhouse is the Morpeth Cricket, Tennis and Hockey Club, comprising clubhouse, car park, cricket playing field, six astroturf tennis courts and an astroturf hockey pitch.

2.4 The applicant's supporting statement identifies that the golf club opened in 1997 following the remediation and restoration of the former Butterwell opencast coal mine. The golf club facilities comprise two courses along with a modern clubhouse, recently constructed floodlit driving range, two maintenance buildings, a car park for 244 vehicles, and various roads and tracks providing access throughout the wider site area. The wider site area also includes a separate equestrian centre with stable buildings. The statement highlights that the golf club has also regularly hosted the PGA Europro tour with an annual tournament.

2.5 The applicant's statement sets out that like many other golf clubs across the UK, revenue from membership fees is currently decreasing year on year as golf struggles to maintain previous levels of interest and participation. It is stated that golf club membership in England has decreased by 20% between 2004 - 2013, which has

resulted in reduced funds due to decreasing participation and membership levels. The statement suggests that the situation has been exacerbated by the closure of the 53 bedroom Longhirst Hall Hotel in 2014. The statement sets out that the club is in a position where it is required to diversify its offer in order to maintain its own viability, and that without any form of intervention in terms of new facilities and sources of income, the club will close, taking with it a recreational and tourism facility of County-wide importance. It is stated that the proposed development is considered a sustainable and appropriate means of offering both accommodation for visiting golfers, and attracting new tourists and families to the local area. The development would make up for loss of accommodation for golf tourists following the closure of the hotel, and would directly cross-fund the golf club.

2.6 The application therefore seeks full planning permission for the change of use of land to accommodate 150 lodges. The plans indicate that there would be three different types of lodge, which would vary slightly in appearance and internal layout. However, they would each measure approximately 18 metres in length and 7.7 metres in width. They would measure approximately 3.5 metres in height, and each lodge would have its own parking area located adjacent to the lodge. The application also includes a new vehicular access to serve the development off Hebron Road, with a new ghost island provided for traffic turning right into the site.

2.7 Planning permission has previously been refused for 150 holiday lodges at the site for the following reason:

“The proposal would constitute inappropriate development in the Green Belt. The reasons put forward by the applicant in justification of the proposal are not considered to form the very special circumstances required to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and other harm, including impact on openness. The proposal would therefore be contrary to saved Policy S5 of the Northumberland County and National Park Joint Structure Plan (February 2005), Policies 24, 26 and 27 of the emerging Northumberland Local Plan Core Strategy (Pre Submission Draft October 2015, Major Modifications June 2016 and Further Major Modifications November 2016) and paragraphs 87 - 89 of the National Planning Policy Framework.”

A subsequent appeal by the applicant against this decision was dismissed for the following reasons:

- The development would constitute inappropriate development in the Green Belt, and very special circumstances had not been demonstrated. The Inspector accepted that there may be a number of considerations that could support the proposal, including viability of the Golf Club and the investment which may boost the local economy if all phases of the wider scheme were implemented (at that stage, reference was made within the application documents to long terms plans to provide a further 475 lodges on the site). However, based on the evidence submitted with that application, the Inspector considered this did not either individually or collectively outweigh the identified harms, and consequently very special circumstances did not exist to justify the development.
- The Inspector considered that, whilst the visual impact of the lodges would soften over time, particularly given the proposed landscaping, there would still be an inevitable and significant adverse impact on the present openness of the land.

The Inspector went on to state that on that basis alone, irrespective of whether or not the buildings would be visible from within the public domain, there would be a loss of overall openness to the Green Belt in spatial terms.

2.8 This application has revised the previously refused scheme to spread the lodges around the periphery of the site, rather than concentrate them in the southern part of the site as with the previous application.

3. Planning History

Reference Number: 16/04458/FUL

Description: Change of use of land to accommodate 150 holiday lodges and operational development of roads and pitches along with new site access

Status: REFUSED

Appeals

Reference Number: 17/00047/REFUSE

Description: Change of use of land to accommodate 150 holiday lodges and operational development of roads and pitches along with new site access

Status: DISMISSED

4. Consultee Responses

Pegswood Parish Council	<p>Object for the following reasons:</p> <ul style="list-style-type: none"> - Located outside of any defined settlement boundary - inappropriate development in the Green Belt - The impact on residential amenity; - Unsuitable site access; - The impact on ecology; and - Insufficient information to assess the impact of foul and surface water drainage.
Longhirst Parish Council	<p>Object for the following reasons:</p> <ul style="list-style-type: none"> - Impact on highway safety due to proximity of exist from the site to the junction with the B1337 - Impact of lighting on openness of Green Belt and on wildlife - Provision of services, in particular sewerage disposal - Impact on residential amenity - Uncertainty over the proposals as previous application stated that 450 lodges were needed to make the club viable, however this application states that 150 lodges would sustain the golf club - The development would be inappropriate development in the Green Belt and would impact on openness.
Hebron Parish Council	<p>The Parish Council wish to object to this application for the following reasons:</p> <p>The additional traffic that will use the road through the village, where we are already exploring traffic calming measures for the present through traffic.</p> <p>According to our recent traffic survey - Jan 2018, there are less than 500 cars travelling along the C130 daily. This holiday development will increase</p>

	<p>this volume by approx 150 in and another 150 out, i.e. 300 cars on change over days (which are likely to be Fridays and Mondays). This is a very significant increase on a narrow country road and will potentially dramatically increase the traffic levels in Hebron Village again and could even cause traffic jams at peak times .</p> <p>There is also the risk of accident due to poor visibility due to the blind dip to the north near the proposed entrance and the entrance to Beech Croft on the opposite site of the road.</p>
Highways	No objection, subject to satisfactory information to demonstrate how vehicle movements between the golf club and holiday lodges would be prevented being submitted prior to the determination of the application.
Countryside/ Rights Of Way	No objection
Building Conservation	No objection
County Archaeologist	No objection
County Ecologist	Further information required
North Trees And Woodland Officer	No response received
Public Protection	No objection subject to conditions
Waste Management - North	No response received
Tourism, Leisure & Culture	No response received
Lead Local Flood Authority (LLFA)	Object on the grounds that the drainage statement provided does not give enough detail to support the proposed drainage scheme
Fire & Rescue Service	No response received
Architectural Liaison Officer - Police	No response received
Environment Agency	Objection on the grounds that insufficient information has been supplied to demonstrate that the risks of pollution posed to surface water quality can be safely managed
Historic England	No comments
Natural England	No objection
Highways England	No objection, subject to condition
Northumbrian Water Ltd	No comments
Northumberland Sport	<p>Northumberland Sport would recommend that this planning application be approved as it will:</p> <ul style="list-style-type: none"> - Increase participation in sport (golf) which will have a positive impact on residents/visitors health and well-being. - Retain the Euro Pro Tour in Northumberland - bringing in visitors and boost to the local economy - Have a positive effect on tourism and the local economy - Create new jobs - Ultimately sustain the club financially long-term

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	28
Number of Objections	9
Number of Support	93
Number of General Comments	2

Notices

Stat pub & affect listed building & con 20th April 2018

Morpeth Herald 5th April 2018

Summary of Responses:

9 objections have been received on the following grounds:

- impacts on residential amenity (privacy, light/noise/air pollution);
- scale of development;
- inappropriate development in open countryside and Green Belt;
- effects on trees, hedgerows and wildlife;
- additional traffic, access and road safety;
- lack of services and public transport; and
- impacts on drainage.

93 letters of support have been received for the following reasons:

- Support the future of the golf course
- Boost to the local economy
- Creation of jobs within the area
- Increase in tourism in this part of Northumberland

It should be noted that most of these responses have been received from members and users of the golf course.

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=P5MK7GQS0J400>

6. Planning Policy

6.1 Development Plan Policy

Morpeth Neighbourhood Plan (10 May 2016):

Sus1 Sustainable development principles
Des1 Design principles
Set1 Settlement boundaries
Tra2 Traffic congestion
Tra3 Transport requirements for new developments
Tra4 Development of footpath and cycleway networks
Inf1 Flooding and sustainable drainage
CAEmp1 Improving the visitor economy
CAInf1 Drainage system capacity and performance

Castle Morpeth District Local Plan (2003):

RE5 Surface water run off and flood defences
RE6 Service infrastructure
RE8 Contaminated land
RE9 Ground stability
C1 Settlement boundaries
C11 Protected species
C15 Trees in the countryside and urban areas
E10 Self catering holiday accommodation
E12 Caravans and camping sites
R8 Public footpaths and bridleways

Northumberland County and National Park Joint Structure Plan (February 2005):

S5 Extension to the Green Belt

6.2 National Planning Policy

National Planning Policy Framework (2018)
National Planning Practice Guidance (2014, as updated)

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

Principle of the development and Green Belt
Landscape and Visual impact
Heritage Assets
Residential amenity
Highway Issues
Flood Risk and Drainage
Ecology
Contamination and Ground Conditions

Principle of Development and Green Belt

7.2 The site does not fall within the Green Belt as identified within the Local Plan, which would be covered under Policies C16 and C17. However, Policy S5 of the Structure Plan established the general extent of a Green Belt extension around

Morpeth. While the Plan did not define a detailed outer boundary or boundaries to settlements located within the general extent, as worded in Policy S5, it is clear that the application site is located within this area.

7.3 The western part of the site where it lies within the Pegswood Parish area falls within the Morpeth Neighbourhood Development Plan area. The Plan was approved by referendum in February 2016 and was made by the County Council in May 2016, as such it holds full weight as a development plan document.

7.4 Policy Sus1 provides the overarching approach to delivering sustainable development in the Neighbourhood Plan area. It specifies that new development, including tourism related development and accommodation, should be located and developed at a scale to accord with the Plan's policies and support the viability and sustainability of communities. Closely associated with Sus1, Policy Set1 provides a policy approach to settlement boundaries and development beyond them. All development beyond settlement boundaries, which the development would be, should be treated as development in the open countryside and it specifies development which would be considered appropriate. Criterion C refers to: "a sustainable visitor attraction that is related to the experience or interpretation of the countryside or a sustainable leisure development which respects the character of the countryside where needs are not met by existing facilities within settlement boundaries"

7.5 Ensuring that the development adheres to this criterion is an important material consideration in establishing whether the development would be supported in principle.

7.6 One of the key aspects of the economic strategy of the plan (linked to objective PO3) is to develop Morpeth as a key hub in the region's tourism economy and it is recognised that there is:

"The need to improve the number and range of visitor attractions and the range and choice of visitor accommodation are highlighted, and the provision of a wider choice of visitor accommodation is particularly important to help develop Morpeth's tourism economy beyond its current 'day-visitor market'."

7.7 Therefore consideration of the potential positive impact of the scheme on both the regions and Morpeth's visitor economy should be a key consideration in assessing the application. Policy CAEmp1 states that Morpeth Town Council, working in partnership, will promote and support measures that strengthen Morpeth's visitor economy and its role as a tourism hub for the region and which increases the number and range of visitor attractions; improves the range and choice of visitor accommodation.

7.8 Having regard to the NPPF proposals will need to ensure that a sustainable form of sustainable development can be achieved in relation to social, economic and environmental considerations, which need to be considered overall to determine if sustainable development is achieved. Paragraph 83 sets out that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; promote

the development and diversification of agricultural and other land-based rural businesses; and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

7.9 Paragraph 133 of the NPPF attaches great importance to Green Belts, with the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 134 sets out that Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.10 Paragraph 143 of the NPPF highlights that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Paragraph 144 requires Local Planning Authorities (LPA) to ensure that substantial weight is given to any harm to the Green Belt, and that "'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations". Paragraph 145 sets out that LPAs should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are also identified, however the proposed development of new holiday lodges are not considered to fall within these. Any development as proposed within the Green Belt would therefore need to clearly demonstrate that very special circumstances (VSCs) exist.

7.11 The applicant has submitted a Planning Statement with the application that looks to address Green Belt matters as part of the proposals. In terms of the purposes that the Green Belt serves set out at paragraph 135 of the NPPF the applicant states the following in turn:

"to check the unrestricted sprawl of large built-up areas"

The only settlement capable of being described as a 'large-built up area' within the vicinity of the site is the town of Morpeth, although officers would also highlight that the settlement at Pegswood could be capable of falling within this description. Given the distance from these and the visual containment of the application site, it is considered that the proposal would not constitute the unrestricted sprawl of any large built up area.

"to prevent neighbouring towns merging into one another"

The closest village to the Golf Club is Longhirst, with Hebron further west and Morpeth and Pegswood to the south. The statement suggests that given the context of the scale of the gap between the settlements, and given the relatively limited quantum of development proposed compared to the full area of the site itself, there is

no prospect that the proposals would result in any neighbouring towns/settlements merging into one another. Officers would agree with this assessment on the basis of the proposals the subject of this application.

"to assist in safeguarding the countryside from encroachment"

The statement sets out that the main purpose of Policy S5 of the Structure Plan and the extension of the Green Belt north of Morpeth is to maintain the role of Morpeth in the settlement hierarchy, implying that the primary purpose is to prevent the encroachment of Morpeth into the surrounding countryside. In addition it states that encroachment is by definition a gradual intrusion. However, VSCs can be demonstrated that outweigh the harm to the Green Belt resulting from the development, and in isolation this would not undermine the purpose of the Green Belt. It also highlights that mitigation and enhancement proposals would assist with landscape character, and the more rural and open landscape character of the areas surrounding the golf course would remain unchanged.

It is officer opinion that new development as proposed would undoubtedly result in encroachment into the countryside, and the presence of VSCs will be considered later.

"to preserve the setting and special character of historic towns"

The statement acknowledges the proximity of the site to the Conservation Area and listed buildings in the locality, and sets out that given the separation and existing planting around the site the development would have negligible impact upon the setting and special character of Longhirst. The impact upon heritage assets will be considered in more detail later in this report, although it is considered reasonable to conclude that the development would not be contrary to this purpose of Green Belt designation.

"to assist in urban regeneration, by encouraging the recycling of derelict and other urban land"

The applicant states that the development is intrinsically linked to the Golf Club as a means of offering both accommodation for visiting golfers and attracting new tourists and families to the area. It is suggested the development would make up for the loss of accommodation for golf tourists following the closure of Longhirst Hall Hotel, and directly cross-fund the golf club. On this basis the proposals would not prejudice the development of any other derelict or urban land elsewhere in the county. The proposal itself results in the development of greenfield land in the countryside, however, it is not felt to be in conflict with this purpose of Green Belt designation.

7.12 The site contributes to the third purpose of the Green Belt. Thus it has a Green Belt function in an area within the general extent of the Green Belt. On this basis, it is concluded that the site should be treated as being within the Green Belt, as established within saved Policy S5, and would conflict with this purpose of the Green Belt.

Openness

7.13 As part of the consideration of the appeal against the previous application, in respect of the issue of impact on openness, the Inspector concluded:

“Thus not only would the development result in an increase in the amount of built development, this would be further compounded by its permanence.

The visual impact of the lodges would be likely to soften over time, particularly given the proposed landscaping. However, there would be an inevitable and significant adverse impact on the present openness of the land. On that basis alone, and irrespective of whether or not the buildings would be visible from within the public domain, there would be a loss of overall openness to the Green Belt in spatial terms.”

7.14 The current application has amended the proposal, keeping the same number of holiday lodges, but spreading them around the periphery of the golf course, rather than concentrating them into the southern part of the site. However, it is considered that this would increase the impact upon the openness of the Green Belt by spreading the development into parts of the site which would have previously been unaffected, with its openness retained. There would now be harm to the openness around the southern, western and northern edges of the site, and as such the revisions to the scheme would not overcome the reason for refusal of the previous application, or the concerns raised within the Inspector's appeal decision.

Very Special Circumstances

7.15 With regard to demonstrating VSCs, the applicant's statement highlights the decline in golf participation and securing the viability of the Golf Club as important considerations. It highlights that golf club membership in England dropped by 20% between 2004 and 2013, and in the case of Longhirst Hall golf Club, revenue from membership fees is decreasing year on year. It is suggested this has been compounded by the closure of the 53 bedroom Longhirst Hall Hotel in 2014. The submitted Planning and Economic Statement sets out that at Longhirst a total of 11,000 rounds of golf were played by day visitors in 2015 (excluding Club members), which represent a decline of 4,000 from 2013/2014, when Longhirst Hall Hotel was still open. However, it should be noted that as part of the previous application, information submitted by the applicant indicated that a total of 11,000 rounds of golf were played by day visitors of the golf course in 2010, again when the hotel was open. Therefore the number of day visitors to the golf course in 2015 is the same as that in 2010.

7.16 The supporting information states that a decrease in income from golf fees has had a clear knock-on effect upon the profitability and viability of the Golf Club. The Club and their representatives have discussed this with officers and sought to demonstrate that the accounts display substantial losses for each of the past five years, and the Club would be subject to immediate closure without the subsidy of its current owner.

7.17 The applicant puts forward that the development of a holiday lodge park within the site offers a sustainable and appropriate means of offering both accommodation for visiting golfers, and attracting new tourists and families to the local area. As well as providing new 'stay and play' accommodation to offset the loss of Longhirst Hall Hotel, and thereby increasing visitor numbers to the golf club, the revenue from the

lodge development will feed directly into the Golf Club and help to sustain its on-going viability. It is stated that the financial benefits to the Club would include revenue from sales, rental income and associated spending through increased use of the Club, and the proposals will also increase the demand for the Club's catering offer, and increase footfall within the area for other businesses.

7.18 The applicants state that the proposed lodges would primarily attract golfing families, and a £750 family membership is included with the sale of each unit in order to try to attract families and encourage children to take up golf. It is envisaged the proposed lodges would generate approximately £100,000 in new membership fees to offset current losses. Guest rounds (of which there could be around 2,500) are expected to generate a further £35,000 per annum. Together with the additional rounds facilitated through the lodge development, this would potentially offset the losses made by the Club, to a level where it is viable and its future is secured.

7.19 In order to demonstrate the effectiveness of this strategy in terms of offsetting the losses of the Golf Club, and provide evidence for the requirement for 150 lodges, the Club has made available to officers forecast figures for the next 16 years. The figures set out the projected growth of the lodge development over the period of the project, and takes account of income from site fees, running costs, capital costs, bank loan interest and overall profit/loss per year.

7.20 The statement seeks to make the case that the plan demonstrates how the incremental growth in the number of lodges from 15 in Year 2 to 150 in Year 11 gradually generates sufficient site fees to offset the initial capital expenditure and loan costs associated with the development.

7.21 The applicant's statement sets out that if the viability of the Golf Club cannot be secured then there would be economic, social and environmental implications if it were to close. In economic terms this would be the loss of an economic and tourism asset that directly employs 20 members of staff, contributes business rates and regularly hosts the PGA Europro tour. In social terms it is suggested the Golf Club currently sustains an equestrian centre and provides a source of spin-off visitors to the adjacent Morpeth Cricket, tennis and Hockey Clubs. In addition the Club is a publically accessible course and contains a bar and restaurant open to members of the public, and which is used by local residents. The closure of the Club would result in the loss of these facilities. In environmental terms, it is stated the closure would affect the long-term maintenance and environmental regeneration of the site.

7.22 This level of information was also provided as part of the previous application, and was documented within the Officer report. This information was then considered by the Inspector as part of the appeal against the refusal of the previous application. The Inspector made the following comments:

“The appellants’ statement of case makes reference to a significant loss of revenue at the golf course due to a decline in golfing interest and the closure of the Longhirst Hall Hotel. They also express concern at the likelihood of the closure of the golf club if planning permission is not granted for the proposed lodges. However, no substantive financial evidence has been submitted as part of the appeal documentation confirming this position.”

Both parties make reference to the submission of a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended). It is contended that the obligation is required in order to ensure that the profits received from the holiday lodge development would be linked directly to the Golf Club to sustain its viability.

The appellants have confirmed that initially the lodges would be managed directly by the Golf Club, which would ensure that revenue is fed directly back to the club. Whilst the appellants have raised no objection to being party to a S106 planning obligation, no such document has been provided. The lack of substantive financial evidence and an executed obligation means I cannot attach significant weight in favour of granting planning permission.

It is accepted that there may be a number of considerations in that could support of the proposal, including the viability of the Golf Club and the investment which may boost the local economy if all phases of the wider scheme were implemented. However, on the evidence before me, these considerations either individually or collectively do not outweigh the identified harms. Consequently, very special circumstances do not exist to justify the development.”

7.23 No further financial information has been provided over and above the type and level of information submitted for the previous application, to which the Inspector refers. The covering letter and Planning and Economic Statement make reference to the financial situation of the golf club, and a spreadsheet showing the forecast figures for the next 16 years and projected growth of the lodge development, no substantive financial evidence has been provided. As such, the reason for the dismissal of the appeal have not been overcome as part of this application.

7.24 In summary, the application has been put forward on the basis that the fundamental purpose of the proposal is to safeguard the viability of the Golf Club, and the continuation of the important role it provides in offering high specification tourism and sporting facilities for the county. However, whilst the situation of the golf club is acknowledged and understood, it is considered that the financial circumstances of the golf club and potential financial investment into the golf club as a result of the development, would not outweigh the identified harm to the Green Belt, both by reason of inappropriateness, and in terms of impact on openness. The proposal would therefore be contrary to paragraphs 143-145 of the NPPF.

Landscape and Visual Impact

7.25 Given the proposed scale of development the proposals have the potential to have a significant impact upon the character and appearance of the site and wider landscape and the openness of this part of the Green Belt. This will be as a result of the new holiday accommodation as well as associated infrastructure such as the new vehicular access, internal roads and any external lighting that may be proposed.

7.26 Policy E10 of the Local Plan permits proposals for new build self-catering accommodation outside of the Green Belt subject to criteria, whilst Policy E12 permits new and extensions to existing static caravan parks outside of the Green Belt. These are policies that relate to development within the Green Belt as identified within the proposals map of the Local Plan. Whilst the site does not fall within this designation, it does fall within the area of the Green belt defined by S5 of the Structure Plan. Reference is made to these Local Plan policies in respect of the

criteria that would generally apply to such development. These include that there should be no detrimental effects on the character and appearance of the countryside, there would be no adverse impact on the local community, development should be well related to the character of settlements, any additional traffic can be accommodated on the road network, and there would be no adverse impact on sites of heritage or nature conservation value.

7.27 The application has been submitted with a Landscape and Visual Appraisal (LVA), which officers have taken into account along with site inspections of the area.

7.28 The proposed lodges would be single storey structures. The plans submitted indicate that the lodges would have an approximate height of 3.5 metres, and would measure approximately 18 metres in length. The lodges would have a natural appearance with timber effect finish and colouring to reflect the landscape character of the area.

7.29 The LVA highlights that the proposals will result in some loss of young woodland, tree and hedge cover as proposed lodges are located within existing woodland areas to integrate with the landscape character of the site. Mitigation measures are suggested including retention of vegetation where possible and replacement and enhancement planting to ensure the development landscape character is maintained, and the lodge development is appropriate to the site. Lodges are to be grouped together to prevent regimented lines of development, and will be within tree planting to attempt to integrate within the landscape. The LVA states it is anticipated the development would have no effects on the landscape of the National and Local Character Areas as there will be minimal change over a localised area.

7.30 The LVA has also considered impacts on views from various points around the site, including from public rights of way and highways adjacent to the site and the Pegswood Community Park to the south. It concludes that the main change in relation to landscape character is that of the site itself, and this would be limited due to lodges being integrated within the existing landscape and additional planting being proposed. Through a considerate approach to design in terms of siting of lodges, using existing maintenance tracks as access routes, retention of existing landscape features within the site and addition of new ones, the LVA states the magnitude of change of the development will be negligible to low.

7.31 The LVA finds there will be limited views of the development within the wider study area due to topography and existing screening. As evidenced through site visits, the receptors most affected are those in close proximity to the site, including users of the B1337 Hebron Road to the south, and some parts of the public rights of way network to the west and north. There will be some clear views where there is less screening and gaps within vegetation, although these can be reduced through the additional proposed planting, and the effects will be limited when passing these gaps over a short distance. Retention of existing vegetation, along with new planting will be important to minimise the visual impacts of development. In addition the topography of the land helps to contain the site and reduces the visual impact from longer range views.

7.32 It is officer opinion that the proposed development could be assimilated into the landscape without resulting in significant or adverse effects upon the character and

appearance of the site and wider landscape. The details of the size, form, layout and external finish of all lodges/caravans could be secured by condition prior to being brought on to the site, should the proposal be looked upon favourably. Lighting requirements also need to be carefully considered to ensure there are no adverse effects on the character of the area, and these details can be secured by condition. Detailed landscaping proposals and management will also need to be covered by planning conditions.

7.33 However, as set out above, the development would impact upon the openness of the Green Belt as a result of the introduction of new lodges into the currently open landscape of the golf course. It was considered within the Officer report for the previous application that the harm to openness and landscape character would be reduced as a result of the proposed development being located towards the southern boundary of the overall site Golf Club site area with the remainder of the land being retained as open landscape. However in this case, the application has been revised to assimilate to golf lodges around the western and northern boundary of the golf course, and as such this open landscape would no longer be retained. Therefore, there would be a further impact on the openness as a result of the development proposed under this application.

Heritage Assets

7.34 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In addition Section 66 of the Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.35 Policy Des1 of the Neighbourhood Plan seeks to ensure development in proximity to designated and local heritage assets and their settings conserves, preserves, reflects and enhances the historic asset and the historic environment in accordance with their significance. Part 16 of the NPPF provides guidance on the preservation of the historic environment.

7.36 Consultation has taken place with Historic England the Council's Conservation team in respect of matters of built conservation and archaeology. Historic England has raised no objection or comments other than to advise that the application should be determined in accordance with national and local policy guidance, and on the basis of NCC specialist conservation advice.

7.37 The Building Conservation Officer comments that the proposed development site is enclosed by mature and uniform hedgerows with the site having undulating topography created in part by the design of the course (holes, hazards and associated features). In addition it is considered that the ability to appreciate and understand the character and setting of Longhirst Hall and the Longhirst Conservation Area would not be harmfully impacted by the proposed development. Building Conservation therefore considers that the overall proposals will not result in demonstrable harm to Longhirst Hall, its setting and its features of architectural and

historic interest; and the character, appearance and setting of the Longhirst Conservation Area.

7.38 The Conservation team has also commented in respect of archaeology. On the basis that the application site falls entirely within the area of the former opencast no objection is raised and no archaeological work or mitigation is required.

Residential Amenity

7.39 The proposed development has the potential to impact on the amenity of residents in the locality of the site, particularly those to the south immediately adjacent to the development on Hebron Road and the B1337. These impacts would primarily be in relation to the overall scale of development; increased traffic and activity on the site through the new use; location of the new access and internal access road; effects on visual amenity; and effects on privacy.

7.40 The new access would be located on the Hebron Road, opposite the site of a new dwelling under construction, and upon which is a caravan being occupied whilst the development is taking place. Concerns have been raised regarding the location of the new access in terms of highway safety and noise disturbance, as well as the positioning of refuse collection area close to the access point. Matters in respect of highway safety will be considered later in this report, although it should be noted that there are no objections to this element on highway grounds.

7.41 In terms of noise disturbance, there will be an increase in traffic, although the scale of development proposed within this application is not considered to result in any levels that would result in significant or harmful impacts. In addition, the dwelling is situated adjacent to an existing highway and would experience the effects of passing traffic without the proposed development. The location of the access to serve the development is not considered to result in adverse effects on residential amenity. The location of the refuse collection area is a matter that can be looked at through submission of additional details that can be secured by conditions, and as this is an aspect that will also require further consideration for highway safety reasons. In terms of its siting with regard to residential amenity, it is not considered that this would be unacceptable or result in adverse effects due to the separation between the sites, although this can be looked at in more detail.

7.42 The development would introduce a large-scale form of development into this countryside location, and in close proximity to existing housing. There would be some effects on residential amenity given the additional traffic and increased use of the site for holiday purposes. However, having regard to the layout of the lodges and access road, which is similar to the route of the existing maintenance track that runs around the southern boundary of the golf course, there are not considered to be significant or harmful impacts upon the amenity of residents. The distance from the lodges to the nearest dwelling at Highleas would be between 33 - 37 metres, and there is substantial planting to the boundaries of this site that would lessen the visual impact. The distance from the nearest lodges to the dwellings further to the east increases to around 60 - 90 metres. There are more open boundaries at this point, although given the separation distance, the proposed layout and additional planting that is proposed, the effects of these can be mitigated, and it is not felt that there would be adverse impacts on amenity.

7.43 The existing maintenance track that serves the golf course to the southern boundary would be increased in width to accommodate the additional vehicles for the lodges. The applicant has confirmed that the new vehicular access from Hebron Road would serve the proposed new lodges only, and therefore use of this would be more limited than if it were also to serve the Golf Club with associated member and visitor trips. The existing track already leads to the area around the existing driving range and club house. The submitted plans do not show any proposals to link the access road from the lodges to the existing car park, although the application documents do indicate that each plot would make parking provision for a golf buggy, and therefore it may be expected that the road would be used in this way to connect to the golf club. On this basis, and given the separation distance and proposed additional planting, it is not considered that there would be significant or adverse effects from the use of the new access road to serve the lodges. However, a condition could be attached to any permission granted to restrict the use of the new access for the lodges only, as well as maintenance of the golf course as existing, in order that the effects of any increased use on amenity could be assessed further.

7.44 In summary, the development as proposed is not considered to result in any significant or unacceptable harmful impacts upon the amenity of adjacent residents, whilst any effects can be mitigated through the layout of development, conditions restricting use and new landscaping to the boundaries of the site. This assessment is based on the submitted proposals for the application as submitted, and further details consideration would need to be given for any application(s) for larger-scale development of the golf course or proposals to use the access to serve the lodges and Golf Club.

Highway issues

7.45 Consultation has taken place on the application with Highways England and the Council's Highways Development Management Team (HDM). The application is accompanied by a Transport Assessment (TA) which examines and appraises the transport impacts and any necessary mitigation arising from the traffic generated by the proposals. It also considers the opportunities for non-car modes of transport. The TA is identical to that which accompanied application ref. 16/04458/FUL. The TA considered the transport impacts arising from the potential full development of 475 lodges and now, as then, is therefore robust in respect of the proposal for 150 lodges.

7.46 The commonly employed TRICS database has been used to calculate the potential vehicle trips in the peak hours. The TA contains assumptions regarding a percentage of lodges that may be occupied on a residential basis. It is assumed that such occupancy would not be permanent but that permission, if granted, would limit residential occupancy to particular months of the year. In reality the proportions of tourist / residential occupancy does not result in meaningful variation to the peak hour trip predictions.

7.47 The applied distribution of trips to the highway network is reasonable and alternative assumptions in this respect would not adversely affect the overall conclusion. Accident records for the highway network in the vicinity of the site have been analysed and no pattern of causation that might be exacerbated by the increase in vehicle trips has been identified.

7.48 Notwithstanding the above the Highway Authority recognises that the geometry of the junction of Hebron Road with the B1337 is less than ideal. However, there is no evidence to indicate that it does not operate satisfactorily or that the operation would be prejudiced by the introduction of additional vehicle trips.

7.49 Access to the site is proposed to be via a priority junction with right-turn harbourage, indicated on Drawing No. JN1218-DWG-0001 contained within the TA. Whilst predicted queues and delays at the junction are such that a dedicated right-turn lane would not be necessary, in this case the measured high vehicle speeds are such that the lane enhances safety and is therefore a requirement in those terms. The principle of the access arrangement contained within the TA is therefore acceptable.

7.50 However, it is noted that the currently submitted Proposed Masterplan (Drawing No. 1000-100) indicates the access in a different position to that shown on the drawing referred to above and in comparison with the arrangement proposed at the time of the previous application.

7.51 Whilst the application is submitted in full it is recognised that the TA access design is illustrative and will be subject to future detailed design pursuant to an Agreement under Section 278 of the 1980 Highways Act. In view of the significant length of application site frontage a variation to the position of the junction, perhaps to address other constraints, is unlikely to present any issues. This being the case there is value in a condition of permission being worded to provide for such a change without a formal variation being necessary. Further clarification on this point and the discrepancy between the TA access design and the Masterplan access position will however be welcomed.

7.52 The TA concludes that “there are no accessibility, road safety or operational highways / transport related issues that would result in a severe impact on the local road network and therefore prevent the implementation of the proposed development”. As before, there is no evidential basis to dispute the generality of this conclusion and, accordingly, there are no highway objections in principle to the granting of planning permission in terms of impact on the highway network. There are a number of points where further information was requested previously, some of which were subsequently to be addressed through conditions in the event that planning permission had been granted. Other matters are raised by the current submission. For completeness all issues are referred to below with a comment where these had been addressed by proposed condition at the time of consideration of application ref. 16/04458/FUL.

7.53 There is an existing access located immediately north of the Hebron Road / B1337 junction. This access should be unavailable for vehicular use since it is poorly related to the junction. A condition was recommended previously requiring details of the means by which vehicle access will be restricted.

7.54 The current planning application form states “There will be a specified waste collection station for Local Authority or Contractor vehicles to the north of the site entrance. See Plan 1000-001”. Plan 1000-001 is the site location plan and provides no information in respect of waste collection facilities. There appears to be a single waste collection point shown on Proposed Masterplan 1000-100. It is considered that this matter can be dealt with, as before, by condition of planning permission requiring

the submission and approval of details.

7.55 The application form refers to the provision of 150 car parking spaces, i.e. 1 space / lodge. However, a number of the submitted drawings appear to indicate 2 spaces / lodge. Again, in highway terms, it is considered that this matter can be dealt with by condition of planning permission requiring the submission and approval of details. A concern previously, particularly in terms of how the TA had considered the vehicle trips generated by the proposed use, related to the precluding of a vehicular link between the proposed vehicle access and the Golf Club itself. A proposed condition required details to demonstrate how vehicle movements between the two elements would be prevented. Whilst elimination of a link was relatively straightforward at the time of the previous application, as the lodge development was confined to the southern part of the site, this may now result in issues of implementation as the proposed lodges envelope the golf course. Accordingly, it is recommended that information relating to this matter is submitted for approval at this stage. Therefore, should Members be minded to approve the the proposed development, this information should be provided prior to determination of the application, and cannot be secured by planning condition.

7.56 Highways England has raised no objection to the application, subject to a condition that where delivery of lodges utilises the A1, access to the site should utilise the A1/Morpeth Northern Bypass junction following completion of this road, which could be included as part of any construction method statement condition. Having regard to the above, it is considered that the principle of the proposal is acceptable in highway terms, although further information will need to be submitted for approval prior to determination of the application should members be minded to approve the application, and also through planning conditions.

Flood Risk and Drainage

7.57 Part 14 of the NPPF advises that development should be directed towards areas at lowest risk from flooding, ensuring that development does not increase flood risk elsewhere. Castle Morpeth Local Plan Policy RE4 seeks to protect the quality of surface or underground waters. Policy RE5 seeks to prevent development in flood risk areas or where development may increase the risk of flooding elsewhere and encourages SUDS. Policy RE6 considers land drainage water supply and sewerage.

7.58 Policy Des1 of the Neighbourhood Plan requires the incorporation of sustainable drainage systems. MNP Policy Inf1 requires that developments should demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. Development will need to satisfy the requirements of the NPPF in relation to achieving a sustainable form of development having regard to foul and surface water drainage and flood risk.

7.59 With regard to foul drainage, the application documents state there are no foul water sewers close to the site and the site levels and disbursed pockets of holiday lodges throughout the phase 2 area would require multiple pump stations. It is therefore proposed that foul water will be discharged to a series of packaged treatment plants which will be located in areas to suit the site topography. The outlets from the treatment plants will discharge to drainage fields and overflows will be provided to the central ponds. As the phase 1 area the subject of this application falls to the west and the east from the highpoint it is anticipated that there will be two

treatment plants, at the north-eastern and north-western edges of the development area.

7.60 It is proposed that no formal surface water drainage network will be installed, and runoff from the site will continue to discharge to the ground and overland to the central ponds at exiting greenfield rates.

7.61 Northumbrian Water has raised no objection or comments to the proposal. The Lead Local Flood Authority (LLFA) had requested additional information on the drainage strategy for surface water drainage. This information would need to be provided prior to determination, should the application be looked upon favourably. However, in the absence of this information, there is an objection in place from the LLFA.

7.62 The Environment Agency (EA) has objected to the development on the grounds of the proposed foul drainage arrangements and connection to non-mains drainage in a publically sewered area, and that no justification has been provided for this method of foul sewage disposal. The applicant has indicated that they are willing to address this issue should the application be looked upon favourably, however at this current time no further information has been provided, and the objection from the EA remains in place. It should therefore be noted that this is a matter that will need to be adequately addressed should Members be minded to approve the application and prior to any permission being issued.

Ecology

7.63 The Local Plan and NPPF highlight the importance of considering potential effects upon the biodiversity and geodiversity of an area. NPPF Paragraph 170 requires the planning system to contribute to and enhance the natural/local environment by, minimising impacts on biodiversity and providing gains. Paragraph 175 encourages opportunities to incorporate biodiversity in and around developments and requires that significant harm be adequately mitigated/compensated. Castle Morpeth Local Plan Policy C11 seeks to protect species and their habitats unless it can be demonstrated that the reasons for the development outweigh any adverse effect on the species/their habitat.

7.64 Additional information and clarification has been sought from the applicant's ecologists on the proposed impacts on habitats, which has been provided. The ecologists highlight the value in the site is its mosaic of habitats within an area which is intensively managed for agriculture. The site is relatively 'new' and is an intensively managed golf course, with areas of natural/semi-natural habitat dotted throughout (making up water hazards, rough and structural planting to the boundaries).

7.65 The submitted newt survey concluded, via eDNA analysis only, that ponds on the site did not have populations of great crested newts. However, the Habitat Suitability Index (HSI) assessment concludes that ponds are suitable for the species. The current use of the site would create sheltered and undisturbed areas for a range of bird species, and the development would be a material change to the habitats on site (as noted in the report by E3). The various reports conclude that the site does have habitat value, and a range of mitigation and enhancement measures are recommended. The surveys require updating. At a minimum this needs to include;

- updating Ecological Appraisal/ Impact assessment based on the new design for the site and increased footprint.
- updating newt HSI/risk assessment confirming the results from 2016 (i.e. updating eDNA survey of the three ponds only unless material change).
- revised avoidance and mitigation proposals applied to the changed site design

7.66 This information should be provided prior to determination of the application, should it be approved however, at this time, in the absence of this information Officers are of the opinion that it has not been demonstrated that the development will conserve biodiversity, and would not impact upon any protected species. The proposal is therefore contrary to Policy C17 of the Castle Morpeth Local Plan, and the provisions of the NPPF in this respect

Off Site Effects - impacts on coastal sites

7.67 Since the last response in March 2017 from the County Ecologist on the previous application, Natural England and Northumberland County Council have been reviewing our approach to addressing increasing levels of recreational disturbance affecting coastal SSSIs and European sites. This review has been triggered by new evidence concerning the sources of disturbance and its consequences, and as a result of that we have to conclude that new residential and tourism development within 10km of the Northumberland coast, in combination with other plans and projects, is likely to have a significant effect on the qualifying features of the coastal designated sites; primarily the range of bird species that either over-winter or breed on the coast, but also the dune grasslands where foot passage is spreading the non-native invasive species pirri-pirri bur. Consequently there is a requirement for mitigation for this proposed development, to address increased recreational disturbance at the coast.

7.68 Northumberland County Council recognises that it can be very difficult for developers to provide such mitigation themselves, given the extensive land areas required for alternative greenspaces for activities such as off-lead dog-walking and the evidence of the relatively weak effect of such measures in diverting recreational users from the coast. Therefore the Council has introduced a scheme whereby developers can pay a contribution into a coastal mitigation service (paid on occupation of the first unit), which will be used to fund coastal wardens who will provide the necessary mitigation. Proposed developments that join this scheme can be screened out of having adverse effects on the coastal SSSIs and European sites without the developer having to commission any survey or mitigation work. The contribution for major developments (10 or more units) is set at £600 per unit within 7km of the coast and £300 per unit for those between 7-10km of the coast. Minor developments of 9 units or less contribute £600 per unit within 7km of the coast but are exempt beyond that. This is secured by a S.106 agreement and is payable on first occupation. This site is 9.3km from the coastal designated sites at its nearest point.

7.69 In the absence of either participation in the Coastal Mitigation Service or adequate bespoke mitigation to address coastal disturbance issues, it can only be concluded that the proposed development will have an adverse effect in the integrity of the Northumbria Coast SPA and Ramsar Site, Lindisfarne SPA and Ramsar Site and the Northumberland Dunes SAC, in combination with other plans and projects. Therefore, in these circumstances, the application will be refused permission on

these grounds in order to remain compliant with the Conservation of Habitats and Species Regulations 2017.

Contamination and Ground Conditions

7.70 As a result of the former opencast workings on the overall golf course land the application site falls within the higher risk Coal Authority Referral Area. Policy Des1 of the Neighbourhood Plan seeks to ensure that development would not be put at unacceptable risk including from contamination and land instability and where necessary incorporate appropriate mitigation, treatment or remediation measures necessary. Policy RE8 of the Local Plan requires applications to be accompanied by sufficient information in respect of the potential for contaminated land on sites where such a risk has been identified. In addition, Policy RE9 requires proposals on unstable or potentially unstable land to be accompanied by a statement on ground stability, together with details of measures proposed to deal with any instability.

7.71 Consultation has taken place with the Coal Authority and the Council's Public Protection team on the potential for contamination and ground stability given the former use of the site. Following the submission of additional information the Coal Authority has raised no objection to the development subject to a condition that would secure further details of site investigations and any remedial works required prior to the commencement of development.

7.72 The geoenvironmental appraisal submitted as part of the application has suggested that the risk from ground gases be rated as moderate . Given the presence of several mine entries, some of which have been assumed to have been removed by the Butterwell Opencast mining. However, this is partly an assumption based upon the presence of Butterwell Opencast and possible boundaries of the quarried areas. Additionally, substantial made ground could present a path of least resistance to gases from deeper coal seams which were not extracted by the opencast operations. Made ground can also be a source of gas itself from the oxidation of rocks exposed to air.

7.73 With regards to impacts upon any future users of the holiday lodges, the applicant has indicated that:

- The proposed lodges will all have a void beneath them of approx. 400mm.
- The void will not be sealed, allowing for ventilation of any mine gases.
- Service pipes will also be sealed to prevent the ingress of gas.

7.74 This is acceptable to the Public Health Protection Unit with relevant conditions imposed upon the applicant to demonstrate the bullet points above.

7.75 Any “permanent” structures created as part of this development of any subsequent ones will require either a ground gas investigation and/or protection measures to be incorporated. Public Health Protection has also requested that all permitted development rights are removed from the site in order to ensure that all future development is subjected to appropriate protection against the ingress of ground gas. This would also be secured by a planning condition.

7.76 The development would appear not to include gardens (including for home produce), however there is still a risk from dermal contact and inhalation from any

contamination in the soils. Therefore, a condition has been recommended for further site investigations and chemical testing of soils for the standard suite of contaminants.

7.77 No objection has been raised by Public Protection, subject to conditions that would secure further details of measures to protect the development from ground gas and a scheme to deal with any potential for contamination of the site. Therefore, if Members are minded to approve the application, conditions would need to be attached to any grant of permission.

Equality Duty

7.78 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

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

Human Rights Act Implications

7.80 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.

7.81 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.

8.82 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 proposed development would introduce a large-scale tourism development into the countryside and this Green Belt location. The proposal would constitute inappropriate development in the Green Belt. The reasons put forward by the applicant in justification of the proposal, in this case the financial investment to sustain Longhirst Golf Course, are not considered to form the very special circumstances required to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and other harm, including impact on openness. The proposal would therefore be contrary to saved Policy S5 of the Northumberland County and National Park Joint Structure Plan (February 2005), and paragraphs 143-145 of the National Planning Policy Framework.

8.2 Insufficient information has been provided to demonstrate that the development would not have an adverse impact upon any protected species. In addition, in the absence of either participation in the Coastal Mitigation Service or adequate bespoke mitigation to address coastal disturbance issues, we have to conclude that the proposed development will have an adverse effect in the integrity of the Northumbria Coast SPA and Ramsar Site, Lindisfarne SPA and Ramsar Site and the Northumberland Dunes SAC, in combination with other plans and projects. Therefore, the development would not comply with the Conservation of Habitats and Species Regulations 2017.

8.3 Insufficient information has also been provided to be able to fully assess the suitability of the site for development in respect of surface water drainage and flood risk, and to demonstrate that a suitable form of development could be achieved. The proposal is therefore contrary to Policy RE5 and RE6 of the Castle Morpeth Local Plan and the National Planning.

8.4 In light of all of the above the proposal is not considered to result in an acceptable form of development in this location. The development would therefore be contrary to the provisions of the Local Plan, Neighbourhood Plan, and the NPPF.

9. Recommendation

That this application be REFUSED permission subject to the following:

Conditions/Reason

01. The proposal would constitute inappropriate development in the Green Belt. The reasons put forward by the applicant in justification of the proposal are not considered to form the very special circumstances required to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and other harm, including impact on openness. The proposal would therefore be contrary to saved Policy S5 of the Northumberland County and National Park Joint Structure Plan (February 2005), and paragraphs 143-145 of the National Planning Policy Framework.
02. The proposal will have an adverse effect on the integrity of the Northumbria Coast SPA and Ramsar Site the North Northumberland Dunes SAC, and a

damaging effect on the interest features of the Northumberland Coast SSSI. Therefore granting planning permission would be contrary to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and S.28 of the Wildlife and Countryside Act 1981 as amended. Natural England as the Government's statutory nature conservation advisor objects to the scheme because of its impacts on nationally and internationally important wildlife sites.

03. Insufficient information has been provided to demonstrate that the development would not have an adverse impact upon any protected species. The proposal is therefore contrary to the provisions of the NPPF and Policy C11 of the Castle Morpeth Local Plan in this respect.
04. The application has been submitted with insufficient information to be able to fully assess the suitability of the site for development in respect of surface water drainage and flood risk, and to demonstrate that a suitable form of development could be achieved. The proposal is therefore contrary to Policy RE5 and RE6 of the Castle Morpeth Local Plan and the National Planning Policy Framework.
05. Insufficient information has been submitted to demonstrate that the risks of pollution posed to surface water quality can be safely managed and assess the risks to the environment for this proposed development. The development would therefore be contrary to NPPF paragraph 170 which states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. In this case, we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to surface water quality.

Background Papers: Planning application file(s) 18/00964/FUL